PROCEDURES FOR DEALING WITH MATTERS REQUIRING ACTION IN INTERVALLS BETWEEN SESSIONS OF THE CONTRACTING PARTIES

Note by the Executive Secretary based upon his oral statement at the first meeting of Working Party 3

Case 1

A contracting party finds it necessary to institute or intensify restrictions under Article XII and desires to consult with the Contracting Parties before taking such action or immediately thereafter. Alternatively a contracting party finds it necessary substantially to intensify restrictions maintained under Article XII, and the Contracting Parties are therefore required to invite the contracting party concerned to consult within 30 days.

Proposed action by Contracting Parties

The Contracting Parties should at the Sixth Session appoint a Select Committee along the lines of that established at Annecy. On being notified of a request by a contracting party to consult with the Contracting Parties, the Select Committee should be convened to initiate the consultation and according to circumstances, either

(a) report to the next regular session or

(b) request that a special session be convened in accordance with the rules of procedure.

Similarly, on notice being given of an intensification requiring consultation the Select Committee should be convened to meet within 30 days of such notification. The Select Committee would proceed as above.

The Select Committee should be authorised to give instructions regarding the initiation of consultations with the International Monetary Fund as required by Article XV.

Case 2

Consultations under Article XIV:1(g)

The Select Committee should be authorised to initiate consultations with the contracting parties determined by the Contracting Parties at the Sixth Session to be required to consult under this provision and to report to the Seventh Session.
Case 3

If a contracting party refers to the Contracting Parties a case of nullification or impairment the Contracting Parties are required to investigate "promptly". It is envisaged that such cases might arise in the intervals between sessions.

The Contracting Parties should establish a panel on complaints. This panel should be the nucleus of an intersessional working party to meet not later than 21 days from the notification of such complaint. The Working Party in any case would consist of the members of the panel plus the parties directly concerned in the complaint, and any contracting party alleging a substantial interest in the problem. The panel should consist of the following: five contracting parties of chief economic importance; six other contracting parties chosen by lot from the various groups of the contracting parties. The contracting parties selected to constitute the panel would undertake to make available competent representatives to serve on the panel.

The Working Party should be instructed to endeavour to bring about the settlement of the disputes. Failing this they should draw up a report on their findings and

(a) report to the next session or

(b) request that a Special Session be convened in accordance with the rules of procedure.

Case 4

Matters arising under Article XIX

A similar procedure should be followed in dealing with any question referred to the Contracting Parties between sessions in connection with the application of the provisions of Article XIX.

Case 5

Other urgent problems raised between sessions. This refers to the type of question referred to in the second and third sub-paragraphs of paragraph 9, and the first and second sub-paragraphs of paragraph 10.

Preparatory work to be dealt with in accordance with the procedure suggested by the Executive Secretary in his note on the functions of the Secretariat between sessions. In appropriate cases a Special Session should be convened in order to deal
Case 5 (continued)  

with the matter as soon as the necessary preparatory work has been done.

Case 6  

Intersessional preparation of matters arising on the Agenda of the regular sessions.  

To be dealt with in accordance with the procedure suggested in the Executive Secretary's note, CP.6/W/11.

NOTE:  
The Executive Secretary suggests the following corrigenda to CP.6/W/11:

(a) Delete paragraph 2 and substitute therefor:

"The Secretariat will examine the proposal in the light of the comments received and the consultations referred to below and submit a report in advance of the session of the Contracting Parties."

(b) Delete the words "and recommendations" at the end of paragraph 3.