ITEM 26 - PUBLICATION OF DOCUMENTS RELEVANT TO THE OPERATION OF THE GENERAL AGREEMENT

Note by the Executive Secretary

1. The Contracting Parties at their Fifth Session instructed the Secretariat to prepare a list of basic documents pertaining to the operation of the General Agreement which could be published, the list to be submitted to the Contracting Parties for approval at the Sixth Session. The list which has been prepared in accordance with these instructions is attached. It contains protocols, declarations, decisions, resolutions, rulings, interpretations, recommendations and procedural arrangements, as well as the reports of certain working parties.

2. This list has been compiled on the assumption that the publication is to serve as a working manual and should include only those documents which still have some operative effect; those which are of no more than historical interest have therefore been omitted from this list. In order to assist delegations in their consideration of this list there is, however, appended a list of other decisions, etc. which are not intended to be included in the publication.

3. The following arrangements are suggested for consideration by the Contracting Parties:

(a) The Contracting Parties, after determining the documents to be published on the basis of this list, might instruct the Secretariat to make any editorial modifications therein which it might consider necessary, and to supplement them with annotations regarding any subsequent action taken or providing background information. Any discussions during the sessions which were of direct relevance to these documents might also be recorded in that manner. The list of documents which are not included in the publication might be reproduced as an annex.

(b) Decisions, working party reports, etc. of the current session should be selected by the Secretariat after the close of the session for inclusion in the publication. In exercising its discretion, the Secretariat will have had the guidance of the Contracting Parties which may have expressed specific opinion when considering the prepared list. Delegations which might be interested in the
publication or exclusion of particular documents should get in touch with the Secretariat at the close of the Session.

(a) The publication should be issued, in both of the working languages, in two volumes: the first containing the text of the General Agreement and the three Protocols listed herein, and the second containing the other documents.
List of Basic Documents concerning the General Agreement for Publication

1. General Agreement (Text as amended)*

2. Protocols
   - Protocol of Provisional Application
   - Annecy Protocol of Terms of Accession*
   - Torquay Protocol*

3. Declarations
   - Declaration of May 9, 1949 to the effect that Section E (Palestine) is no longer a part of Schedule XIX
   - Declaration of May 18, 1949 taking note of the undertakings by the Governments of South Africa and Southern Rhodesia to submit reports on the Customs Union between the two contracting parties
   - Declaration of August 11, 1949 to the effect that Section B (Newfoundland) is no longer a part of Schedule XIX
   - Declaration of April 1, 1950 making effective the two Indonesian Schedules pending entry into force of the relevant protocol
   - Declaration of April 21, 1951 on the continued application of the Schedules

4. Decisions and Resolutions
   (a) General
      - Decision of August 9, 1949 clarifying certain legal issues arising out of a discussion on margins of preference negotiated at Annecy
      - Decision of September 8, 1948 waiving the obligation of the United States under Article II:1 to permit certain preferential treatment to products of the Trust Territory of Pacific Islands

* Text only, not including the attached Schedules.
Resolutions and decisions regarding acceptance of Special Exchange Agreements by countries not members of IMF:

- Resolution of June 20, 1949 fixing time limit for action under Article XV:6
  GATT/CP/32 (page 31)

- Resolution of June 20, 1949 exempting contracting parties using the unrestricted currency of another contracting party
  " /CP/32 (page 34)

Decision of March 5, 1950 on Reporting of Subsidies, calling for the notifications required by Article XVI
  " /CP.4/20
  " /CP/61 (page 4)

Decisions on Notifications of Existing Measures under Article XVIII:11:

- Decision of August 11, 1949 granting releases to Cuba, India, Lebanon, Syria and the United Kingdom
  " /CP.3/60/Rev.1
  " /CP/32 (page 7)

- Decision of March 21, 1950 under Article XVIII:12 on certain items in the Lebanon-Syria notification
  " /CP.4/27
  " /CP/61 (page 6)

- Decision of November 27, 1950 on the measures notified by Haiti
  " /CP/61 (page 5)

Decisions on Application under Article XVIII:5 and 6 by Ceylon:

- Decision of August 13, 1949 granting releases applied for by Ceylon under Article XVIII:5 and 7
  " /CP.3/73/Rev.1
  " /CP.3/85
  " /CP/32 (page 11 et seq.)

- Decision of August 13, 1949 granting release applied for by Ceylon under Article XVIII:8
  " /CP.3/73/Rev.1
  " /CP.3/85
  " /CP/32 (page 11 et seq.)
References

- Decision of April 1, 1950 granting an additional release in respect of cotton varieties under Article XVIII:5
  " /CP.4/32 & Add.1
  " /CP/61 (page 9)

- Decision of November 30, 1950 extending the period of validity of the provisions in Part II of Article XX
  " /CP/94 (page 4)

- Decision on the Czechoslovak complaint, as to whether U.S. export restrictions contravene its obligations under the Agreement
  " /CP.3/SR.22 & Corr.1

- Resolution of March 21, 1950 inviting contracting parties to accept all amending protocols
  " /CP.4/26/Rev.2
  " /CP/61 (page 12)

- Decisions under Article XXXIII embodied in the Annecy Protocol of Terms of Accession in respect of acceding governments agreeing to their respective accession
  See Article 11 of Annecy Protocol.

- Decision of November 9, 1950 enabling Uruguay to accede to the General Agreement under the Annecy Protocol beyond the time limit originally set for signature by acceding governments
  " /CP.5/21/Rev.1
  " /CP/94 (page 3)

- Decisions to be dated June 21, 1951 agreeing to the accession of six governments under the Torquay Protocol
  " /CP.5/46
  " /TN.2/41

- Resolution concerning granting of financial assistance and furnishing of documents to International Customs Tariffs Bureau
  " /CP.3/86/Rev.1

(b) Decisions relating to Schedules

- Decision of December 15, 1950 on the adjustment of certain specific duties and charges - Schedule II (Benelux)
  " /CP/94 (page 7)
  & Corr.1

- Decision of June 29, 1949 bringing into force agreed modifications pending entry into force of formal protocol of modifications - Schedule IX (Cuba)
  " /CP.3/SR.29
  " /CP/32 (page 21)
c) **Decisions on Procedure**

Decision on Procedural Arrangements for Administration of Special Exchange Agreements authorizing the Chairman to make working arrangements with the Fund for collection of information. GATT/CP.4/41/Rev.1 (para. 37)

Resolution to establish intersessional working party on disparity of European Tariffs GATT/CPS/5& SR.4

5. **Rulings and Interpretations**

Interpretative ruling on whether Cuban Consular Taxes are covered by the expression "charges of any kind" in Article I GATT/CP.2/SR.11

Interpretative ruling on Article I with reference to rebates on Indian excise taxes " /CP.2/SR.11

Agreed interpretation as to when negotiations are entered into within the meaning of Article XXXV " /CP.3/SR.19 (page 8)

Interpretative ruling by the Chairman on meaning of "existing legislation" in paragraph 1(b) of Protocol of Provisional Application " /CP.3/SR.40

6. **Recommendations**

Recommendation on the Cuban proposal to adopt emergency measures for its textile industry, providing for renegotiation between Cuba and United States and Recommendation on method of incorporating results GATT/CP.3/82 & SR.42

Recommendations regarding Brazilian internal taxes " /CP.3/42 and " /CP.5/37 & SR.21
Recommendations of Contracting Parties re Australian subsidies on ammonium sulphate

Recommendations of the Contracting Parties on the Czechoslovak complaint against withdrawal by United States of item 1526 (a) under Article XIX *

7. Procedure

Rules of Procedure

Procedures for consultation under Article XII:4(a)

Procedures for consultation under Articles XII-XIV (other than XII:4(a))

Procedures for consideration of notifications and applications under Article XVIII

Procedure with respect to measures permitted under the Terms of the Protocol of Provisional Application or the Protocols of Accession

Note

Among the documents which have not been included in this list are the Report on the Discriminatory Application of Import Restrictions and the Code of Standard Practices. Both of these have already been published separately and it is considered unnecessary to republish them in this collection.

8. Reports of Working Parties

(a) Schedules

Request of the Government of Pakistan for renegotiations

The Cuban Schedule

Revision of Schedule I (Australia)

Schedules (the part of the Report which concerns the Benelux change)

Czechoslovak complaint against the United States under Article XIX

Modifications and Rectifications (the part of the Report which concerns the Ceylon negotiations)

* Provided the Working Party report is approved by the Contracting Parties

References

GATT/CP.4/38 (page 7)

GATT/CP/106
(b) Tariff Negotiations

- Memorandum on Tariff Negotiations
- Revalidation of Geneva and Annecy Schedules
- Swiss participation in Torquay Tariff Negotiations
- Revised Annecy report on Accession
- Documents to embody results of Torquay negotiations
- Reports of Legal Working Party

GATT/CP.6/29
Page 8

(c) Consultations, Quantitative Restrictions and Balance of Payments

- South African import restrictions
- Balance of Payments questions - recommending consultation on Intensification of Import Restrictions
- Consultation procedure under Article XII:4(a)
- Consultation procedure under Articles other than XII:4(a)
- Quantitative Restrictions
- Balance of Payments Questions - Submission of Reports under Annex J
- Balance of Payments Questions
- Review of Import Restrictions

(d) Special Exchange Agreements

- Third, Fourth & Fifth Session Reports

(e) Article XVIII

- Second Session reports
- Third Session report
- Ceylon application
- Results of negotiations between Ceylon and other Governments

* Provided that Contracting Parties agree to the derestriction of these documents.
Measures notified by Haiti and Denmark
Measures notified by Italy
Ceylon application (Cotton verties)

(f) Other subjects
United States request for waiver for Trust Territories
Amendment to Article XX
Australian Subsidy on Ammonium Sulphate
Brazilian Internal Taxes
Cuban Textiles
South Africa — Southern Rhodesia Customs Union
Continuing Administration of General Agreement
UNESCO: Draft agreement
WHO: Draft agreement
ANNEX

List of Similar Documents which are not to be included in the publication

1. Protocols

<table>
<thead>
<tr>
<th>Protocol</th>
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<tr>
<td>Protocol Modifying certain Provisions of the General Agreement</td>
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<td>Protocol Modifying Part I and Article XXIX</td>
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<td>Protocol Modifying Part II and Article XXVI</td>
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<td>Special Protocol relating to Article XXIV</td>
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<td>Protocol Modifying Article XXVI</td>
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<td>Protocols of Rectifications</td>
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2. Declarations

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<tr>
<th>Declaration</th>
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<tr>
<td>Declaration waiving right under Article XXIX:2(a) to lodge objections to the suspension and supersession of parts of Article I and Part II</td>
<td>GATT/CP/32</td>
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<td>Declaration inviting Southern Rhodesia to accept Protocol modifying certain provisions and the Protocol modifying Article XIV</td>
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<td>Declaration clarifying status of statement re interpretative note accompanying Southern Rhodesia's acceptance of Protocol modifying Part I and Article XXIX</td>
<td>GATT/CP/32</td>
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<td>Declaration accepting South African reservation to Article XXXV</td>
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3. Decisions and Resolutions

(a) Application of the Agreement and Schedules

<table>
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<tr>
<td>Resolution clarifying status of signatories of the final Act re accession under Article XXXIII in its provisional application</td>
<td>GATT/CP/1 (p.36)</td>
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<tr>
<td>Decision extending date for notification of Annecy concession of Brazil</td>
<td>GATT/CP/73</td>
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<tr>
<td>Resolution recommending prolongation of assured life of Geneva and Annecy Schedules</td>
<td>GATT/CP/62</td>
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<tr>
<td>Decision defining effect of failure of a contracting party to sign Annecy Protocol in respect of accession of an acceding government</td>
<td>GATT/CP/32</td>
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</table>
Application of the Agreement and Schedules (contd.)

Decisions extending time for notification to apply Annecy Schedules

Decision defining the effect of failure to sign a decision by June 20, 1951, in respect of an acceding government

(b) Negotiations, Renegotiations and Modification of Schedules

Resolution on procedure for completion of Article XXVIII negotiations unfinished at Torquay

Decisions granting a waiver to Brazil in respect of three items in Schedule III and providing for re-negotiation and then extension of time for conclusion of negotiations

Resolution agreeing to re-negotiations by Ceylon with contracting parties with which withheld concessions had been originally negotiated - Schedule VI (Ceylon)

(c) Special Exchange Agreements

Resolution fixing time limit for action by Burma, Haiti and Pakistan

Resolution allowing New Zealand to consider further text of special exchange agreement

Resolution fixing time limit for action by New Zealand

Resolution fixing time limit for action by Indonesia

Decision regarding acceptance of special exchange agreements by Burma, Haiti, Sweden and Indonesia

(d) Article XVIII Measures for Economic Development

Decision validating notification by U.K. with respect to Mauritius and Northern Rhodesia

Decision validating notification by Netherlands with respect to Indonesia

Decision enabling final decisions on measures notified by Cuba and Netherlands to be made later than required

Decision postponing final decision on certain measures notified by Lebanon and Syria

Decision extending time limit for submission of statement by Haiti

References

GATT/CP/62 & 94

GATT/CP/94

GATT/CP/107

GATT/CP/1 & 32

GATT/CP/1

GATT/CP/61

GATT/CP/32

GATT/CP/62

GATT/CP/62

GATT/CP/94

GATT/CP/1

GATT/CP/1

GATT/CP/32

GATT/CP/61
**Decision authorizing maintenance of protective measures relating to items in Schedule XXVII (Italy) pending decision under Article XVIII**

(c) **Other subjects**

- Decision postponing meeting required by Article XXIX:3 of March 21, 1950
- Decision postponing action on Brazilian Internal Taxes
- Decision concerning the proposed Franco-Italian Customs Union
- Resolutions on expenditure of Contracting Parties

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<td>GATT/CP/32</td>
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<td>GATT/CP/94 (p.11)</td>
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**4. Reports of Working Parties**

- Supersession
- Request of Chile for extension of time to sign Protocol of Provisional Application
- Reservation of Ceylon to Protocol of Provisional Application
- Modifications to General Agreement
- Modifications to Article XXVI
- Tariff Negotiations
- Tariff Negotiations Working Party Reports
  - Various Interim Reports on Accession
- Legal Working Party Report on Article XVIII
  - Working Party Report
- Preliminary Annecy Report on Article XVIII
- U.S. Proposal relating to Western Germany
- Revision of Schedule I (Interim Report)
- Rectifications
- Modifications and rectifications
- Finance
- Contributions of acceding governments
- Budget

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