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GENERAL AGREEMENT ON TARIFFS AND TRADE

MINUTES OF MEETING

Held in the Centre William Rappard on
10 October 1985

Corrigendum

On page 14, the first full paragraph should be amended to read as follows:

"South Africa was also disappointed at the Panel's findings, based purely on technical grounds, on the alleged infringement of Article II. The Panel had found that Article XXIV:12 did not limit the scope of application of GATT provisions to local governments, but merely the measures to secure their observance by local governments. Consequently, given the finding that the Ontario measure did not accord with Article III:2, South Africa considered that a case of prima facie nullification or impairment had been established, and Canada was therefore obliged to pay compensation in the customary manner, until such time as the balance in rights and obligations between Canada and South Africa had been restored. He said that two-and-a-half years had elapsed since Ontario had introduced the measure, and that the Province of Quebec had subsequently introduced a similar measure. The Panel had allowed the parties sufficient time, before circulating the report, to arrive at a mutually satisfactory resolution of the dispute. While appreciating the efforts made by the Canadian authorities in suggesting a proposition which could result in a solution, South Africa nevertheless could not agree to withholding the Panel's report from the contracting parties. Its reasons were not dissimilar to those which had prompted Canada in their earlier dispute with the United States on the importation of tuna and tuna products, to request the submission of that report (L/5863) for adoption by the Council. South Africa believed that adoption of this report would undoubtedly contribute to the resolution of the immediate complaint and to avoiding similar disruptive actions in future. Contracting party exporters of gold coins already faced an identical situation in Quebec, and adoption of this report would obviate a repetition of the same process in its entirety. In these circumstances, South Africa requested adoption of the report by the Council at the present meeting.