

13 MAY 1969

SUBJECT: RESTRICTIONS ON IMPORTS FROM POLAND

ACCORDING TO PARAGRAPH 3(b) OF THE PROTOCOL FOR THE ACCESSION OF POLAND THE CONTRACTING PARTIES ARE REQUIRED TO REVIEW ANNUALLY MEASURES TAKEN BY CONTRACTING PARTIES, PURSUANT TO THE PROVISIONS OF PARAGRAPH 3 OF THE PROTOCOL, TO REMOVE PROHIBITIONS AND QUANTITATIVE RESTRICTIONS ON IMPORTS FROM POLAND WHICH ARE APPLIED INCONSISTENTLY WITH THE PROVISIONS OF ARTICLE XIII OF THE GENERAL AGREEMENT; IN THE COURSE OF THE FIRST ANNUAL REVIEW (L/8093) THE SECRETARIAT WAS REQUESTED TO PREPARE A DOCUMENT ON THE PROCEDURE FOR REPORTING SUCH RESTRICTIONS. IN PREPARATION FOR THE SECOND ANNUAL REVIEW, AND IN ORDER THAT THE SECRETARIAT MAY PREPARE THE STUDY REQUESTED BY THE WORKING PARTY ON TRADE WITH POLAND, CONTRACTING PARTIES ARE INVITED TO NOTIFY, NOT LATER THAN 15 JUNE 1969:

- (A) PROHIBITIONS OR QUANTITATIVE RESTRICTIONS MAINTAINED ON 30 JUNE 1967 ON IMPORTS FROM POLAND. THE NOTIFICATION SHOULD CONTAIN THE INFORMATION INDICATED IN THE REPORTS OF THE PANEL OF EXPERTS ON RESIDUAL IMPORT RESTRICTIONS (BISD, 11TH SUPPLEMENT, PAGES 206-213).<sup>1</sup> TO THE EXTENT THAT RESTRICTIONS HAVE ALREADY BEEN NOTIFIED IN SUCH FORM IN CONNEXION WITH THE FIRST REVIEW, AS RESTRICTIONS APPLIED CONTRARY TO GATT OR AS RESTRICTIONS MAINTAINED FOR BALANCE-OF-PAYMENTS REASONS, A REFERENCE TO THE PREVIOUS NOTIFICATION WILL BE SUFFICIENT. TO BE ADEQUATE FOR THIS PURPOSE ANY SUCH NOTIFICATION WOULD, HOWEVER, NEED TO SHOW THE EXTENT OF ANY DIFFERENTIAL TREATMENT WITH REGARD TO IMPORTS FROM POLAND.
- (B) ACTION TAKEN OR ENVISAGED UNDER PARAGRAPH 3(a) OF THE PROTOCOL TOWARDS REMOVING SUCH RESTRICTIONS AND THE RESULTS OF SUCH ACTION.

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<sup>1</sup>AN EXTRACT REPRODUCING THE PERTINENT PROVISIONS OF THE REPORTS IS ANNEXED.

ANNEX

EXTRACT FROM PARAGRAPH 5 OF INTERIM REPORT ON ADEQUACY OF NOTIFICATIONS ON RESIDUAL IMPORT RESTRICTIONS (CONSIDERED AND APPROVED BY THE COUNCIL AT ITS MEETING HELD FROM 22 TO 28 FEBRUARY 1962)

- (A) FORM OF NOTIFICATION: IN CERTAIN CASES A CONTRACTING PARTY HAD SUPPLIED THE CONTRACTING PARTIES WITH A LIBERALIZATION LIST OR LISTS SHOWING THE PRODUCTS WHICH HAD BEEN FREED FROM IMPORT RESTRICTIONS, BUT NO LIST SHOWING THE PRODUCTS REMAINING UNDER RESTRICTION. THE PANEL CONSIDERED THAT THE PROCEDURES ADOPTED BY THE CONTRACTING PARTIES FOR DEALING WITH RESIDUAL RESTRICTIONS PRESUPPOSED THE AVAILABILITY OF A LIST OF RESTRICTIONS WITHOUT WHICH THOSE PROCEDURES COULD NOT EFFECTIVELY BE OPERATED. THE PANEL, THEREFORE, URGED THAT THE GOVERNMENTS CONCERNED MAKE EVERY EFFORT TO COMPILE A LIST SHOWING THE RESTRICTIONS AT PRESENT IN FORCE IN ACCORDANCE WITH THOSE PROCEDURES. SUCH A LIST SHOULD INCLUDE RELEVANT INFORMATION AS NOTED IN THE FOLLOWING PARAGRAPHS.
- (B) DEFINITION OF PRODUCTS: THE LISTS SUBMITTED BY SOME CONTRACTING PARTIES DESCRIBED THE PRODUCTS SUBJECT TO RESTRICTIONS ONLY IN THE MOST GENERAL TERMS. THE PANEL CONSIDERED THAT IT WOULD BE USEFUL IF MORE PRECISE DEFINITIONS OF THE PRODUCTS COULD BE GIVEN, PREFERABLY IN TERMS OF THE CUSTOMS TARIFF NOMENCLATURE, OR AS THEY WERE ACTUALLY USED FOR IMPORT CONTROL PURPOSES.
- (C) TYPES OF RESTRICTIONS: SOME OF THE LISTS AVAILABLE CONTAINED AN ENUMERATION OF PRODUCTS WITHOUT INDICATING THE TYPES OF RESTRICTION TO WHICH THEY WERE SUBJECT. THE PANEL CONSIDERED THAT INFORMATION SHOULD BE INCLUDED ON WHETHER THE RESTRICTIONS IN QUESTION INVOLVED THE USE OF QUOTAS, DISCRETIONARY OR ADMINISTRATIVE LICENSING, PROHIBITION, OR ANY OTHER DEVICES. WHERE PRACTICABLE SOME INFORMATION SHOULD BE GIVEN ON THE METHOD OR PRINCIPLES BY WHICH THE SIZES OF THE QUOTAS WERE DETERMINED. IT SHOULD ALSO BE NOTED THAT UNDER THE GENERAL AGREEMENT "IMPORT RESTRICTIONS" COMPRISE RESTRICTIONS MADE EFFECTIVE THROUGH STATE-TRADING OPERATIONS.
- (D) AREA OF APPLICATION: SOME NOTIFICATIONS FAILED TO SHOW THE COUNTRIES OR GROUPS OF COUNTRIES TO WHICH THE RESTRICTIONS WERE APPLIED. WHERE SUCH INFORMATION WAS LACKING THE CONTRACTING PARTY CONCERNED SHOULD BE REQUESTED TO GIVE THE NECESSARY INFORMATION AND, WHERE NECESSARY, GIVE A CLEARER DEFINITION OF ANY AREAS REFERRED TO IN A NOTIFICATION.