

WORLD TRADE ORGANIZATION

RESTRICTED

G/SG/M/1

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Committee on Safeguards

MINUTES OF THE MEETING HELD ON 24 FEBRUARY 1995

Chairman: Mr. J. Ruiz (Argentina)

1. The Committee on Safeguards held a special meeting on 24 February 1995. The following agenda was adopted:

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A. Membership

2. The Chairman stated that on 20 February 1995 the Council for Trade in Goods adopted the Decision that all WTO Members would be Members of the Committee on Safeguards, except for those WTO Members that explicitly indicated their wish not to be Members of the Committee by 22 February 1995. The Secretariat had not received any notification from WTO Members indicating that they did not wish to be Members of the Committee. The Chairman therefore proposed that the Committee take note that, by virtue of that Decision, all Members of the WTO are Members of this Committee.

3. The Committee took note of the decision of the Council for Trade in Goods.

B. Observers

4. The Chairman stated that certain governments, who were in the process of acceding to the WTO, or who had initiated negotiations to do so, or had declared their intention to do so in the near future, had been invited to attend meetings of the General Council as Observers. In accordance with paragraph 6 of the Guidelines for Observer Status for Governments in the WTO, which appears in Annex 2 of the Rules of Procedure of the Sessions of the Ministerial Conference and meetings of the General Council (WT/L/28), these governments "may participate as Observers at meetings of Working Parties and other subsidiary bodies, of the General Council as appropriate with the exception of the Committee on Budget, Finance and Administration." The Chairman therefore proposed that such governments be welcomed to attend meetings of the this Committee if they so request, except if and when it is considered appropriate to hold a closed session with the participation of Members only. He further proposed that the Committee proceed likewise with any other governments which, in future, may be granted observer status in the General Council.

5. The representative of the United States supported the Chairman's proposal. He suggested that to the extent that non-WTO Member countries seek Observer status in the Committee on Safeguards, it would be appropriate and useful if they provided the Committee with any information that the Observer government considered relevant to matters within the preview of the Agreement, including the text of its laws and regulations regarding safeguards and information regarding any safeguard measures taken by the Observer government.

6. The Chairman observed that this issue would be taken up later.

7. The Committee adopted the Chairman's proposal.

8. The Chairman noted that paragraph 7 of the Guidelines for Observer status of governments in the WTO (WT/L/28, Annex 2), addressed the question of information to be provided by Observers, stating that "during its period of observership, an Observer government shall provide the Members of the WTO with any additional information it considers relevant concerning the developments in its economic and trade policies." This language did not cover the different aspects of information required to be provided by Observer governments in certain WTO Committees, such as the Committees on Anti-Dumping Practices and Subsidies and Countervailing Measures. The rule adopted by the WTO Committee on Anti-Dumping Practices provides "an Observer government shall provide the Committee with any information the Observer government considers relevant to matters within the preview of the agreement, including the text of its laws and regulations regarding anti-dumping duties and information regarding any anti-dumping measures taken by the Observer government. At the request of any member or the Observer government, any matter contained in such information could be brought to the attention of the Committee after governments have been allowed sufficient time to examine the information." The Chairman proposed that the Committee consider whether it was desirable to adopt

a rule such as that adopted by the WTO Committee on Anti-Dumping Practices, covering the information to be provided by Observer governments. This would also address the concern expressed by the United States.

9. The representative of Poland observed that as Poland had not yet finished the process of ratification of the WTO Agreement, because the Polish authorities decided first to review domestic trade legislation in the light of new WTO disciplines, it preferred to accomplish this domestic process and to provide the Committee with new domestic legislation as soon as it was adapted to the new requirements.

10. The Chairman observed that the reference was only to legislation that is in force and not laws that were still in the process of being drafted and approved. The Chairman proposed that the Committee adopt the following rule on information to be provided by Observer governments:

An Observer government shall provide the Committee with any information the observer government considers relevant to matters within the preview of the Agreement, including the text of its laws and regulations regarding safeguard measures, and information regarding any safeguard measures taken by the Observer government. At the request of any member or the Observer government, any matter contained in such information could be brought to the attention of the Committee after governments have been allowed sufficient time to examine the information.

11. The Committee adopted the Chairman's proposal.

C. Rules of Procedure

12. The Chairman stated that the Ministerial Conference and the General Council had adopted rules of procedure (WTO/L/28). However, no rules of procedure existed for the conduct of the business of the Committee. He proposed that the Committee decide whether it should adopt formal rules of procedure. If the Committee concluded that it should have such rules of procedure, then the Committee might also want to consider whether to coordinate its efforts with other Committees, in order to formulate a common core of rules of procedure together with other committees established by the Multilateral Trade Agreements, while recognising of course that it might be necessary to have additional or modified rules in some areas for this Committee.

13. The representative of the United States stated that rules of procedure were not really necessary for the Committee or for subsidiary bodies. He suggested that it might be useful to defer a decision on this issue, even though the Chairman had simply proposed consultations on the issue. In the United States' view, it would be wise to defer any decision of the Committee until the certain key issues, including the question of decision making, had been resolved in consultations in Council for Trade in Goods.

14. The representative of New Zealand supported the United States' view that it would be wise not to get ahead of the more general process that was on-going in the Council for Trade in Goods, and therefore agreed with deferring this issue. The Council for Trade in Goods had already agreed that until its next meeting, it would follow customary GATT practice, which would be acceptable to New Zealand for the Committee as well if in the interim there were a need for some procedures.

15. The delegate of the European Communities supported the position expressed by the United States, but would not object to the Chairman beginning consultations with delegations on the issue.

16. The Chairman proposed that the Committee authorize him to enter into informal consultations regarding the question of rules of procedure for the Committee with all interested parties. These consultations would, of course, take into account the work being done in this direction in other committees, and of the desirability of ensuring a degree of consistency between the rules of procedure of the various committees.

17. The Committee adopted the Chairman's proposal.

18. The Chairman noted the question raised by New Zealand, of how the Committee should operate pending the adoption of rules of procedure? He proposed that until the Committee decided whether to adopt formal rules of procedure, and at least until the next meeting of the Committee, it conduct business on the basis of common sense and customary practice of the Tokyo Round Committees.

19. The Committee so decided.

20. The Chairman noted that the Council for Trade in Goods did not appoint any Vice-Chairman for this Committee. Past experience had demonstrated that it would probably be useful to have a Vice-Chairman. He proposed that the Committee authorize him to raise the subject of election of a Vice-Chairman, and candidates for that position, with a view to electing a Vice-Chairman at the Committee's next meeting, in the context of the consultations already approved by the Committee.

21. The Committee so decided.

22. The Chairman noted that in the other two committees under the rules area, the Committees on Anti-Dumping Practices and Subsidies and Countervailing Measures, it is the Committees themselves who elect their officers. In the case of this Committee, the Chairman had been appointed by the Council for Trade in Goods. He solicited the opinions of the delegates as to whether the Committee should follow the practice in other Committees of electing its their own officers, or whether the practice of appointment should be continued.

23. No delegation having expressed any views, the Chairman proposed that the Committee decide to elect its own officers, Chairman and Vice-Chairman, as of next year.

24. The Committee so decided.

D. Participation in meetings by certain Signatories of the Final Act eligible to become Original Members of the WTO

25. The Chairman recalled that the General Council had decided that during a period of seven months following the date of entry into force of the WTO Agreement, signatories of the Final Act embodying the results of the Uruguay Round that were CONTRACTING PARTIES to the GATT 1947 as of the 3 January 1995, and were eligible to become original Members of the WTO, may be present and speak at formal and informal meetings of the bodies established under the WTO Agreement with the exception of the Textiles Monitoring Body, and shall have access to all documents made available to Members of the WTO for such meetings (WT/L/27). That decision also provided that such signatories shall not have the right to participate in the decision making process of the bodies established under the WTO Agreements. The Chairman proposed that the Committee take note of this decision.

26. The Committee took note of the decision of the General Council.

E. Time-limits for notifications referred to in Articles 11.2 and 12.7 by certain Signatories of the Final Act eligible to become original Members of the WTO

27. The Chairman recalled that notifications under Article 11, paragraph 2 and under Article 12, paragraph 7 of the Agreement on Safeguards have a time limit of 60, 90 or 180 days, after entry into force of the WTO Agreement, that is, after 1 January 1995. Notifications under Article 12, paragraph 7 of the Agreement on Safeguards pertain to measures described in Articles 10 and 11, paragraph 1(b) of the Agreement, and must be notified by 2 March 1995. Suggested formats for these notifications were previously distributed to Members in documents G/SG/N/2 and 3, dated 2 February 1995. Notifications under Article 11, paragraph 2 concern the exception pursuant to Article 11, paragraph 2, that could be in place until 31 December 1999, and the timetables for phasing out the measures referred to in Article 11, paragraph 1(b). The time limit for these notifications was 31 March 1995 and 30 June 1995, respectively, and suggested formats for these notifications were in documents G/SG/N/4 and G/SG/N/5, dated 2 February 1995 and 7 February 1995. The Chairman stated that signatories eligible to become Original Members would not be in a position to meet these time limits if they waited until they become Members and then notified measures subject to these notification requirements. He recalled that the Committee had already taken note of the General Council's decision to allow such signatories to participate in meetings of WTO bodies.

28. The Chairman therefore proposed that the information required in the notifications under Articles 11.2 and 12.7 of the Agreement be provided by signatories that are eligible to become original Members of WTO within the same time limits as those which apply to WTO Members. He noted that this did not imply that these signatories would undertake any obligations as a result of providing such information. In addition, the timetables presented by the signatories for phasing out or bringing measures into conformity would be implemented by them only when they become Members. However, the final time limit specified in Article 11.2 for phasing out or bringing into conformity the measures referred to in Article 11.1 (b), that is four years after entry into force of the WTO Agreement, and five years for the exception, would be the same for both the signatories eligible to become original Members and the present Members.

29. The delegate of the United States asked for clarification that the deadlines referred to by the Chairman would be the same for Members and for the signatories eligible to become original Members, and were calculated from the date of entry into force of the Agreement, and not from the date of entry into force with respect to the particular Member making the notification.

30. The Chairman confirmed the United States' understanding.

31. The representative of Switzerland stated that the Chairman's statement was indeed straightforward, and acceptable to Switzerland. However, he stated Switzerland's understanding that there is no obligation on non-Members, even if eligible to become original Members, to notify, although in the interest of transparency and to facilitate the work of the Committee, Switzerland would, of course as a Signatory of the Agreement, submit its notifications within the time limits established.

26. The Committee adopted the Chairman's proposal.

F. Observers: International organizations

27. The Chairman recalled that the General Council was considering, but had not yet adopted, rules regarding the participation of international organizations as observers to WTO bodies. In the interim, Heads of Delegations had agreed that the Chairman of the Council for Trade in Goods would consult regarding whether to invite certain organizations to the first meetings of their respective subsidiary bodies (WT/GC/COMM/2). The Chairman of the Council for Trade in Goods had stated at the first meeting of the Council that no organization qualified for invitation to the first meeting of the Committee.

The Chairman proposed that the Committee take note of the discussion in the General Council and the decision of the Council for Trade in Goods and revert to this matter at a future meeting.

32. The Committee so decided.

G. Coordination regarding notifications

33. The Chairman recalled that, in accordance with the recommendation of the Preparatory Committee, the General Council had adopted at its meeting on 31 January 1995, a decision on the Avoidance of Procedural and Institutional Duplication (WT/L/29). The first paragraph of that decision pertains to avoiding duplication of safeguard notifications to the GATT Council and the Committee on Safeguards.

34. The Committee took note of the General Council's decision.

H. Content of notifications

35. The Chairman stated that, as Members were aware, certain notifications under the Agreement on Safeguards had to be provided or may have to be provided relatively quickly. In order to assist members to focus on the type of information to be submitted in the notifications and to obtain similar responses from different members, formats for certain notifications were suggested in documents G/SG/N/1 to 6, which had already been distributed to Members. On the basis of consultations regarding the formats for notifications under the Agreement on Safeguards, the Chairman had provided the Members with document G/SG/W/1, which suggested formats for the different notifications. The document was distributed on 23 February 1995. The formats under categories 1 to 4 in that document were the same as those suggested in documents G/SG/N/1 to 6. The Chairman recalled that these formats had been considered by most of the interested Members in the informal contact group, and thanked Ole Lundby for his work in chairing that group. The Chairman proposed that the Committee adopt these formats.

36. The Committee adopted the formats in document G/SG/W/1.

I. Legislation

37. The Chairman recalled that document G/SG/N/1, dated 2 February 1995, invited Members to make notifications of their laws, regulations and administrative procedures relating to safeguard measures. A format for making the notifications was also suggested in that document. The notifications made by the Members in response to that request would be circulated as addenda to that document. The Chairman noted that the WTO Committees on Anti-Dumping Practices and Subsidies and Countervailing Measures had agreed that the notified laws and regulations would be unrestricted. He therefore proposed that this Committee decide that the notifications under Article 12.6 would be distributed as unrestricted documents.

38. The Committee so decided.

39. The Chairman observed that the request for notifications did not specify a date by which notifications should be made, nor did it suggest a procedure or schedule for review of these notifications by the Committee. The processing of these notifications by the Secretariat and their translation would be a time consuming process, which suggested a need for early notification. To the extent the Committee decided to review these notifications in detail, it would need to hold a number of special meetings. Further, delegations would need a reasonable period of time to study the notifications, before the meeting at which they were to be discussed, and by preference have the opportunity to submit written questions.

Finally it was important that in selecting the order in which notifications are taken up for examination, the Committee did not create a disincentive for the timely submission of said notifications. The Chairman asked for comments from delegations.

40. The delegate of the European Communities suggested that in view of the fact that this subject had been discussed in the Committee on Anti-Dumping Practices and the Committee on Subsidies and Countervailing Measures, it would be logical to set the same date for notifications to this Committee as had been established in those Committees, namely 15 March. He also suggested that delegations which could not submit legislation by this date, for whatever reason, should indicate in a notification to be presented by that date, why their legislation could not be notified.

41. The delegate of the United States stated that his authorities had instructed him to request that the requirement be set for notification by March 24 and that subsequent modifications be notified within 30 days of adoption by members.

42. The representative of Canada stated that Canada's understanding was that the date of 15 March had been chosen as the deadline in the Anti-Dumping and Subsidies Committees based on the respective Agreements, which required Members to have in place anti-dumping and countervailing regimes in conformity with the Agreement on the first of January. Thus, if the regimes were in place, it should not take long to prepare legislation and regulations for submission. However, the same obligation did not appear explicitly in the Agreement on Safeguards. Thus, while he appreciated the logic of the European Communities' position, 15 March might not be as easy a deadline to meet in the case of safeguards legislation.

43. The Chairman noted that it would nonetheless be reasonable, on a pragmatic basis, to set a date similar to that established in the other two Committees. He suggested that perhaps the date could be postponed somewhat to 1 or 15 April instead of 15 March, with the understanding that Members who do not provide notifications by that time should indicate the reason.

44. The delegate of Hong Kong stated that Hong Kong did not believe that different deadlines for submission of legislation in the different Committees in the Rules area was desirable. In his view, it would be better to stick to the deadline adopted in the other two Committees, namely, 15 March. At the same time, as proposed, those who could not comply with that deadline should provide an explanation.

45. The representative of Japan noted that it would take a considerable time to translate the Japanese text of its legislation into an official language of the WTO.

46. The representative of New Zealand observed that as a general rule, prompt notification would clearly be desirable. Two specific dates, 15 March and 24 March, had been proposed. Either would be acceptable, but it would not be desirable to let the deadline be postponed until a date in April. New Zealand also supported the European Communities' suggestion for an explanation if it was not possible for a Member to provide the texts of legislation on the agreed date. Regarding Canada's point, there is an overriding obligation in the WTO Agreement to ensure conformity of laws and regulations with obligations in the covered Agreement. So, every Member should have their legislation in place as of 1 January, even if it is not available in an official WTO language.

47. The representative of Australia expressed support for the 15 March deadline, particularly given the fact that the Committee had already recognized that some countries would for various reasons not be able to make that deadline. Those countries would simply need to put in an explanation to that effect, even if notification could be made only a few days later. Australia proposed that, as had been assumed in the other two Committees, those countries that have no safeguards legislation would notify

that fact by the deadline. In addition, at least in the Subsidies Committee, it was agreed that countries that were unable to meet the deadline, in explaining their reasons, would also give an indicative timetable of when they might in fact be able to notify their legislation. The Australian delegate proposed that this Committee proceed in the same manner.

48. The delegate of Hungary expressed his understanding of New Zealand's comment, that by 1 January 1995, Members should have their safeguards legislation in place. Hungary agreed that Members are required to bring their laws into conformity with the Agreements, but disagreed with the conclusion. In Hungary's view, the requirement of conformity of legislation did not mean that each country must have legislation in this field.

49. The delegate of New Zealand clarified that all the Agreement stated was that, from 1 January, each country shall ensure that its legislation and regulations was in conformity with its obligations. Whether or not that meant that there must be legislation in place was another issue, but a Member's legislation and regulations must be in conformity with its obligations. Therefore, if there was legislation with respect to safeguard measures, it had to be in conformity with the Agreement.

50. The delegate of the United States sought to clarify that Australia's proposal related to notification of safeguards laws, regulations, and administrative procedures, and not notification of safeguard measures themselves. As the United States understood Australia's proposal, if a Member did not have safeguards legislation, it would so notify by the deadline established by the Committee. On that basis, the United States supported Australia's proposal.

51. The representative of Australia stated that the United States' understanding was correct.

52. The Chairman proposed that Members submit notifications of available laws, regulations, and administrative procedures relating to safeguards by 15 March, with the understanding that some Members might notify at a later date. His proposal encompassed the understanding that, as of the deadline, all Members should have either notified legislation or have clearly indicated why legislation was not notified, and given a tentative date for actual notification.

53. The delegate of Norway observed that if the Committee established a deadline of 15 March, it should not accept in advance that certain Members would notify at a later date, which would in effect introduce two deadlines. Norway believed there should be one deadline for all, 15 March. With that clarification, he supported the Chairman's proposal.

54. The delegate of the United States supported the intervention of Norway. He restated his authorities' interest in setting a deadline for notification of modification of legislation of 30 days after adoption by Members. While this was not a front burner issue, if Members could agree to this, or agree to consider it further, it would be useful, as otherwise it might be quite some time before governments notified later modifications.

55. The Chairman noted that there had not been any discussion on this point.

56. The delegate of Hong Kong supported the United States' proposal, but was also willing to allow other delegations more time to reflect on it and enter into formal consultations on this issue.

57. The delegate of Hungary suggested that the Committee conclude the first part of its discussion and agree on a deadline for the first notification. He asked for clarification whether the proposal was to establish a firm deadline of 15 March, or whether the proposal was to allow a degree of flexibility for one Member, or to allow a degree of flexibility for all Members? Secondly, with regard to the United States' proposal of notification of modifications within 30 days, Hungary did not object.

However, he proposed an amendment, so that the 30 days would be counted not from the date of adoption of any modification, but rather the date of publication. In some countries, a modification to legislation may be adopted, but may only enter into force at a later, specified date, which in Hungary is some days after publication.

58. The delegate of the European Communities sought clarification of the United States' proposal. If the proposal was that modifications subsequent to the initial notification of legislation were to be notified within 30 days after adoption, or as proposed by the delegate of Hungary within 30 days after publication, the European Communities could agree. However, if other delegations had concerns, consultations could be held to find a solution.

59. The delegate of Japan also expressed support for the United States' proposal. However, he observed that some Members might have difficulty in translating lengthy modifications to their legislation in time to meet a 30 day deadline.

60. The delegate of Colombia sought clarification whether the 30 days were proposed to be counted from the date of entry into force of a modification, or the date of issuance of a modification? In Colombia, for instance, rules might be issued on one date, and enter into force at a later date.

61. The delegate of Thailand expressed support for the proposal that there be one deadline, 15 March, for notification of relevant laws, regulations and administrative procedures relating to safeguards measures. If some members were unable to notify their laws at that time, they should indicate the reason, and provide a tentative date for submission. Regarding notification of modifications, she proposed adoption of a deadline of 30 days after domestic publication of any modifications to relevant laws, regulations, and administrative procedures. Again, if a Member could not notify at that time, it should indicate the reason and an indicative date for submission. This would take account of the concern expressed by the Japanese delegate about translation. Finally, she proposed that Members that did not have safeguards legislation in place should so inform the Committee, to ensure a complete picture.

62. The delegate of Brazil expressed support for the deadline of 15 March for initial notifications, and a deadline of 30 days after entry into force for notifications of modifications.

63. The delegate of Norway supported the 30 day deadline for notification of modifications.

64. The Chairman stated that there appeared to a consensus as to a deadline of 15 March for notifications of relevant legislation, or if legislation could not be notified by that date, an indication of the reason, and of when the notification would be made. Members which have no legislation should notify the Committee accordingly, also by 15 March. There appeared to be no objection to a deadline of 30 days from entry into force for notification of modifications to legislation, again with the understanding that if the deadline could not be met, the reason would be notified by the deadline, with an indication of when the modification would be notified. He therefore proposed that the Committee adopt these deadlines.

65. The Committee so decided.

66. The Chairman proposed that the Committee hold a special meeting in May in order to review the initial notifications of legislation.

67. The Committee so decided.

68. The Chairman stated that some Members have not yet enacted legislation and/or regulations implementing the Agreement and that different measures may be required to implement the Agreement in view of the differences in national legal systems. He trusted that Members would refrain from initiating investigations until an adequate legal basis existed for conducting investigations in a manner consistent with the Agreement.

J. Examination and monitoring of measures

69. The Chairman noted that, under Article 13.1(d), the Committee was to examine both pre-existing Article XIX measures and measures prohibited under Article 11 of the Agreement, monitor the phase-out of such measures, and report as appropriate to the Council for Trade in Goods. He proposed that, in order to perform this task, at the end of each year Members could be asked to submit a report regarding their progress in phasing out the measures.

70. The representative of the United States supported the Chairman's proposal. In addition, he suggested that either the Secretariat could draft an outline for such a report to be presented at the next meeting, or Members could consult on the structure of such a report.

71. The delegate of Hong Kong supported the Chairman's proposal.

72. The Committee adopted the Chairman's proposal.

K. Procedures for the annual review

73. The Chairman stated that the Committee needed to discuss procedures for its annual review and report to the Council for Trade in Goods. The Committee should keep in mind in these discussions that under Article 13, paragraph 1(a), it was to make recommendations toward the improvement of the Agreement to the Council for Trade in Goods. He suggested that this review be done on the basis of a draft report prepared by the Secretariat. The Committee could take the example of the procedures used in the WTO Committees on Anti-Dumping Practices and Subsidies and Countervailing Measures, that had agreed to follow the procedures used by the Tokyo Round Committees. First the Secretariat prepares a draft report to the CONTRACTING PARTIES and the report is circulated to the members of the Committee either in advance of the second regular meeting of the year or at that meeting and then the Committee reviews the draft report at the end of the meeting and instructs the Secretariat regarding any modifications that should be made, taking into account of course, any events that occurred at the meeting. The Secretariat finalizes the report and conveys it to the CONTRACTING PARTIES. The Chairman proposed that the Committee follow the same procedure.

74. The Committee adopted the Chairman's proposal.

L. Presentation and discussion of notifications

75. The Chairman stated that, in view of the large number of Members of the Committee, the Committee may want to consider whether there was a need to alter the way in which certain notifications are presented to the Members, and whether some short cuts could be taken in terms of the discussion of different notifications in the meeting. He proposed to solicit the views of the Secretariat on this score and to consult informally with delegations, to explore this matter further and to report back to the Committee at a future meeting. He asked that delegations with suggestions regarding this matter contact him or the Secretariat.

76. The representative of Brazil sought clarification that the objective of these consultations was not the format of notifications, which the Committee had already approved.

77. The Chairman confirmed that his intention was not to discuss formats, but rather to consider the best way for the Committee properly to discuss the large number of notifications likely to be made.

78. The Committee adopted the Chairman's proposal.

M. Assistance to be provided by the Committee

79. The Chairman stated that the Committee may wish to take a decision regarding support by Members for the provision of technical assistance relating to the implementation of the Agreement, in particular regarding the provision of assistance to the Members, if they so request, on matters referred to in Articles 13 1(b) (c) and (e). Article 13 1(b) states that the Committee has to find, upon request of an affected Member, whether or not the procedural requirements of the Agreement had been complied with in connection with a safeguard measure and report its findings to the Council for Trade in Goods. Article 13 1(c) states that the Committee has to "assist members if they so request in their consultations under the provisions of this Agreement". And in paragraph (e), the Agreement states that "the Committee has to review, at the request of the Member taking a safeguard measure, whether proposals to suspend concessions or other obligations are "substantively equivalent", and report as appropriate to the Council for Trade in Goods". The Chairman requested comments from delegations.

80. The delegate of the United States observed that the United States believed that, were a request to be made, the Committee could review such cases based on information provided by the parties involved, and that the Secretariat could be requested to provide additional factual material if needed.

81. The delegate of Canada queried whether the Secretariat could provide some further detail or a further explanation of the way in which assistance could be offered.

82. The Chairman proposed that the Committee ask the Secretariat to indicate how the Committee might provide this assistance. In addition, the subject could be discussed in the consultations to be held on rules of procedure.

83. The Committee agreed with the Chairman's proposal.

N. Date of the next regular meeting

84. The Chairman stated that the Committee needed to make a decision on how many regular meetings it should have in a year and the dates of its regular meetings. He proposed that initially the Committee have one regular meeting per year, in the last week of November each year. Of course should the members subsequently feel that an additional regular meeting would be required another decision could accordingly be taken.

85. The delegate of Norway asked whether the regular meeting of the Committee could be coordinated with the meetings of the Anti-Dumping and Subsidies Committees.

86. The Chairman stated that the meetings of the Committees on Anti-Dumping Practices and Subsidies and Countervailing Measures were scheduled for the last week of October. Thus, it would be convenient to have the Safeguards Committee meet at that time of the year.

87. The delegate of Mexico supported the Chairman's proposal. He drew the Committee's attention to the fact that in considering the matter of the Committee's annual report, it had been stated that the Secretariat would present a draft at the second regular meeting, but that the proposal of the Chairman was that there be only one regular meeting.

88. The delegate of New Zealand expressed support for the idea of having the regular meeting of the Committee scheduled close to the meetings of the Anti-Dumping and Subsidies Committees, given the need to have experts from capitals in attendance, and to avoid their having to travel back and forth. Secondly, as to whether there should be one or two regular meetings each year, it seemed a little early to decide that. Perhaps the question could be taken up during consultations on rules of procedure and other issues, to give delegations an opportunity to reflect on the issue.

89. The delegate of the European Communities supported the statements of the delegates of Norway and New Zealand. For the time being, the Committee should schedule a single regular meeting, as it could not yet determine whether an additional regular would be necessary or appropriate.

90. The Chairman stated that it was clearly premature to decide whether the Committee would need one or two or any particular number of meetings per year. For the time being there was nothing to suggest that the Committee would need more than one regular meeting per year. He proposed that, for the time being, the Committee schedule a regular meeting, during the first week of November 1995, so as to ensure that this meeting would be held as close as possible to the meetings of the Anti-Dumping and Subsidies Committees. The Members could consult on whether it was necessary to have more than one regular meeting, and perhaps even make a decision during one of the special meetings that were to be held to review legislation.

91. The Committee so decided.

92. The Chairman proposed that the Committee authorize him to convene special meetings, additional to that already proposed for May, to examine notifications of legislation, should he conclude that such meetings were necessary.

93. The Committee so decided.

O. Other business

94. No issues were raised under this item.