

RESTRICTED
LIMITED B

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ORIGINAL: ENGLISH

GENERAL AGREEMENT ON TARIFFS AND TRADE
Contracting Parties
Third Session

NON-DISCRIMINATORY MEASURES NOTIFIED
UNDER PARAGRAPH 5 11 OF ARTICLE XVIII.

Summary of Supplementary Statements and Objection
and Proposed Alteration in Procedure.

The procedure laid down in Annex E of GATT/CP.2/38/Rev.1 for dealing with the existing measures notified by contracting parties under paragraph 6 11 of Article XVIII involved the submission, before 15 November 1948, of supplementary statements by the contracting parties maintaining those measures, and the lodging, before 28 February 1949, of objections to any of the measures by those whose interests were materially affected.

The following statements received from contracting parties have been distributed:

United Kingdom	GATT/CP.3/1
Netherlands	GATT/CP.3/1/Add.1
India	GATT/CP.3/1/Add.2
Chile	GATT/CP.3/1/Add.3
Cuba	GATT/CP.3/1/Add.4

In view of the fact that the statements from the Governments of India, the Netherlands and Cuba were received later than 15 November 1948 it is proposed that with respect to these measures the date of 28 February 1949 for the lodging of objections should be deferred until 8 April 1949, the day of the opening of the Third Session so that sufficient time will be afforded the contracting parties for the consideration of these statements and the lodging of their objections. If there is no objection to this proposal, objections received will be accepted and will be distributed to the contracting parties.

The following is an account of the statements and objections received since the Second Session:

I. Measures notified by the United Kingdom

The statements submitted by the Government of the United Kingdom refer to measures relating to the tea industry in Mauritius and the filled soap industry in Northern Rhodesia.

The Government of the Netherlands has stated (GATT/CP.3/5/Add.1) that on certain conditions it will not object to the tea import restriction applied in Mauritius.

The Government of Belgium has objected (GATT/CP.3/5/Add.2) to the import restriction on filled soap applied in Northern Rhodesia on the grounds that this measure materially affects the interests of the Belgian Congo.

II. Measures notified by the Netherlands

The communication from the Government of the Netherlands stated that inasmuch as measures safeguarding the balance of payments are now in force the measures under Article XVIII will not be applied but that the Government reserves its right to apply the measures under Article XVIII as soon as circumstances no longer require application of measures under Article XII.

The only contracting party to comment on this statement is the Government of Canada which "notes that the Netherlands Government has withdrawn its application concerning the measures listed as far as Article XVIII of the General Agreement is concerned".

III. Measures notified by India

The statement by the Government of India is in support of a measure relating to grinding wheels.

A communication from the Government of the United States notes that "India has lifted the embargo on the importation of grinding wheels and has substituted an 80 per cent ad val tariff. The United States assumes therefore that India no longer requires release under Article XVIII. It reserves the right, however, if the embargo is reinstated at a later date to treat such step as a new measure requiring release under Article XVIII."

IV. Measures notified by Chile

The procedure adopted at the Second Session required that the statement in support of the maintenance of the various measures in force in Chile should be forwarded on the date on which it signs the Protocol for Accession. Complying with this procedure the Government of Chile submitted its statement by letter dated 10 February 1949 which has been distributed to the contracting parties. The procedure allows for the lodging of objections by contracting parties at any time up to the date on which the Contracting Parties examine and give a decision concerning these measures.

V. Measures notified by Cuba

The statement submitted by the Government of Cuba relates to measures applied to the importation of henequen.

By a cable dated 25 February the Government of the United States advised that it assumed that no obligation would exist to adhere to the date of 28 February for the lodging of objections and that they reserved the right to object at the Third Session either as a party materially affected or on other grounds.

VI. Measures notified by Lebanon and Syria

The Governments of Lebanon and Syria have not yet submitted the supplementary statements required in accordance with the procedure adopted at the Second Session.

No contracting party has lodged an objection to the measures notified by Lebanon and Syria, but the Government of the United States has stated that it reserves the right to object to these measures at the Third Session and the Government of Canada has commented that, in the absence of the required statements and owing to the fact that the measures were not examined in detail at the Second Session, it cannot state whether it will object to the measures until more information is received.

