

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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CONTRACTING PARTIES
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Review Working Party IV on Organizational
and Functional Questions

ARRANGEMENTS FOR THE CONTINUED ADMINISTRATION
OF THE GENERAL AGREEMENT

Appointment of qualified Panels for carrying out
consultations and consideration of complaints

(Note by the Danish delegation)

The Danish delegation would be grateful if Review Working Party IV when taking up the question of the more effective administration of the General Agreement could take into consideration the suggestion which the leader of the delegation mentioned in the course of the debate in plenary session on this subject. In order to avoid certain misunderstandings which appear to exist about the nature of this proposal, it is briefly re-stated below.

The Danish delegation believes that if consultations carried out by the CONTRACTING PARTIES and eventually by the Organization are to be effective, new arrangements are necessary to replace the existing practice of carrying out such consultations in working parties. Specifically what they have in mind is something along the following lines:-

As regards balance-of-payments consultations, contracting parties should be invited to provide the names of one or more high officials responsible for trade and financial policy or other individuals of sufficient standing and competence in those matters that their opinions and recommendations would carry weight and authority with the governments concerned. When any consultation was arranged or any other matter arose in this field requiring action by the CONTRACTING PARTIES, a Panel should be appointed chosen from the list of individuals so designated.

Contracting parties should also be prepared to make similar designations with respect to other commercial policy matters which may become subject to complaints or which are the subject of regular reports for examination by the CONTRACTING PARTIES.

The Danish delegation agrees that the findings of such a Panel would be limited to recommendations, final decision being reserved for the representatives of governments in the appropriate organ of the CONTRACTING PARTIES. They feel, however, that a Panel so composed could carry out an effective consultation and that its recommendations would carry considerable weight. Experience in other organizations such as the Organization for European Economic Cooperation supports this view.

It would seem clear, therefore, that the Danish suggestion is not, as some representatives appear to have thought when the matter was discussed in plenary, to entrust consultations and investigation of complaints to technical experts acting more or less in a personal capacity, so much as to have available machinery which will ensure that these procedures will be carried out in such a manner as to command respect for, and confidence in, the procedures of the CONTRACTING PARTIES.