THIRD COMMITTEE: COMMERCE ET DE L'EMPLOI

SUB-COMMITTEE C ON GENERAL COMMERCIAL PROVISIONS

(Articles 32-39)

NOTES ON SIXTH MEETING

Held on 2 January 1948, 4.00 p.m., in Room K

Chairman: Mr. C. E. MORTON (Australia)


Items 10, 11, 12, 13, 14, 15, 16 and 17.

1. The Sub-Committee continued discussion of the Cuban proposal (item 10) and other amendments dealing with condemnation and definition of dumping. The delegate for Cuba expressed his willingness to modify his proposal by eliminating from its terms:

(a) the case of 'high price dumping' (reverse dumping), and
(b) the definition of dumping, on the understanding that the text of this Article will cover all important cases of 'price dumping'.

He maintained his proposal regarding the condemnation of dumping and the change of the wording of paragraph 1 from a negative to a positive form.

Some delegates felt that the Sub-Committee should take care, in considering any changes in the present text, lest any important element of paragraph 1 of the Geneva Draft be omitted.

2. The Chairman proposed, and the Sub-Committee agreed, to constitute a Working Party composed of the representatives of Cuba, Lebanon, United Kingdom and the United States to examine Article 33, with the following terms of reference:

'To consider a form of words which should be placed as a preamble to Article 33 and which would, in effect, constitute a general condemnation of the practice of dumping;

to consider the question of a definition of dumping, particularly as to whether the present definition of the 'margin of dumping' could not be so amended by mere drafting changes as to be, in effect, a definition of 'price dumping';

/further, to
further, to consider whether this Article should, as it does at present, be restricted to relate solely to so-called 'price dumping'.

In its deliberations of these matters the Working Party should give full consideration to the various relevant amendments and notes as listed in E/CONF.2/C.3/10."