MINISTERIAL SESSION
“A stand against protectionism, and priorities for future activity”

The 1982 Session of the GATT Contracting Parties, held in Geneva from 22 to 30 November, provided the first opportunity since 1973 for a meeting of Ministers responsible for the trade policies of the 88 GATT member countries. The Ministers met to examine “the implementation of the results of the Multilateral Trade Negotiations, problems affecting the trading system, the position of developing countries in world trade and future prospects for the development of trade”, and to “determine future priorities for co-operation among contracting parties”. So important were the problems under discussion, so intense the negotiations on them, that the Ministerial-level part of the Session was extended to 29 November, two days beyond its expected conclusion; it ended with adoption by consensus of the declaration reproduced in full on the following pages.

Introducing the declaration to Ministers before they adopted it, the Chairman, Canadian Deputy Prime Minister Allan MacEachen, described it as “an important overall achievement”. Contracting Parties were agreed that the GATT was vitally important in maintaining an open and equitable multilateral trading system. “We have taken”, he said, “a stand against protectionism. We have established priorities for our future activity”.

The declaration opens with an agreed diagnosis, in paragraphs 1-4, of the problems facing the world trading system. Paragraph 5 affirms a basic commitment against protectionism and for a renewed consensus in support of the GATT system, while the following paragraph states the resulting decisions to abide by GATT obligations and to support and improve the GATT trading system, to preserve the system’s unity and consistency, and to ensure that GATT provides a continuing forum for negotiation and consultation. The final paragraph of the opening section of the declaration sets out undertakings on which (Continued on page 8)
1. The Contracting Parties to the General Agreement on Tariffs and Trade have met at Ministerial level on 24-29 November 1982. They recognize that the multilateral trading system, of which the General Agreement is the legal foundation, is seriously endangered. In the current crisis of the world economy, to which the lack of convergence in national economic policies has contributed, protectionist pressures on governments have multiplied, disregard of GATT disciplines has increased and certain shortcomings in the functioning of the GATT system have been accentuated. Conscious of the role of the GATT system in furthering economic well-being and an unprecedented expansion of world trade, and convinced of the lasting validity of the basic principles and objectives of the General Agreement in a world of increasing economic interdependence, the Contracting Parties are resolved to overcome these threats to the system.

2. The deep and prolonged crisis of the world economy has severely depressed levels of production and trade. In many countries growth rates are low or negative; there is growing unemployment and a climate of uncertainty, exacerbated by persistent inflation, high rates of interest and volatile exchange rates, which seriously inhibit investment and structural adjustment and intensify protectionist pressures. Many countries, and particularly developing countries, now face critical difficulties created by the combination of uncertain and limited access to export markets, declining external demand, a sharp fall in commodity prices and the high cost of borrowing. The import capacity of developing countries, which is essential to their economic growth and development, is being impaired and is no longer serving as a dynamic factor sustaining the exports of the developed world. Acute problems of debt servicing threaten the stability of the financial system.

3. In the field of trade, the responses of governments to the challenges of the crisis have too often been inadequate and inward-looking. Import restrictions have increased and a growing proportion of them have for various reasons been applied outside GATT disciplines, thus undermining the multilateral trading system. Trade patterns have also been adversely affected by certain forms of economic assistance for production and exports and by some restrictive trade measures applied for non-economic purposes. In the depressed economic circumstances these measures, together with continuing pressures for further protective action, have contributed to further delays in necessary structural adjustment, increased economic uncertainty and discouraged productive investment.

4. The results of the Tokyo Round, including in particular the implementation on schedule of the tariff reductions, have provided some impetus to the functioning of the trading system. However, despite the strength and resilience which it has shown, the stresses on the system, which are reflected in the growing number and intensity of disputes between contracting parties, many of which remain unresolved, have made more pronounced certain shortcomings in its functioning. Existing strains have been aggravated by differences of perception regarding the balance of rights and obligations under the GATT, the way in which these rights and obligations have been implemented and the extent to which the interests of different contracting parties have been met by the GATT. There are also concerns over the manner in which rights are being pursued as well as the manner in which obligations are being fulfilled. Disagreements persist over the interpretation of some important provisions and over their application. Disciplines governing the restriction of trade through safeguard measures are inadequate; there is widespread dissatisfaction with the application of GATT rules and the degree of liberalization in relation to agricultural trade, even though such trade has continued to expand: trade in textiles and clothing continues to be treated under an Arrangement which is a major derogation from the General Agreement - a matter of critical importance to developing countries in particular. Such differences and imbalances are particularly detrimental to the stability of the international trading system when they concern access to the markets of major trading countries or when, through the use of export subsidies, competition among major suppliers is distorted.

5. The Contracting Parties recognize that the interdependence of national economies means that no country can solve its trade problems in isolation and also that solutions would be greatly facilitated by parallel efforts in the financial and monetary fields. In this light, they commit themselves to reduce trade frictions, overcome protectionist pressures, avoid using export subsidies inconsistent with Article XVI of the GATT and promote the liberalization and expansion of trade. They are therefore determined to create, through concerted action, a renewed consensus in support of the GATT system, so as to restore and reinforce confidence in its capacity to provide a stable and predictable trading environment and respond to new challenges.

6. The Contracting Parties have accordingly decided:

- to reaffirm their commitment to abide by their GATT obligations and to support and improve the GATT trading system, so that it may contribute vigorously to the further liberalization and expansion of trade based on mutual commitment, mutual advantage and overall reciprocity, and the most-favoured-nation clause;

- to preserve, in the operation and functioning of GATT instruments, the unity and consistency of the GATT system; and

- to ensure that GATT provides a continuing forum for negotiation and consultation, in which an appropriate balance of rights and obligations can be assured for all contracting parties and the rules and procedures of the system are effectively and fairly applied, on the basis of agreed interpretations, for the economic development and benefit of all.

7. In drawing up the work programme and priorities for the 1980's, the Contracting Parties undertake, individually and jointly:
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(i) to make determined efforts to ensure that trade policies and measures are consistent with GATT principles and rules and to resist protectionist pressures in the formulation and implementation of national trade policy and in proposing legislation; and also to refrain from taking or maintaining any measures inconsistent with GATT and to make determined efforts to avoid measures which would limit or distort international trade;

(ii) to give fullest consideration, in the application of measures falling within the GATT framework, and in the general exercise of their GATT rights, to the trading interests of other contracting parties and the shared objective of trade liberalization and expansion;

(iii) to abstain from taking restrictive trade measures, for reasons of a non-economic character, not consistent with the General Agreement;

(iv) (a) to ensure the effective implementation of GATT rules and provisions and specifically those concerning the developing countries, thereby furthering the dynamic role of developing countries in international trade;
(b) to ensure special treatment for the least-developed countries, in the context of differential and more favourable treatment for developing countries, in order to ameliorate the grave economic situation of these countries;

(v) to bring agriculture more fully into the multilateral trading system by improving the effectiveness of GATT rules, provisions and disciplines and through their common interpretation; to seek to improve terms of access to markets; and to bring export competition under greater discipline. To this end a major two-year work programme shall be undertaken;

(vi) to bring into effect expeditiously a comprehensive understanding on safeguards to be based on the principles of the General Agreement;

(vii) to ensure increased transparency of trade measures and the effective resolution of disputes through improvements in the operation of the pertinent procedures, supported by a determination to comply with rulings and respect recommendations;

(viii) to examine ways and means of, and to pursue measures aimed at, liberalizing trade in textiles and clothing, including the eventual application of the General Agreement, after the expiry of the 1981 Protocol extending the Arrangement Regarding International Trade in Textiles, it being understood that in the interim the parties to the Arrangement shall adhere strictly to its rules;

(ix) to give continuing consideration to changes in the trading environment so as to ensure that the GATT is responsive to these changes.

GATT rules and activities relating to developing countries

The Contracting Parties decide:

1. That, having regard to the objectives and disciplines of the General Agreement, there is need for an improved and more efficient safeguard system which provides for greater predictability and clarity and also greater security and equity for both importing and exporting countries, so as to preserve the results of trade liberalization and avoid the proliferation of restrictive measures; and

2. That to this end, effect should be given to a comprehensive understanding to be based on the principles of the General Agreement which would contain, inter alia, the following elements:

(i) Transparency;
(ii) Coverage;

(iii) Objective criteria for action including the concept of serious injury or threat thereof;
(iv) Temporary nature, degressivity and structural adjustment;
(v) Compensation and retaliation; and
(vi) Notification, consultation, multilateral surveillance and dispute settlement with particular reference to the role and functions of the Safeguards Committee.

3. That such an understanding should be drawn up by the Council for adoption by the Contracting Parties not later than their 1983 Session.

Safeguards

The Contracting Parties decide:

1. That, having regard to the objectives and disciplines of the General Agreement, there is need for an improved and more efficient safeguard system which provides for greater predictability and clarity and also greater security and equity for both importing and exporting countries, so as to preserve the results of trade liberalization and avoid the proliferation of restrictive measures; and

2. That to this end, effect should be given to a comprehensive understanding to be based on the principles of the General Agreement which would contain, inter alia, the following elements:

(i) Transparency;
(ii) Coverage;

(iii) Objective criteria for action including the concept of serious injury or threat thereof;
(iv) Temporary nature, degressivity and structural adjustment;
(v) Compensation and retaliation; and
(vi) Notification, consultation, multilateral surveillance and dispute settlement with particular reference to the role and functions of the Safeguards Committee.

3. That such an understanding should be drawn up by the Council for adoption by the Contracting Parties not later than their 1983 Session.

GATT rules and activities relating to developing countries

The Contracting Parties:

1. Instruct the Committee on Trade and Development, bearing in mind particularly the special responsibility of the developed contracting parties in this regard, to consult on a regular basis with contracting parties, individually or collectively as appropriate, to examine how individual contracting parties have responded to the requirements of Part IV.

2. Urge contracting parties to implement more effectively Part IV and the Decision of 28 November 1979 regarding “differential and more favourable treatment, reciprocity and fuller participation of developing countries”;

3. Urge contracting parties to work towards further improvement of GSP or MFN treatment for products of particular export interest to least-developed countries, and the elimination or reduction of non-tariff measures affecting such products;

4. Agree to strengthen the technical co-operation programme of GATT;

5. Instruct the Committee on Trade and Development to carry out an examination of the prospects for increasing trade between developed and
(ii) In order to ensure more effective compliance with the provisions of paragraphs 11 and 12 of the Understanding, the Director-General shall inform the Council of any case in which it has not been found possible to meet the time limits for the establishment of a panel.

(iii) With reference to paragraph 13 of the Understanding, contracting parties will co-operate effectively with the Director-General in making suitably qualified experts available to serve on panels. Where experts are not drawn from Geneva, any expenses, including travel and subsistence allowance, shall be met from the GATT budget.

(iv) The secretariat of GATT has the responsibility of assisting the panel, especially on the legal, historical and procedural aspects of the matters dealt with.

(v) The terms of reference of a panel should be formulated so as to permit a clear finding with respect to any contravention of GATT provisions and/or on the question of nullification and impairment of benefits. In terms of paragraph 16 of the Understanding, and after reviewing the facts of the case, the applicability of GATT provisions and the arguments advanced, the panel should come to such a finding. Where a finding establishing a contravention of GATT provisions or nullification and impairment is made, the panel should make such suggestions as appropriate for dealing with the matter as would assist the Contracting Parties in making recommendations to the contracting parties which they consider to be concerned, or give a ruling on the matter, as appropriate.

(vi) Panels would aim to deliver their findings without undue delay, as provided in paragraph 20 of the Understanding. If a complete report cannot be made within the period foreseen in that paragraph, panels would be expected to so advise the Council and the report should be submitted as soon as possible thereafter.

(vii) Reports of panels should be given prompt consideration by the Contracting Parties. Where a decision on the findings contained in a report calls for a ruling or recommendation by the Council, the Council may allow the contracting party concerned a reasonable specified time to indicate what action it proposes to take with a view to a satisfactory settlement of the matter, before making any recommendation or ruling on the basis of the report.

(viii) The recommendation or ruling made by the Contracting Parties shall be aimed at achieving a satisfactory settlement of the matter in accordance with GATT obligations. In furtherance of the provisions of paragraph 22 of the Understanding the Council shall periodically review the action taken pursuant to such recommendations. The contracting party to which such a recommendation has been addressed, shall report within a reasonable specified period on action taken or on its reasons for not implementing the recommendation or ruling by the Contracting Parties. The contracting party bringing the case may also ask the Contracting Parties to make suitable efforts with a view to finding an appropriate solution as provided in paragraph 22 of the Understanding.

(ix) The further action taken by the Contracting Parties in the above circumstances might include a recommendation for compensatory adjustment with respect to other products or authorization for the suspension of such concessions or other obligations as foreseen in Article XXIII:2, as the Contracting Parties may determine to be appropriate in the circumstances.

(x) The Parties to a dispute would fully participate in the consideration of the matter by the Contracting Parties under paragraph (vii) above, including the consideration of any rulings or recommendations the Contracting Parties might make pursuant to Article XXIII:2 of the General Agreement, and their views would be fully recorded. They would likewise participate and have their views recorded in the considerations of the further actions provided for under paragraphs (viii) and (ix) above. The Contracting Parties reaffirmed that consensus will continue to be the traditional method of resolving disputes; however, they agreed that obstruction in the process of dispute settlement shall be
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avoided. It is understood that decisions in this process cannot add to or diminish the rights and obligations provided in the General Agreement.

Trade in agriculture

With the purpose of accelerating the achievement of the objectives of the General Agreement, including Part IV, and recognizing that there is an urgent need to find lasting solutions to the problems of trade in agricultural products, the Contracting Parties decide:

1. That the following matters be examined, in the light of the objectives, principles and relevant provisions of the General Agreement and also taking into account the effects of national agricultural policies, with the purpose of making appropriate recommendations. The examination shall cover all measures affecting trade, market access and competition and supply in agricultural products, including subsidies and other forms of assistance.

(i) Trade measures affecting market access and supplies, with a view to achieving greater liberalization in the trade of agricultural products, with respect to tariffs and non-tariff measures, on a basis of overall reciprocity and mutual advantage under the General Agreement.

(ii) The operation of the General Agreement as regards subsidies affecting agriculture, especially export subsidies, with a view to examining its effectiveness, in the light of actual experience, in promoting the objectives of the General Agreement and avoiding subsidization seriously prejudicial to the trade or interests of contracting parties. Other forms of export assistance will be included in this examination.

(iii) Trade measures affecting agriculture maintained under exceptions or derogations without prejudice to the rights of contracting parties under the General Agreement.

2. That in carrying out the tasks enumerated above, full account shall be taken of the need for a balance of rights and obligations under the GATT, and of the special needs of developing countries in the light of the GATT provisions providing for differential and more favourable treatment for such contracting parties. Full account shall also be taken of specific characteristics and problems in agriculture, of the scope for improving the operation of GATT rules, provisions and disciplines and agreed interpretations of its provisions.

3. That for the purpose of carrying out this work, an improved and unified system of notifications shall be introduced so as to ensure full transparency.

Tariffs

The Contracting Parties decide:

1. That prompt attention should be given to the problem of escalation of tariffs on products with increased processing with a view to effective action towards the elimination or reduction of such escalation where it inhibits international trade, taking into account the concerns relating to exports of developing countries; and agree

2. That wide acceptance of a common system for classifying products for tariff and statistical purposes would facilitate world trade and therefore recommend prompt action towards the introduction of such a system. They take note of the ongoing work to this end in the Customs Co-operation Council. They further agree that, if such a system is introduced, the general level of benefits provided by GATT concessions must be maintained, that existing concessions should normally remain unchanged and that any negotiations that may prove necessary should be initiated promptly so as to avoid any undue delay in the

Quantitative restrictions and other non-tariff measures

The Contracting Parties decide:

1. To review, in a group created for the purpose, existing quantitative restrictions and other non-tariff measures, the grounds on which these are maintained, and their conformity with the provisions of the General Agreement, so as to achieve the elimination of quantitative restrictions which are not in conformity with the General Agreement or their being brought into conformity with the General Agreement, and also to achieve progress in liberalizing other quantitative restrictions and non-tariff measures, adequate attention being given to the need for action on quantitative restrictions and other measures affecting products of particular export interest to developing countries; and

2. That the group should make progress reports to the Council and that its complete report containing its findings and conclusions should be available for consideration by the Contracting Parties at their 1984 Session.

Tropical products

The Contracting Parties decide:

1. That the following matters be examined, in the light of the objectives, principles and relevant provisions of the General Agreement and also taking into account the effects of national agricultural policies, with the purpose of making appropriate recommendations. The examination shall cover all measures affecting trade, market access and competition and supply in agricultural products, including subsidies and other forms of assistance.

(i) Trade measures affecting market access and supplies, with a view to achieving greater liberalization in the trade of agricultural products, with respect to tariffs and non-tariff measures, on a basis of overall reciprocity and mutual advantage under the General Agreement.

(ii) The operation of the General Agreement as regards subsidies affecting agriculture, especially export subsidies, with a view to examining its effectiveness, in the light of actual experience, in promoting the objectives of the General Agreement and avoiding subsidization seriously prejudicial to the trade or interests of contracting parties. Other forms of export assistance will be included in this examination.

(iii) Trade measures affecting agriculture maintained under exceptions or derogations without prejudice to the rights of contracting parties under the General Agreement.

1 This does not prejudice the provisions on decision making in the General Agreement.
MINISTERIAL DECLARATION
CONTINUED

implementation of a system. They also agree that technical support shall be provided by the GATT secretariat to developing contracting parties in order to fully assist their participation in such a process.

MTN Agreements and Arrangements

The Contracting Parties decide to review the operation of the MTN (Tokyo Round) Agreements and Arrangements, taking into account reports from the Committees or Councils concerned, with a view to determining what action if any is called for, in terms of their decision of November 1979. The Contracting Parties further agree that, for this purpose, the review should focus on the adequacy and effectiveness of these Agreements and Arrangements and the obstacles to the acceptance of these Agreements and Arrangements by interested parties.

Structural adjustment and trade policy

The Contracting Parties decide to continue the work on structural adjustment and trade policy in order to focus on the interaction between structural adjustment and the fulfillment of the objectives of the General Agreement, and to review the results of this work at their 1983 Session.

Trade in counterfeit goods

The Contracting Parties instruct the Council to examine the question of counterfeit goods with a view to determining the appropriateness of joint action in the GATT framework on the trade aspects of commercial counterfeiting and, if such joint action is found to be appropriate, the modalities for such action, having full regard to the competence of other international organizations. For the purposes of such examination, the Contracting Parties request the Director-General to hold consultations with the Director-General of WIPO in order to clarify the legal and institutional aspects involved.

Export of domestically prohibited goods

The Contracting Parties decide that contracting parties shall, to the maximum extent feasible, notify GATT of any goods produced and exported by them but banned by their national authorities for sale on their domestic markets on grounds of human health and safety. At their 1984 Session, the Contracting Parties will consider in the light of experience gained with this notification procedure, the need for study of problems relevant to the GATT in relation to exports of domestically prohibited goods and of any action that may be appropriate to deal with such problems.

Export credits for capital goods

The Contracting Parties:

1. Are aware that official export credit provisions on capital goods which apply to developing countries may pose problems for the expansion of imports into these countries consistent with their trade and development needs;

2. Therefore recommend that contracting parties, members of those international arrangements concerning official export credit matters, when reviewing or revising their various international undertakings, give special attention to relevant credit provisions, including specific terms and conditions, in order to facilitate the expansion of developing countries' imports of capital goods consistent with their trade and development needs; and

3. Request the Director-General of the GATT to consult with the contracting parties concerned and report to the 39th Session (in 1983).

Textiles and clothing

The Contracting Parties decide:

1. To carry out on a priority basis a study of:

   (i) the importance of textiles and clothing in world trade and particularly for the trade prospects of developing countries;

   (ii) the impact on economic activity and prospects of countries participating in textiles trade, of the existing systems of restraints and restrictions relating to textiles and clothing, principally the MFA;

   (iii) consequences for economic and trade prospects in these countries of a phasing out on the basis of the provisions of the General Agreement, or of the continued maintenance, of the restraints and restrictions applied under the existing textile and clothing regimes, principally the MFA; and

2. To examine expeditiously, taking into account the results of such a study, modalities of further trade liberalization in textiles and clothing including the possibilities for bringing about the full application of GATT provisions to this sector of trade.

3. This work should be completed for consideration by the Contracting Parties at their 1984 Session.

Problems of trade in certain natural resource products

The Contracting Parties decide:

1. That problems relating to trade in the following natural resource products including in their semi-processed and processed forms, falling under the competence of the General Agreement relating to tariffs, non-tariff measures and other factors affecting trade, should be examined with a view to recommending possible solutions:

   (a) Non-ferrous metals and minerals

   (b) Forestry products

   (c) Fish and fisheries products
2. That for this purpose the Council should decide, for each of these three items, the terms of reference, time frame and procedures.

**Exchange rate fluctuations and their effect on trade**

The Contracting Parties decide:

To request the Director-General to consult the Managing Director of the International Monetary Fund on the possibility of a study of the effects of erratic fluctuations in exchange rates on international trade, to report to the Council on the results of these consultations and to forward any such study to the Council so that it may consider any implications for the General Agreement.

**Dual pricing and rules of origin**

The Contracting Parties decide:

To request the Council to make arrangements for studies of dual-pricing practices and rules of origin; and

To consider what further action may be necessary with regard to these matters when the results of these studies are available.

**Services**

The Contracting Parties decide:

1. To recommend to each contracting party with an interest in services of different types to undertake, as far as it is able, national examination of the issues in this sector.

2. To invite contracting parties to exchange information on such matters among themselves, inter alia through international organizations such as GATT. The compilation and distribution of such information should be based on as uniform a format as possible.

3. To review the results of these examinations, along with the information and comments provided by relevant international organizations, at their 1984 Session and to consider whether any multilateral action in these matters is appropriate and desirable.

**ANNEX**

**GATT rules and activities relating to developing countries**

The Contracting Parties:

1. Decide, in order to improve the review and surveillance procedures in regard to the implementation of Part IV, that:

   (a) the Committee on Trade and Development, bearing in mind particularly the special responsibility of the developed contracting parties in this regard, shall adopt a programme of consultations with contracting parties individually or collectively, as appropriate, to examine how individual contracting parties have responded to the requirements of Part IV;

   (b) each such consultation shall be based on information supplied by the contracting party or parties in question and additional factual material prepared by the secretariat;

   (c) the Committee on Trade and Development shall also examine other aspects of existing procedures for reviewing the implementation of Part IV and for dealing with problems relating to the application of its provisions, and prepare guidelines for their improvement.

2. Invite the Committee on Trade and Development to review the operation of the (Tokyo Round) Enabling Clause as provided for in its paragraph 9, with a view to its more effective implementation, *inter alia*, with respect to objectivity and transparency of modifications to GSP schemes and the operation of consultative provisions relating to differential and more favourable treatment for developing countries;

3. Invite contracting parties to pursue action as follows towards facilitating trade of least-developed countries and reducing tariff and non-tariff obstacles to their exports:

   (a) further improve GSP or m.f.n. treatment for products of particular export interest to least-developed countries, with the objective of providing fullest possible duty-free access to such products;

   (b) use, upon request and where feasible, of more flexible requirements for rules of origin for products of particular export interest to least-developed countries;

   (c) eliminate or reduce non-tariff measures affecting products of particular export interest to least-developed countries;

   (d) facilitate the participation of least-developed countries in MTN Agreements and Arrangements;

   (e) strengthen the technical assistance facilities of the GATT secretariat targeted to the special requirements of least-developed countries;

   (f) strengthen trade promotion activities, through the ITC and other initiatives, such as by encouraging the establishment of import promotion offices in importing countries;

   (g) give more emphasis to the discussion and examination of policy issues of interest to least-developed countries in the context of further efforts to liberalize trade.

4. Decide to strengthen the Technical Co-operation programme of the GATT with a view to facilitating the more effective participation of developing countries in the GATT trading system:

   (a) by responding to increasing requests for seminars and other technical assistance activities;

   (b) by permitting increased participation in the GATT Commercial Policy Courses, and the inclusion in the training programme of a regular course in the Spanish language;

   (c) by encouraging, in the context of this programme, appropriate contributions from individual contracting parties.

5. Invite contracting parties individually to grant new voluntary contributions or provide other forms of assistance to the ITC.
contracting parties have agreed in drawing up their work programme and priorities for the 1980's. The practical consequences for GATT's future work of these political commitments are then spelled out in separate decisions, which constitute the bulk of the declaration. Each deals with a specific issue, starting with safeguards, GATT rules and activities relating to developing countries, dispute settlement, and trade in agriculture, and continuing through a total of 17 decisions and an annex.

Points on declaration noted by Ministers

In adopting the declaration, Ministers took note of three points underlined by the Chairman, Mr. MacEachen:

(i) The political undertaking embodied in paragraph 7 (i) of the declaration, whose terms he cited. (He noted his understanding, with reference to the world “maintaining” in this paragraph, that some governments would require a certain amount of time to fulfill this undertaking.)

(ii) On safeguards, the agreement that an understanding would be negotiated “in as short a time frame as possible”, with presentation of an interim report by July 1983. In the meantime, all contracting parties committed themselves in their actions to take into account all the principles and elements referred to in the draft decision.

(iii) With respect to trade in high technology goods, it had been agreed to refer this matter for further consideration to the GATT Council.

The Chairman also said that a proposal on tropical agricultural products put forward by the Ivory Coast would be dealt with after the Session in the normal course of GATT work.

Regular session of the Contracting Parties

The Contracting Parties to GATT held the regular part of their 38th session on 22-23 and 30 November. As is customary, they reviewed activities in GATT over the past year, with particular reference to trade disputes which member states had brought before the Council and which had been examined under the GATT conciliation and dispute settlement procedures; they took note of reports by various GATT bodies (Council, Committee on Trade and Development, Consultative Group of Eighteen, Committees administering the Tokyo Round agreements, etc.) and endorsed decisions taken by the Council during 1982. These activities have already been reported in earlier issues of FOCUS this year. As decided by the Council at its meeting on 2-3 November, the question of trade measures adopted for non-economic reasons was put before the Contracting Parties. They adopted a decision stipulating procedural rules for applying Article XXI under which such measures are taken. The decision notes in particular that recourse to Article XXI, which allows restrictive measures to be applied for reasons of security, could constitute in certain circumstances an element of disruption and uncertainty for international trade and could affect benefits accruing to contracting parties under the General Agreement. The decision provides for better information to contracting parties on the application of such measures, and confirms that member states affected retain their full rights under the General Agreement; it states also that the Council may be requested to give further consideration to this matter in due course.

The 38th session of Contracting Parties to GATT determined membership of the Consultative Group of Eighteen and appointed officials for the year 1983 (see boxes below). The 39th session is scheduled for the week of 21 November 1983, the exact opening date to be fixed by the Council.

Membership of the Consultative Group of 18

The Consultative Group of 18 is made up of high-level representatives with trade policy responsibilities in their country who meet to discuss and reflect on matters of interest to GATT. Its membership varies each year and is representative of the GATT as a whole.

For 1983, the member countries of the CG.18 are: Argentina, Australia, Brazil, Canada, Colombia, Egypt, EEC and its member States, Hungary, India, Japan, Nigeria, Norway, Pakistan, Singapore, Switzerland, Turkey, United States of America, Zaire.

Coming GATT Activities

Provisional programme of meetings for January 1983:

18 Working Party EEC-Greece

Meeting dates have not yet been finalized for the Council and the Committee on Technical Barriers to Trade.

February:

The meeting date for the Committee on Trade and Development has not yet been finalized.

Election of officers of the Contracting Parties for 1983

Chairman of the CP

Ambassador B. L. Das (India)

Vice-Chairmen of the CP

Mr. P. Field, Special Trade Representative (Australia)

Ambassador F. Grunwaldt Ramasso (Uruguay)

Mr. J. Nyerges, Special Representative of Hungary

Chairman of the Council

Ambassador H. Ewerlöf (Sweden)

Chairman of the Committee on Trade and Development

Ambassador K. Vidas (Yugoslavia)

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