

**GENERAL AGREEMENT
ON TARIFFS AND TRADE**

RESTRICTED
SCM/W/303
30 November 1993
Special Distribution

(93-2060)

Committee on Subsidies and Countervailing Measures

INFORMATION REQUEST FOR OBSERVERS

Communication from the Chairman of the Committee

As those delegations which were present at the last regular meeting of the Committee on 27 October 1993 are aware, the Committee at that meeting adopted a new rule regarding the participation of Observers in the work of the Committee. That new rule provides as follows:

An Observer government should provide the Committee with any information the Observer government considers relevant to matters within the purview of the Agreement, including the text of its laws and regulations regarding countervailing duties, and information regarding any countervailing measures taken by the Observer government. At the request of any signatory or the Observer government itself, any matter contained in such information may be brought to the attention of the Committee after governments have been allowed sufficient time to examine the information.

The reasons for the adoption of this rule by the Committee were discussed in some detail at the 27 October meeting. It was considered that there is a lack of readily available information in the GATT with respect to countervailing legislation and measures of contracting parties not signatories to the Agreement, and that it would serve the interests of transparency to solicit information in this area from Observers. It was noted that this rule was in the spirit of reciprocity, as Observers to the Committee have access to information notified by signatories and are free to participate in the discussions of such notifications by signatories. Finally, it was remarked that this rule is closely modelled on a comparable provision recently adopted by the Council.

Of course, this rule regarding the provision of information in no way creates any substantive obligations for Observer governments under the Agreement with respect to their legislation or countervailing measures. It merely provides for expanded transparency among signatories and Observers in the Committee.

In accordance with the decision of the Committee, therefore, Observers are invited to provide information regarding their legislation and regulations regarding countervailing duties to the Committee. They are also requested to provide information regarding any countervailing measures taken by the Observer government.