

GENERAL AGREEMENT ON

TARIFFS AND TRADE

RESTRICTED

DS32/3

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EUROPEAN ECONOMIC COMMUNITY - BANANA IMPORT REGIMES

Communication from Colombia, Costa Rica, Guatemala, Nicaragua and Venezuela

The following communication, dated 21 September 1992, has been received from the Permanent Missions of Colombia, Costa Rica, Guatemala, Nicaragua and Venezuela.

On behalf of the Governments of Colombia, Costa Rica, Guatemala, Nicaragua and Venezuela, we request you to use your good offices in an ex officio capacity, in accordance with the provisions of paragraph 1 of the Decision of 1966 on the Procedures under Article XXIII, in order to facilitate a satisfactory solution to the dispute over measures to restrict the import of bananas currently applied by some member States of the EC, which are listed in document DS32/1 of 24 July 1992. These measures were the subject of consultations between our delegations and the EC under Article XXII:1 of the General Agreement, on 9 July and 9 September 1992.

The consultations did not result in the achievement of a mutually acceptable solution. Even more serious, during the period of consultations, the Commission of the European Community prepared, for adoption by the Council of Ministers, a proposal for a regulation for the common organization of the market in the banana sector. This proposal is much more restrictive than the systems currently in force in some member States. The intention is thereby to extend these restrictions to all the European Community, thus showing a clear lack of will to seek a permanent mutually satisfactory solution.

We have resorted to these procedures concerning certain régimes for the import of bananas by the European Community in order to achieve a satisfactory solution which is compatible with the General Agreement. This will prevent the restrictions on the import of bananas currently in force from becoming more severe and generalized in any régime which in the future may govern the import of this fruit into the Common Market.

We have had recourse to the Decision of 1966 as less-developed contracting parties against whom the European Community is applying highly restrictive measures which are contrary to the General Agreement. In this circumstance, and bearing in mind the spirit and letter of this Decision and the General Agreement, we trust that under your guidance a satisfactory solution will be possible, within the period of two months provided for that purpose.