

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

L/1015/Corr.1^z

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RESTRICTIVE BUSINESS PRACTICES

Action by the CONTRACTING PARTIES in Dealing with Restrictive Business Practices in International Trade

Report by the Group of Experts

Corrigendum

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Add the following paragraphs:

22. The majority have also pointed to the difficulties which may confront governments with regard to furnishing information on restrictive business practices applied by cartels and trusts operating from their territory. The minority consider that these difficulties should not be over estimated. In many cases, the damaged contracting party may be able to provide sufficient evidence. It is also to be assumed that the cartels and trusts, in their own interests, would prefer to state their case. If not, they would be taking the risk of being considered as applying harmful practices, on the sole evidence brought forward by the complaining contracting party.

23. The main difference between the proposal set forward by the majority and that of the minority is that the former does not permit the participation of the expert group in the consultations between individual contracting parties if one of the consulting parties does not agree to such participation. If the group of experts is not permitted to intervene no report could be made to the CONTRACTING PARTIES which, therefore, if a matter were referred to them, would not have adequate material for considering the case. In the view of the minority it would be possible only in exceptional cases to obtain the agreement of the contracting party or parties addressed with regard to the participation of the group of experts in the consultations, and thus a damaged contracting party may be deprived of the benefit of having an impartial and competent examination of the case and the CONTRACTING PARTIES may be burdened with cases which might otherwise have been solved by voluntary agreement.

^z English only
Anglais seulement