

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED
LIMITED B
GATT/CP.6/SR.25
29 October 1951
ORIGINAL: ENGLISH

CONTRACTING PARTIES
Sixth Session

SUMMARY RECORD OF THE TWENTY-FIFTH MEETING

Held at the Palais des Nations, Geneva
on Thursday, 25 October 1951, at 3 p.m.

Chairman: Mr. S. A. HASNIE (Pakistan)

- Subjects discussed:
1. Report of Working Party 6 on Balance-of-Payment Restrictions (Continued).
 2. Derestriction of Documents.
 3. Publication of General Agreement Documents.
 4. Publication of a Third Progress Report.
 5. Request by the Government of Liberia for re-negotiation
 6. Memorandum by the Delegation of Czechoslovakia on the suspension of obligations by the United States and Czechoslovakia.

1. Report of Working Party 6 on Balance-of-Payment Restrictions:
Report on the Review of Restrictions and on Discrimination (Continued)
(GATT/CP.6/48 and GATT/CP.6/12/Rev.2)

The EXECUTIVE SECRETARY said that there was no requirement in the Agreement for the publication of the Report on the review of restrictions under Article XII, but he had assumed that it was the intention of the Contracting Parties that the Report would be published. Referring to the suggestion of the delegate of the Netherlands that it should be made clear in the report that the contents related to only one variety of the barriers to international trade, he proposed that the Secretariat be entrusted with the writing of a preface which would consist of a short statement on the genesis and character of the review which was called for by the Agreement explaining that the review took place at the Sixth Session and that the Report was the outcome of the discussions. He thought this would meet the wishes of the representative of the Netherlands, and Mr. van BLANKENSTEIN replied that he would be satisfied if it were made clear that the report related to only one type of obstacle to trade.

It was agreed that the Secretariat should prepare a preface as indicated by the Executive Secretary.

Mr. PANSEGROUW (South Africa) asked for a clarification of the passage in the draft report relating to the extension of liberalization measures by members of the O.E.E.C. countries to non-member territories; he enquired whether all O.E.E.C. countries had supplied information or whether the report dealt only

with the action taken by some of the countries.

Mr. PHILLIPS (Australia), as Chairman of the Working Party, replied that all contracting parties applying restrictions which are members of O.E.E.C. had submitted information: some were not extending their liberalization outside O.E.E.C., while some others were not acting under the liberalization programme at all. The passage in question listed all the countries which had extended the liberalization outside the O.E.E.C. area.

A discussion followed in which Mr. Pansegrouw (South Africa), Mr. Phillips (Australia), Mr. Reisman (Canada), Mr. Bonhomme (Haiti), Mr. Leddy (United States), Mr. van Blankenstein (Netherlands) and the Executive Secretary participated, and it was agreed that the text should be amended to read: "Further, they have extended the liberalization to imports from the dependent territories of other members; and according to reports received the following countries have extended it to certain non-member countries, as follows:".

The report of the Working Party on Balance-of-Payment Restrictions was adopted, with the reservation of the representative of Czechoslovakia.

2. Derestriction of Documents (GATT/CP.6/11)

The DEPUTY EXECUTIVE SECRETARY recalled that the present practice of the Contracting Parties was to derestrict documents pertaining to sessions 90 days after the close of the session and to derestrict documents in the continuous series on 31 March following the calendar year in which they were issued. Under the latter arrangement, documents produced in the early months of the year were subject to a long period of restriction; therefore it was now suggested that there should be a semi-annual derestriction.

The EXECUTIVE SECRETARY wished to make it clear that documents containing information supplied by the International Monetary Fund would not be derestricted without the Fund being given an opportunity to express its wishes in the matter.

Mr. PANSEGROUW (South Africa) saw no objection to the general proposal, but asked that the documents relating to import restrictions of South Africa and classified as secret should not be derestricted.

The following new arrangement for the continuous series was agreed:

- (i) documents produced up to 31 December of each year to be derestricted on the following 31 March.
- (ii) documents produced up to 30 June to be derestricted on the following 30 September.

It was further agreed that the following documents of the Third Session -

GATT/CP.3/20 & Addenda, /36, /54, /60 & Rev. and Add., /64, /65, /73
& Rev. & Corr., and /85 -

concerning applications under Article XVIII, and GATT/CP.3/61 on the Chilean request regarding nitrate subsidy, and those in the continuous series, GATT/CP/89 to /120, should be derestricted with immediate effect.

3. Publication of General Agreement Documents (GATT/CP.6/29 & Add.1)

The DEPUTY EXECUTIVE SECRETARY recalled that at the Fifth Session the Norwegian delegation had asked for the publication of certain basic documents pertaining to the operation of the General Agreement. Document GATT/CP.6/29 contained a list of documents which the Secretariat suggested for publication, delegations had been asked to comment, and the proposals in the Addendum were the result of consultations. He pointed out that the budgetary provisions for the forthcoming year would not be sufficient to cover the expense of the publication of the three volumes listed, but possibly the volume containing the proposed analytical index to articles and protocols could be done later.

Mr. SOLBERG (Norway) thought the whole series and, in particular, the analytical index would be very useful. As for the budgetary difficulties, he thought the procedure followed for the Torquay Schedules, that each government would pay for the copies required, would solve the problem.

M. LECUYER (France) also considered the publication would be very useful. He thought, however, that a piecemeal issue was advisable not only on budgetary grounds but also because experience would be gained which would lead to the improvement of the later volumes. He welcomed the proposal of a historical introduction which, he suggested, should not be too short.

Mr. ADARKAR (India) also welcomed the publication.

The DEPUTY EXECUTIVE SECRETARY, replying to Mr. Solberg, said that his proposal regarding the financing of the expenditure involved would be of great interest to the Secretariat. The Contracting Parties authorized the Executive Secretary to publish Parts I and VII and to submit Part II to the Contracting Parties at the Seventh Session.

4. Publication of a Third Progress Report

The EXECUTIVE SECRETARY recalled that the Secretariat had published two progress reports on the operation of the General Agreement; judging by the comments and enquiries received these publications had been successful and could be considered as having served a useful purpose. He suggested that a third progress report might be published before the Seventh Session but, as on the previous occasions, he should be given authority by the Contracting Parties. He would send a draft to any contracting party which would like to see it, but of course this would not carry any implication of approving the contents, the responsibility for which would rest entirely with the Secretariat.

The EXECUTIVE SECRETARY also suggested that the Contracting Parties might sometime consider issuing an annual report on their activities, as was customary with other international bodies. The development of their work made it more and more desirable that such reports should be available to the public, and if the idea commended itself to the contracting parties he would be glad to give further consideration to it with a view to discussion at a subsequent session.

Mr. ADARKAR (India), supporting the suggestions of the Executive Secretary, said that the publication of reports would be necessary in view of the increasing amount of intersessional work.

The proposal of the Executive Secretary that the Secretariat should publish a third progress report was agreed.

5. Request of the Government of Liberia for authorization to renegotiate certain items with France and the United States (GATT/CP.6/47).

Mr. DAVID (Liberia) stated that the Liberian Government maintained a tax on luxury goods in order to provide the revenue required for its development programme. Tariff concessions had been negotiated at Annecy on some of the products affected by this tax; and in order not to violate its commitments under the Agreement the Liberian Government had suspended the tax on those products. It was not clear whether this tax could be reapplied, in accordance with the provisions of Article III, and to clarify this point the Government wished to hold discussions with the governments of Benelux, France and the United States. If it should be found necessary, the Government would like to have authority to open renegotiations on these concessions. Discussions and negotiations could take place between sessions and a report could be submitted to the Seventh Session.

Mr. LEDDY (United States) said that if the Liberian tax could be imposed consistently with the provisions of Article III there would be no need for re-negotiation. If not, it would be expedient to authorize the Government of Liberia to re-negotiate. He supported the proposal.

M. LECUYER (France) said that although he had not received instructions from his Government, he would not oppose the possibility of discussions with the Government of Liberia and expressed his understanding of their difficulties.

Mr. van BLANKENSTEIN (Netherlands) also agreed to discuss the problem with the Government of Liberia although he could not express any view at the moment owing to lack of instructions.

The Contracting Parties agreed to the holding of discussions between Liberia and the three governments mentioned and that negotiations should take place if necessary.

6. Memorandum by the Delegation of Czechoslovakia concerning the Declaration of the Contracting Parties on the suspension of obligations by the United States and Czechoslovakia (GATT/CP.6/5/Add.2 and GATT/CP.6/49).

A point of order was raised by Mr. van BLANKENSTEIN (Netherlands) who questioned whether this item was on the Agenda.

Mr. TAUBER (Czechoslovakia) contended that the inclusion in the Agenda had been agreed when, on the previous day, he had informed the Chairman that he would submit a paper. The Chairman had replied that the matter could be taken up after the submission of his memorandum, and no objection had been raised.

The CHAIRMAN read the record of the 14th meeting from which it appeared that the representative of Czechoslovakia had been informed from the Chair that he could, if he so desired, request the Contracting Parties to consider action by Czechoslovakia on the withdrawal of concessions from the United States and the Contracting Parties would then decide whether to place it on their Agenda.

A discussion followed as to whether the memorandum by the Delegation of Czechoslovakia should be taken up as an item on the Agenda. Before a decision was reached the discussion was adjourned.

The meeting rose at 6.50 p.m.