

# GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

IC/SR.18  
8 November 1954

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Ad Hoc Committee on Agenda  
and Intersessional Business

## SUMMARY RECORD

of the Meetings held at the Palais des Nations, Geneva,  
on 26 and 27 October 1954

Chairman: Mr. L. Dana WILGROSS (Canada)

Subjects discussed:

1. Agenda for the Intersessional Committee
2. Agenda for the Ninth Session and Order of Business
3. Report to the CONTRACTING PARTIES
4. United States' Request to Renegotiate
5. Federation of Rhodesia and Nyasaland
6. Additional Items for the Ninth Session Agenda

### 1. AGENDA FOR THE INTERSESSIONAL COMMITTEE (IC/W/30)

The CHAIRMAN invited the members to approve the Agenda for the Meeting.

The Committee's Agenda was adopted.

### 2. AGENDA FOR THE NINTH SESSION AND ORDER OF BUSINESS (G/84 and IC/W/28)

THE CHAIRMAN then called for a discussion of the Agenda for the Ninth Session and referred to the draft Annotated Provisional Agenda (IC/W/28). It was not the task of the Committee to adopt the Provisional Agenda but to forward it with recommendations as to the order of business for approval by the CONTRACTING PARTIES.

Mr. VALLADAO (Brazil) said that there appeared to be no reference in the Annotated Agenda to the question of international trade in commodities. This was a question that, in his view, should appear automatically on the Agenda as the Economic and Social Council wished to know the attitude of the CONTRACTING PARTIES to the problem before taking final decisions. He suggested that the Committee should recommend the inclusion of this question in the Agenda of the Ninth Session, under Item 3 (Review of the Agreement), and that the GATT Secretariat should circulate immediately the relevant documentation. The Brazilian delegation reserved its right to bring up the question again at the Ninth Session.

The CHAIRMAN said that any delegation was, of course, entitled to request the discussion of such an important question during the Review of the Agreement.

The EXECUTIVE SECRETARY stated that when reviewing the documentation for the Review he had noted that there was no Secretariat paper on the question of commodities. A document was now in preparation which would deal with this subject.

The Committee agreed upon recommendations to submit to the CONTRACTING PARTIES as to the order of business (L/248).

The following items in the draft annotated provisional agenda gave rise to special comment:

Item 5 - Status of Schedules after 30 June 1955

Mr. SEIDENFADEN (Denmark) said that his Government could take no final decision with regard to the extension of the assured life of the Schedules until the future of Article XXVIII had been settled.

Mr. VALLADAO (Brazil) said that if this item were taken up early in the Session he would have to reserve the position of his Government.

The Committee therefore decided to recommend that the future of Article XXVIII should be discussed early in the Review and that Item 5 be taken up as soon as possible thereafter.

Item 6 - Accession of Japan

The Committee agreed, on the proposal of Mr. WEISS (United States of America), that the date recommended for the opening of the proposed negotiations with Japan be changed from 1 February to 21 February 1955.

Item 7 - Balance-of-Payments Import Restrictions

The Committee agreed to recommend that a working party be appointed early in the Session to deal with consultations and to prepare the Fifth Annual Report on discriminatory restrictions under Article XIV:1(g).

Mr. ANDERSON (IMF) said that he was ready to discuss the timing of the consultations and of the submission of material by the Fund.

Item 12 - Complaints

The CHAIRMAN thought that it would be necessary to set up a panel on complaints to deal with those not settled in plenary meetings of the CONTRACTING PARTIES. He considered that this item should be dealt with early in the Ninth Session.

Mr. RABAEUS (Sweden), referring to the Italian complaint about Swedish anti-dumping duties, announced that the Swedish anti-dumping legislation had been brought into conformity with Article VI of the

Agreement. Accordingly, he was confident that Italy and Sweden would be able to settle this matter.

The CHAIRMAN said that the item would not be taken up until there had been consultation between Italy and Sweden.

Item 18 - Samples Convention

The Committee agreed to submit the following recommendation to the CONTRACTING PARTIES:

Recommendation: that the CONTRACTING PARTIES take note that, although the text of the Convention to Facilitate the Importation of Samples and Advertising Material was agreed upon two years ago, few governments have accepted or acceded to it, and that governments whose regulations are consistent with its provisions have an interest in obtaining the benefits for their export trade which will follow from its entry into force; and urge that contracting parties take action as quickly as possible so that the Convention can enter into force without further delay.

3. REPORT TO THE CONTRACTING PARTIES (IC/W/29)

The CHAIRMAN invited discussion of the draft Report on the Committee's work since the Eighth Session.

In connection with paragraphs 5 and 6 of the Report relating to the Review, the Chairman informed the Committee that proposals concerning the Review had been received from the United States, Germany, Sweden, South Africa and Cuba and would be circulated. He referred to the proposals of the Executive Secretary contained in these paragraphs, relative to the task of preparation of an annotated agenda and general arrangements for the Review.

The EXECUTIVE SECRETARY explained that the proposal that only three principal working parties be established was based on the experience of the past six years, and particularly on the experience at Havana where the great number of working parties had made their co-ordination a difficult task. Furthermore, a multiplicity of working parties entailed difficulties for the smaller delegations; three working parties would obviously facilitate matters for these delegations. Finally, the three main working parties could establish sub-groups to investigate technical matters and examine the reports thereon from the broader point of view of commercial policy.

Mr. AZIZ AHMAD (Pakistan) thought that the Intersessional Committee should not anticipate the decisions of the CONTRACTING PARTIES on so important a question. While it was essential not to have too many working parties, it might well be necessary to have more than three, and he could not thus agree to the inclusion of the recommendation in the form proposed to the Committee.

Mr. STEYN (South Africa) felt that it was essential to ascertain what proposals were likely to be submitted and that the CONTRACTING PARTIES should be asked to submit their proposals as soon as possible. He considered the Executive Secretary's suggestions relating to the general arrangements for the Review and number of working parties satisfactory.

Mr. VALLADAO (Brazil) thought the Intersessional Committee should avoid any suggestion that it was laying down terms of reference or anticipating decisions of the CONTRACTING PARTIES. The Executive Secretary had said that the setting up of only three working parties would facilitate matters for the smaller delegations, but that was not borne out by the remarks concerning the possibility of technical sub-groups. He supported the suggestion to request contracting parties to submit any proposals as soon as possible; perhaps a deadline of 8 November might be fixed.

Mr. BUNTING (Australia) agreed that suitable arrangements made beforehand would facilitate handling the Review. However, it was not possible to forecast developments exactly and delegations would prefer to be free to consider arrangements in the light of the discussion in the CONTRACTING PARTIES. He thus could not support the proposals in the form contained in the draft Report at this stage, although he agreed that, after discussion by the CONTRACTING PARTIES, they might be found to be satisfactory.

Mr. WEISS (United States of America) said that his Delegation felt that it was premature to endeavour to settle the form of the machinery required at this stage. The Intersessional Committee's Report should, however, set out some of the considerations, including those of the Executive Secretary, to be borne in mind when dealing with the question. The machinery set up should provide for effective co-ordination, take account of the difficulties of small delegations and avoid any excessive specialization of working parties.

The United States Delegation was convinced that some mechanism for a steering group (as proposed in paragraph 5) was essential. He agreed that proposals of contracting parties for the Review should be tabled as soon as possible.

Mr. SEN (India) said the Indian delegation considered the Executive Secretary's proposals appropriate. Proposals of the Intersessional Committee could hardly be considered as binding the CONTRACTING PARTIES in any way, since they were merely submitted for approval. He opposed a definite deadline for proposals for the Review.

Mr. SINCLAIR (United Kingdom) agreed with the remarks of the representative of Australia. Working parties would have to be set up immediately after the closure of the plenary debate and as that obviously entailed a certain amount of forethought, perhaps a small

steering group could be appointed to make the necessary preparations. The United Kingdom Government had not yet decided on the exact form its proposals relating to the Review would take.

Mr. DOMINIQUE (Haiti) supported the Executive Secretary's text of the paragraphs relating to the Review.

The CHAIRMAN said that there appeared to be general agreement that it would be premature for the Intersessional Committee to make exact recommendations as to the establishment of working parties for the Review. The Committee agreed that it was essential to ensure co-ordination and to avoid the establishment of too many working parties; it had emphasised that account should be taken of the difficulties of smaller delegations. The Committee might, once again, urge governments to submit proposals for the Review as soon as possible. They would be immediately circulated, but it was obviously not possible, failing receipt of all proposals, to prepare an annotated agenda.

With regard to a steering group to deal with the administrative arrangements for the Review, he suggested that this group, while it should be small, must be representative, based on a geographical distribution and taking account of the most important trading nations. He suggested that it be limited to seven members, considering that a group composed only of the Chairman, the two Vice-Chairmen and the Executive Secretary (as proposed in the draft Report before the Committee) would not be sufficiently representative.

Mr. VALLADAO (Brazil) supported the establishment of a steering group but thought its composition should be left for the CONTRACTING PARTIES to decide later. In any case, membership should be restricted to seven persons.

The CHAIRMAN emphasised that the proposed steering group was of a quite different character from a working party. It would be concerned with procedural, not substantive, matters.

Mr. STEYN (South Africa) said that at past conferences it had been of great assistance to the Chairman to have a small group to assist him in his work. If the question of geographical distribution arose the Chairman could settle it by selecting a small band of senior representatives. This selection could satisfactorily be left to the Chairman.

The Committee adopted paragraphs 5 and 6 of the Report as amended in L/249.

The Report of the ISC was approved as a whole.

4. UNITED STATES' REQUEST TO RENEGOTIATE AN ITEM IN SCHEDULE XK (L/237)

Mr. ANNIS (Canada) expressed his Government's agreement to renegotiate the item with the United States.

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The Committee agreed that the special circumstances described in the request by the United States Government would justify authorizing the United States to renegotiate with Canada item 720 (b) in Schedule XX on the conditions and by the procedures laid down by the Committee at its meeting in July/August. Any other contracting party which felt it had an interest in the product was entitled to lodge its claim with the United States.

5. FEDERATION OF RHODESIA AND NYASALAND (L/250)

The Committee approved a brief report on changes in the Agreement consequent upon the Government of the Federation of Rhodesia and Nyasaland becoming responsible for commercial policy including the obligations under the GATT.

6. ADDITIONAL ITEMS FOR THE NINTH SESSION AGENDA

The Committee agreed that a complaint by the Benelux Governments regarding German import duties on starch and potato flour (L/260), a complaint by the United States regarding Belgian restrictions on imports of coal (L/258), and a Greek request to renegotiate four items in Schedule XXV (SECRET/15) - although received after the time limit fixed in the rules of procedure - should be added to the annotated provisional agenda for consideration by the CONTRACTING PARTIES.