

**MULTILATERAL TRADE
NEGOTIATIONS
THE URUGUAY ROUND**

RESTRICTED

MTN.GNG/NG13/W/37/Add.4

6 July 1990

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Group of Negotiations on Goods (GATT)

Negotiating Group on Dispute Settlement

DISCUSSION AND PROPOSALS IN OTHER NEGOTIATING GROUPS
AND IN THE CODE COMMITTEES RELATING TO DISPUTE SETTLEMENT

Update to Note by the Secretariat

1. At the meeting of 5 April 1990, the Negotiating Group on Dispute Settlement requested the Secretariat to update its note of 24 January 1990 on Discussions and Proposals in other Negotiating Groups and in the Code Committees relating to Dispute Settlement. An initial update was circulated on 5 June 1990 (MTN.GNG/NG13/W/37/Add.3). The present paper is in further response to the request of the April meeting and covers texts submitted between 15 March and 15 June 1990.
2. Within the Negotiating Group on Non-Tariff Measures, there have been three submissions on Preshipment Inspection touching on dispute settlement in Communications from the European Communities (MTN.GNG/NG2/W/60), Zaire (MTN.GNG/NG2/W/61) and Switzerland (MTN.GNG/NG2/W/62).
3. In the Negotiating Group on Textiles and Clothing, a proposal relating to dispute settlement has been submitted by the European Communities (MTN.GNG/NG4/W/47). Another proposal has been submitted by Indonesia on behalf of developing countries (MTN.GNG/NG4/W/49). These proposals represent significant departures from existing GATT dispute settlement procedures but are considered to be of a transitional nature.
4. In the Negotiating Group on Agriculture, the Nordic Countries in the Working Group on Sanitary and Phytosanitary Regulations and Barriers have circulated a draft agreement on sanitary and phytosanitary measures which contains five pages of detailed provisions on consultation and dispute settlement procedures (MTN.GNG/NG5/WGSP/W/21).
5. In the Negotiating Group on GATT Articles, Canada and the United States have submitted a dispute settlement proposal in their draft declaration on trade measures taken for balance-of-payments purposes (MTN.GNG/NG7/W/72). This proposal departs significantly from existing GATT dispute settlement procedures.
6. In the Negotiating Group on MTN Agreements and Arrangements, the Nordic Countries have introduced a revised proposal on dispute settlement (MTN.GNG/NG8/W/68/Rev.1). Also in this Group, the United States has circulated a supplemental submission to MTN.GNG/NG8/W/59 on the issue of dispute settlement.

7. In the Negotiating Group on Trade-Related Aspects of Intellectual Property Rights, the following documents contain specific provisions on dispute settlement:

- MTN.GNG/NG11/W/68, Communication from the European Communities, Draft Agreement on Trade-Related Aspects of Intellectual Property Rights;
- MTN.GNG/NG11/W/71, Communication from Argentina, Brazil, Chile, China, Columbia, Cuba, Egypt, India, Nigeria, Peru, Tanzania and Uruguay;
- MTN.GNG/NG11/W/73, Communication from Switzerland, Draft Amendment to the General Agreement on Tariffs and Trade on the Protection of Trade-Related Aspects of Intellectual Property Rights;
- MTN.GNG/NG11/W/74, Communication from Japan, containing Main Elements of a legal text for TRIPS.