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**MULTILATERAL TRADE
NEGOTIATIONS
THE URUGUAY ROUND**

Special Distribution

Group of Negotiations on Goods (GATT)

Negotiating Group on Dispute Settlement

MEETING ON 11 JULY 1988

Note by the Secretariat

1. The Group held its ninth meeting on 11 July 1988 under the Chairmanship of Ambassador Julio A. Lacarte-Muró (Uruguay). The Group adopted the agenda set out in GATT/AIR/2631.

Further consideration of submission by Mexico on dispute settlement procedures

2. The Group began its work of the ninth meeting with further discussion of the Communication from Mexico (MTN.GNG/NG13/W/26). The representative of Mexico indicated that his delegation was continuing to hold consultations on the proposals contained in the paper and that his delegation hoped to be in a position to circulate a revised version of the paper prior to the next meeting of the Group. Mexico provided clarification on the text of its proposal relating to adoption of panel reports, noting that the phrase "parties to the dispute will be free to join in the consensus or not" (Sec. V, para. 5) was meant to reflect and sanctify existing GATT practice whereby parties to the dispute could disassociate themselves from a consensus without blocking the attainment of such consensus.

3. On the issue of establishment of panels, one delegation expressed the view that the Council should give careful consideration to all requests for panels; the decision to establish a panel should not be taken solely on the basis of statements of a requesting party. The same delegation, commenting on the Mexican proposal regarding terms of reference, cautioned against parties to a dispute having a determining influence over the adoption of special terms of reference. It was said by this delegation that the Council should retain the discretion to adopt general terms of reference by consensus, even where the parties had requested special terms. A representative of a number of countries emphasized that while the principle of the right to a panel should be reaffirmed, there was also a need to reiterate a related principle that the Council should carefully review, and in manifestly unfounded cases reject, requests for the establishment of a panel. This representative noted, however, that there were only a very few cases where the Council had rejected a request for the establishment of a panel.

Consideration of the note by the secretariat on differential and more favourable treatment

4. The Group next proceeded to discuss a note prepared by the secretariat, entitled "Differential and More Favourable Treatment of Developing Countries in the GATT Dispute Settlement System" (MTN.GNG/NG13/W/27). Many delegations expressed their appreciation to the secretariat for providing a succinct and comprehensive analysis of this difficult and important issue. Delegations in particular welcomed Part III of the paper, which lists and summarizes proposals made so far in the Group with respect to differential and more favourable treatment in the dispute settlement context.

5. A number of delegations commented that the secretariat paper effectively confirmed the existence of a balance in present GATT dispute settlement procedures; that on average, panel proceedings initiated by developing countries had proceeded as expeditiously and with as favourable an outcome -- from the perspective of developing countries -- as those initiated by developed countries; and that the existing provisions, including several which specifically provided for differential and more favourable treatment, adequately took into account the interests of developing countries. These same delegations also expressed the view that the best way to assure equality in the field of dispute settlement was to promote uniform procedures. In this regard, a representative of a number of countries questioned whether it was wise to preserve the existing differentiation in procedures for developed and developing countries. The representative of another group of countries said that the injection of new provisions for special and differential treatment in the dispute settlement context could unnecessarily complicate the procedures which were in any case subject to the general principles of differential and more favourable treatment contained in the General Agreement. Another delegation commented that the focus of the Group's deliberations on differential and more favourable treatment should be on improving specific areas of the dispute settlement system where developing countries were encountering substantive problems; that there was no need for additional general references to the principles of differential and more favourable treatment; and that it was important to maintain the overall balance of the dispute settlement system, reflecting the principle of non-discrimination.

6. Other delegations stated that the secretariat's presentation of the issue of differential and more favourable treatment posed certain problems for developing countries. It was said by several delegations that they would have preferred a paper containing a comparative chart illustrating how developed and developing countries had fared in the dispute settlement area. One delegation suggested that such an approach should be used in a future revision of the secretariat's note. It was also said by a number of delegations that developing countries were not seeking a two-tiered system of dispute settlement, but that specific forms of differential and more favourable treatment were nonetheless needed in the dispute settlement context to restore balance to the system. In view of the substantial

differences among developed and developing contracting parties and the vulnerability of developing country economies, several delegations expressed the view that equal treatment of all contracting parties was not sufficient; that the principles of differential and more favourable treatment should be translated into the dispute settlement context in order for developing countries to take full advantage of the dispute settlement system and to become more fully integrated into the GATT. Several delegations noted the importance to developing countries of measures to increase flexibility in dispute settlement procedures, especially with respect to time limits, in view of the limited resources that developing countries were able to devote to dispute settlement. Other delegations noted the importance of providing special procedures in favour of developing countries in the implementation of panel recommendations, e.g. flexibility in the timing of implementation, a preference for compensation rather than retaliation, and the possibility of collective compensation.

7. One delegation expressed the view that problems in the GATT dispute settlement system were due more to a lack of political will to implement panel reports than to a lack of special rules in favour of developing countries. This same delegation noted that the Group's mandate did not include the negotiation of new substantive rights for contracting parties, and questioned whether, underlying certain developing country proposals, there was an interest in creating a new "enabling clause". Several delegations responded that they were not attempting to enlarge substantive rights, but that implementation of the Punta del Este Declaration required application of the principles of differential and more favourable treatment in the dispute settlement context. But another delegation stated that the Ministers at Punta del Este did not call for the indiscriminate application of differential and more favourable treatment in every negotiating area. This delegation expressed the view that the development needs of developing countries could best be taken into account in the negotiation of substantive rules in other negotiating groups; that in the dispute settlement context, differential and more favourable treatment should be applied, where appropriate, to address specific problems faced by developing countries, but should not be applied for its own sake.

8. A number of delegations were critical of the comparative references in paragraphs 2 and 14 of the secretariat note to the dispute settlement systems of other international organizations. It was said that the parallel drawn between the original texts of the General Agreement and of the Agreement establishing the International Monetary Fund was unnecessary and undesirable; that the Group's discussions of differential and more favourable treatment should focus exclusively on the GATT; and that the lack of specific provision for differential and more favourable treatment of developing countries in the dispute settlement mechanisms of other international organizations possibly suggested that these mechanisms had shortcomings and were out-of-date in their treatment of developing countries. Another delegation expressed the view that it would have been more appropriate for the secretariat to reference the Havana Charter, various MTN codes, or even the Multi-Fibre Arrangement. This delegation

noted that the Multi-Fibre Arrangement contained a provision allowing parties in certain circumstances to avoid implementation of findings of the surveillance body. It was said that the Group should examine whether there were circumstances in the GATT dispute settlement context where a similar provision might be appropriate. Other delegations, however, did not share the criticism regarding the secretariat's comparative analysis in paragraphs 2 and 14. These delegations expressed the view that the comparisons were relevant and instructive in showing that the GATT's provisions for differential and more favourable treatment of developing countries in the dispute settlement context were without precedent. It was also said that this comparative analysis reinforced the view that dispute settlement systems worked best when they consisted of strong, effective and uniform procedures.

9. Regarding paragraph 4 of the secretariat note, several delegations commented that the provisions for differential and more favourable treatment in the Decision of 5 April 1966 were not given sufficient prominence. One delegation requested that the revised version of the secretariat note contain the full text of paragraph 3 preambular provisions of the Decision of 5 April 1966, which reads: "The CONTRACTING PARTIES ... Affirming their resolve to facilitate the solution of such situations while taking fully into account the need for safeguarding both the present and potential trade of less-developed contracting parties affected by such measures". Another delegation suggested that the Group give consideration to what further measures, as called for in paragraph 10 of the 5 April 1966 Decision, should be undertaken by the CONTRACTING PARTIES where developed countries failed to implement adopted panel recommendations within the specified time limits.

10. Several delegations were critical of paragraphs 6 and 7 of the secretariat note. It was said that the section of the Ministerial Declaration of 1982 dealing with dispute settlement should not be read in isolation; that mention should also be made of paragraph 7(iv)(a) and (b) and, more particularly, paragraph 2 of the section entitled "GATT Rules and Activities Relating to Developing Countries", which states: "The CONTRACTING PARTIES ... Urge contracting parties to implement more effectively Part IV and the Decision of 28 November 1979 regarding 'differential and more favourable treatment, reciprocity and fuller participation of developing countries'". Moreover, the same delegation criticized the secretariat note for not citing the following language from the dispute settlement section of the 1982 Ministerial Declaration: "The CONTRACTING PARTIES agree that the Understanding on Notification, Consultation, Surveillance and Dispute Settlement negotiated during the Tokyo Round ... provides the essential framework of procedures for the settlement of disputes among contracting parties and that no major change is required in this framework, but that there is scope for more effective use of the existing mechanism and for specific improvements in procedures to this end." It was also reiterated that the 1982 Ministerial Declaration's extension to all contracting parties of recourse to the good offices of the Director-General did not mean that developing countries had

renounced their specific rights spelt out in paragraph 8 of the "Understanding Regarding Notification, Consultation, Dispute Settlement and Surveillance" of 28 November 1979. However, a representative of a number of countries commented that the lack of specific reference to differential and more favourable treatment in the Ministerial Declaration of 1982 and in the Action taken on 30 November 1984 indicated that existing procedures were satisfactory and/or that the focus of these statements had been on substantive GATT provisions.

11. With respect to paragraph 10 of the secretariat note, one delegation commented that the secretariat's citation to Part B(IV) of the Punta del Este Declaration should have included the last sentence of that section regarding standstill and rollback. It was said that while standstill and rollback were issues to be dealt with in the Uruguay Round by the Surveillance Body, these were also issues to be addressed by this Group. However, a representative of a number of countries disagreed with the view that paragraph 10 of the secretariat note should contain a reference to standstill and rollback.

12. Regarding paragraph 11 of the secretariat note, one delegation stated that its position with respect to participating in a particular panel proceeding had been misinterpreted (see document L/6175, para. 1.3); that by agreeing that the matter be pursued in a particular panel did not amount to a waiver of its rights under the procedures of the Decision of 5 April 1966.

13. With respect to paragraph 13 of the secretariat note, one delegation noted that its own experience in specific GATT disputes did not bear out the conclusion that developing countries had, on average, fared as well as developed countries in their use of GATT dispute settlement procedures. Another delegation doubted whether the small number of Article XXIII complaints brought by developing countries was due to the fact that developed countries formed the majority of contracting parties until 1960 and continued to account for almost 70 per cent of world trade. It was the view of this delegation that the relatively small number of complaints initiated by developing countries was due more to the fact that these countries lacked the necessary leverage to make full use of dispute settlement procedures, especially in the area of implementation of adopted panel recommendations, and that developing countries needed to exercise caution in trade disputes with more powerful trading partners because of the potential repercussions for relations with these countries in other contexts. At the same time, this delegation expressed the view that the degree of involvement and interest of developing countries in the Group's negotiations should inspire confidence in prospects for a successful outcome of these negotiations.

14. Regarding Section III of the secretariat note, one delegation said that it was reflecting in particular on the proposals contained in subparagraphs (h), (i) and (r). Another delegation took issue with the expression "two-tier system" as used in paragraph 17 of the note. This

delegation stated that developing countries had never sought a two-tier system of dispute settlement; and that this expression was an over-generalization of specific proposals for differential and more favourable treatment put forward by various contracting parties.

Consideration of secretariat note on multi-complaints procedures and intervention by third parties in GATT disputes settlement proceeding

15. The Group next took up discussion of a note prepared by the secretariat, entitled "Multi-Complainant Procedures and Intervention by Third Parties in GATT Dispute Settlement Procedures" (MTN.GNG/NG13/W/28). It was said by a number of delegations that the secretariat paper reinforced the need for more automatic and uniform procedures in handling the increasing number of cases involving multi-complaints and interventions by third parties. Several delegations emphasized that existing ad hoc procedures were insufficient in dealing with the difficult problems of joinder in multi-complainant cases. Other delegations, however, cautioned that each matter in dispute tended to have unique attributes which required a flexible set of procedures. These delegations favoured the elaboration of a set of guidelines with appropriate safeguards, rather than standardized rules, to address those situations involving coinciding interests of multiple complainants or third parties. Another delegation stressed that there was a need to keep an appropriate balance between ensuring the rights of third parties and promoting the resolution of what were essentially bilateral trade disputes.

16. It was generally agreed that some new procedures had to be adopted to avoid the abuse of panel procedures and waste of resources incurred by the proliferation of separate panels involving similar issues. One contracting party proposed that in order to conserve resources in those situations where the issues were very similar but the parties insisted on separate panels, the Council should require that the composition of each of the panels be identical. This same contracting party noted that procedures for multi-complainants and third parties were of particular interest to small countries because these countries were most often involved in panel proceedings as multi-complainants or third parties. Yet another delegation noted that the contracting parties had exercised a degree of pragmatism in dealing with multi-complainant matters and, accordingly, it should not be too difficult for the Group to elaborate a set of more formalized procedures in this same spirit.

17. Regarding paragraph 1 of the secretariat note, one delegation expressed concern that the references to collective action in Article XXIII, as cited in paragraph 1, conceivably were not an appropriate foundation for multi-complainant procedures in GATT disputes.

18. Regarding paragraph 6 of the secretariat note, a representative of a number of contracting parties took issue with the characterization of the 1973 DISC panel proceedings as involving multiple complainants. The representative stated that there had been two separate matters in dispute, one involving the United States tax legislation (DISC) and the other involving income tax practices of Belgium, France and the Netherlands.

19. With respect to paragraph 9 of the secretariat note, one delegation reiterated that it had participated in the Superfund panel but that it had not thereby "suspended its recourse", or otherwise waived its rights, to the 1966 Procedures under Article XXIII.

20. Regarding paragraph 11 of the secretariat note, one delegation indicated that the paragraph incorrectly stated that the Council's decision to appoint two separate panels was "at the demand of Japan". This delegation emphasized that the Japanese import restrictions on beef and citrus products and on beef, respectively, had been taken up by the Council as two separate agenda items and had resulted in two separate panels, but not at the insistence of Japan.

21. In considering Section II of the secretariat note, a number of delegations spoke in favour of strengthened procedures for participation of interested third parties in panel proceedings. At the same time, several other delegations noted that past practice had reflected varying levels of third party participation and that it was important to retain sufficient flexibility in procedures to allow for such varying levels of participation. One contracting party expressed the view that recent cases involving third parties had allowed for sufficient procedural flexibility but that it would be useful to examine more closely which of these procedures had worked better than others.

22. Regarding the discussion of the Customs User Fee panel in paragraph 15 of the secretariat note, one contracting party recounted that it was in this proceeding that it, as a third party, had requested the panel to consider the issue of consistency with GATT MFN obligations. The panel had decided not to reach the issue because it had not been raised by one of the parties to the dispute. This delegation viewed this panel action as arbitrary and a dangerous precedent resulting from an overly narrow interpretation of standard terms of reference. The delegation further noted that the matter raised by the third party had been exactly the same as that raised by the parties to the dispute; it was only the particular provision of the General Agreement which was different. It was also said by this delegation that parties to a dispute should not have absolute control over which provisions of the General Agreement were implicated in a dispute; that third parties should not be able to expand the issues but should nonetheless be able to recommend to the panel that certain provisions of the General Agreement be considered; and that panel members should themselves have the right to raise certain provisions of the General Agreement which might not have been raised by any contracting party. Another delegation responded to these statements by saying that they posed difficult questions and that, at the very least, certain procedural safeguards would have to be elaborated such that parties to a dispute would not be unfairly surprised by the injection of new provisions of the General Agreement into panel proceedings.

Further consideration of the revised secretariat non-paper containing a check list of main issues for discussion

23. The Group next reverted to discussion of the revised secretariat non-paper, entitled "Check List of Main Issues for Discussion." It was said that in the main the non-paper did bring together the many views expressed in past meetings. A representative of a number of countries noted that the Group was not yet at the drafting stage, but that the non-paper represented a useful approach to organizing the Group's discussions of the matters under review.

24. Regarding paragraph 2 of the non-paper, a representative of a number of countries stated that because this paragraph addressed guidelines for improving the GATT dispute settlement system, it should also reference the nature and objectives of this system. This representative and another delegation expressed the view that paragraph 2(c) should also reflect the Group's extensive discussion on the issue of differential and more favourable treatment. Another delegation questioned the use in paragraph 2(c) of the phrases "take into account" and "strengthen the principle". This delegation suggested that the paragraph be reworded so as to indicate that improvements in the dispute settlement system should acknowledge and take greater action to implement the principle of differential and more favourable treatment.

25. Regarding consultations and requests for the establishment of a panel (paragraphs 4 and 5 of the non-paper), a representative speaking for a number of contracting parties indicated that these paragraphs should reference the principle that bilateral consultations should be entered into in good faith with a view to reaching acceptable solutions; consultations should not be viewed merely as a pro forma step leading to the establishment of a panel. It was also said by this representative that thirty days might not be sufficient time for parties to resolve their differences through consultations. However, another delegation expressed the view that the proposed thirty-day time limit would actually encourage parties to consult in good faith. Yet another delegation indicated that thirty days may be too short a period in some cases and too long in others. This delegation proposed that it should be up to the Council to decide in each case whether the requirements of Article XXIII:2 had been met.

26. With respect to decisions to establish a panel (paragraph 6 of the non-paper), one delegation expressed the view that the consideration of whether there existed "an abuse of right" should include the issue of good faith consultations under Article XXIII:1. This delegation also said that if a defending contracting party attempted to block the establishment of a panel, that this should not automatically result in a decision to establish the panel at the second Council meeting following the request for establishment. A representative of a number of countries emphasized that there was no absolute right to a panel and therefore the language of paragraph 6 was too narrow.

27. Regarding terms of reference (paragraph 7 of the non-paper), several delegations supported a proposal that panels be given standard terms of reference unless, within a specified time period (e.g. thirty days), the parties agreed to special terms of reference, in which case the Council would take note of such special terms. It was said that the existing formula in paragraph 7 relied too heavily on the role of the Council in establishing special terms of reference.

28. With respect to the composition of a panel (paragraph 8 of the non-paper), one delegation suggested that the first sentence be redrafted to reflect the idea that the Council, in consultation with the parties to the dispute, would normally decide on three panelists unless the parties agreed to a five-member panel within a specified (short) time period. Another delegation noted that there had been more support in the Group for a thirty-day time limit on parties agreeing to the composition of a panel than on the twenty-day time limit reflected in the non-paper. Yet another delegation expressed the view that there should be no absolute requirement that there be a panelist from a developing country whenever the dispute was between a developed and a developing country. It was said that parties should be free to agree otherwise in appropriate circumstances. Another delegation criticized the proposal requiring a developing country panelist in disputes between developed and developing countries as improperly implying that panels involving disputes solely among developed countries would not include nationals of developing countries.

29. Regarding complaints brought by several contracting parties (paragraph 9 of the non-paper), several delegations expressed the view that because each dispute was unique, it would not be appropriate to develop one standard set of procedures for multi-complainant cases, particularly where there was only partial commonality of issues. It was said further that the procedural rights of the defending party in multi-complainant cases also deserved consideration by the Group. Another delegation commented that there was an obvious need to ensure flexibility in invoking procedural time limits in multi-party cases.

30. With respect to third party procedures (paragraph 10 of the non-paper), one delegation reiterated its proposals concerning the strengthening of procedural safeguards for third party participation in panel proceedings, including access to written submissions and the opportunity to participate in relevant portions of panel proceedings.

31. Regarding standard working procedures (paragraph 11 of the non-paper), it was said by one delegation that a requirement for the submission of a detailed "interim report" when a panel was unable to complete its work within the specified time period would be a waste of time and possibly prejudicial to the deliberations of the panel. This delegation proposed instead that a panel in such circumstances should be required to submit a brief statement setting forth the reasons for the delay.

32. Regarding objections to panel findings (paragraph 13 of the non-paper), one delegation wondered how a contracting party would be able to raise objections to a panel report at a second meeting of the Council if adoption of the report had already occurred at the first meeting of the Council.

33. With respect to Council decisions on the adoption of panel reports (paragraph 14 of the non-paper), a representative of a number of countries cautioned that a two-month limit on the time period for Council consideration of panel reports might be too short in more complex cases. However, another delegation stated that unlimited flexibility in the time period for adoption of panel reports would be even more dangerous to the functioning of the dispute settlement system and that the Group should decide upon some reasonable level of discipline while ensuring sufficient flexibility.

34. Regarding party participation in the adoption of panel reports (paragraph 15 of the non-paper), several delegations suggested that the non-paper should reflect the debate over the various proposals for "consensus-minus" decisions whereby the adoption of panel reports could proceed without the involvement of one or more parties to the dispute. Another delegation stated that this paragraph of the non-paper should contain a reference to paragraph 10 of the 1982 Ministerial Declaration concerning consensus decisions. In addition, a representative of a number of countries recalled that, in an earlier written submission, it had made three alternative proposals for procedures to avoid the blocking of panel reports.

35. With respect to the implementation of panel recommendations (paragraph 16 of the non-paper), several delegations stated that this discussion should also reflect earlier proposals for differential and more favourable treatment of developing countries during the implementation stage. It was said in this regard that account should be taken of the development needs of developing countries and of the impact on developing country economies of delays by developed countries in the implementation of panel recommendations. It was also said that where a developing country were faced with implementing a panel recommendation involving structural adjustment measures, account should be taken of the fact that the affected country should continue to be in a position to fulfil its obligations to international finance institutions. Another delegation questioned whether there was not an inconsistency between the three-month review of implementation called for in paragraph 16 and the proposal in paragraph 20 that the implementation of panel reports be made a regular agenda item of Council meetings.

36. Regarding the right to compensation (paragraph 17 of the non-paper), a representative of a number of countries questioned when the right to compensation first arose, whether before or after the expiration of a period of grace afforded the country charged with implementing a given recommendation.

37. Concerning the issue of arbitration (paragraph 18 of the non-paper), one delegation stated that arbitration should be viewed as a constituent part of the GATT dispute settlement process to be entered into by mutual consent of the parties to a dispute. It was further said by this delegation that the arbitration process should safeguard the interests of other contracting parties and should not justify recourse to counter-measures or call into question provisions of the General Agreement. At the same time, this and one other delegation wondered what categories of GATT disputes could appropriately be resolved through arbitration. These delegations noted that it would be inappropriate to submit to arbitration disputes involving primarily questions of interpretation of the General Agreement.

38. Regarding the strengthened rôle of the Council (paragraph 20 of the non-paper), one delegation expressed continuing reservations about the proposal to have the Council sit in a special dispute settlement mode.

39. Regarding strengthened commitments to the dispute settlement process (paragraph 21 of the non-paper), one delegation strongly took issue with the last sentence of the paragraph which states that contracting parties "will introduce an explicit requirement into their domestic trade legislation to act in conformity with their GATT obligations under Article XXIII:2". This delegation recalled that there had been discussion in the Group on this issue but that the above-quoted statement was considerably more categorical than anything that had been agreed to in the Group. The same delegation stated that, given its system of government and past actions of that government, it would be impossible to contemplate the enactment of domestic legislation requiring conformity with GATT Article XXIII:2. Another delegation, however, stated that its own government had undertaken commitments even beyond those of paragraph 21 by incorporating the GATT and the Tokyo Round Agreements into its domestic legislation. Also on this point, a representative of a number of countries commented that any commitment on dispute settlement, to be credible, had to be accompanied by an additional commitment to seek domestic implementing legislation. Another delegation commented that it did not understand the view of the delegation saying that it would be impossible to contemplate domestic implementing legislation on Article XXIII:2 because this same delegation was apparently willing to implement domestically provisions for multilateral dispute resolution contained in a free trade agreement with another country. Yet another delegation expressed the view that the question of introducing GATT dispute settlement obligations into domestic legislation should remain on the Group's negotiating agenda, stating further that paragraph 21 properly reflected the deliberations of the Group on this subject.

Comments on the availability of documents in three languages

40. A number of contracting parties intervened concerning the availability of documents prior to meetings in all three official languages of the GATT. While expressing their appreciation to the secretariat for its efforts in

preparing a large number of documents on short notice, delegations also expressed the view that the English, French and Spanish versions of official GATT documents should be made available simultaneously so that those delegations reading a translation of an original language version would not be placed at a disadvantage. One delegation proposed that documents should normally be released in all three languages at least fifteen days prior to their consideration in negotiating session. Another delegation stressed that such proposals should be made at the level of the Group of Negotiations on Goods.

Agreement on the future work and dates for the next meetings of the Negotiating Group

41. The Group proceeded to discuss its future work program. One delegation commented that the secretariat's non-paper was a useful foundation to support other efforts but that the Group should begin its work in September with a paper that would become the embryo for a dispute settlement document to be submitted to the December 1988 Ministerial in Montreal. Another delegation proposed that the time was ripe for the Chairman to draft a synthesis paper with the assistance of the secretariat. However, the Chairman and several delegations expressed the view that it was premature to consider the drafting of a Chairman's paper. Instead, it was proposed that the secretariat prepare a two-column document comparing existing provisions on dispute settlement with the various proposals of the Group for changes to the system. The Group agreed that the following documents would be made available to delegations prior to the next meeting:

- A secretariat note on the meeting of 11 July 1988.
- A two-column secretariat note comparing the existing GATT dispute settlement system with the Group's proposals for changes to the system.
- A revised version of the secretariat's note on differential and more favourable treatment of developing countries in the GATT dispute settlement system.
- A revised paper on dispute settlement from Mexico, taking into account the points raised in discussions in the Group and in informal consultations.

The Group further agreed that it would meet again on 6 and 7 September 1988, 6 and 7 October 1988, and 2 and 3 November 1988.