

CONTRACTING PARTIES

Third Session

Notifications of Non-Discriminatory Measures

under Paragraph 11 of Article XVIII by

Acceding Governments

Note by the Executive Secretary

1. Working Party 2 on Article XVIII, in its First Report of 14 May 1949 (GATT/CP.3/21), recommended that the last date for the notification of non-discriminatory measures by acceding governments in relation to paragraph 11 of Article XVIII should be 15 June, and that such measures to be eligible for the purposes of paragraph 11 must be existing on 14 May 1949. The CONTRACTING PARTIES adopted the report at their 14th Meeting on 19 May 1949, and decided at the same time that the recommendations of the Report should be communicated to the acceding governments as soon as possible and without awaiting the end of the discussion on the terms of accession as a whole between the present contracting parties and the acceding governments. Accordingly, a letter was addressed to each acceding government's delegation to enquire whether that government was prepared to accept the proposed dates and to communicate to the CONTRACTING PARTIES by June 15 any such measure in force on 14 May 1949 which it would wish to maintain, in accordance with the provisions of paragraph 11 of Article XVIII.

2. In response to this letter, four governments have submitted notifications, as follows:

<u>Notification by:</u>	<u>Date of Notifi- cation Letter:</u>	<u>Document No:</u>
<u>Haiti</u>	8 June 1949	GATT/CP.3/40 & Corr.1
<u>Italy</u>	7 June 1949	GATT/CP.3/40/Add.1
<u>Colombia</u>	13 June 1949	GATT/CP.3/40/Add.2
<u>Denmark</u>	15 June 1949	GATT/CP.3/40/Add.3

3. The delegations of Liberia, Finland, the Dominican Republic and Greece, in reply to the same letter, stated that their respective governments had no objection to the proposed dates. The Greek Delegation later in a letter dated 13 June 1949, notified that no such measure existed on 14 May 1949 in Greece. No notification was received from the other three delegations.

4. The delegation of Nicaragua in a letter dated 14 June 1949, stated that their Government had cabled instructions for the acceptance of the proposed last date of 15 June 1949 for notification of such measures. At the same time, the Government had dispatched by air mail a memorandum to that delegation containing information relating to non-discriminatory measures which it proposed to maintain in accordance with the provisions of Article XVIII of the Agreement. In addition, the letter stated that:

"As a matter of fact, to-day at 4 p.m., we are not yet in receipt of that communication which was airmailed before June 6. To-morrow being the last date for notification and in view of the fact that our notification has already left my country and is on its way to Anney, we think that in such case, we may understand that the closing date will not apply in this particular case and that thus we shall be authorized to hand over the notification some days after June 15, the delay being due to fortuitous causes which are not imputable to our Government, inasmuch as airmail to our country normally takes five days."

5. The Swedish delegation informed the Executive Secretary on June 10 that their Government would not be in a position to communicate such measures to the CONTRACTING PARTIES by June 15 and suggested

that the date should be advanced to June 30, 1949.

6. The delegation of Uruguay by a letter dated June 14 also indicated that the period provided before the proposed last date of June 15 for notification of such measures was insufficient.

7. This matter has yet to be discussed in the Joint Working Party on Accession.