It is recalled that, at the Montreal meeting of the Trade Negotiations Committee, the Chairman made the following statement on 9 December 1988:

"Some delegations have, in their statements, emphasized the need for early action in GATT to bring under control trade in domestically prohibited goods and other hazardous substances. I understand that the subject is covered by GATT’s regular work programme. I would therefore suggest that the GATT Council be requested to take an early, appropriate decision for the examination of the complementary action that may be necessary in GATT, having regard to the work that is being done by other international organizations." (MTN.TNC/8(MIN)

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In light of the above, the Council agrees to establish a Working Group on the Export of Domestically Prohibited Goods and Other Hazardous Substances which, in the light of GATT obligations and principles and having regard to the work of other international organizations on these goods and substances, will examine trade-related aspects that may not be adequately addressed, and report to the Council.

The Working Group should take into account the specific characteristics of domestically prohibited goods and those of other hazardous substances, and the need to avoid duplicating the work of other international organizations.

The Working Group should complete its work by 30 September 1990, and submit a progress report to the Forty-Fifth Session of the CONTRACTING PARTIES in 1989.

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After the Council has agreed on the suggested terms of reference, the Chairman would state: "It is my understanding that the terms of reference would permit the Working Group to make appropriate recommendations."