

Textiles Monitoring Body

REPORT OF THE FIFTY-EIGHTH MEETING

1. The Textiles Monitoring Body held its fifty-eighth meeting on 13 September 1999.
2. Mr. Ho-Young Ahn (Korea) was appointed member to replace Mr. Dong-Won Kim (Korea). Mr. Ahn appointed Mr. Stephen Chung (Hong Kong, China) as his first alternate, and Mr. Abdul Mannan (Bangladesh) as his second alternate.
3. Present at this meeting were the following members and/or alternates: Messrs. Ahn/Chung; Grané/Valencia; Kobayashi; Kumar; Nayyar/Ms Loi; Messrs. Radu; Richards; Tadpitakkul; Tagliani; Wentzel/Moroz.
4. The TMB adopted the report of its fifty-seventh meeting (G/TMB/R/56).

Communications received by the TMB

United States/Pakistan: imports of combed cotton yarn (US category 301)

5. The TMB received a communication from the United States on 9 August 1999 informing the Body that after having carefully examined the conclusions reached by the TMB at its fifty-sixth meeting "the US remains convinced that the US action is justified under the provisions of Article 6 of the ATC. We have therefore decided to maintain this restraint in place. We will, however, keep trade and production trends under review" (G/TMB/N/346).
6. At the meeting referred to by the United States, the TMB had considered a communication from the United States under Article 8.10, following the examination by the Body on 12 to 14, 20 to 22 and 27 April 1999, of the transitional safeguard measure introduced by the United States on imports of combed cotton yarn (US category 301) from Pakistan, wherein the United States conveyed its inability to conform with the recommendation the TMB had made¹ that the measure introduced by the United States on imports of combed cotton yarn from Pakistan should be rescinded. Having given thorough consideration to the reasons presented by the United States for its inability to conform with the TMB's recommendation, the TMB had concluded that these reasons did not lead it to change the conclusions and recommendation arrived at by the Body during its examination of the measure pursuant to Article 6.10. The TMB had recommended, therefore, that the United States reconsider its position and that the measure introduced by the United States on the imports of category 301 products from Pakistan should be rescinded forthwith.²
7. In taking note of the present communication by the United States, the TMB recalled that the safeguard measure in question had already been dealt with in detail by the TMB on two occasions,

¹ For the TMB's review of the transitional safeguard measure, pursuant to Article 6.10, see G/TMB/R/53, paragraphs 5 to 34.

² For the TMB's review of the communication received from the United States pursuant Article 8.10, see G/TMB/R/55, paragraphs 4 to 37.

initially during its review of the matter pursuant to Article 6.10 and, subsequently, under Article 8.10. The TMB observed that following the recommendation it had made pursuant to Article 8.10, the Body was not mandated under the ATC to review this communication, and noted that Article 8.10 of the ATC states that "[i]f, after such further recommendations, the matter remains unresolved, either Member may bring the matter before the Dispute Settlement Body and invoke paragraph 2 of Article XXIII of GATT 1994 and the relevant provisions of the Dispute Settlement Understanding".

United States/Turkey: Introduction of a New Restriction

8. Following interim replies received from the United States in July and September 1999, in response to the clarification sought by the TMB from both Turkey and the United States, regarding the introduction of a new restriction on Turkey's exports of certain products by the United States, as part of a broader understanding reached between the two Members (G/TMB/R/54, paragraph 4), the TMB understood that Turkey and the United States envisaged submitting a joint notification to the TMB. It was the Body's expectation that it would be in a position to take up this issue, on the basis of this notification, at its fifty-ninth meeting.

Report (1999) by the TMB

9. The TMB considered and adopted its report for 1999 (G/L/318).
