

SIXTH COMMITTEE: ORGANIZATION

SUMMARY RECORD OF THIRD MEETING

Held at Havana, Cuba,
Tuesday, 2 December 1947 at 4.00 p.m.

Chairman: Mr. Erik COLBAN (Norway)

Mr. USSHER (Argentina) requested that interpretations should be made into Spanish in addition to the two working languages. The CHAIRMAN referred the representative of Argentina to Rule 38 of the Rules of Procedure. It was stressed in the discussion that the General Committee would be the proper place to raise objections against the Rules of Procedure. Several representatives requested simultaneous interpretation in view of the bad acoustics of the hall. The CHAIRMAN promised to bring the matter to the attention of the Secretariat.

ARTICLE 68

The CHAIRMAN stated that amendments had been submitted by the delegations of Burma, Italy and Pakistan. He proposed to take up first the amendment of the Burma delegation. The main object of this was to place separate customs territories in the same position as regards admission to and participation in the Organization as states.

Mr. KYIN (Burma) stated that Burma was not prompted by any motives of self-interest in moving this amendment, as she would be in fact and in law an independent country as from the date of 4 January 1948, when the transfer of powers from Britain would take place. The amendment was directed to correcting a gross inequity and embodied the principle of full voting rights for all members, on which so much discussion had already taken place. He further called attention to the fact that membership rights had been extended to Trust Territories administered by the United Nations and to the Free Territory of Trieste.

Mr. ROWE (Southern Rhodesia) supported the Burmese proposal. The amendment would remove any doubts about the standing of separate customs territories and accord them the same rights as other signatories of the Charter, commensurate with the responsibilities which they would have to assume.

/Mr. FORTHOUME (Belgium)

Mr. FORTHOMME (Belgium) had no criticism of principle to make but proposed a drafting amendment in order to make it clear that the separate customs territories invited to the Conference would become Members of the Organization upon acceptance of the Charter on their behalf by the competent Member in accordance with paragraph 2 of Article 99.

The CHAIRMAN ruled that the principle of the Burmese amendment would first have to be discussed by the Committee, and requested the Belgian representative to submit his drafting amendment to the Burmese proposal in writing, when it would be considered at the next meeting of the Committee.

Mr. AMADOR (Mexico) thought that before giving any opinion on the principle of the Burmese amendment, it was essential that the Committee study carefully and compare all the amendments submitted. He suggested postponing until later the discussion of paragraphs 3, 4 and 5, and first dealing with paragraphs 1 and 2.

Mr. STINEBOWER (United States of America) asked for some time to study the many amendments which had been submitted at the beginning of the Committee's work. The Burmese amendment on the face of it seemed to deserve a great deal of sympathetic consideration. Although paragraph 3 of Article 68 might be slightly ambiguous, its intent was clear, and paragraph 4 specifically envisaged the possibility of such customs territories becoming full voting members. He considered that more time should be given to the members of the committee to consider the problems of legal and constitutional relationships involved.

The CHAIRMAN, in reply to the representative of Mexico, stated that since no amendments had been offered to paragraphs 1 and 2, it had been in order to discuss the Burmese proposal. He proposed, in the absence of any opposition thereto, to take up the first reading of the Burmese proposal and of the Belgian amendment at the next meeting of the Committee.

Mr. KYIN (Burma) made the reservation that his delegation would not be bound to accept the Belgian amendment with which the CHAIRMAN agreed; Mr. FORTHOMME (Belgium) then added that his proposed amendment was meant only to serve as a clarification of the Burmese text with the principles of which he was in complete agreement.

FIRST FOOTNOTE TO ARTICLE 68 (page 47 of document E/PC/T/186)

The CHAIRMAN felt that the subject matter was entirely outside the scope of the Trade Organization and should be left in the hands of the organs of the United Nations without including any reference to it in the Charter.

Mr. HOLMES (United Kingdom), Mr. KOJEVE (France) and Mr. AMADOR (Mexico) agreed with the Chairman, but Mr. HOLMES thought that without specifying it in the Charter the matter should be left open for later consideration by the Organization.

/Mr. STINEBOWER (United States)