

GENERAL AGREEMENT ON  
TARIFFS AND TRADE

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CONTRACTING PARTIES  
Twentieth Session

FRENCH IMPORT RESTRICTIONS

Recourse to Article XXIII:2 by the United States

Report of Panel

1. The Panel was established by the CONTRACTING PARTIES in connexion with the request<sup>1</sup> made by the Government of the United States that the CONTRACTING PARTIES consider, pursuant to paragraph 2 of Article XXIII of the General Agreement, import restrictions applied by the Government of France to products on which the European Economic Community had given tariff concessions to the United States in the recently concluded negotiations under the GATT. The terms of reference of the Panel were:

"To examine the matter referred by the Government of the United States to the CONTRACTING PARTIES pursuant to paragraph 2 of Article XXIII relating to import restrictions maintained by France, and to make such findings as will assist the CONTRACTING PARTIES in making the recommendations or rulings provided for in paragraph 2 of Article XXIII."

2. The Panel heard statements by the representative of the United States and by the representative of France and obtained clarification on certain points from these representatives.

3. The Panel was informed by the French representative that his Government did not contest that the restrictions under consideration were contrary to Article XI of the General Agreement. Moreover, in the course of the discussion, the French representative did not invoke any other provisions of the General Agreement in justification of the maintenance of the restrictions.

4. The Panel agreed that the maintenance by a contracting party of restrictions inconsistent with Article XI after the contracting party concerned had ceased to be entitled to have recourse to Article XII constituted nullification or impairment

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<sup>1</sup>Details of the request made to the CONTRACTING PARTIES by the Government of the United States are set out in document L/1899.

