

tion the compatibility with Article 5 or 29 of practices applied by any Contracting Party which is a party to the GATT to other parties to the GATT to which it applies the GATT and which have not been taken by those other parties to dispute resolution under the GATT.

Unless otherwise agreed by the disputing Contracting Parties, all procedures involving a panel, including the issuance of its final report, should be completed within 180 days of the date of establishment of the panel; however, a failure to complete all procedures within this period shall not affect the validity of a final report.

- (b) A panel shall determine its jurisdiction; such determination shall be final and binding. Any objection by a disputing Contracting Party that a dispute is not within the jurisdiction of the panel shall be considered by the panel, which shall decide whether to deal with the objection as a preliminary question or to join it to the merits of the dispute.
- (c) In the event of two or more requests for establishment of a panel in relation to disputes that are substantively similar, the Secretary-General may with the consent of all the disputing Contracting Parties appoint a single panel.
- (4) (a) After having considered rebuttal arguments, a panel shall submit to the disputing Contracting Parties the descriptive sections of its draft written report, including a statement of the facts and a summary of the arguments made by the disputing Contracting Parties. The disputing Contracting Parties shall be afforded an opportunity to submit written comments on the descriptive sections within a period set by the panel.

Following the date set for receipt of comments from the Contracting Parties, the panel shall issue to the disputing Contracting Parties an interim written report, including both the descrip-

tion for rammerne af GATT, og må ikke bestride overensstemmelsen med artikel 5 eller 29 af praksis, der af en kontraherende part, som er part i GATT, udøves over for andre parter i GATT, over for hvilke den pågældende kontraherende part anvender GATT, og som ikke af disse andre parter er blevet underkastet tvistemålsbelæggelse i henhold til GATT.

Medmindre de stridende kontraherende parter enes om andet, skal alle procedurer, som et panel er inddraget i, herunder udsendelse af dens slutberetning, være afsluttet senest 180 dage efter datoen for panelets oprettelse; er alle procedurerne imidlertid ikke afsluttet inden for denne frist, berører dette ikke slutberetningens gyldighed.

- b) Et panel fastsætter selv sit kompetenceområde; fastsættelsen er endelig og bindende. Indsigelse fra en stridende kontraherende part gående ud på, at en given tvist ikke falder ind under panelets kompetenceområde, skal behandles af panelet, som skal afgøre, om den skal behandle indsigelsen som et præjuridicielt spørgsmål eller betragte den som en del af tvisten.
- c) Er der tale om to eller flere anmodninger om oprettelse af et panel vedrørende tvister, der i det væsentlige er ens, kan generalsekretæren med alle de stridende kontraherende parters samtykke udpege et enkelt panel.
- 4. a) Efter at have gennemgået modargumenterne skal et panel forelægge de stridende kontraherende parter de beskrivende dele af sit udkast til skriftlig beretning, herunder en fremstilling af sagen og et resumé af de af de stridende kontraherende parter fremsatte argumenter. De stridende kontraherende parter skal gives mulighed for at fremsætte skriftlige bemærkninger til de beskrivende afsnit inden for en af panelet fastsat frist.

Efter den dato, der er fastsat for fremsættelse af bemærkninger fra de kontraherende parter, skal panelet tilstille de stridende kontraherende parter en midlertidig skriftlig beretning,