

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

SCM/M/1

6 March 1980

Special Distribution

Committee on Subsidies and
Countervailing Measures

MINUTES OF THE MEETING HELD ON 23 JANUARY 1980

1. The Committee on Subsidies and Countervailing Measures, established in terms of Article 16:1 of the Agreement on Interpretation and Application of Articles VI, XVI and XXIII of the General Agreement on Tariffs and Trade which entered into force on 1 January 1980, held its first meeting on 23 January 1980. Governments having signed the Agreement were invited to participate in the meeting.
2. The Committee elected Mr. P. Barthel-Rosa (Brazil) as Chairman and Mr. C. Jagmetti (Switzerland) as Vice-Chairman.
3. Subjects discussed:
 - A. Procedures for the participation of interested non-signatories in an observer capacity
 - B. Date and draft agenda for the next meeting
 - C. Other business
- A. Procedures for the participation of interested non-signatories in an observer capacity
4. The Chairman said that consultations on these procedures were still under way and that the Committee should postpone its discussion until they were completed. At his suggestion the Committee agreed to take up this matter as the first item on the agenda for the next meeting.
 - B. Date and draft agenda for the next meeting
5. The Chairman proposed that the next meeting should be held in the week of 14 April 1980, following the meeting of the Committee on Anti-Dumping Practices. The exact date would be fixed by him in consultation with delegations and the

draft agenda would be circulated to members of the Committee three to four weeks in advance of the meeting. He also said that if it proved desirable he might convene a meeting at an earlier date.

6. The Chairman noted that the secretariat had suggested that the following items be placed on the agenda of the next meeting:

- (a) Procedures for the participation of observers
- (b) General policy statements
- (c) Information on implementation and administration of the Agreement
- (d) Notifications under the Agreement
- (e) Criteria for the calculation of the amount of a subsidy
- (f) Definition of word "related"
- (g) Procedures for accession of non-contracting parties
- (h) Procedures for the annual review of the operation of the Agreement.

With reference to item (c) the Chairman recalled that, in accordance with the provisions of Article 19:5 of the Agreement each signatory should have ensured not later than the date of entry into force of this Agreement for it, the conformity of its laws, regulations and administrative procedures with the provisions of this Agreement and that such national legislation should be notified to the Committee. Accordingly the Chairman invited signatories to submit all relevant texts to the GATT secretariat as soon as possible.

7. The Committee took note of these suggestions and the Chairman's invitation.

C. Other business

8. The representative of the United States recalled that according to Article 18:4 of the Agreement, the signatories should notify to the Chairman the names of persons ready to serve on panels. His authorities had decided to nominate Mr. T. Hume and himself (Mr. Bruce Wilson) and would so inform the Chairman in writing. As to the derestriction of documents the customary GATT practices should in general be followed. This would mean that working documents and minutes would never be derestricted. As to panel reports and decisions pursuant to these reports, his delegation's position was that these

should be derestricted immediately. His authorities believed strongly that traders should be informed of panel decisions so that they could structure their activities in accordance with them.

9. The representative of Japan, commenting on the United States proposal for derestriction of panels' reports, said that according to normal GATT practices the parties to the dispute should be consulted before a panel report was derestricted and that such reports or decisions should remain restricted at the request of a Signatory to the Agreement, as in line with the current GATT procedures for derestriction of documents. The representative of the European Economic Community considered that with respect to derestriction of documents usual GATT procedures should be followed.

10. The Chairman concluded that the Committee noted the statements made; this was without prejudice to the decision that the Committee may take in the future on the procedures to be followed. He said that the secretariat should prepare minutes from this meeting along the lines of minutes from other GATT meetings. He also said that he would circulate a short note on this meeting recording items which had been discussed.