RELATIONS BETWEEN POLAND AND THE CONTRACTING PARTIES

Questions for Submission to Government of Poland

LIST E

1. Under Article XV:6 of the General Agreement, any contracting party which is not at the same time a member of the International Monetary Fund must enter into a special exchange agreement with the CONTRACTING PARTIES. What arrangement is envisaged in this connexion in the case of Poland?

2. How could an assurance be obtained that Poland undertakes to apply exchange rates which approximate to the application of free rates?

3. According to which principles would the global quotas proposed by Poland be established?

4. Would the conditions prevailing during a certain representative period be determining?

5. For what reasons does the Polish Government wish to limit global quotas to traditional imports?

6. What criteria are to be used in order to determine whether a particular importation is "traditional"?

7. Would a guarantee be given in order to ensure that only contracting parties benefitted from global quotas?

8. Would the total volume of global quotas which Poland proposes to establish be greater for each product than the total of the quotas at present granted to contracting parties under bilateral arrangements? (In this connexion, reference should be made to the OEEC rule that global quotas should be 10 per cent above previous imports).

9. What relationship would there be between global quotas and quotas granted to individual contracting parties pursuant to bilateral agreements?

10. Is it the intention to place on a multilateral basis those quotas which already exist under bilateral agreements?

11. What procedure would be used for allocating, in accordance with the GATT rules, the additional quotas, granted bilaterally and over and above the global quotas, among interested supplying countries?
12. How could the Polish Government's proposal to establish global quotas be reconciled with the requirements (in Article XVII of the General Agreement) regarding liberal operation of State monopolies in regard to external trade?

13. Does the proposed establishment of global quotas constitute a practical guarantee that State-controlled foreign trade would, in accordance with Article XVII, be operated on a multilateral basis, or would it be an additional measure intended to complement a system of liberal operation of foreign trade monopolies?

14. Would the Polish Government be prepared to enlarge the global quotas, in terms of quantity and scope, as and when the balance-of-payments position improves, and finally to eliminate such quotas?

15. What system could be adopted in order to ensure that there is no discrimination in the administration of global quotas?

16. Could the Polish Government give an undertaking that State enterprises engaged in foreign trade and other State enterprises which participate in international trade would be operated in a non-discriminatory way, as required by Article XVII?

17. How could such an undertaking be confirmed in practice?

18. Would it be possible for Polish commercial enterprises to import directly, without going through the intermediary of an import monopoly?

19. Would the Polish Government be prepared to accept the conciliation methods which have been evolved within the framework of the General Agreement (Panels)? In particular, would the Polish Government recognize recourse to such panels in any dispute which might result from action by State enterprises in external trade?

20. Is the Polish Government's refusal to negotiate concerning the pricing of imported products a final stand?

21. Would the Polish Government at least be prepared to negotiate pursuant to Article II:4 of the General Agreement so as to limit by means of agreements the margin between the import price and the retail price, which operates similarly to a customs duty?

22. Would the Polish Government be prepared to agree to such negotiations at least in regard to those products for which it intends to establish global quotas?
23. Would the Polish Government also be prepared to accept the conciliation system set up under the General Agreement with regard to the effective application on the domestic market of conventionally fixed prices?

24. In his statement, the Polish Vice Minister for Foreign Trade said that domestic prices in Poland should not be taken as a criterion for the possible computation of anti-dumping or countervailing duties. Would the Polish Government nevertheless be prepared to accept the terms of Article VI:1(b) as a criterion for judging whether or not dumping exists?

25. Would the Polish Government recognize the price level in the importing country as a standard, and would it then consider that dumping exists if the price of the exported product were considerably lower than the price level prevailing in the importing country?

26. Would the Polish Government consider determining a world market price level for all the products concerned, and would that Government recognize that a price below that level would constitute dumping?

27. How could this procedure be carried out, particularly for highly-processed industrial products?

28. Would the Polish Government agree to an extension of the GATT conciliation procedure so as to cover dumping and subsidies on foreign trade?

29. Would the Polish Government be prepared to enter into negotiations concerning export prices, and to give undertakings regarding the level of export prices in order to avoid situations in which dumping might be shown to exist?

30. Would the Polish Government be prepared to conform to the provision in the General Agreement which prohibits the establishment of export quotas.

31. Would the Polish Government be prepared to give an undertaking at the present time that it will without delay submit a customs tariff which may be drawn up in the future to the GATT tariff negotiation procedure, so that tariff negotiations may be initiated?

32. Would the Polish Government be prepared to enter into tariff negotiations on the basis of such a new customs tariff in draft form - i.e. before it is brought into force under the constitutional procedures?

33. What compensation would Poland expect to receive if a contracting party were to withdraw a concession, pursuant to Article XXVIII, and if Poland proved to be the principal supplier of the product concerned and if, moreover, no agreement were reached in the negotiations for which provision is made in Article XXVIII?
34. Would Poland be prepared to supply detailed information regarding her obligations within the framework of the Organization for Economic Co-operation of the Eastern Countries (COMECON), and the possible effect of such obligations on Poland's commercial relations with the contracting parties?

35. With which countries has Poland already established multilateral payments arrangements?