

GENERAL AGREEMENT ON  
TARIFFS AND TRADE

RESTRICTED  
LIMITED B  
GATT/CP/71/Add.1  
26 June 1950  
ORIGINAL: SPANISH

CONTRACTING PARTIES

SCHEDULE IX - CUBA

Report on Renegotiations with the United States

Addendum

Letter from the Cuban Government invoking Article XIX

The following letter, dated 16 June, has been received from the Cuban Government :

"I have the honour to refer to the renegotiations between Cuba and the United States, approved by the Contracting Parties on 14 September 1948 (GATT/CP.2/SR.25), of certain items of Schedule IX (Cuba) annexed to the General Agreement on Tariffs and Trade.

"You were advised of the successful conclusion of these negotiations in the joint letter, dated 2 June 1950, from Washington, signed by the representatives of Cuba and the United States of America.

"In anticipation of approval by the Contracting Parties of the changes negotiated in Schedule IX, requested in the letter referred to above, my Government has been obliged to make use of the right conferred by Article XIX of the General Agreement in order to put into effect, as from 9 June 1950, the increased duties which result from these renegotiations for certain items of the Schedule. My Government has decided to make use of its rights under Article XIX, without prior consultation with the Contracting Parties, in accordance with the provisions of the end of paragraph 2 of this Article, because it considers that delay would cause grave damage to the national producers affected which it would be very difficult, if not impossible, to repair.

"I enclose herewith a copy of the Official Gazette of the Republic, extraordinary edition 23, of the 9th of this month, where Decree 1602 is published. This Decree provides for the putting into effect, from the date of publication, of the increased rates of duty which were bilaterally agreed with the Government of the United States of America for certain items of the tariff. The reductions agreed to with the United States in the other renegotiated items of the tariff as compensation for the increased duties, have also been put into force.

"I have the honour to give you immediate advice of this action, in accordance with the provisions of the General Agreement, for the information of the other contracting parties and for consultation.

"At the same time I have the honour to call the attention of the Contracting Parties to the fact that the items of the tariff which are affected by the action of the Cuban Government and which appear in Schedule IX of the General Agreement, were not initially negotiated with any country other than the United States of America."

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The following extracts from the official Gazette are reproduced below for the information of the Contracting Parties :

" . . . . .

Whereas: The full publicity which has attended these negotiations, both in Cuba and in the United States, since the month of November of 1949, has occasioned an increase in the Cuban imports of the articles in question, in the expectation of an agreement that was obviously considered probable, of quantities very much in excess of the normal requirements, with grave damage to the industries concerned, and the obvious possibility that the practical effects of the negotiations might be retarded for several months; this situation will naturally only be aggravated by public knowledge of the new duties agreed between the two governments.

. . . . .

Thirdly: The present decree will take effect from the date of its publication in the Official Gazette of the Republic and will lapse from the time that the agreements resulting from the negotiations referred to in this Decree are put into force.

Fourthly: Notwithstanding the provisions of the preceding paragraph as regards the entry into force of this Decree, the increases in duties which result therefrom will not be applied to merchandise that has left its port before or on the day of publication of the Decree with bills of lading visaed in either case by the respective Cuban consuls."

