

PANEL ON UNITED STATES COUNTERVAILING DUTIES

*Report of the Panel adopted on 3 November 1981
(L/5192 - 28S/113)*

1. The Council of Representatives at its meeting on 10 November 1980 (C/M/144) agreed to set up a Panel to examine the complaint by India concerning the denial by the United States of the injury criterion in the imposition of countervailing duties on dutiable products imported from India (L/5062).

2. The terms of reference of the Panel were:

"To examine, in light of the relevant GATT provisions, the complaint by India that the United States action to levy countervailing duties on imports of dutiable products from India without applying injury criteria referred to in paragraph 6 of Article VI, while extending the benefit of such criteria to imports from some other contracting parties, is not consistent with the obligations of the United States under GATT, including the provisions of Article I thereof, and that the benefits accruing to India under the General Agreement are being nullified or impaired thereby; and to make such findings as will assist the CONTRACTING PARTIES in making recommendations or rulings provided for in paragraph 2 of Article XXIII."

3. The composition of the Panel was:

Chairman: Ambassador H. Ewerlöf

Members: Mr. G. Curzon
Mr. T. Flory
Mr. A. Jara
Mr. G. Maggio

4. The Panel met on 3 July and 28 September 1981.

5. On 25 September 1981 the members of the Panel were informed that, as a result of bilateral consultations between India and the United States, the matter referred to the Panel had been satisfactorily resolved and that India requested that the proceedings of the Panel be terminated (see document L/5062/Add.1).

6. The Panel draws the attention of the Council to the fact that agreement between India and the United States has been reached and recommends that the proceedings under Article XXIII:2 be terminated.