

The date of the Council has been changed to Tuesday, 29 October

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La date du Conseil a été reportée au mardi 29 octobre

GATT/AIR/352

18 OCTOBER 1963

SUBJECT: MEETING OF COUNCIL OF REPRESENTATIVES ON 28 OCTOBER

THE EXECUTIVE SECRETARY HAS RECEIVED COMMUNICATIONS FROM THE GOVERNMENT OF THE UNITED STATES AND FROM THE EUROPEAN ECONOMIC COMMUNITY IN THE FOLLOWING TERMS:

"AS YOU KNOW, A DISPUTE EXISTS BETWEEN THE UNITED STATES AND THE EUROPEAN ECONOMIC COMMUNITY CONCERNING POULTRY. DESIRING TO DO WHAT THEY REASONABLY CAN TO MINIMIZE THE DIFFERENCES BETWEEN THEM, AND WITHOUT PREJUDICE TO THE JURIDICAL POSITION OF EITHER PARTY, THE GOVERNMENT OF THE UNITED STATES AND THE EUROPEAN ECONOMIC COMMUNITY BELIEVE THAT MUCH WOULD BE GAINED BY OBTAINING AN IMPARTIAL OPINION ON THE QUESTION SET FORTH BELOW.

"ACCORDINGLY, ON BEHALF OF MY GOVERNMENT, I HEREBY REQUEST THAT APPROPRIATE STEPS BE TAKEN TO CONVENE, AS PROMPTLY AS POSSIBLE, A MEETING OF THE COUNCIL OF REPRESENTATIVES OF THE GATT, FOR THE PURPOSE OF ESTABLISHING A PANEL TO RENDER AN ADVISORY OPINION TO THE TWO PARTIES CONCERNED IN ORDER TO DETERMINE:

'ON THE BASIS OF THE DEFINITION OF POULTRY PROVIDED IN PARAGRAPH NUMBER 02.02 OF THE COMMON CUSTOMS TARIFF OF THE EUROPEAN ECONOMIC COMMUNITY, AND ON THE BASIS OF THE RULES OF AND PRACTICES UNDER THE GATT, THE VALUE (EXPRESSED IN UNITED STATES DOLLARS) TO BE ASCRIBED, AS OF 1 SEPTEMBER 1960, IN THE CONTEXT OF THE UNBINDINGS CONCERNING THIS PRODUCT, TO UNITED STATES EXPORTS OF POULTRY TO THE FEDERAL REPUBLIC OF GERMANY.'

"WITH RESPECT TO THE COMPOSITION OF THE PANEL, THE GOVERNMENT OF THE UNITED STATES AND THE EUROPEAN ECONOMIC COMMUNITY BELIEVE IT WOULD BE APPROPRIATE TO HAVE IT CONSIST OF THREE MEMBERS, INCLUDING YOURSELF AS CHAIRMAN, AND THAT THE OTHER TWO MEMBERS NOT BE NATIONALS OF ANY COUNTRY INVOLVED IN THE PRESENT DISPUTE WITH RESPECT TO POULTRY."

IN ACCORDANCE WITH THE REQUESTS FORMULATED BY THE UNITED STATES AND THE EUROPEAN ECONOMIC COMMUNITY IT IS PROPOSED THAT THE COUNCIL SHOULD CONVENE AT 3 P.M. ON MONDAY 28 OCTOBER.

AT THIS MEETING THE COUNCIL MAY WISH TO TAKE THE OPPORTUNITY TO REVIEW THE PROGRAMME OF MEETINGS AND IN PARTICULAR THE PROPOSED POSTPONEMENT OF THE FIRST PART OF THE TWENTY-FIRST SESSION OF THE CONTRACTING PARTIES AS SUGGESTED IN GATT/AIR/350.

COUNCIL MEMBERS ARE REQUESTED TO ADVISE ME BY 25 OCTOBER OF THE COMPOSITION OF THEIR DELEGATIONS. CONTRACTING PARTIES AND ASSOCIATED GOVERNMENTS, NOT MEMBERS OF THE COUNCIL, AND INTERGOVERNMENTAL ORGANIZATIONS DESIRING TO BE REPRESENTED BY OBSERVERS SHOULD INFORM ME OF THE NAMES OF THEIR REPRESENTATIVES.

E. WYNDHAM WHITE

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SENT BY : Executive Secretary, GATT, Tel. address : GATT GENEVA

ENVOYÉ PAR : Secrétaire exécutif, GATT, Adresse télégraphique : GATT GENÈVE