

GENERAL AGREEMENT ON TARIFFS AND TRADE

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EUROPEAN ECONOMIC COMMUNITY

Procedures for Consultations

The Intersessional Committee at its meeting from 14 April to 2 May 1958, continuing the examination of the Rome Treaty begun at the Twelfth Session, gave particular attention to the procedures to be followed for consultations between Member States of the European Economic Community and other contracting parties. The conclusions and procedures which were approved by the Committee are recorded on pages 19 to 22 of IC/SR.38. Before giving their concurrence the Member States wished to refer the matter to the Council of Ministers of the Community.

The following communication has now been received from the President of the Council of the European Economic Community:

"I have the honour to inform you that the Six Governments, after due consideration by the institutions of the European Economic Community, have agreed to the document entitled 'Draft Conclusions of the Intersessional Committee following discussions of the Rome Treaty'.¹

"At the same time, the Six Governments wish to confirm the statements made by the representatives of the Community to the Intersessional Committee, that the Six Governments were not prepared to submit to special procedures but only to the procedures of the General Agreement as referred to in paragraph 3(b) of the Conclusions.

"The perfectly normal character of the procedure is affirmed with the utmost clarity in the text of the Conclusions. It is on this understanding that the Six agree to consultations which might, from the outset, assume a multilateral character but will in accordance with GATT practice in such matters, deal with specific cases arising out of the application of the Rome Treaty by one or several members of the Community.

¹ See IC/SR.38.

"It is in the light of the same considerations that the Six Governments concur in paragraph 3(e) which states that these 'normal procedures' could also apply to matters related to the association of Overseas Territories. Consequently, paragraph 3(e) cannot result in the scope of such consultations being especially extended, through a reference to the very wide competence of the Working Party on Associated Overseas Territories, to include matters which would be in the nature of mere eventualities arising, in a more or less distant future, out of measures not yet instituted and which therefore would not fulfil the general criteria mentioned above.

"On the other hand, the Six will not fail to furnish the information referred to in paragraph 4 of the Conclusions in respect of any decisions relating to agriculture.

"In the light of the foregoing, the Six welcome the fact that the Intersessional Committee felt it would be wise to suspend consideration of legal contentions about the compatibility of the Rome Treaty with the General Agreement and, on the basis thus provided, to resort to the normal procedures which in the past have proved efficient when applied in the traditional GATT spirit."

