At their thirty-fifth session the CONTRACTING PARTIES adopted the Understanding regarding Notification, Consultation, Dispute Settlement and Surveillance (BISD 265/210) drawn up in the Multilateral Trade Negotiations.

In March 1980 the Council adopted a proposal which provided, inter alia, for reviews of developments in the trading system to be conducted by the Council at sessions specially held for that purpose (BISD 275/20).

At its meeting in May 1983, the Consultative Group of Eighteen suggested that it might be useful for the Council to consider the implementation of paragraph 7(i) of the Ministerial Declaration (L/5424) at such special sessions. In order to give the Council an opportunity to check the consistency of measures taken with GATT obligations and with the commitments accepted in November 1982, the obligation to notify trade measures should be strictly observed.

As announced by the Chairman at the Council meeting on 26 May 1983, the fifth special meeting will be held on 12 July 1983. As a basis for further discussion and review, the secretariat has updated the comprehensive factual note, drawing on notifications made by contracting parties and on other relevant information. This note sets out background information in respect of the various types of notification, and reflects notifications and other relevant information covering the period from the fourth review on 29 June 1982 to 16 May 1983, unless otherwise indicated.

NOTIFICATIONS RELATED TO PARAGRAPH 2 OF THE UNDERSTANDING

I. Notifications required from contracting parties

(See document C/111, Annex I.)

Article II:6(a) - Adjustment of specific duties

A contracting party wishing to adjust its specific duties under the provisions of Article II:6(a) is required to seek the concurrence of the CONTRACTING PARTIES pursuant to these provisions. Under current procedures the communication of the contracting party concerned is submitted to the Council for consideration. Since 1948, Article II:6(a) has been invoked ten times.
In January 1980 the Council adopted the Guidelines for Decisions under Article II:6(a) (L/4938 - 15 February 1980), and in November 1980 it approved a proposal (C/112 - 31 October 1980) allotting certain functions in connection with the new Guidelines to the Committee on Tariff Concessions.

To the knowledge of the secretariat, no such action has been taken in the period under review.

No notifications.

**Article VI - Anti-dumping and countervailing duties**

Article VI does not provide for the notification of specific anti-dumping or countervailing duty cases. However, a contracting party wishing to impose an anti-dumping or countervailing duty for the purpose referred to in Article VI:6(b) - action in favour of third countries - is required to seek the prior approval of the CONTRACTING PARTIES.

Article VI:6(c) requires that if in exceptional circumstances a contracting party levies a countervailing duty for the purpose referred to in sub-paragraph 6(b) of this Article without the prior approval of the CONTRACTING PARTIES, such action shall be reported immediately to the CONTRACTING PARTIES.

The provisions of sub-paragraph 6(b) and 6(c) have, so far, not been invoked.

No notifications.

Certain notifications are required under the provisions of the two (1967 and 1979) Agreements on the Implementation of Article VI and of the Agreement on Interpretation and Application of Articles VI, XVI and XXIII. These notifications have been made as required.

**Article X - Publication of trade regulations**

Under the provisions of Article X:1 contracting parties are required to publish promptly their trade regulations and matters relating thereto. In March 1964 the CONTRACTING PARTIES adopted a recommendation that contracting parties should forward promptly to the secretariat copies of the laws, regulations, decisions, rulings and agreements of the kind described in Article X:1 (BISD 12S/49).

While the response to this recommendation has in the past been limited, the secretariat does receive from a number of contracting parties copies of the national tariffs and amendments thereto.
The Committees set up under (most of) the MTN Agreements have also received information on measures such as laws, regulations and administrative procedures and changes in same, adopted by the parties concerned, to ensure compliance with the Agreements in question.

See below for notifications related to paragraph 3 of the Understanding.

**Quantitative restrictions**

(a) **Residual restrictions**

Quantitative restrictions applied by eighteen developed contracting parties were examined by a Joint Working Group on Import Restrictions (JWG) set up by the Council in January 1970.

In June 1971 the Council decided that the data assembled by the JWG should be kept up to date and that the contracting parties concerned should be invited to notify annually by 30 September any changes which should be made concerning the restrictions listed in the consolidated document. This decision was reaffirmed by the Council in March 1980 (C/M/139).

Over the past few years, about half of the developed contracting parties concerned have responded to the invitation, issued each year by the secretariat in early May, to notify changes. For the 1982 exercise, a total of nine delegations (Australia, Austria, the European Communities (with respect to measures maintained by Benelux, France, the Federal Republic of Germany, Ireland and Italy), Finland, Japan, Norway, Sweden, Switzerland and the United States) submitted notifications, indicating certain changes to the existing documentation except in the case of Finland, which figured in the document for the first time, bringing to twenty the number of developed contracting parties concerned.

The revised data of the JWG are contained in document L/5415 (10 December 1982), and Corr.1 and 2.

The first stage of the work of the new Group on Quantitative Restrictions and Other Non-Tariff Measures consists of the compilation of an adequate information base. GATT/AIR/1900, dated 5 April 1983, contains an initial request for information from all contracting parties with respect to quantitative restrictions by 15 June 1983. The secretariat will present the information to the Group in a document which is comprehensive in regard to product and country coverage.

(b) **Licensing**

Following the decision by the CONTRACTING PARTIES at their twenty-eighth session in November 1972 that the data assembled on licensing systems should be kept up to date, the secretariat issues annually an
airgram inviting contracting parties to communicate any changes in their licensing systems necessary to bring up to date the individual country data, contained in documents COM.IND/W/55-COM.AG/W/72/Addenda and Corrigenda (21 June 1971 - to date) and, as from the beginning of 1981 in the L/- series.

Document L/5106/Rev.2 (28 March 1983) includes the status of notifications with the date of the latest information on licensing procedures received in response to the GATT questionnaire, reproduced in the Annex to the document L/5106/Rev.2. Fifty-four notifications have been received since 1971 (fifty-three from individual contracting parties and one from the European Economic Community and its member States).

Since the issue of document L/5106/Rev.2 and in response to GATT/AIR/1741, notifications have been submitted by Chile and Malawi.

(c) Import restrictions applied for balance-of-payments purposes

A contracting party applying new restrictions or raising the general level of its existing restrictions by a substantial intensification of the measures applied under Articles XII or XVIII:B is required, pursuant to the provisions of Article XII:4(a) or Article XVIII:12(a), to enter into consultations with the CONTRACTING PARTIES.

In November 1960 the CONTRACTING PARTIES established procedures for the implementation of these provisions under which the contracting party concerned is required to furnish detailed information promptly for circulation to the contracting parties, after which the consultation is conducted by the Council (BISD 95/18).

In accordance with the provisions of Articles XII:4(b) and XVIII:12(b) the Committee on Balance-of-Payments Restrictions conducts consultations with contracting parties. Procedures for the consultations were approved in April 1970 (BISD 188/48); and in December 1972 simplified procedures were approved for regular consultations with developing countries (BISD 208/47). In November 1979 the CONTRACTING PARTIES adopted a Declaration on Trade Measures Taken for Balance-of-Payments Purposes (BISD 268/205). According to paragraph 3 of the Declaration, "contracting parties shall promptly notify to the GATT the introduction or intensification of all restrictive import measures taken for balance-of-payment purposes".

At the present time, eighteen countries are consulting under Article XII:4(b) and/or Article XVIII:12(b) and provide notifications on this subject. In the absence of notifications, it is not clear whether import restrictions maintained by certain other countries are also based on balance-of-payments grounds.

It might be recalled, however, that the Group on Quantitative Restrictions and Other Non-Tariff Measures has agreed, inter alia, to have available for each contracting party, an indication of the grounds on which
quantitative restrictions are maintained (GATT/AIR/1900, paragraph 2). Information provided by governments consulting in the Committee on Balance-of-Payments Restrictions will be used by the secretariat when presenting the comprehensive document referred to under (a) above (idem, paragraph 6).

The following notifications relating to restrictive import measures taken for balance-of-payments purposes have been received:

- **Brazil:** Import restrictions - Lists of product coverage of suspension of import licences. L/5393 (3 December 1982)
- **Greece:** Reduction of prior import deposits. L/5450 (18 January 1983)
- **Hungary:** Trade measures taken for balance-of-payments purposes. L/5363 (7 September 1982), L/5363/Add.1 (8 February 1983)
- **Israel:** Import surcharge. L/5361 (2 February 1982)
- **Nigeria:** Restrictive import measures taken for balance-of-payments purposes. L/5425 (3 December 1982)
- **Portugal:** Import surcharge scheme. L/5145/Add.2 (28 April 1983)

**Article XVI - Subsidies**

Article XVI requires that contracting parties which maintain subsidies having the effects described in paragraph 1 of the Article, are to notify in writing the nature and extent of the subsidization. The CONTRACTING PARTIES established procedures for such notifications and adopted a questionnaire with a view to achieving a standardized reporting system.

Under current procedures (BISD 11S/59) the contracting parties are invited to submit by the end of January every third year, new and full responses to the questionnaire on subsidies (BISD 9S/193), and to notify changes to the basic notifications in the intervening years.

The number of responses to the full notification in 1978 was thirteen. Another four contracting parties sent in response in 1979 and 1980. Annex I contains a table showing notifications received since 1975.

New full notifications were submitted in 1981. The document (L/5102) inviting such notifications was circulated on 26 January 1981. Thirty notifications have been received in response to that invitation (from Australia, Austria, Belgium, Brazil, Canada, Chile, Denmark, European Communities, Finland, France, Germany, Hong Kong, India, Ireland, Italy, Japan, Korea, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Pakistan, Romania, South Africa, Spain, Sweden, Switzerland, United Kingdom and the United States). On 13 February 1983 contracting parties were requested to bring their full notifications up to date (L/5282). Annex I contains a table showing notifications received since 1975.
Article XVII - State trading

Article XVII requires that contracting parties which maintain State-trading enterprises, in the sense of paragraph 1 of that Article, shall notify the CONTRACTING PARTIES of the products imported into or exported from their territories by such enterprises. The CONTRACTING PARTIES established procedures for such notifications and adopted a questionnaire designed to achieve a standardized reporting system.

Under current procedures (BISD 11S/59) the contracting parties are invited to submit by the end of January every third year new and full responses to the questionnaire (BISD 9S/184) and to notify changes to the basic notifications in the intervening years.

New and full notifications on State trading were due to be submitted in 1981. In response to the invitation to do so, issued by the secretariat in document L/5104, (28 January 1981), replies were received from the following contracting parties: Australia, Austria, Belgium, Finland, France, Federal Republic of Germany, Ireland, Israel, Luxembourg, New Zealand, Norway, Peru, Romania, South Africa, Switzerland, United Kingdom and Yugoslavia.

On 13 January 1982, contracting parties were invited to notify changes to their full notifications (L/5281); responses were received from Austria, Canada, Czechoslovakia, Finland, Sweden, Switzerland and the United Kingdom. A similar invitation, sent on 10 January 1983 (L/5445), to notify changes has so far been responded to by Australia, Austria, Romania and Yugoslavia.

Annex II contains a table showing notifications received since 1975.

Article XVIII:A - Modification of concessions

A contracting party wishing to modify or withdraw a concession pursuant to the provisions of Article XVIII:7(a), in order to promote the establishment of a particular industry, is required to notify the CONTRACTING PARTIES and to enter into negotiations in this regard.

No notifications.

Article XVIII:C

A contracting party wishing to have recourse to the provisions of Section C of Article XVIII and to provide governmental assistance to promote the establishment of a particular industry is required to notify the special difficulties it meets and to indicate the specific measure which it proposes to introduce. A questionnaire for the guidance of contracting parties was approved in 1958 (BISD 7S/85).
The MTN Decision on Safeguard Action for Development Purposes (BISD 26S/209) provides additional flexibility for developing countries under unusual circumstances where delay in the application of measures may give rise to difficulties in the context of their programmes and policies of economic development. Under such circumstances, these contracting parties may deviate from certain provisions of Article XVIII:C to the extent necessary for introducing the measures contemplated on a provisional basis immediately after notification.

A notification has been received from Indonesia in L/5452 (25 January 1983).

Article XVIII:D

A contracting party wishing to have recourse to the provisions of Section D of Article XVIII is required to seek the approval of the CONTRACTING PARTIES for the introduction of the measure it desires to take to promote the establishment of a particular industry.

No notifications.

Article XIX - Emergency action

Article XIX:2 requires any contracting party, before taking emergency action pursuant to the provisions of Article XIX:1, to give notice in writing to the CONTRACTING PARTIES as far in advance as may be practicable. However, in critical circumstances action may be taken provisionally without prior consultation. In virtually all cases it has been this latter provision which has been applied. Notifications are also to be made of extensions of time-limits in terms of Article XIX:3. Terminations of actions and in some cases prolongations of actions are also normally notified.

Notifications have been received from:

- Australia
  - Hoop and strip of iron and steel
    - L/5365 (20 September 1982)
- Canada
  - Non-leather footwear
    - L/5263 (30 November 1981)
    - Add.11 (28 April 1983)
- Canada
  - Leather footwear
    - L/5351 (22 July 1982)
    - Add.12 (28 April 1983)
- EEC
  - Dried grapes
    - L/5399 (2 November 1982)
    - Add.3 (9 May 1983)
- EEC (France, UK)
  - Tableware and other articles of a kind commonly used for domestic or toilet purposes, of stoneware
    - L/5447 (12 January 1983)

1The notifications should be seen in conjunction with those relating to paragraph 3 of the Understanding (pages 19-20) as well as with the information not based on notifications (pages 20-22).
Switzerland

Emergency action regarding desert grapes

L/5364 (16 September 1982)

United States

Porcelain - on steel cooking ware

L/4889 (27 November 1979)
Add.1 (22 January 1980) - Add.14 (13 April 1983)

United States

Preserved mushrooms

L/5088 (15 December 1980) - Add.9 (28 April 1983)

United States

Heavyweight motorcycles

L/5493 (20 May 1983)

Article XXII - Consultations

Procedures under Article XXII on questions affecting the interests of a number of contracting parties were adopted in 1958 (BISD 7S/24). Under these procedures any contracting party seeking a consultation of this character under Article XXII is required to inform the Director-General for the information of all contracting parties, so as to enable any other contracting party to express its desire to be joined in the consultation.

The following notifications have been received:

EEC

Request for consultations with United States (corn gluten feed)
L/5340 (2 July 1982)

Ivory Coast

Request for consultations with United States (sugar imports)
L/5348 (14 July 1982)

EEC

Request for consultations with United States (sugar imports)
L/5349 (16 July 1982)

United States

Request for consultations with Canada (differentiated postal rates)
L/5359 (16 August 1982)

Brazil

Request for consultations with United States (sugar imports)
L/5360 (20 August 1982)

1 See also the matters listed under Surveillance - paragraph 24 of the Understanding (at page 20)
Canada  Request for consultations with EEC  
(certain sealskin and seal products)  
L/5384 (20 October 1982)

United States  Request for consultations with Canada  
(front end-wheel loaders)  
L/5417 (17 November 1982)

United States  Request for consultations with Brazil  
(non-rubber footwear)  
L/5443 (3 January 1983)

United States  Request for consultations with Japan  
(non-rubber footwear)  
L/5442 (3 January 1983)

United States  Request for consultations with Korea  
(non-rubber footwear)  
L/5441 (3 January 1983)

EEC  Request for consultations with Japan  
(copper ores and concentrates)  
L/5286 (29 January 1983)

**Article XXIV - Customs unions and free-trade areas; regional agreements**

**(a) Notifications**

Article XXIV:7(a) requires that any contracting party deciding to enter into a customs union or free-trade area, or an interim agreement leading to the formation of such a union or area, shall promptly notify the CONTRACTING PARTIES.

At its meeting in October 1972 the Council established procedures for the examination of such agreements. The Council decided, without prejudice to the legal obligation to notify in pursuance of Article XXIV, to invite contracting parties that sign an agreement falling within the terms of Article XXIV, paragraphs 5 to 8, to inscribe the item on the agenda for the first meeting of the Council following such signature. This should allow the Council to determine the procedures for examination of the agreement (BISD 198S/13).

The following notification has been received:

- Australia/New Zealand Closer Economic Relations - Trade Agreement L/5475 (14 April 1983).
(b) Progress reports

At their twenty-seventh session the CONTRACTING PARTIES discussed the question of periodic reports on progress under customs unions and free-trade areas notified under Article XXIV. The CONTRACTING PARTIES instructed the Council to establish a calendar fixing dates for the examination, every two years, of reports on developments under regional agreements submitted by the parties to the agreements. In June 1981 the Council established the calendar for the period October 1981-April 1983. L/5158 (19 June 1981). A new calendar for the period October 1983-April 1985 was established by the Council in May 1983 (L/5502).

Progress reports have been submitted, as follows:

- Association Agreement between the EEC and Malta (L/5378 - 15 October 1982).
- Agreement between the EEC and Spain (L/4973 - 7 May 1980). Subsequent report was due in April 1982.
- Association Agreement between the EEC and Cyprus (L/5379 - 15 October 1982).
- Agreement between Finland and Czechoslovakia (L/5315 - 3 May 1982).
- Agreements between the EEC and Egypt, Jordan, Lebanon and Syria (L/5029 - 29 September 1980). Subsequent reports were due in October 1982.
- Agreements between the EEC and Algeria, Morocco and Tunisia (L/5030 - 29 September 1980). Subsequent reports were due in October 1982.
- Association Agreement between the EEC and Turkey (L/5389 - 22 October 1982).
- Agreement between the European Communities and Israel (L/5147 - 15 May 1981). Subsequent report was due in April 1983.
- European Free-Trade Association and Finland - EFTA Association (L/5204 - 23 October 1981).

For the EEC-Yugoslavia Agreement and the Second ACP-EEC Convention of Lomé, the initial reports will be due in October 1983 and April 1984, respectively.
Agreements between the European Communities and Iceland (L/5237 - 18 November 1981).

Agreements between the European Communities and Austria (L/5238 and Corr.1 - 18 November 1981).

Agreements between the European Communities and Norway (L/5242 - 18 November 1981).

Agreements between the European Communities and Finland (L/5244 - 18 November 1981).

Agreements between the European Communities and Sweden (L/5249 - 17 November 1981).

Agreements between the European Communities and Switzerland (L/5275 - 18 December 1981).

Agreements between the European Communities and Portugal (L/5285 - 28 January 1982).

Agreement between the EFTA countries and Spain (L/5465 - 8 March 1983).

ASEAN Preferential Trading Agreement (L/5455 - 14 February 1982).

Central American Common Market (L/5270 - 12 January 1982).


SPARTECA (L/5488 to be issued).

Article XXVIII - Modification of schedules

(a) Article XXVIII:1

A contracting party wishing to have recourse to the provisions of Article XXVIII:1 for the renegotiation or withdrawal of certain concessions in its schedule is required to notify the CONTRACTING PARTIES. Such notification is to take place not earlier than six months, nor later than three months, before the termination date of the three-year periods referred to in Article XXVIII:1 (see Notes and Supplementary Provisions ad Article XXVIII).

A notification period opened on 1 July 1981 and closed on 30 September 1981. One contracting party (Australia) notified the withdrawal of concessions during that period.
(b) Article XXVIII:4

A contracting party intending to seek authorization of the CONTRACTING PARTIES to enter into negotiations for the modification or withdrawal of a concession under the provisions of Article XXVIII:4 should submit its request for consideration by the Council.

No action has been taken requiring notification.

(c) Article XXVIII:5

Any contracting party wishing to reserve the right, for the duration of a three-year period envisaged in paragraph 1, to modify its schedule is required to notify the CONTRACTING PARTIES before the termination of the current three-year period. The current three-year period will terminate on 31 December 1984.

Reservations in respect of the three-year period 1982-1984 have been received from: Australia, Austria, Brazil, Canada, European Communities, Finland, Hungary, India, Japan, New Zealand, Norway, Poland, Romania, South Africa, Spain, Sweden, Switzerland, Turkey and the United States.

Notifications concerning renegotiations under Article XXVIII:5 were received, in the period ending on 31 December 1981, from Australia, Canada (two notifications), Finland (two notifications), New Zealand, South Africa (nine notifications), Sweden (two notifications), Switzerland (two notifications), United States (two notifications) and the European Economic Community.

Between 1 January 1982 and 16 May 1983, notifications concerning negotiations have been received from Australia, Austria, Canada, EEC, Norway, New Zealand (two notifications) and South Africa (six notifications).

Article XXXVII:2(a) - Non-fulfilment of Article XXXVII:1

The provisions of Article XXXVII:1 contain certain commitments of developed contracting parties. Under the provisions of paragraph 2(a) of Article XXXVII any contracting party not giving effect to any of the provisions of paragraph 1, or any other interested contracting party, is required to report the matter to the CONTRACTING PARTIES.

No notifications.

Review of implementation of Part IV

In order to enable the Committee on Trade and Development to keep under continuous review the application of the provisions of Part IV, the Committee agreed, in March 1965, on reporting procedures (BISD, 13S/79).
Guidelines were adopted by the Committee (COM.TD/24, paragraph 10 - 7 July 1966), providing for the submission of notifications, the preparation of reports and the carrying out of reviews on the implementation of Part IV. Notifications made by governments should be as exhaustive and comprehensive as possible, and should relate both to measures specifically mentioned in paragraphs 1 and 3, or paragraph 4, as the case may be of Article XXXVII, as well as to all steps and measures of interest to the CONTRACTING PARTIES in relation to the objectives and provisions of Part IV.

Every year the secretariat issues an airgram inviting contracting parties to make the relevant information available.

In response to GATT/AIR/1841, notifications were received from several contracting parties and the EEC (COM.TD/W/375 and Addenda - 13 October 1982) and were considered at the October 1982 meeting of the Committee.

In addition, paragraph 1 of the decision taken by Ministers at the Thirty-Eighth Session of the CONTRACTING PARTIES concerning GATT Rules and Activities Relating to Developing Countries and paragraph 1 of the Annex to this decision (L/5424 - 29 November 1982) call for a programme of consultations with contracting parties to examine how they have responded to the requirements of Part IV. These consultations, together with the work undertaken by the Sub-Committee on Protective Measures, will form a part of the overall annual review of the implementation of Part IV.

Border tax adjustments

Based on the recommendations of the Working Party on Border Tax Adjustments, the Council, in December 1970, introduced a notification procedure on a provisional basis, whereby contracting parties would report changes in their tax adjustments (BISD, 18S/108). The notifications are to relate to any major changes in tax adjustment legislation and practices involving international trade, and in particular at bringing periodically up to date, the information contained in the consolidated document on contracting parties' practices (L/3389 - 20 July 1973) on tax adjustments drawn up in the course of the Working Party's work.

Notifications under this procedure are currently distributed as addenda to document L/3518 (30 March 1971). In practice, only the United Kingdom submits notifications.

Liquidation of strategic stocks

Under the Resolution of 4 March 1955 a contracting party intending to liquidate a substantial quantity of strategic stocks should give at least forty-five days' prior notice of such intention (BISD, 3S/51).
Since 1970 one contracting party (Australia) has submitted a number of notifications under this procedure.

See also under Article XXII consultations, above.

Marks of origin

In 1958 the CONTRACTING PARTIES adopted certain rules on marks of origin, which elaborated the basic principles of Article IX in order to reduce the difficulties and inconveniences which marking regulations may cause to the commerce and industry of the exporting country. (Recommendation of 21 November 1958, BISD, 7S/30). The Recommendation also invites contracting parties to report, before 1 September each year, changes in their legislation, rules and regulations concerning marks of origin.

A number of contracting parties complied with this invitation; but since 1961 no further submissions have been received (see L/478 - 27 March 1956 and addenda 1-20 - 17 May 1956 to 26 October 1960).

II. Information required from some contracting parties

(See document C/111/Annex II - 14 March 1980).

(a) Accession protocols

- Poland, paragraph 5: No notifications.
- Romania, paragraph 5: Romanian foreign trade statistics circulated in L/5451 (14 February 1983).
- Switzerland, paragraph 4: Sixteenth annual report circulated in L/5423 (1 December 1982).
- Poland, paragraph 3(b): No notifications.

1The Report of the Working Party on Trade with Hungary was circulated in L/5303 (18 March 1982). See also communications related to unified exchange rate and commercial exchange rates (L/5216 and L/5219 - 29 October 1981).
Romania, paragraph 3(b): In response to GATT/AIR/1868, notifications were received from twenty contracting parties and the European Communities. L/5444 (14 January 1983), Add.1 (9 February 1983), Add.2 (14 February 1983), Add.3 (15 February 1983), Add.4 (22 February 1983) and Add.5 (8 March 1983).

(b) Waivers

- Turkey: Stamp duty, paragraph 3: Turkey has recently been granted an extension of the waiver to 31 December 1983 (L/5258 - 27 November 1981).

- United States: Agricultural Adjustment Act, paragraph 6: The twenty-fourth annual report (L/5328 - 15 June 1982) was examined by a Working Party, whose Report (L/5461 - 23 February 1983) was adopted by the Council in March 1983 (C/M/166). The twenty-fifth annual report (L/5469 - 18 March 1983) was before the Council at its meeting in April 1983 (C/M/167), at which a working party was established to examine that report.


(c) Decision on Differential and More Favourable Treatment, Reciprocity and Fuller Participation of Developing Countries (BISD, 26S/203): The Committee on Trade and Development has primary responsibility for supervision of the operation of this Decision. Accordingly, notifications are requested from governments for circulation at the same time as notifications relating to the implementation of Part IV are circulated, prior to end-of-year sessions of the Committee.

In response to GATT/AIR/1841, notifications were received from several contracting parties and the EEC (COM.TD/W/375 and Addenda - 13 October 1982) and considered at the October 1982 meeting of the Committee.

(d) Generalized system of preferences: Notifications have been received as follows:

Australia
- (L/3982/Add.17 - 8 June 1982)
- (L/3982/Add.18 - 3 September 1982)
- (L/3982/Add.19 - 12 December 1982)

Austria
- (L/4108/Add.13 - 29 June 1982)
- (L/4108/Add.14 - 9 December 1982)
- (L/4108/Add.15 - 21 January 1983)
Canada (L/4027/Add.16 - 21 January 1982)
Czechoslovakia (L/3703/Add.4 - 2 July 1982)
European Economic Community (L/5116/Add.2 - 24 March 1983)
Finland (L/3694/Add.13 - 29 September 1982)
(L/3694/Add.14 - 23 February 1983)
Hungary (L/5141/Add.1 - 3 June 1982)
Japan (L/4531/Add.4 - 1 November 1982)
New Zealand (L/3694/Add.13 - 29 September 1982)
Norway (L/4242/Add.20 - 20 August 1982)
(L/4242/Add.21 - 29 September 1982)
Switzerland (L/4020/Add.6 - 3 May 1982)
(L/4020/Add.7 - 27 July 1982)
(L/4020/Add.8 - 2 March 1983)

(e) Protocol relating to Trade Negotiations among Developing Countries: The ninth annual report of the Committee of Participating Countries (L/5367 and Addenda - 18 October 1982) was considered at the October 1982 session of the Committee on Trade and Development.

(f) Trade arrangements between India, the United Arab Republic and Yugoslavia (Tripartite Agreement): The report on the operation of the Tripartite Agreement (L/5166 - 10 July 1981) was noted at the July 1981 session of the Committee on Trade and Development.

(g) Agreement on ASEAN Preferential Trade Arrangements: Report by the member States of ASEAN (L/5455 - 11 February 1983).

(h) Latin American Integration Association: Notification of 1980 Montevideo Treaty (L/5342 - 1 July 1982).


(j) Committee on Trade and Development - Sub-Committee on Protective Measures: Notifications received from:

Argentina (COM.TD/SCPM/W/9 - 4 June 1981)
Australia (COM.TD/SCPM/W/3 - 24 October 1980)
(COM.TD/SCPM/W/5 - 13 May 1981)
(COM.TD/SCPM/W/12 - 2 November 1981)
Chile (COM.TD/SCPM/W/4 - 23 October 1980)
(COM.TD/SCPM/W/10 - 9 October 1981)
India (COM.TD/SCPM/W/7/Rev.2 - 29 April 1982)
New Zealand (COM.TD/SCPM/W/13 - 11 August 1982)
Norway (COM.TD/SCPM/W/15 - 13 September 1982)
Switzerland (COM.TD/SCPM/W/6 - 20 May 1981)

(k) **Arrangement Regarding International Trade in Textiles (MFA)**

The notification of actions taken by participating countries under the Arrangement, and in particular Articles 2, 3, 4, 7, 8 and 11 thereof, are made to the Textiles Surveillance Body and subsequently circulated to the Textiles Committee. These notifications are summarized in the annual report by the TSB to the Textiles Committee for the purpose of its review of the operation of the Arrangement. Such a report, together with that of the Textiles Committee, are submitted to the GATT Council in accordance with Article 10:4 of the MFA. The TSB report submitted for the Major Review in 1980 is contained in COM.TEX/SB/610 (14 October 1980) and Adds.1-4 (14 October 1980). The Textiles Committee's report on this Major Review is contained in COM.TEX/19 (31 October 1980), 19/ANNEX II (7 November 1980) and ANNEX II/Suppl.1 (9 December 1980). Since the Major Review the TSB has submitted two reports to the Textiles Committee, on notifications received during the periods 21 September 1980 to 31 October 1981 (COM.TEX/SB/742 and Add.1 and Add.1/Corr.) and 1 November 1981 to 26 November 1982 (COM.TEX/SB/811 and Add.1). The next annual report of the TSB shall be submitted to the Textiles Committee by the end of 1983, and will include all notifications received since 26 November 1982.

Notifications of adjustment measures are made by participating countries under Articles 1:4 and 10:2 of the Arrangement. These are contained in COM.TEX/16/Rev.1 (7 October 1980) and Add.1 (2 July 1980), Add.2 (18 September 1980), Add.3 (7 October 1980), Adds.4-6 (6 October 1980), Add.7 (22 October 1980), Add.8 (21 November 1980), Add.9 (5 February 1981), Add.10 (20 February 1981) and Add.11 (16 March 1981), and in COM.TEX/21 (23 April 1981). The report of the Working Group on Adjustment Measures is contained in COM.TEX/22 (30 April 1981). The Textiles Committee's consideration of this report is contained in COM.TEX/23 (22 June 1981). Under the terms of paragraph 15 of the 1981 Protocol extending the Arrangement the Textiles Committee established a Sub-Committee on Adjustment "to make a periodic review of developments in autonomous adjustment processes and in policies and measures to facilitate adjustment, as well as in production and trade in textiles". At its first meeting held on 6 July 1982, the Sub-Committee set up a Technical Sub-Group (COM.TEX/29). In order to carry out its activities, the Sub-Group on Adjustment sent out on 21 January 1983, questionnaires to participating countries requesting relevant information by 15 May 1983.
Production, employment, value-added and investment statistics are submitted regularly by participating countries under Article 10:2 (statistical reporting scheme). Trade data are compiled from statistics reported by governments to the UN Statistical Office. These data were circulated in documents COM.TEX/W/76, 77 and 78 (29 September 1980) in connection with the Major Review. A summary of the most recent statistics prepared for the Textiles Committee meetings in November 1981 and December 1982 were circulated in COM.TEX/W/118, 134 and 135. Access to the full set of data is available to delegations on request.

(1) **MTN Agreements and Arrangements**

(Notification requirements applicable to the parties to these instruments).

Agreement on Technical Barriers to Trade: The Committee reported to the CONTRACTING PARTIES at their thirty-eighth session. (L/5407 - 8 November 1982). It will report on the fourth year of operation of the Agreement at the thirty-ninth session. Notifications have been received regularly under the relevant provisions of the Agreement.

Agreement on Government Procurement: The Committee submitted its second annual report to the CONTRACTING PARTIES in L/5388 (5 November 1982).

Agreement on Interpretation and Application of Articles VI, XVI and XXIII of the General Agreement: The Committee reported to the CONTRACTING PARTIES at their thirty-eighth session L/5402 (4 November 1982).

Arrangement Regarding Bovine Meat: The International Meat Council reported to the CONTRACTING PARTIES at their thirty-eighth session L/5397 (12 November 1982). Notifications, in the form of replies to questionnaires, have been received on a regular basis.

International Dairy Arrangement: The International Dairy Products Council reported to the CONTRACTING PARTIES at their thirty-eighth session L/5408 (11 November 1982). Notifications, in the form of replies to questionnaires, have been received on a regular basis.

(L/5491 - 19 May 1983) at its meeting of 10 May 1983, having regard to the forthcoming review of the operation of the MTN Agreements and Arrangements.

Agreement on Import Licensing Procedures: The Committee on Import Licensing reported to the CONTRACTING PARTIES at their thirty-eighth session in November 1982. L/5411 (16 November 1982). The Committee will conduct its second biennial review at its meeting on 6-7 October 1983 and inform the CONTRACTING PARTIES of developments during the period covered by the review at their thirty-ninth session in November 1983.

Agreement on Trade in Civil Aircraft: The Committee reported to the CONTRACTING PARTIES at their thirty-eighth session. L/5376 (13 October 1983).

Agreement on Implementation of Article VI of the General Agreement: The Committee reported to the CONTRACTING PARTIES at their thirty-eighth session. L/5405 (4 November 1982).

NOTIFICATIONS RELATING TO PARAGRAPH 3 OF THE UNDERSTANDING

Notifications related to the adoption of new trade measures affecting the operation of the General Agreement have been received as follows:

<table>
<thead>
<tr>
<th>European Economic Community</th>
<th>Agreements with Austria and Finland on cheeses. L/5353 (22 July 1982), L/5370 (30 September 1982).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finland</td>
<td>Agreement with the EEC on cheeses. L/5352 (22 July 1982).</td>
</tr>
<tr>
<td>Japan</td>
<td>Additional measures to open up the Japanese market. L/5332 (18 June 1982).</td>
</tr>
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<td>Reduction and elimination of customs duties. TAR/65 (12 January 1983).</td>
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<tr>
<td></td>
<td>Improvement of Japan's standards and certification systems. L/5472 (13 April 1983).</td>
</tr>
</tbody>
</table>

1The notifications should be seen in conjunction with those relating to Article XIX - Emergency action (pages 7-8) as well as with the information not based on notifications (pages 20-22).
Japan (cont'd) - Amendments to the related laws concerning standards and certification systems. L/5494 (26 May 1983).

Thailand - Elimination of import surcharge. L/5458 (18 February 1983).


INFORMATION NOT BASED ON NOTIFICATIONS

Information on the measures described below has been obtained by the secretariat from official bulletins and/or from the economic press and, wherever possible, from delegations. It is not based on notifications from contracting parties. The secretariat has every reason to consider the list as incomplete because some measures shown below may have been eliminated or modified, and some new measures may have been taken, without this having come to the attention of the secretariat. Any suggestions for additions or corrections to the list would be welcome.

Argentina - "Prior study" for import licences (May 1982- )

Australia - Import quota adjustment¹ (January 1983- )

Brazil - Changes in licensing requirements (January 1983- )

Canada/Japan - Export forecast by exporting country (1981-present)

Colombia - Advance import permits (April 1983- )

EEC (Ireland/UK)/Korea - VER/OMA (January 1978-December 1982)

Most consumer goods

Automobiles

Certain products including electronic goods and machines containing electronic controls or logic circuits

Automobiles

Approx. 80% of imports

Footwear

¹Under the measures notified in document L/4526 (21 July 1977) - Add.24 (12 February 1982).
<table>
<thead>
<tr>
<th>Agreement</th>
<th>Measures</th>
<th>Products</th>
</tr>
</thead>
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<tr>
<td>EEC (Benelux, Germany, UK)/Japan (1978-December 1982)</td>
<td>Flatwear</td>
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<td>EEC (UK)/Korea (January 1980-December 1982)</td>
<td>Black and white TV</td>
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<td>EEC/Thailand (January 1982-December 1986)</td>
<td>Manioc/tapioca</td>
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<td>EEC (France)/Japan</td>
<td>Import restrictions (1972?-)</td>
<td>Automobiles</td>
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<td>EEC (Belgium, Germany)/Japan (January 1982-December 1986)</td>
<td>Export forecast by exporting country (1981-)</td>
<td>Automobiles; light commercial vehicles</td>
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<tr>
<td>EEC (UK)/Japan (1978-)</td>
<td>Regular inter-industrial discussions</td>
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<tr>
<td>EEC (France)/Japan</td>
<td>Import restriction through surveillance system and administrative guidances to importers (February 1982-)</td>
<td>Motorcycles of a cylinder capacity of 50 cm or less</td>
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<tr>
<td>EEC/Australia, Austria, Czechoslovakia, Finland, Hungary, Japan, Norway, Poland, Portugal, Romania, South Africa, Spain, Sweden (Early 1978-)</td>
<td>Price monitoring system</td>
<td>Steel</td>
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<td>EEC/Chile, Czechoslovakia, Spain (January 1982-)</td>
<td>Additional levy above certain quantity limit (January 1982-)</td>
<td>Live sheep and goats; sheep and goat meat</td>
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<td>EEC/Japan (February 1983-)</td>
<td>Export forecast by exporting country</td>
<td>VTR, TV tubes, passenger cars, colour TV, NC lathes and machine centres</td>
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<tr>
<td>Iceland (September 1980-March 1983)</td>
<td>Temporary special charge</td>
<td>Sugar confectionery and chocolate; pastry, biscuits, cakes and other fine bakers' wares</td>
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</tbody>
</table>
Nigeria  
Prohibition of some imports; More than 150 categories of goods  
extension of import licensing requirements; tariff changes  
(January 1983–)

Norway/Korea  
VER/OMA  
(December 1978–December 1982)  
Leather garments, ski boots

United States/Japan  
VER/OMA  
(April 1981–March 1984)  
Automobiles

SURVEILLANCE – PARAGRAPH 24 OF THE UNDERSTANDING

It will be recalled that paragraph 24 of the Understanding provided that particular attention would be paid, inter alia, to measures which have been subject to consultation, conciliation or dispute settlement procedures laid down in the Understanding.

The following matters have been taken up under Article XXIII:¹

Canada:

European Communities:
- Subsidies on canned peaches, canned plums and raisins: Recourse to Article XXIII:2 by the United States. L/5306 (19 March 1982). Panel established in March 1982 (C/M/156).
- Sugar régime: Recourse to Article XXIII by Argentina, Brazil, Colombia, Cuba, Dominican Republic, India, Nicaragua, Peru and Philippines. L/5309 (8 April 1982) – Add.5 (28 June 1982). Considered by the Council in October 1982 and March 1983 (C/M/161 and 166).

¹See also the matters listed under Article XXII – Consultations (at page 8).
- Quantitative restrictions on imports of certain products from Hong Kong: Recourse to Article XXIII:2 by the United Kingdom on behalf of Hong Kong. L/5362 (3 September 1982). Panel established in October 1982 (C/M/161).


Finland:

- Internal regulations having an effect on imports of certain parts for footwear: Recourse to Article XXIII:2 by the European Communities. L/5369 (28 September 1982). Panel established in November 1982 (C/M/162).

Japan:


- Nullification or impairment of benefits accruing to the EEC under the General Agreement and impediment to the attainment of GATT objectives: Recourse to Article XXIII:2 by the EEC. L/5479 (8 April 1983). Considered by the Council in April 1983 (C/M/167).

United States:


Copyright legislation, manufacturing clause: Recourse to Article XXIII:2 by the EEC. L/5467 (8 March 1983). Panel established in April 1983 (C/M/167).


OTHER MATTERS

The following matters have also been taken up:

- Trade restrictions affecting Argentina applied for non-economic reasons: Considered by the Council in May, June, July, October and November 1982 and in January 1983 (C/M/157, 159, 160, 161, 162, 165).

- Poland - Suspension of most-favoured-nation treatment by the United States: Considered by the Council in November 1982 and in January and April 1983 (C/M/162, 165, 167).

- Nigeria - Restrictive measures on imports. (Considered by the Council in October 1982 (C/M/161).

- Uruguay - Supplementary rebate on exports and supplementary surcharge on imports. L/5355 (28 July 1982). Considered by the Council in October and November 1982 (C/M/161, 162).

Although not falling within the responsibility of the Council, the following dispute settlement cases raised in Committees established under MTN Agreements might be of interest in the context of the consideration by the Council of dispute settlement procedures:

- European Economic Community - Subsidies on exports of wheat flour: Recourse by the United States. Panel established by the Committee on Subsidies and Countervailing Measures.

- European Economic Community - Subsidies on exports of pasta: Recourse by the United States. Panel established by the Committee on Subsidies and Countervailing Measures.

- European Economic Communities - Value-added tax and threshold: Recourse by the United States. Panel established by the Committee on Government Procurement.

- United States - Subsidies on the export of wheat flour to Egypt: Recourse by the European Economic Community. Panel established by the Committee on Subsidies and Countervailing Measures.
## ANNEX I

### NOTIFICATIONS UNDER ARTICLE XVI:

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1. No notifications have been received from the other fifty-nine contracting parties since 1975.
2. This column does not necessarily reflect the real status of notifications of changes to the full notification as some of the full notifications due in 1981 and which appear in the 1981 column have been made in 1982 or even in 1983.
### ANNEX II

**NOTIFICATIONS UNDER ARTICLE XVII:4(a)**

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1. No notifications have been received since 1975 from the other sixty-two contracting parties.