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# GENERAL AGREEMENT ON TARIFFS AND TRADE

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## CONSULTATION WITH POLAND

### Removal of Discriminatory Import Restrictions

The following communication has been received from the permanent representative of Poland.

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Acting on the instruction from my authorities and with reference to the forthcoming fourth annual consultation between Poland and the CONTRACTING PARTIES as provided for in the Protocol of Accession, I would appreciate very much your bringing to the attention of the contracting parties my authorities' view on the question of discriminatory prohibitions and quantitative restrictions which are still applied to imports from Poland inconsistently with Article XIII of the General Agreement.

As it has been stressed on various occasions, the Polish party attaches great importance to this question and to the final elimination of all such restrictions, so that imports from Poland be treated on the markets of the contracting parties in compliance with the provisions of the General Agreement.

Under the paragraph 3 of the Protocol on Poland's Accession, contracting parties, maintaining these restrictions, are obliged to relax and to remove them progressively so that at the end of the transitional period any inconsistency with the provisions of Article XIII has been eliminated.

The establishment of a date for the termination of the transitional period, mentioned above, had to be considered, according to the Protocol, during the third annual consultation, which took place last year. However, due to divergencies of opinion among the members of the Working Party which carried out that consultation, it was not possible to fix such a date then in spite of a goodwill on the part of Poland to reaching a compromise. This topic will be, therefore, re-examined at the coming consultation in the current year.

In this connexion, the Polish party would like to reiterate here its proposal, put forward previously, that 31 December 1974 be set as the final date of the transitional period.

Poland, being a member of the General Agreement, wishes that her trade relations with other contracting parties be based on the principles of this Agreement and that those principles, with that of non-discrimination in the first place, be fully observed by the contracting parties vis-à-vis Poland. Implementing entirely her obligations undertaken in the GATT towards the contracting parties, Poland expects the same on their part.

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Under the paragraph 3(b) of the Protocol the CONTRACTING PARTIES have, in the course of the annual consultations, to review measures taken by contracting parties pursuant to the provisions of the Protocol in liberalizing their imports from Poland.

In order to enable the Working Party to carry out such review and to assess the progress made in this field, the contracting parties are to submit notifications on restrictions applied against Poland inconsistently with Article XIII.

Notifications submitted in this respect by the contracting parties for the second consultation in 1969 were incomplete and incomparable. The Working Party, therefore, was not in a position to draw any definite conclusion as concerns liberalization of imports from Poland by the contracting parties and requested the secretariat to elaborate, in preparation for the third annual consultation, guidelines for the form and content of notifications.

These guidelines for the form and content of notification required for the purpose of item i(c) under the plan for the annual review of trade between Poland and the contracting parties, were adopted and approved by the Council on 28 April 1970 (see document C/M/62).

In the result the completeness and accuracy of the notifications for the third consultation improved to some extent but the situation in this respect was still far from satisfactory. Many contracting parties, more than a half of the total number, had not responded at all to the invitation to notify whether they maintained restrictions on imports from Poland; some notifications were incomplete or illegible to the members of the Working Party; and some were received very late.

These circumstances, in the opinion of the Polish party, caused that the Working Party, being unable to carry out a meaningful review and to assess the progress made by contracting parties in eliminating the discriminatory restrictions against imports from Poland, did not take any definite position in this matter.

Some contracting parties shared the view of the Polish party that the quality of notifications as to both their form and content should be improved further on.

While expressing, therefore, their serious concern over the situation as described above, the Polish authorities appeal to all contracting parties to submit in time the required indispensable information for the fourth consultation[1], so that the previous situation would not repeat again.

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[1] Cf. airgram GATT/AIR/871