BILATERAL AGREEMENT BETWEEN PORTUGAL AND JAPAN

Communication from Japan

The following communication, dated 4 April 1986, has been received from the Permanent Mission of Japan for circulation to contracting parties.

Upon instructions from my authorities, I am sending herewith a communication from the Government of Japan on the recent notification of the Government of the Republic of Portugal, concerning the Bilateral Agreement between the Republic of Portugal and Japan as circulated in document L/5950 of 21 January 1986.
The following is the view of the Government of Japan on document L/5950 dated 21 January 1986, concerning the list of items under discriminatory quantitative restrictions by Portugal against imports from Japan, which was distributed by the Government of the Republic of Portugal among GATT contracting parties through the secretariat:

1. "The Trade Agreement between Japan and Portugal" expired in 1972 and no bilateral trade agreement has been concluded between the two countries since then.

2. Therefore, it is clearly evident that the view of the Government of the Republic of Portugal as stated in the aforementioned document has no legal grounds. The Portuguese view is that, "under the bilateral agreement in force between Portugal and Japan", products on the list forwarded to the GATT are considered to be sensitive products for import into Portugal and are therefore liable to be subject to quantitative restrictions".

3. The Government of Japan regrets that the Government of the Republic of Portugal has distributed the said circular on the basis of misunderstanding of the facts. Accordingly, the Government of Japan is requesting the Government of the Republic of Portugal to make the appropriate correction in the said circular.

4. At any rate, the Government of Japan considers that, while Japan and Portugal are in normal GATT relations, these discriminatory import-restricting measures by Portugal against Japan are in apparent violation of the GATT and they should be abolished as soon as possible. The Government of Japan reserves all the rights based on the GATT rules.