

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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Committee on Trade and Development
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IMPLEMENTATION BY THE COMMITTEE ON
TRADE AND DEVELOPMENT OF THE DECISION OF THE
CONTRACTING PARTIES ON THE EXAMINATION OF PROTECTIVE
MEASURES AFFECTING IMPORTS FROM DEVELOPING COUNTRIES

Point 5.1.3. of the GATT Work Programme

Note by the Secretariat

The Decision of the CONTRACTING PARTIES at their thirty-fifth session on the Examination of Protective Measures Affecting Imports from Developing Countries (L/4899) requires the Committee on Trade and Development to establish a Sub-Committee for this purpose. In taking action to give effect to the Decision, the Committee might wish to consider the following points:

- (a) The possible frequency of meetings of the Sub-Committee.

While it is to be expected that the Sub-Committee could be convened at any time so agreed to take up specific protective measures, the question is raised as to whether it would be useful for the Sub-Committee to meet in the ordinary course, say, twice a year, preferably before meetings of the Committee on Trade and Development, to examine the documentation before it.

- (b) What sources of information might be used for the work of the Sub-Committee?

In this respect, delegations might recall the discussions which have taken place in the Committee on Trade and Development concerning the notification of restrictive measures in connexion with the review of the implementation of Part IV of the General Agreement. Basically, three sources of notification had been suggested: (i) by the developed country applying the measure; (ii) "reverse" notifications by developing countries (with assistance from the secretariat, if required); and (iii) information on protective measures provided by the secretariat on the basis of data available from official sources.¹

- (c) Frequency of notifications.

It could be agreed that delegations of developed countries adopting protective measures affecting imports from developing countries might be expected to notify them as and when taken, in line with the provisions of

¹It might be noted that paragraph 24 of the "Understanding Regarding Notification, Dispute Settlement and Surveillance" (L/4907) provides for regular reviews of developments in the trading system by the CONTRACTING PARTIES.

Article XXXVII:2(a), and that likewise it would be open to delegations of developing countries to notify such measures at any time. If it is agreed that in the ordinary course the Sub-Committee should meet twice a year, it might be considered whether the secretariat should circulate an airgram inviting notifications prior to each such meeting of the Sub-Committee.

- (d) The details of the information that might be provided to the Sub-Committee.

The information available to the Sub-Committee with respect to protective measures taken should be sufficient to enable the Sub-Committee to carry out its examination in accordance with the terms of the Decision. Accordingly, any country notifying a protective measure could be requested to supply details of the action having regard to its relation to the relevant provisions of GATT, particularly Part IV, including available information regarding trade coverage, etc. The secretariat might also be asked to put together such additional information as may be needed.

- (e) Reporting.

In accordance with the Decision, the Sub-Committee would report to the Committee on Trade and Development and through it to the Council on the results of its examinations.

- (f) Chairmanship.

A decision would need to be taken on the question of the Sub-Committee's Chairmanship.

- (g) Procedures for examination.

It could be left for the Sub-Committee to develop such detailed procedures for carrying out its tasks as it considers appropriate.