Dear Participant,

At the end of the last meeting of the Negotiating Group on GATT Articles, following a short discussion on the agenda of the next meeting of the Group, it was agreed that I and the secretariat would contact delegations with a view to the identification of Articles to be raised at that meeting. It was also agreed that the airgramme convening the meeting would list the items for discussion. As you will have seen, the airgramme which was circulated on 2 August 1988 (GATT/AIR/2648) did not list any agenda items. The purpose of this letter is to explain why this is so and to provide guidance for participants in their preparations for the next meeting of the Group, which is to take place on 20 and 23 September.

The results of the secretariat's contacts with delegations in July were that, of the thirteen provisions which the Group has been discussing, only one, the Protocol of Provisional Application, was not mentioned by one or more delegations as being likely to be raised. However in a number of cases it was made clear that the intentions of delegations were not yet firm and that Articles had been cited more with a view to reserving the right to raise them than as a definite statement of the intention to do so. In some cases it was said that written communications on particular Articles might be submitted in advance of the next meeting and that the decision on whether to raise these Articles would depend on the availability of these papers. In these circumstances I thought it would be more misleading than helpful to list in the airgramme all twelve of the Articles mentioned by different delegations, more particularly since the Group's next meeting is limited to one and a half days.

The point was made by some delegations that it would seem premature to discuss again Articles XII, XIV, XV and XVIII, which other delegations had indicated their intention to raise, since these had been discussed at the June meeting. However, the principle on which the Group has worked hitherto is that all participants are free to raise at any meeting any of the Articles under discussion in the Group. It is my view that this principle should be maintained, although of course other participants cannot be obliged to join in discussion of a particular Article if they are not ready to do so.

Participants,
Negotiating Group on GATT Articles.

Let/1589
In order to assist delegations in preparing for the meeting I would inform you that it is my intention to propose that the first item for discussion should be Article XXVIII, in which a large number of delegations have expressed interest. I shall invite comments on the "non-paper" which I circulated on 30 June listing the main issues and proposals arising in discussion of this Article. I shall then propose that the Group discuss further the proposal tabled by the Delegation of New Zealand at the last meeting on Article II:1(b). Thirdly, delegations will be invited to introduce any new papers which have been submitted, or make any new substantive statements. Fourthly, delegations will be invited to speak on any other Articles they wish to raise.

May I request delegations intending to introduce new submissions at the next meeting to make them available as soon as possible, in order to facilitate their consideration by other participants.

Yours sincerely,

J. Weekes,
Chairman,
Negotiating Group on GATT Articles