

GENERAL AGREEMENT ON TARIFFS AND TRADE

L/3360
24 February 1970
Limited Distribution

TRADE ARRANGEMENTS BETWEEN INDIA, THE UNITED ARAB REPUBLIC AND YUGOSLAVIA

Decision of 20 February 1970

Considering that the CONTRACTING PARTIES, by the Decision of 14 November 1968, agreed that the Governments of India, the United Arab Republic and Yugoslavia (hereinafter referred to as the "participating States") may implement, subject to specified conditions and procedures, the Trade Expansion and Economic Co-operation Agreement (hereinafter referred to as the "Agreement"), dated 23 December 1967, and effective 1 April 1968;

Considering further that the participating States have notified the CONTRACTING PARTIES that they have signed a Protocol amending the Trade Expansion and Economic Co-operation Agreement and constituting an integral part thereof (hereinafter referred to as the "Protocol"), dated 16 July 1969, and effective 1 October 1969, by the addition of a number of items to the list of products covered by the Agreement;

Bearing in mind that the Trade Negotiations Committee of Developing Countries is preparing trade negotiations with the aim of expanding trade between developing countries, and that this Committee has not yet finished its preparation for the trade negotiations between developing countries, and that the participating States have reiterated their intention to seek the extension of the concessions embodied in the Agreement, as amended by the Protocol, to all other developing countries by appropriate negotiations and to make their best endeavours to integrate these concessions within the framework of multilateral arrangements elaborated within the Trade Negotiations Committee of Developing Countries which will be reported to the CONTRACTING PARTIES for their consideration in due course;

Noting that the participating States have reiterated their readiness to consult with any contracting party which considers that the operation of the Agreement as amended by the Protocol is impeding the attainment of any benefit which should accrue to it under the General Agreement or is adversely affecting its trade, and to report to the CONTRACTING PARTIES concerning developments under the Agreement; and

Recognizing that it is not possible at the present time to assess fully the beneficial impact of the Agreement on the trade and development of the three participating States in terms of its stated objectives.

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The CONTRACTING PARTIES decide:

1. That notwithstanding the provisions of Article I:1 of the General Agreement the participating States may continue to implement the Agreement as amended by the Protocol subject to the following conditions and procedures:
 - (a) The participating States shall consult with any contracting party which considers that the operation of this Agreement is impeding the attainment of any benefit which should accrue to it under the General Agreement or is adversely affecting its trade.
 - (b) The participating States shall report on any proposed modification in the scope or provisions of the Agreement so as to afford the CONTRACTING PARTIES adequate opportunity to consult with them before giving effect to any substantial modification and subject to the following procedures: The participating States shall promptly consult, with a view to arriving at a mutually acceptable settlement, with any contracting party which considers that any proposed modification threatens substantial injury to its trade with participating States. Should agreement not be reached in such consultation the question of such threat may be considered by the CONTRACTING PARTIES. Participating States may implement the proposed modifications if, within thirty days after the notification no contracting party has requested consultation or if it is agreed by the contracting party requesting consultation or by the CONTRACTING PARTIES, as the case may be, that no such threat exists. If, however, the CONTRACTING PARTIES find that such threat exists, the participating States shall not take such action but may take other action which conforms with any recommendation made by the CONTRACTING PARTIES.
 - (c) On the basis of a report by the participating States on the operation of the Agreement, this Decision shall be subject to annual review by the CONTRACTING PARTIES taking account in particular of progress achieved in, and the outcome of, the negotiations conducted within the framework of the Trade Negotiations Committee of Developing Countries and of the contribution of the Agreement to its stated objectives. The CONTRACTING PARTIES may in the course of the annual review make such recommendations to the participating States as may be appropriate, including any arising out of any consultations held in regard to the effects of the Agreement on the trade of contracting parties. The CONTRACTING PARTIES may also in the course of this annual review take such decision regarding the future operation of this Decision as may be appropriate.
2. That without prejudice to any decisions the CONTRACTING PARTIES may take in the course of the annual review, the present Decision is intended to expire no later than 31 March 1973.
3. That this Decision shall not be construed as affecting any right of any contracting party under any provision of the General Agreement.