

ARTICLE XXII
CONSULTATION

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I. TEXT OF ARTICLE XXII

Article XXII

Consultation

1. Each contracting party shall accord sympathetic consideration to, and shall afford adequate opportunity for consultation regarding, such representations as may be made by another contracting party with respect to any matter affecting the operation of this Agreement.

2. The CONTRACTING PARTIES may, at the request of a contracting party, consult with any contracting party or parties in respect of any matter for which it has not been possible to find a satisfactory solution through consultation under paragraph 1.

II. INTERPRETATION AND APPLICATION OF ARTICLE XXII

A. SCOPE AND APPLICATION OF ARTICLE XXII

1. General

(1) Procedural provisions regarding consultations under Article XXII

(a) 1958 "Procedures under Article XXII on Questions Affecting the Interests of a Number of Contracting Parties"

At the Thirteenth Session, by a Decision of 10 November 1958, the CONTRACTING PARTIES adopted the following "Procedures under Article XXII on Questions Affecting the Interests of a Number of Contracting Parties":¹

"1. Any contracting party seeking a consultation under Article XXII shall, at the same time, so inform the Executive Secretary for the information of all contracting parties.

"2. Any other contracting party asserting a substantial trade interest in the matter shall, within forty-five days of the notification by the Executive Secretary of the request for consultation, advise the consulting countries and the Executive Secretary of its desire to be joined in the consultation.

"3. Such contracting party shall be joined in the consultation provided that the contracting party or parties to which the request for consultation is addressed agree that the claim of substantial interest is well founded; in that event they shall so inform the contracting parties concerned and the Executive Secretary.

"4. If the claim to be joined in the consultation is not accepted, the applicant contracting party shall be free to refer its claim to the CONTRACTING PARTIES.

"5. At the close of the consultation, the consulting countries shall advise the Executive Secretary for the information of all contracting parties of the outcome.

"6. The Executive Secretary shall provide such assistance in these consultations as the parties may request".

These procedures originated in discussions in the Intersessional Committee in April and May 1958 concerning the provisions of the Treaty of Rome on the Association of the Overseas Territories to the European Common Market. In these discussions, "Some members ... proposed ... that some procedures be set up which provided for multilateral consultations between the Six and producing countries which considered that their trade would be affected with a view to discussing the value and extent of any measures that could be taken to alleviate any resulting damage to their trade; each commodity could be dealt with separately and some co-ordinating machinery should be established to supervise the discussions. Most members ... considered that traditional GATT principles and methods of procedure, in particular the provisions for consultations under Article XXII, were flexible enough to deal effectively with the problem".² In response, the representative of the Community stated, *inter alia*:

"... Article XXII of the General Agreement provides a bilateral procedure as a first stage and a multilateral procedure as a second stage. Full use has not yet been made of these procedures. In certain cases where injury had been caused, Article XXII has been resorted to in order to remedy such injury, but there is nothing in the wording of this Article which prevents us from invoking and applying it where serious injury is threatened. Why not then turn to Article XXII in order to find a solution to these consultation problems which are before us?"³

¹7S/24.

²IC/SR.38, p. 19.

³*Ibid.*, p. 29.

The Report of the Intersessional Committee in 1958 on “The Treaty Establishing the European Economic Community” records the following:

“At the Twelfth Session the CONTRACTING PARTIES instructed the Intersessional Committee to continue the examination, in the light of the provisions of the General Agreement, of the relevant provisions of the Treaty of Rome, the problems likely to arise in its practical application, and the means that might be developed to establish effective and continuing co-operation between the CONTRACTING PARTIES and the European Economic Community (EEC).

...

“In the light of ... statements and reports [on the Treaty] the Committee felt that it would be more fruitful if attention could be directed to specific and practical problems, leaving aside for the time being questions of law ... The Committee noted that the normal procedure of the General Agreement and the techniques and traditions of the CONTRACTING PARTIES in applying them, were well adapted to the handling of such problems and suggested that in the first instance the procedures of Article XXII would be the most appropriate for this purpose.

“Accordingly, the Committee agreed upon procedures for dealing with specific and practical problems by means of consultations between members of the Community and other contracting parties. These procedures were later approved by the Council and the Commission of the EEC”.⁴

These procedures for consultations under Article XXII were thus initially agreed in April and May 1958.⁵ After the first requests for consultations under these procedures had been received, further discussions took place in the Intersessional Committee. “It was suggested that the procedures could be improved if a time-limit were fixed for requests to be joined in a consultation, and it was understood that approval for a request to be joined in a consultation was required only from the contracting party to whom the request was addressed. ... The question was raised in the Committee as to whether the procedures were intended to permit only contracting parties with an exporting or a producing interest to participate in the consultations, or whether contracting parties with an importing interest might also be joined. The Committee did not enter into a discussion of principle on this point, it being understood that ... if a case arose in any particular consultation where a claim of substantial interest was disputed the matter could be referred to the CONTRACTING PARTIES.”⁶

A revised text of the Procedures was then adopted at the Thirteenth Session, as indicated above. In his summing-up of the discussion on this item at the Session, the Chairman indicated that “The principal purpose of these procedures was to provide the framework within which a consultation initiated by a contracting party could be broadened, so as to include other contracting parties having a ‘substantial trade interest’ in the matter under discussion and which wished to be joined in the consultation. ... It was intended that such multilateral consultations on questions affecting the interests of a number of contracting parties would facilitate the observance of the basic principles and objectives of the General Agreement. Thus, the procedures proposed by the Committee were not intended to relate only to consultations between contracting parties and Members of the European Economic Community, but for any consultations under Article XXII on matters affecting the interests of more than one contracting party”.⁷

In a few instances Article XXII consultations have been held at the suggestion of the Chairman of the CONTRACTING PARTIES; see the table at the end of this chapter.⁸

⁴7S/69-70, paras. 1, 3-4; see also L/822 and Add.1 (EEC approval of the Article XXII procedures), and L/886 (original of document reproduced in part at 7S/69-70).

⁵See procedures as initially agreed, IC.SR/38 p. 21-22, L/886.

⁶L/886, p. 2-3, 4, referring to discussion recorded in IC/SR.41 p. 7-10 and IC/SR.42 p. 4.

⁷SR.13/15, p. 128.

⁸See, e.g. consultations listed on German import restrictions (1958), Turkish request for renegotiations under Article XXVIII (1965).

(b) 1979 “*Understanding Regarding Notification, Consultation, Dispute Settlement and Surveillance*”

The “*Understanding Regarding Notification, Consultation, Dispute Settlement and Surveillance*”, adopted 28 November 1979, provides with regard to consultations:

“Contracting parties reaffirm their resolve to strengthen and improve the effectiveness of consultative procedures employed by contracting parties. In that connexion, they undertake to respond to requests for consultations promptly and to attempt to conclude consultations expeditiously, with a view to reaching mutually satisfactory conclusions. Any requests for consultations should include the reasons therefor.

“During consultations, contracting parties should give special attention to the particular problems and interests of less-developed contracting parties”.⁹

(c) 1989 *Decision on “Improvements to the GATT Dispute Settlement Rules and Procedures”*

The Decision on “*Improvements to the GATT Dispute Settlement Rules and Procedures*”, adopted in April 1989, provides with regard to Article XXII consultations:

“If a request is made under Article XXII:1 or XXIII:1, the contracting party to which the request is made shall, unless otherwise mutually agreed, reply to the request within ten days after its receipt and shall enter into consultations in good faith within a period of no more than thirty days from the date of the request, with a view to reaching a mutually satisfactory solution. If the contracting party does not respond within ten days, or does not enter into consultations within a period of no more than thirty days, or a period otherwise mutually agreed, from the date of the request, then the contracting party that requested the holding of consultations may proceed directly to request the establishment of a panel or a working party.”

“In cases of urgency, including those which concern perishable goods en route, parties shall enter into consultations within a period of no more than ten days from the date of the request. If the consultations have failed to settle the dispute within a period of thirty days after the request, the complaining party may request the establishment of a panel or a working party”.¹⁰

This Decision provides generally that “Contracting parties agree that the existing rules and procedures of the GATT in the field of dispute settlement shall continue. It is further agreed that the improvements set out below, which aim to ensure prompt and effective resolution of disputes to the benefit of all contracting parties, shall be applied on a trial basis from 1 May 1989 to the end of the Uruguay Round in respect of complaints brought during that period under Article XXII and XXIII ...”.¹¹ On 22 February 1994 the CONTRACTING PARTIES decided to keep the 1989 Decision in effect until the entry into force of the Understanding on Rules and Procedures Governing the Settlement of Disputes (“DSU”), contained in Annex 2 of the WTO Agreement.¹² On 1 January 1995 the WTO Agreement entered into force and with it the DSU. The 1989 Decision accordingly lapsed. See the provisions in the DSU on consultations.

(d) *Consultations on residual import restrictions*

In 1960 the CONTRACTING PARTIES approved “*Procedures for dealing with new import restrictions applied for balance-of-payments reasons and residual import restrictions*”. The procedures for residual import restrictions provide for notification of such import restrictions. Paragraph 8 of the Decision provides that bilateral consultations under Article XXII:1 may be sought by the contracting party applying the restrictions or by contracting parties affected by them, and that the Secretariat should be informed of requests “so that in cases where the restrictions in question affect the interests of a number of contracting parties, the procedures adopted

⁹L/4907, 26S/210, 211, paras. 4-5.

¹⁰L/6489, Decision of 12 April 1989, 36S/61, 62, paras. C.1, C.4.

¹¹*Ibid.*, 36S/61-62, para. A.3.

¹²L/7416, Decision adopted on 22 February 1994.

by the CONTRACTING PARTIES on 10 November 1958 should apply".¹³ A number of instances of such consultations appear in the table at the end of this chapter.

(2) *Scope of consultations under Article XXII*

During the discussion at the Thirteenth Session of the Procedures above, the representative of France, speaking for the EEC, stated that

"The Six had agreed to submit to the normal consultation procedures as provided in Article XXII and had already initiated consultations. This procedure left aside the theoretical issues and envisaged, within the framework of Article XXII, a number of concrete cases. Under the consultation procedure an opportunity was afforded to examine step-by-step, as and when measures were taken by the Community, the extent to which these measures might create damage for other contracting parties, either actual or in the near future and predictable in a precise way. The Six were prepared to consult on problems arising from the implementation of the Treaty but not on the Community's supposed or real intentions".¹⁴

In summing up the discussion,

"The Chairman ... referred to the point made by many delegations that the implementation of the consultation procedures under Article XXII should not necessarily be postponed until there had been actual damage, or even until action which might result in damage had been taken. The representative of France, as spokesman of the six Member States, had pointed out that consultations should not be initiated on purely hypothetical grounds and that whatever procedures were adopted they should be generally applicable to all contracting parties and not specifically confined to the six Member States. In this connexion, the Chairman referred to the provisions of both Article XXII and the procedures the CONTRACTING PARTIES had just adopted for the implementation thereof. No reference was made in either case to 'damage' as such, and the text of Article XXII merely provided that sympathetic consideration and adequate opportunity for consultations be accorded to such 'representations' as might be made by any contracting party with respect to any matter affecting the operation of the General Agreement. The concept of a 'representation' did neither prejudice the basis for a consultation nor convey the implication that any damage must necessarily be established. The representative of France, as spokesman for the six Member States, had rightly observed that, for consultations under the procedure just approved to be fruitful, problems of a practical and concrete nature and not just vague apprehensions should be discussed. This did not preclude any contracting party wishing to put forward views on the effects on its trade of any possible action, making representations in order that the six Member States in formulating their commercial policy could have due regard to what might be the subject of future consultations. The view had been expressed that contracting parties should be kept informed of developments in the commercial policy of the Community as it was formulated. This desire seemed legitimate if effective use were to be made of the procedures for the implementation of the provisions of Article XXII".¹⁵

At a later meeting in the Thirteenth Session, in connection with the adoption of conclusions on the Treaty of Rome, the representative of Cuba asked for a clarification of the following question: "... Article XXII established the obligation to give sympathetic consideration to any representations. This commitment had been undertaken by all contracting parties without reservation. Contracting parties had a right to ask and the corresponding obligation to accept consultations on trade matters even without the need for the CONTRACTING PARTIES to take a special decision to that effect. Was this interpretation mistaken and were the Six entitled to make their acceptance of consultations conditional upon the existence of concrete damage?"¹⁶ The Chairman's summing up noted in response:

"Many delegations had addressed themselves to the status of damage as an element featuring in the consultations. In this connexion the Chairman referred to the broad lines of his summing up on this point at the previous debate (SR.13/15) to which [the representative of the Six] had expressed his concurrence. The

¹³SR.18, 19, para. 8.

¹⁴SR.13/15, p. 140.

¹⁵SR.13/15, p. 142.

¹⁶SR.13/19, p. 190.

reason why there had been no attempt to spell out the broad interpretation with any more precision was that no matter what wording was used in such an interpretation it would present exactly the same problems that had been encountered in the past.

“Turning to the request of the representative of Cuba for an authoritative interpretation of Article XXII the Chairman pointed out that this Article was one to which the authors of the General Agreement did not deem it necessary to add an interpretative note. The Chairman submitted that the reason for this was that in the wording ‘sympathetic consideration’ in that Article the element of ‘sympathy’ could not be subjected to legal definition; the whole concept of representations pursuant to Article XXII:1 was not a legalistic one but one which had to be charged with an element of ‘sympathy’. ... No Article of the General Agreement, however, and much less one which enjoined ‘sympathetic consideration’ and prescribed consultations, could ensure that the participating parties would reach agreement on a particular difficulty. ...”¹⁷

In discussions at the Fourteenth Session reviewing the consultations that had taken place, the EEC representative stated that “the Six could hardly recognize in advance consequences which would be contrary to their own belief that the Rome Treaty would bring about a general expansion of trade with third countries, unless evidence of concrete damage could be furnished ... The Community holds the view that the consultations which have already been initiated have made it possible to appraise more accurately and more fully the problems which have been raised. The Community, for its part, would be prepared to resume consultations on those products which have already been considered and, still with the desire to reach better mutual consultations, to accept the opening of consultations on additional products”.¹⁸

By a communication dated 3 February 1993 to the representatives of Colombia, Costa Rica, Guatemala, Nicaragua and Venezuela, the representative of the Commission of the EC declined a request from these contracting parties to hold formal consultations under Article XXII:1 on the future EC import regime for bananas, stating that “the meeting of the Council of the European Communities on 17 December 1992 did not in fact result in a formal decision on this regime; the result of the debate was limited to a political orientation about some of the features of the future common market organization for bananas which still need to be formalized in the internal decision-making process of the Community institutions. The present preparatory works cannot therefore be considered as a measure under Articles XXII:1 or XXIII:1 of the General Agreement allowing for formal consultations under one of these provisions.”¹⁹ See also the discussions in the GATT Council during 1992-93 on Article XXII:1 and the proposed EC import regime for bananas.²⁰

2. Paragraph 1

A table of consultations under Article XXII:1 subsequent to adoption of the 1958 Procedures appears at the end of this chapter.

(1) Notifications regarding consultations under Article XXII:1

The 1958 Procedures provide in paragraph 1 that “Any contracting party seeking a consultation under Article XXII shall, at the same time, so inform the Executive Secretary for the information of all contracting parties”. See also the reference to notification in the 1960 Procedures referred to directly above.

The 1989 Decision on “Improvements to the GATT Dispute Settlement Rules and Procedures” provides:

“Requests for consultations under Article XXII:1 or XXIII:1 shall be notified to the Council by the party which requests consultations. Any request for consultations shall be submitted in writing and shall give the reasons for the request.”

¹⁷SR.13/19, p. 201.

¹⁸L/1006; see also SR.14/10 p. 129-134.

¹⁹DS38/4.

²⁰C/M/257, C/M/258, C/M/259.

“Mutually agreed solutions to matters formally raised under GATT Articles XXII and XXIII ... must be notified to the Council where any contracting party may raise any point relating thereto”.²¹

Since entry into effect of the 1989 Decision, requests for consultations have been circulated by the Secretariat in the DS/ document series; since entry into force of the WTO Agreement (and thereby the DSU), such requests have been circulated to Members and observers in the WTO, in the WT/DS series.

(2) *Relationship between consultations under Article XXII:1 and consultations under Article XXII:2 or dispute settlement proceedings under Article XXIII:2*

The 1960 Procedures for consultation on residual import restrictions provide in paragraph 9 that “If consultations held under paragraph 1 of Article XXII do not lead to a satisfactory solution, any of the parties to the consultations may request that consultations be carried out by the CONTRACTING PARTIES pursuant to paragraph 2 of Article XXII. Alternatively, a country whose interests are affected may resort to paragraph 2 of Article XXIII, it being understood that a consultation held under paragraph 1 of Article XXII would be considered by the CONTRACTING PARTIES as fulfilling the conditions of paragraph 1 of Article XXIII”.²²

However, the practice of proceeding from consultations under Article XXII:1 to the establishment of a panel under Article XXIII:2 predated the 1960 Decision. For instance, the Panel on “French Assistance to Exports of Wheat and Wheat Flour” was established by the Intersessional Committee at its April-May 1958 meeting after consultations under Article XXII:1 between the two parties to the dispute, Australia and France.²³

The 1989 Decision on “Improvements to the GATT Dispute Settlement Rules and Procedures” provides with regard to Article XXII consultations:

“If the consultations under Article XXII:1 or XXIII:1 fail to settle a dispute within sixty days after the request for consultations, the complaining party may request the establishment of a panel or a working party under Article XXIII:2. The complaining party may request a panel or a working party during the sixty-day period if the parties jointly consider that consultations have failed to settle the dispute”.²⁴

In Council discussion of the recourse to Article XXIII:2 by the EEC concerning “Japan Customs duties, taxes and labelling practices on imported wines and alcoholic beverages”²⁵ the representative of Japan stated that consultations under Article XXII:1 had not been exhausted and it was premature to proceed to Article XXIII:2. Noting that in the dispute concerning “Canada - Administration of the Foreign Investment Review Act”²⁶ the parties had moved directly from Article XXII:1 to Article XXIII:2, he stated that in that case both the United States and Canada had agreed that the requirement in Article XXIII:1 had been fulfilled whereas, in the case at hand, Japan did not agree that the requirement had been met.²⁷ The Legal Adviser to the Director-General “said that in his view it was not necessary that both parties so agree before moving to set up a panel under Article XXIII:2; such a condition would mean that one party could indefinitely block the procedures simply by saying that bilateral consultations had not yet been terminated”.²⁸

See also the discussion of Article XXII:2 below, and the material under Article XXIII:2 on “Recourse to Article XXIII:2 on the basis of consultations under Article XXII:1 or Article XXXVII”.

²¹L/6489, Decision of 12 April 1989, 36S/61, 62, paras. C.3 and B.

²²9S/18, 19-20, para. 9.

²³IC.SR/38, p. 12.

²⁴L/6489, Decision of 12 April 1989, 36S/61, 62, para. C.2.

²⁵C/M/205, p. 4.

²⁶L/5504, adopted on 7 February 1984, 30S/140.

²⁷C/M/205, p. 9.

²⁸*Ibid.*, p. 10.

3. Paragraph 2

(1) *Consultations concerning commodity problems*

See section III below concerning the source of Article XXII:2, in the proposal of Pakistan during the Review Session for a provision for consultations on decline in the off-take of primary commodities exported by developing countries. Resort to the provisions of Article XXII:2 was referred to in connection with discussions on commodity trade which continued after the Review Session. The Resolution on “Particular Difficulties Connected with Trade in Primary Commodities” adopted in the Eleventh Session in 1956 provided, *inter alia*, that the CONTRACTING PARTIES “Resolve ... that it would be appropriate for them to enter into consultations on problems arising out of the trade in primary commodities pursuant to the provisions of paragraph 2 of Article XXII and of paragraph 5 of Article XVIII ...”.²⁹ The Report of the Working Party on “Particular Difficulties Connected with Trade in Primary Commodities”, which drafted that Resolution, notes the ruling made at the Tenth Session that the CONTRACTING PARTIES have the competence to deal, at the request of one or more contracting parties, with difficulties arising in connexion with international trade in primary commodities.³⁰ The Report provides that

“... In addition to this broad competence which would make it possible for any contracting party to submit to the CONTRACTING PARTIES any particular difficulties which it was experiencing in connexion with trade in primary commodities, and which difficulties were in its view such as to impede the attainment of the objectives of the General Agreement, there are specific provisions in the General Agreement which afford an opportunity for contracting parties to secure consideration of special problems arising in this field ... difficulties of this kind would be appropriate matters to bring forward under Article XXII, which, when the revised text comes into effect, will provide not only for bilateral consultations, but also for consultations with the CONTRACTING PARTIES as a whole ...”.³¹

The Report of the Working Party in the Thirteenth Session on “Particular Difficulties Connected with Trade in Primary Commodities” examined actions taken to follow up on the 1956 Resolution, and noted that:

“Paragraph 3 of the basic resolution has not been utilized, perhaps due to a lack of understanding of the potentialities of the General Agreement in facilitating consultations on trade problems of concern to individual contracting parties or the CONTRACTING PARTIES generally. Therefore the Working Party has thought it useful to describe the manner in which contracting parties may have recourse to the facilities of Articles XXII and XXV for dealing with problems in their trade in primary products. Article XXII provides for consultations between contracting parties on any matter affecting the operation of the Agreement. At this session the CONTRACTING PARTIES have adopted procedures whereby these can be broadened into multilateral consultations and it should be noted that there is nothing in this Article which would prevent the participating governments from inviting non-contracting parties to take part. However, there may be situations in which joint action by the CONTRACTING PARTIES under Article XXV would be more appropriate, for example, where a developing situation might lead to commercial policy measures being taken by one or more contracting parties which would be injurious to others unless it is dealt with by co-operative action ... Thus under these two Articles there are procedures, for initiating action and a search for solutions, which are well adapted for dealing with many of the special situations arising in the trade in primary products which could be more appropriately handled by GATT techniques than otherwise.”³²

“Accordingly, the Working Party recommends that contracting parties, when contemplating action on problems arising in commodity trade, should consider the possibility of initiating consultations under Article XXII with a view to arriving at mutually acceptable solutions, thus avoiding the need for unilateral action. ...”.³³

²⁹Resolution of 17 November 1956, 5S/26, 27, para. 3.

³⁰See ruling at SR.10/19, p. 218.

³¹L/592/Rev.1, adopted on 17 November 1956, 5S/87, 88, para. 1.

³²L/930, adopted on 22 November 1958, 7S/42, 44, para. 7.

³³*Ibid.*, 7S/45, para. 8.

The Report of the Working Party in the Fourteenth Session on "Impact of Commodity Problems on International Trade" further noted: "... The General Agreement offers facilities for bilateral and multilateral consultations of which governments may avail themselves when difficulties arise in international commodity trade. ... Contracting parties, whether importing or exporting countries, can avail themselves of the provisions of Article XXII of the General Agreement and initiate consultations under that Article when difficulties arise in connexion with their commodity trade".³⁴

A Working Party on Dairy Products was established in December 1967 "to conduct, on behalf of the CONTRACTING PARTIES, consultations under Article XXII:2 on urgent problems in international trade in dairy products with a view to arriving at mutually acceptable solutions and to report to the Council".³⁵ The Working Party resulted in the drawing up of the Arrangement Concerning Certain Dairy Products.³⁶ A Working Party was also established in February 1968 on poultry³⁷ but did not conclude its work.

In 1986, the EEC requested the establishment of a Working Party under Article XXII:2 concerning Japanese measures affecting the world market for copper ores and concentrates.³⁸ The EC representative stated, *inter alia*, that the Community had invoked Article XXII:1 in 1982, and when that approach proved fruitless, Article XXII:2 in 1984. The Community's request for a working party was based on the Eleventh Session (1956) Resolution on commodity trade referred to above in this section. The Council established a Group of Governmental Experts on this subject without reference to Article XXII:2.³⁹ See also the material on this matter under Article XXIII.

See also the material on consultations under Articles XVIII:5 and XXV:1; see also Articles XXXVI:4 and XXXVIII.

(2) Other consultations held under Article XXII:2

The table at the top of the next page lists other consultations held under Article XXII:2 following consultations held on the same matter under Article XXII:1 or other bilateral consultations.

B. CONSULTATIONS UNDER OTHER PROVISIONS

1. Consultations under other Articles of the General Agreement

Many other GATT provisions require contracting parties to consult in specific instances, e.g.:

Articles II:5; VI:7; VII:1; VIII:2; IX:6; XII:4; XIII:4; XVI:4; XVIII:7, 12, 16, 21, 22; XIX:2; XXIII; XXIV:7; XXV:1; XXVII; XXVIII:1 and 4; XXXVII:2.

For instance, Working Parties have been established by the CONTRACTING PARTIES without reference to Article XXII or XXIII to examine "Suspension of customs liquidation by the United States"⁴⁰, the "French Trade Measures" of 1968⁴¹, various import deposit schemes⁴², import surcharges⁴³, or export subsidies.⁴⁴

See also the material on consultations under Article XXV:1.

³⁴L/1103, adopted on 20 November 1959, 8S/76, 84, para. 35.

³⁵C/M/43.

³⁶L/3295, Report by the Chairman of the Working Party, 17S/59; Arrangement Concerning Certain Dairy Products, 17S/5.

³⁷C/M/45.

³⁸C/W/439, L/5627, L/5654, L/5992.

³⁹C/M/198, p. 4; see Report of Group of Governmental Experts, L/6167, adopted 2 December 1987, 34S/168.

⁴⁰24S/134.

⁴¹L/3047, 16S/57; L/3081, 16S/65; see also C/M/48.

⁴²See, e.g., 17S/144, 18S/210, 21S/121, 23S/84, 24S/129.

⁴³See, e.g., 18S/212, 19S/120.

⁴⁴See, e.g., 28S/80.

Other consultations held under Article XXII:2				
Date of request	Name	Applicant	Respondent	Document references
04-Dec-61	Italian restrictions affecting imports from Israel	Israel	Italy	L/1575, SR.19/8, 10S/130, L/1786, C/M/10, SR.20/8
13-Feb-61	Italian restrictions affecting imports from the United States and certain other contracting parties	United States	Italy	C/M/4, L/1428, L/1468+Add.1-2, 10S/117; L/1478/Add.1-2, L/1547, L/1815, SR.20/8
27-Jul-65	Application of Art. XXIV:5(a) and XXIV:6 to third countries when tariffs reduced in forming customs union with the EEC	United Kingdom	Turkey	SR.22/10 p. 117-121 SR.23/2 L/2465, 14S/59
06-Nov-67	US - Export subsidy on unmanufactured tobacco	Malawi	United States	C/M/42, L/2897, L/2900, L/2902, L/2925+Add.1, SR.24/13, 15S/116
21-Nov-67	Loyalty rebate offered by British Steel corporation to purchasers certifying non-use of imported steel	United States	United Kingdom	SR.24/13, C/M/43, L/2958, L/3271 Spec(67)74-77
19-Jun-69	Spain - Prohibition of imports of codfish from Denmark	Denmark	Spain	L/3221 C/M/55

2. Consultations under Decisions of the CONTRACTING PARTIES

(1) *Consultations on border tax adjustments*

The Report of the Working Party on "Border Tax Adjustments" in 1968 recommended that a consultation procedure be established "whereby, upon request by a contracting party, a multilateral consultation could take place on changes in tax adjustments, whether notified or not. Such consultations would be held within the scope of the relevant GATT provisions. Upon request, contracting parties should be prepared to justify the reasons for adjustment, the methods used, the amount of compensation and to furnish proof thereof".⁴⁵ In adopting that Report, the Council agreed to establish such a consultation procedure.⁴⁶

(2) *Liquidation of strategic stocks*

In the Resolution of 4 March 1955 on "Liquidation of Strategic Stocks" the CONTRACTING PARTIES recognized, *inter alia*, "That any disturbing effects of such liquidations and the risk of injury may be avoided or minimized by consultations between the substantially interested contracting parties" and recommended, *inter alia*:

"That a contracting party, intending to liquidate and giving notice in accordance with paragraph 1, should consult with any contracting party which considers itself substantially interested and requests such consultations, with a view to avoiding or minimizing substantial injury to the economic interests of that contracting party and undue disruption of the markets for the product concerned and should give full and sympathetic consideration to the views expressed by such other interested contracting parties".⁴⁷

In 1981, Peru requested consultations with the United States under Articles XXII:1, XVIII:5 and this Resolution in regard to the liquidation of strategic stocks of silver.⁴⁸

⁴⁵L/3464, adopted on 2 December 1970, 18S/97, 108, para. 43.

⁴⁶C/M/65, p. 4.

⁴⁷3S/51.

⁴⁸C/M/154, SR.38/1.

(3) *Restrictive business practices*

In a Decision on “Arrangements for Consultations on Restrictive Business Practices”⁴⁹ in international trade between contracting parties, the CONTRACTING PARTIES recommend consultations on such practices on a bilateral or multilateral basis as appropriate. The Decision does not refer to Article XXII.

3. Consultations provided for in Protocols of Accession

The Report of the Working Party on the Accession of Poland notes that “The Working Party agreed that it would be desirable that a set of provisions be incorporated in the draft Protocol for the Accession of Poland, designed to safeguard the interests of the parties concerned without hampering the development of a multilateral trading system between the CONTRACTING PARTIES and Poland, corresponding to the provisions of Articles XXII and XXIII but adapted to meet the particular requirements in this case. Paragraph 7 of the draft Protocol was drafted for this purpose”.⁵⁰ Provisions for consultations are also contained in the accession Protocols for Romania⁵¹ and Hungary.⁵²

III. PREPARATORY WORK AND SUBSEQUENT MODIFICATIONS

In the US Draft Charter, Article 30, the article on consultation in the commercial policy chapter, included both provisions on consultation and provisions on nullification or impairment. In the London and New York drafts of the Charter these provisions appeared as two separate paragraphs of Article 35, still in the commercial policy chapter. During discussions in Geneva, it was decided to move the provisions on nullification or impairment to Chapter VIII of the Charter, and to expand their scope to cover the entire Charter. The provisions on consultation in the area of commercial policy remained in Article 41.

The text of Article XXII in the original (30 October 1947) text of the General Agreement was identical (*mutatis mutandis*) to Article 41 of the Geneva draft Charter, and provided as follows:

“Each contracting party shall accord sympathetic consideration to, and shall afford adequate opportunity for consultation regarding, such representations as may be made by another contracting party with respect to the operation of customs regulations and formalities, anti-dumping and countervailing duties, quantitative and exchange regulations, subsidies, state-trading operations, sanitary laws and regulations for the protection of human, animal or plant life or health, and generally all matters affecting the operation of this Agreement”.

The corresponding provision in the Havana Charter, Article 41, was essentially identical except for the addition of “internal price regulations” and “transit regulations and practices” to the list of enumerated subjects for consultation. The following note based on the New York Draft (Article 35, paragraph 1) was added to the Havana Charter:

“The provisions for consultation require Members, subject to the exceptions specifically set forth in this Charter, to supply to other Members, upon request, such information as will enable a full and fair Article appraisal of the matters which are the subject of such consultation, including the operation of sanitary laws and regulations for the protection of human, animal or plant life or health, and other matters affecting the application of Chapter IV”.

Prior to the Review Session it was suggested that the selection of certain provisions of the Agreement for special reference was unnecessary, and the Article could be simplified.⁵³ During the Review Session, Pakistan proposed that any developing country affected by a decline in imports by a particular country of primary commodities exported by it, or by measures likely to lead to such a decline, be able to ask for consultations,

⁴⁹Decision of 18 November 1960, 9S/28.

⁵⁰L/2806, adopted on 26 June 1967, 15S/109, III-112, para. 15; for text of paragraph 7 see 15S/49.

⁵¹See paragraph 6 of Accession Protocol (18S/5, 7).

⁵²See paragraph 7 of Accession Protocol (20S/3, 7).

⁵³L/189, Secretariat note on “The Review of the Agreement”, dated 12 April 1954.

stating that “where a grave threat has arisen or is likely to arise to the economy of an under-developed country consequent upon measures taken by the government or quasi-government organizations of another contracting party the former may be able, at the discretion of the CONTRACTING PARTIES, to invoke the procedure of multilateral consultations”.⁵⁴ In response the present text of Article XXII:2 was proposed by a sub-group of Review Working Party IV.⁵⁵ The changes to Article XXII were effected through the Protocol Amending the Preamble and Parts II and III of the General Agreement, and entered into force 7 October 1957.

IV. RELEVANT DOCUMENTS

London

Discussion: EPCT/C.II/38

New York

Discussion: EPCT/C.6/29, 40, 105
 Reports: EPCT/34 p. 30
 Other: EPCT/C.6/W/8, 60, 63, 66, 87
 EPCT/C.6/28/Rev.1, 97/Rev.1

Geneva

Discussion: EPCT.EC/PV.2/22
 EPCT/A/SR.6, 12, 13, 35
 EPCT/TAC/SR/II
 EPCT/TAC/PV/28
 Reports: EPCT/135, 146, 155+Corr.1, 180,
 186 p. 36, 189, 212,
 214/Rev.1/Add.1
 Other: EPCT/W/64, 168, 172, 175, 224,
 272, 301, 313

Havana

Discussion: E/CONF.2/C.3/SR.17 (p. 4);
 Reports: E/CONF.2/C.3/37

Review Session

Discussion: SR.9/38
 Reports: W.9/180, W.9/198, 3S/244
 Other: L/189, L/291, W.9/62, W.9/134
 Spec/92/55

⁵⁴W.9/134; see also L/291.

⁵⁵W.9/180, “Report by Sub-Group C on the Pakistan Proposal Relating to the Off-take of Primary Commodities”; see also Spec/92/55 and the Report of the Working Party on “Organizational and Functional Questions”, L/327, adopted on 28 February, 5 and 7 March 1955, 3S/231, 244, para. 42.

V. CONSULTATIONS UNDER ARTICLE XXII

A. CONSULTATIONS NOTIFIED UNDER THE 1958 PROCEDURES OR REFERRED TO IN SESSION OR COUNCIL RECORDS

The following table lists consultations notified formally under the 1958 procedures, or referred to in Session or Council discussions. As in many cases consultations have been held without formal notification, this list is necessarily incomplete. The date referred to is (in order of preference) the date of the communication reproduced, or the date of issuance of the document first listed, or the date of the meeting at which a request for consultations was made; where a reference to a consultation only appears in minutes of a subsequent meeting, the date is the date of the consultation or as a last resort, the date of that meeting.

Date	Name	Applicant	Requests for Joinder	Respondent	Document references
09-Jul-58	Effect on Trade in Unmanufactured Tobacco of Rome Treaty Provisions on Proposed Common Tariff and Association of Overseas Territories	Rhodesia and Nyasaland	Brazil, Canada, Cuba, Dominican Republic, Greece, India, Indonesia, Turkey, United States	Six EEC Member States	L/831, IC/SR.41, SR.13/8 p. 37, L/995, SR.14/10, L/1006
14-Jul-58	Effect on Trade in Sugar of Rome Treaty Provisions on Association of Overseas Territories	Dominican Republic	Cuba, Czechoslovakia, United States	Six EEC Member States	L/832, IC/SR.41, SR.13/8 p. 37, SR.14/10, L/1006
28-Jul-58	Effect on Trade in Cocoa of Rome Treaty Provisions on Association of Overseas Territories	United Kingdom	Brazil, Dominican Republic, Ghana, United States, Indonesia	Six EEC Member States	L/838, IC/SR.41, SR.13/8 p. 37, L/994, SR.14/10, L/1006
28-Jul-58	Effect on Trade in Coffee of Rome Treaty Provisions on Association of Overseas Territories	United Kingdom	Brazil, Dominican Republic, Haiti, India, Indonesia, United States	Six EEC Member States	L/838, IC/SR.41, SR.13/15 p. 138, W.13/5, SR.13/8 p. 37, SR.14/10, L/1007, L/1006
28-Jul-58	Effect on Trade in Bananas of Rome Treaty Provisions on Association of Overseas Territories	United Kingdom	Brazil, Dominican Republic, United States	Six EEC Member States	L/838, IC/SR.41, SR.13/8 p. 37, SR.14/10, L/1007, L/1006
15-Aug-58	Effect on Trade in Tea of Rome Treaty Provisions on Association of Overseas Territories	India	Indonesia, Japan, Pakistan, Sri Lanka, United Kingdom	Six EEC Member States	L/841, IC/SR.41, SR.13/8 p. 37, L/996, SR.14/10, L/1006
21-Nov-58	German Import Restrictions (Chairman's proposal to hold consultations, made at 13th Session)	(Chairman's proposal)	Australia, Austria, Canada, Czechoslovakia, Denmark, India, Japan, New Zealand, Sweden, Norway, United Kingdom, United States	Germany	SR.13/208, L/966, MGT/130/58/Rev.1, L/989, W.14/24, SR.14/8 p. 99ff
04-Jun-59	Implications of Provisions of Rome Treaty for Trade in Lead and Zinc	Australia	Austria, Canada, Norway, Sweden, South Africa, United Kingdom	Six EEC Member States	L/1010, SR.14/10, L/1128

Date	Name	Applicant	Requests for Joinder	Respondent	Document references
04-Jun-59	Implications of Provisions of Rome Treaty for Trade in Aluminium (bauxite, alumina and metal)	Australia	Austria, Canada, Ghana, Norway, United Kingdom	Six EEC Member States	L/1010, SR. 14/10, L/1129
03-Jun-60	Italian Import Restrictions	United States	Canada, Australia, New Zealand	Italy	L/1222/Add.1, SR.16/8, SR.17/12
15-Jul-60	Italian Import Restrictions	Japan		Italy	L/1222/Add.2, SR.16/8, SR.17/12, L/1325
24-Nov-60	French Import Restrictions	United States	Canada, Australia, New Zealand, Israel	France	L/1392, L/1417, SR.18/4
29-May-61	Italian Import Restrictions	Israel		Italy	L/1495
31-May-61	French Import Restrictions	Uruguay		France	L/1496
13-Nov-63	Canadian Import Restrictions on Turkeys	United States	-	Canada	L/1632
19-Apr-63	Austrian Import Restrictions	Netherlands	United States	Austria	L/1998+Add.1
03-Jul-63	United Kingdom Import Restrictions on Grapefruit and Citrus Fruit Products	United States	Jamaica, Trinidad and Tobago, Israel	United Kingdom	L/2030+Add.1+2
01-Aug-63	Austrian Import Restrictions	United States	Australia, Italy	Austria	L/2046+Add.1-10
17-Jan-64	Japan - Tariff Treatment of Sea Water Magnesite	United States		Japan	L/2119
08-Aug-64	Import Restrictions of the Federal Republic of Germany	United States	Canada	Germany	L/2252+Add.1
23-Mar-65	Turkish Request for Renegotiations under Article XXVIII	United Kingdom		Turkey	SR.22/9, p. 113
09-Apr-65	Swiss Veterinary Taxes	Belgium and Netherlands		Switzerland	L/2422
05-Apr-65	Japanese Import Restrictions	Uruguay		Japan	L/2430, L/1662/Rev.1, TN.64/LDC/7, L/2278 Ann.II
21-Jul-66	Norwegian Import Restrictions	United States	Australia	Norway	L/2675+Add.1-2
05-Dec-66	United States - Export subsidy on Unmanufactured Tobacco	Malawi	Canada, India, Turkey	United States	L/2715+Add.1-3, INT(67)50, L/2856, L/2897
11-Jul-72	Netherlands Antilles Tariff Schedule - Preferences granted to EEC Products	United States		Netherlands	L/3726
31-Jan-74	Rules of Origin (EEC agreements with EFTA countries)	United States		EEC and nine member States	L/3992, C/IM/92
31-Jan-74	Rules of Origin (EEC agreements with EFTA countries)	United States		Austria, Finland, Iceland, Norway, Portugal, Sweden, Switzerland	L/3992, C/IM/92

Date	Name	Applicant	Requests for Joinder	Respondent	Document references
16-Aug-74	EEC - Emergency Measures on Bovine Meat	Australia		EEC	L/4069, L/4004 + Add. 1-7, C/M/99, C/M/102, L/4124
29-Nov-74 19-Nov-76	Japan - Restrictions on Imports of Beef and Veal	Australia		Japan	L/4127, L/4120 + Add. 1, L/4117, C/M/100-102, C/M/109, SR.31/2, L/4452
15-Sep-76	EEC - Export Refunds for Wheat Flour	United States		EEC	L/4399
15-Sep-76	EEC - Export Refunds for Barley Malts	United States		EEC	L/4400, C/M/116
15-Nov-76	United States - Quantitative Limitations on Importation of Certain Meats into the United States	New Zealand		United States	L/4443+Add. 1, C/M/119
02-Dec-76	EEC - Export Measures on Bovine Meat	Australia		EEC	L/4454
26-Jul-77	Japan - Import restrictions on Thrown Silk Yarn	EEC		Japan	C/M/122 p. 8, L/4530, L/4637, 25S/107
31-Jan-79	European Unit of Account for the Common Customs Tariff (use in expressing specific duties in Schedule LXXII)	United States		EEC	L/4774, L/4706
17-May-78	Norway - Restrictions on Imports of Certain Textile Products	Hong Kong		Norway	C/M/125, 27S/119
24-Jul-80	EC - Tariff Preferences to Citrus Products of Certain Countries in the Mediterranean Region	United States		EC	L/5012, L/5037
24-Jul-80	EC - Export Refunds for Wheat Flour	United States		EC	L/5014
29-Aug-80	United States - Tariff Measures on Light Truck Cab Chassis	Japan		United States	L/5019
23-Nov-81	Liquidation of Strategic Stocks (US strategic stocks of silver)	Peru		United States	L/5264, C/M/154
05-Jan-82	Canada - Administration of the Foreign Investment Review Act	United States		Canada	L/5280
29-Jan-82	Measures Affecting the World Market for Copper Ores and Concentrates	EEC		Japan	L/5286, 36S/200
24-Jun-82	Application of Duty-free Tariff Concession for Corn Gluten Feed	EEC		United States	L/5340
05-Jul-82	United States - Sugar Imports (institution of import quota)	Cote d'Ivoire		United States	L/5348
09-Jul-82	United States - Sugar Imports (effects of sugar policy on production and trade)	EEC		United States	L/5349
04-Aug-82	Canada - Differentiated Postal Rates	United States		Canada	L/5359
16-Aug-82	United States - Sugar Imports (institution of import quota)	Brazil		United States	L/5360, C/M/162
11-Oct-82	EEC - Proposal to Ban the Importation of certain Sealskins and Seal Products	Canada		EEC	L/5384

Date	Name	Applicant	Requests for Joinder	Respondent	Document references
19-Nov-84	EEC - Quantitative Restrictions or Measures having Equivalent Effect applied on Imports of Various Products	Chile		EEC	L/5737
19-Nov-84	Portugal - Quantitative Restrictions or Measures having Equivalent Effect applied on Imports of Various Products	Chile		Portugal	L/5737
19-Nov-84	Norway - Quantitative Restrictions or Measures having Equivalent Effect applied on Imports of Various Products	Chile		Norway	L/5737
19-Nov-84	Finland - Quantitative Restrictions or Measures having Equivalent Effect applied on Imports of Various Products	Chile		Finland	L/5737
19-Nov-84	Austria - Quantitative Restrictions or Measures having Equivalent Effect applied on Imports of Various Products	Chile		Austria	L/5737
19-Nov-84	Sweden - Quantitative Restrictions or Measures having Equivalent Effect applied on Imports of Various Products	Chile		Sweden	L/5737
19-Nov-84	Japan - Quantitative Restrictions or Measures having Equivalent Effect applied on Imports of Various Products	Chile		Japan	L/5737
19-Nov-84	New Zealand - Quantitative Restrictions or Measures having Equivalent Effect applied on Imports of Various Products	Chile		New Zealand	L/5737
20-Nov-84	United States - Marking Requirement for Pipes and Tubes in Section 207 of Trade and Tariff Act of 1984	EEC	Canada, Australia, Spain	United States	C/IM/183 p. 89-90
18-Jan-85	Followup on DISC - Foreign Sales Corporation Act	EEC		United States	L/5774, C/IM/185
22-Jan-85	Brazil - Treatment of Electronic Data Processing Equipment (informatics policy)	United States		Brazil	L/5775, C/IM/185, L/5871, C/IM/192
11-Jul-85	United States - Trade Measures affecting Nicaragua	United States		Nicaragua	L/5847, L/5803
10-Mar-86	EEC - Restrictions on Certain Imports from New Zealand (French import ban on lamb brains)	New Zealand		EEC	L/5970+Add.1, C/IM/196
22-Jul-86	Japan - Customs Duties, Taxes and Labelling Practices on Imported Wines and Alcoholic Beverages	EEC	Canada	Japan	L/6031, L/6078, C/IM/204-206, L/6216, 34S/83
08-Sep-86	Consultations under Article XXII - Request by New Zealand (Countervailing duty and antidumping orders on exports of low fuming brazing copper rod and wire from New Zealand)	New Zealand		United States	L/6045
08-Oct-86	Bilateral Agreement between the United States and Japan regarding Trade in Semi-conductors	EEC		Japan	L/6057
08-Oct-86	Bilateral Agreement between the United States and Japan regarding Trade in Semi-conductors	EEC		United States	L/6057

Date	Name	Applicant	Requests for Joinder	Respondent	Document references
30-Oct-86	United States - Internal taxes on Petroleum, Petroleum products and Chemical derivatives	EEC	Mexico	United States	L/6080, L/6123, C/M/206, L/6175, 34S/136
07-Nov-86	United States - Tax on Imported Crude Oil and Petroleum Products	Canada		United States	L/6085, L/6121, C/M/206, L/6175, 34S/136
10-Nov-86	United States - Customs User Fee	Canada		United States	L/6086, C/M/206, C/M/207
01-Dec-86	United States - Tax Reform - Transitional Rules (taxation of small passenger aircraft)	EEC		United States	L/6103
25-Feb-87	Italy - Fiscal Duties on Bananas	Colombia	Philippines	EEC	L/6138, C/M/207, C/M/212
11-Nov-87	EEC - Implementation of the Harmonized System	Argentina	Australia	EEC	C/M/215 p. 40
22-Jan-88	United States - Withdrawal of Chile from Generalized System of Preferences	Chile		United States	L/6298, C/M/541, C/M/217, C/M/218, C/M/219, C/M/220
07-Jun-89	United States - Sugar Import Regime	Australia		United States	C/M/222 p. 27-28; see L/6514, 36S/331
03-Dec-92	Subsidy in connection with a Tender submitted for a Hydro-electric Project in Costa Rica	Argentina		Norway	SR.48/2

B. CONSULTATIONS NOTIFIED UNDER THE 1989 DECISION ON IMPROVEMENTS TO THE GATT DISPUTE SETTLEMENT RULES AND PROCEDURES

Date	Name	Applicant	Requests for Joinder	Respondent	Document references
03-Jul-89	Finland - Restrictions on Imports of Apples and Pears	United States		Finland	DS1/1
01-Sep-89	Measures to be taken under the European Convention on Transfrontier Television	United States		Austria, Luxembourg, Netherlands, Norway, Spain, Sweden, Switzerland, United Kingdom	DS4/1, C/M/236
25-Sep-89	Canada - Restrictions on Imports of Broiler Hatching Eggs/chicks	United States		Canada	DS6/1
11-Oct-89	EEC - Directive on Transfrontier Television	United States		EC	DS4/3
15-Jan-90	Brazil - Tax on Raw Sisal (export tax)	EEC		Brazil	DS11/1
21-Feb-90	Federal Republic of Germany - Restriction of Circulation of Austrian Lornies	Austria		Germany	DS14/1
26-Apr-90	France - Television Broadcasting of Cinematographic and Audiovisual Works	United States		France	DS4/5
16-Oct-90	United States - Investigation of Circumvention of Anti-dumping Order on Colour Television Picture Tubes	Canada		United States	DS19/1
05-Mar-91	United States - Countervailing Duty and Anti-dumping actions on Salmon	Norway		United States	DS24/1

Date	Name	Applicant	Requests for Joinder	Respondent	Document references
18-Mar-91	Japan - Restrictions on Imports of Certain Agricultural Products	United States	Australia, Argentina, Canada, New Zealand, Thailand, Uruguay	Japan	DS25/1, L/6832, DS25/2, L/6910, C/M/247, C/M/248, L/7087
05-Apr-91	Japan - Restrictions on Imports of Certain Agricultural Products	Australia		Japan	DS25/2, DS25/1, L/7087
12-Jun-92 16-Jun-92	EEC - Banana Import Regimes	Colombia, Costa Rica, Guatemala, Nicaragua, Venezuela		EC	DS32/1
21-Aug-92	Japan - Restrictions on Imports of Certain Agricultural Products	New Zealand		Japan	DS25/3, L/7087
28-Jan-93	EEC - Import Regime for Bananas	Colombia, Costa Rica, Guatemala, Nicaragua, Venezuela	Cameroun, Côte d'Ivoire, Jamaica	EC	DS38/1, DS38/4
19-Feb-93	EEC - Import Regime for Bananas	Colombia, Costa Rica, Guatemala, Nicaragua, Venezuela		EC	DS38/5
04-Mar-93	EEC - Restrictions on Imports of Apples	Chile		EC	DS39/1
20-May-93	Poland - Duty Exemptions for Automobiles Originating in the European Communities	India		Poland	DS40/1
18-Aug-93	EEC - French Regulation Concerning the Trade Description of Scallops	Canada		EC	DS43/1
07-Sep-93	EEC - Countervailing Charges on Lemons	Argentina		EC	DS45/1
08-Sep-93	Mexico - Initiation of Countervailing Duty Investigation on Certain Steel Produced in the United States	United States		Mexico	DS46/1
14-Jan-94	United States - Standards for Reformulated and Conventional Gasoline	Venezuela		United States	DS47/1
24-Jan-94	Australia - Import Restrictions on Salmon	Canada		Australia	DS48/1
16-Feb-93	EC - Restrictions on Imports of Canned Tuna and Sardines	Thailand	United States, Philippines	EC	DS49/1-4
5-Apr-94	Argentina - Provisional Anti-Dumping Duties on Three-Phase Electric Motors	Czech Republic		Argentina	DS50/1
21-Apr-94	EC - Prohibition of Imports of Pelt and Manufactured Furs of Wild Animals	Canada		EC	DS51/1
13-Oct-94	Japan - Measures Affecting Imports of Certain Telecommunications Equipment	EC	Sweden	Japan	DS52/1, DS52/2