

# GENERAL AGREEMENT ON

RESTRICTED

SR.44/1

30 November 1988

## TARIFFS AND TRADE

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CONTRACTING PARTIES  
Forty-Fourth Session

### SUMMARY RECORD OF THE FIRST MEETING

Held at the International Conference Centre, Geneva  
on Monday, 7 November 1988, at 10.30 a.m.

Chairman: Mr. Alan Oxley (Australia)

	<u>Page</u>
<u>Subjects discussed:</u>	
- Chairman's opening address	1
- Adoption of the Agenda	1
- Order of Business	1
- Presentation of Reports	2
- Activities of GATT	4

#### Chairman's opening address

The CHAIRMAN made an opening address (GATT/1445).

#### Adoption of the Agenda

The CHAIRMAN noted that the Provisional Agenda was contained in L/6398, and proposed an additional item: "Office of Director-General - Re-appointment of the Director-General".

Mr. Samuels (United States) proposed an additional item: "European Economic Community - Animal-hormone directive".

The Agenda was adopted, as amended.

#### Order of Business

The CHAIRMAN drew attention to the Proposed Order of Business circulated in W.44/1 which gave an outline of the organization of work during the Session, beginning with the presentation of reports and general statements by contracting parties, followed later by the consideration of the report of the Council, the European Economic Community's animal-hormone directive, the Office of Director-General, the dates for the 45th Session and then the Election of Officers.

The CONTRACTING PARTIES approved the Order of Business as proposed in W.44/1, as amended.

Presentation of Reports

Presenting the Council's report (L/6419 and Add.1), its Chairman, Mr. Jamal (Tanzania) said that this report testified to the range and importance of the Council's activities during the year. With the Uruguay Round negotiations advancing towards the mid-term review in Montreal the following month, the Council, as the governing body of the GATT and acting on behalf of the CONTRACTING PARTIES, remained the place where governments took up issues arising from the day-to-day handling of their trade policies. The number of issues brought to GATT dispute settlement procedures was evidence of the difficulties which trading partners were facing, and, at the same time, proof of contracting parties' confidence in and reliance on the multilateral system under GATT.

The report reflected essentially three distinct categories of work. One was comprised of the regular items of business which came before the Council year after year, such as requests by contracting parties for waivers, reports under waiver decisions and reports on the work of various standing bodies such as the Committees on Balance-of-Payments Restrictions, on Textiles and on Tariff Concessions. During the year, a large number of contracting parties had requested waivers in connection with their implementation of the Harmonized System of tariff nomenclature. A second category consisted of what might be termed ad hoc business generated by the concerns of individual contracting parties over particular matters affecting their trade interests. A third area of work, and one in which the Council had been increasingly involved, concerned trade disputes raised by contracting parties under Articles XXII and XXIII of the General Agreement. The past year had witnessed a testing of GATT's dispute settlement system with a record 14 cases brought to the GATT for resolution. At present, 10 panels were either at work or soon to begin work examining contracting parties' complaints.

The dispute settlement system had also continued to be tested in terms of the special nature and complexity of some of the cases brought to GATT panels. The incidence of multi-party complaints and of a request related to retaliation in the follow-up stage of an earlier panel process were examples of the recent demands on that system, and emphasized the importance of the ongoing work in the Negotiating Group on Dispute Settlement. They were also further evidence of the adaptability of the GATT system in responding to the trading community's current and future needs. He said that it could not be emphasized enough, that respect for the practices and rules of the dispute settlement mechanisms in GATT remained crucial to the effective functioning of those mechanisms and thus, to confidence in the GATT system as a whole.

One other area of the Council's work was its twice-yearly special meetings to review developments in the trading system and to monitor paragraph 7(i) of the 1982 Ministerial Declaration. These meetings had continued to provide an opportunity for contracting parties to examine, and to engage in substantive debate on, trade policy developments in the global economic context.

Mr. Pemasiri (Sri Lanka), presenting the report of the Committee on Trade and Development on behalf of its Chairman, Mr. Nagaratnam (Sri Lanka), said that in the course of 1988, the Committee had pursued its work in relation to both its regular and continuing responsibilities under its terms of reference, and to relevant aspects of the Uruguay Round negotiations of direct interest to developing countries. The Committee had regularly kept under review developments in international trade, and in the Uruguay Round, of interest to developing countries. Members of the Committee had focused on trends in the overall trading environment, including the interlinkages between trade, financial and monetary issues and their impact on developing countries. Delegations had also exchanged views on developments in the Uruguay Round, particularly as they bore on issues such as special and differential treatment, reciprocity and fuller participation of developing countries. The Committee would continue to follow developments in the Uruguay Round with a view to further shared perceptions of interests and concerns with respect to these matters and thereby to assist the negotiating process.

The Committee had continued to review periodically the technical assistance provided in GATT to developing countries in the context of the Uruguay round. Members had expressed appreciation for the assistance provided by the Secretariat as well as for the voluntary contributions provided by governments, which enabled the Secretariat to carry out a number of additional programs. It was hoped that as negotiations moved into their second phase in 1989/90, technical assistance activities would be intensified, expanded and strengthened, including through voluntary contributions. The Committee had also received information on technical assistance activities undertaken by governments and international organizations in relation to the Uruguay Round. It had been widely considered that such information would be helpful in securing greater transparency and complementarity of these activities.

As in previous years, the Committee's activities had encompassed work in relation to the review of the implementation of Part IV and the operation of the Enabling Clause, and the work of the Sub-Committee on Trade of Least-Developed Countries. The Committee had also adopted, for submission to the CONTRACTING PARTIES, the Fifteenth Annual Report of the Committee of Participating Countries on the operation of the Protocol Relating to Trade Negotiations Among Developing Countries (L/6399 and Add.1).

The CHAIRMAN then drew attention to the following reports of the Committees and Councils charged with implementation of the MTN Agreements and Arrangements: Committee on Trade in Civil Aircraft (L/6415), Committee on Technical Barriers to Trade (L/6403), Committee on Import Licensing (L/6414), International Dairy Products Council (L/6406), International Meat Council (L/6407), Committee on Government Procurement (L/6420), Committee on Anti-Dumping Practices (L/6423), Committee on Subsidies and Countervailing Measures (L/6422) and Committee on Customs Valuation (L/6413).

Activities of GATT

The following statements were made:

Mr. Martin Huslid, Ambassador, Permanent Representative of Norway (speaking on behalf of the Nordic Countries)	SR.44/ST/1
Mr. R.A. Akhund, Secretary to the Government, Ministry of Commerce of Pakistan	SR.44/ST/2
Mr. Oswaldo de Rivero, Ambassador, Permanent Representative of Peru	SR.44/ST/3
Mr. Harun-ur-Rachid, Ambassador, Permanent Representative of Bangladesh	SR.44/ST/4
Mr. John M. Weekes, Ambassador, Permanent Representative of Canada	SR.44/ST/5
Mr. Sang Ock Lee, Ambassador, Permanent Representative of Korea	SR.44/ST/6
Mr. Luis Bravo Aguilera, Deputy Secretary of Foreign Trade of Mexico	SR.44/ST/7
Mr. William Rossier, Ambassador, Permanent Representative of Switzerland	SR.44/ST/8
Mr. Julio Lacarte Muró, Ambassador, Permanent Representative of Uruguay	SR.44/ST/9
Mr. Yoshio Hatano, Ambassador Extraordinary and Plenipotentiary of Japan	SR.44/ST/10
Mr. Rubens Ricupero, Ambassador, Permanent Representative of Brazil	SR.44/ST/11
Mr. Marko Kosin, Ambassador, Permanent Representative of Yugoslavia	SR.44/ST/12
Mr. K.G. Anthony Hill, Ambassador, Permanent Representative of Jamaica	SR.44/ST/13

The meeting adjourned at 1.00 p.m.