

SUBJECT: QUESTIONNAIRE ON SAFEGUARD MEASURES AND PROCEDURES

1. AT ITS MEETING OF OCTOBER 1974, GROUP 3(d) - SAFEGUARDS REQUESTED THE SECRETARIAT TO PREPARE A FACTUAL NOTE ON EMERGENCY-TYPE ACTIONS IN THE WIDEST SENSE SETTING OUT:

- (a) THE MEASURES COUNTRIES TAKE TO PROTECT AGAINST SERIOUS INJURY OR THREAT OF SERIOUS INJURY;
- (b) THE INTERNATIONAL PROCEDURES OR ARRANGEMENTS OUTSIDE GATT, UNDER WHICH RESTRICTIVE MEASURES ARE APPLIED; AND
- (c) THE DOMESTIC PROCEDURES FOR HANDLING CASES OF SERIOUS INJURY OR THREAT OF SERIOUS INJURY (WHETHER ACTION IS TAKEN INTERNATIONALLY WITHIN GATT OR OUTSIDE GATT).

IT WAS POINTED OUT AT THE MEETING THAT ONLY LIMITED INFORMATION WAS AVAILABLE TO THE SECRETARIAT ON CERTAIN MATTERS AND IT WAS UNDERSTOOD THAT GOVERNMENTS MIGHT THEREFORE HAVE TO SUPPLY SOME OF THE INFORMATION REQUIRED (MTN/13, PARAGRAPH 16).

2. IN THE LIGHT OF THIS IT WOULD BE APPRECIATED IF GOVERNMENTS WOULD SUPPLY INFORMATION ON THE FOLLOWING QUESTIONS BY 15 DECEMBER 1974. TO THE EXTENT THAT INFORMATION HAS ALREADY BEEN NOTIFIED TO THE GATT, A REFERENCE TO THE RELEVANT DOCUMENT WILL SUFFICE. IT IS UNDERSTOOD THAT ANY EMERGENCY ACTION TAKEN UNDER ARTICLE XXVIII NEED NOT BE INCLUDED.

- 3. (a) HAVE THERE BEEN CASES DURING THE PAST FIVE YEARS IN WHICH IMPORTED GOODS (OTHER THAN TEXTILES) HAVE CAUSED, OR THREATENED TO CAUSE, OR CONTINUE TO CAUSE, SERIOUS INJURY TO DOMESTIC PRODUCERS OF PARTICULAR PRODUCTS IN YOUR COUNTRY? IF SO, GIVE THE PARTICULAR CIRCUMSTANCES OF EACH CASE, INCLUDING THE PRODUCTS INVOLVED, IF POSSIBLE IN TERMS OF THE BRUSSELS TARIFF NOMENCLATURE, AND ANY OTHER RELEVANT DATA. INDICATE IN PARTICULAR WHETHER THE SERIOUS INJURY OR THREAT THEREOF WAS DUE TO IMPORTS FROM CERTAIN SOURCES ONLY AND WHETHER THE PROBLEM WAS OF A SHORT-TERM OR A STRUCTURAL NATURE.

- (b) HAS YOUR GOVERNMENT IMPOSED OR MAINTAINED SPECIFIC MEASURES TO DEAL WITH CASES REFERRED TO IN (a)? IF SO, DESCRIBE THE MEASURES TAKEN IN EACH CASE AND WHETHER THESE TOOK THE FORM OF ACTION TO LIMIT IMPORTS OR ADJUSTMENT ASSISTANCE, OR BOTH. IF NO SPECIFIC MEASURES WERE TAKEN BY YOUR GOVERNMENT, HOW WAS THE PROBLEM RESOLVED? IN PARTICULAR, HAVE GOVERNMENTS OF EXPORTING COUNTRIES WHOSE PRODUCTS CAUSED OR THREATENED TO CAUSE SERIOUS INJURY TO YOUR DOMESTIC PRODUCERS LIMITED EXPORTS TO YOUR MARKET, OR HAVE NON-GOVERNMENTAL BODIES TO YOUR KNOWLEDGE TAKEN ACTION TO LIMIT SALES OF SUCH PRODUCTS ON YOUR MARKET? IF SO, DESCRIBE THE PARTICULAR ACTION TAKEN IN EACH CASE.
4. (a) HAVE EXPORTS OF YOUR COUNTRY BEEN SUBJECT DURING THE PAST FIVE YEARS TO RESTRICTIVE MEASURES IN OTHER COUNTRIES PARTICIPATING IN THE MULTILATERAL TRADE NEGOTIATIONS WHICH HAVE BEEN, OR APPEAR TO HAVE BEEN, IMPOSED OR MAINTAINED ON THE GROUNDS THAT SUCH EXPORTS CAUSED, OR THREATENED TO CAUSE, INJURY TO PRODUCERS IN THESE COUNTRIES? IF SO, DESCRIBE THE PARTICULAR CIRCUMSTANCES OF EACH CASE, INCLUDING THE PRODUCTS INVOLVED, AND THE ACTION TAKEN IN EACH CASE.
- (b) HAS YOUR GOVERNMENT TAKEN ANY ACTION TO LIMIT EXPORTS OF PARTICULAR PRODUCTS TO PARTICULAR MARKETS IN ORDER TO AVOID OR REMEDY THE DEVELOPMENT OF A SITUATION SUCH AS THAT DESCRIBED IN PARAGRAPH 3(a) IN THOSE MARKETS? IF SO, DESCRIBE THE PARTICULAR CIRCUMSTANCES OF EACH CASE, INCLUDING PRODUCTS AND MARKETS CONCERNED, DATA RELATING TO TRADE AND PRICES AND DURATION OF THE MEASURE. HAVE NON-GOVERNMENTAL BODIES IN YOUR COUNTRY TAKEN ACTION TO RESTRICT EXPORTS? IF SO, DESCRIBE THE PARTICULAR ACTION TAKEN IN EACH CASE.
5. DESCRIBE ANY INTERNATIONAL PROCEDURES OR ARRANGEMENTS OUTSIDE THE GATT WHETHER BILATERAL OR MULTILATERAL OR WHETHER GOVERNMENTAL OR NON-GOVERNMENTAL (OTHER THAN PROCEDURES LAID DOWN IN THE ARRANGEMENTS REGARDING INTERNATIONAL TRADE IN TEXTILES) UNDER WHICH MEASURES TO RESTRICT TRADE HAVE BEEN IMPOSED OR MAINTAINED DURING THE PAST FIVE YEARS:
- (a) TO REMEDY OR PREVENT SERIOUS INJURY TO DOMESTIC PRODUCERS IN YOUR COUNTRY, OR
- (b) TO REMEDY OR PREVENT SERIOUS INJURY WHICH IS SAID TO BE CAUSED, OR THREATENED BY EXPORTS FROM YOUR COUNTRY TO DOMESTIC PRODUCERS IN OTHER PARTICIPATING COUNTRIES.

6. DESCRIBE YOUR COUNTRY'S DOMESTIC PROCEDURES FOR HANDLING CASES IN WHICH IMPORTED GOODS CAUSE OR THREATEN TO CAUSE SERIOUS INJURY TO DOMESTIC PRODUCERS, INCLUDING BOTH PROCEDURES WHICH APPLY WHEN ACTION IS CONTEMPLATED WITHIN GATT AND OUTSIDE GATT. INDICATE IN PARTICULAR WHETHER THESE PROVISIONS ARE LAID DOWN IN LEGISLATION OR IN ADMINISTRATIVE DECISIONS, THE PARTIES WHO CAN INITIATE AN INVESTIGATION, THE BODY WHICH CARRIES OUT THE INVESTIGATION, WHICH PARTIES CAN PRESENT EVIDENCE AND THE FACTORS THAT ARE TAKEN INTO CONSIDERATION WHEN A FINDING IS REACHED AS TO WHETHER SERIOUS INJURY HAS OCCURRED OR IS THREATENING.

7. IT IS UNDERSTOOD THAT IN ADDITION THE SECRETARIAT WILL EXAMINE THE FEASIBILITY OF PROVIDING A SUMMARY OF EXISTING INFORMATION CONCERNING NON-TEMPORARY TYPE MEASURES TAKEN UNDER OTHER GATT SAFEGUARD PROVISIONS, INCLUDING MEASURES TAKEN UNDER ARTICLE XXVIII.

O. LONG