

GATT/AIR/52

13 AUGUST 1954

SUBJECT: APPLICATION UNDER ARTICLE XVIII BY CUBA

1. IN AUGUST 1949 THE CONTRACTING PARTIES GRANTED A RELEASE TO THE GOVERNMENT OF CUBA UNDER THE PROVISIONS OF PARAGRAPH 8(b)(1) OF ARTICLE XVIII, FOR A PERIOD OF FIVE YEARS, FOR THE MAINTENANCE OF AN IMPORT QUOTA ON THE FIBRES OF HENEQUEN AND SISAL. THE DECISION GRANTING THE RELEASE IS GIVEN ON PAGE 20 OF VOLUME II OF THE BASIC INSTRUMENTS AND SELECTED DOCUMENTS, AND THE CONSIDERATIONS UNDERLYING THIS ACTION ARE RECORDED ON PAGES 50-51 OF THE SAME VOLUME. THIS RELEASE EXPIRED ON 10 AUGUST 1954.

2. THE FOLLOWING TELEGRAM, DATED 6 AUGUST 1954, HAS BEEN RECEIVED FROM THE GOVERNMENT OF CUBA:

"WITH REFERENCE TO DECISION OF CONTRACTING PARTIES AUTHORIZING CUBA TO MAINTAIN UNTIL 10 AUGUST 1954, THE SYSTEM OF IMPORT QUOTA ON HENEQUEN AND SISAL IN FORCE SINCE 1939 AND NOTIFIED ACCORDING TO PROVISIONS OF PARAGRAPH 11 OF ARTICLE XVIII OF GENERAL AGREEMENT, CUBAN GOVERNMENT FEELS COMPELLED TO REQUEST OFFICIALLY A NEW AUTHORIZATION TO MAINTAIN SAID SYSTEM OF QUOTAS. SENDING BY POST DATA SHOWING IMPELLING NECESSITY FOR MAINTENANCE OF THIS MEASURE TO PROTECT NATIONAL PRODUCTION."

3. THE SUPPORTING STATEMENT REFERRED TO IN THE TELEGRAM WILL BE FORWARDED TO CONTRACTING PARTIES AS SOON AS IT IS RECEIVED. IN VIEW OF THE SHORT PERIOD INTERVENING BEFORE THE OPENING OF THE NINTH SESSION, IT IS SUGGESTED THAT THE APPLICATION BY CUBA BE PLACED ON THE AGENDA AND TAKEN UP DURING THE FIRST DAYS OF THE SESSION, AND THAT THE GOVERNMENT OF CUBA BE AUTHORIZED TO MAINTAIN THE MEASURE UNTIL THE CONTRACTING PARTIES TAKE A DECISION ON THE APPLICATION.

4. IF THIS PROCEDURE IS ACCEPTABLE TO THE CONTRACTING PARTIES, THERE WILL BE NO NEED TO CONVENE THE INTERSESSIONAL COMMITTEE ON ARTICLE XVIII. SHOULD, HOWEVER, ANY CONTRACTING PARTY CONSIDER IT NECESSARY THAT THE COMMITTEE ON ARTICLE XVIII SHOULD MEET BEFORE THE NINTH SESSION TO EXAMINE THE CUBAN APPLICATION, THE EXECUTIVE SECRETARY SHOULD BE INFORMED WITHOUT DELAY AND THE QUESTION WOULD BE DEALT WITH IN ACCORDANCE WITH THE INTERSESSIONAL PROCEDURE.

5. IN CONSIDERING THE APPLICATION AT THE NINTH SESSION, THE CONTRACTING PARTIES WILL WISH TO KNOW IF ANY OBJECTIONS ARE LODGED BY A CONTRACTING PARTY OR PARTIES MATERIALLY AFFECTED BY THE PROPOSED MEASURE. IN ACCORDANCE WITH THE PROCEDURAL ARRANGEMENTS, ANY CONTRACTING PARTY WISHING TO OBJECT TO THE MEASURE IS REQUESTED TO NOTIFY ITS OBJECTIONS AS SOON AS POSSIBLE AND IN ANY CASE NOT LATER THAN 25 OCTOBER 1954. ANY SUCH OBJECTIONS WILL BE CONSIDERED BY THE CONTRACTING PARTIES IN ACCORDANCE WITH THE PROCEDURES ESTABLISHED FOR THE CONSIDERATION OF APPLICATION UNDER ARTICLE XVIII (CF. BISD, VOL II PAGE 49).

E. WYNDHAM WHITE