

SECOND SESSION OF THE PREPARATORY COMMITTEE OF THE  
UNITED NATIONS CONFERENCE ON TRADE AND EMPLOYMENT.Summary Record of the Ninth Meeting of  
the Tariff Agreement Committee held on  
Wednesday, 3 September 1947 at 2.30 p.m.  
in the Palais des Nations, Geneva.

Chairman: Hon. L.D. WILGRESS (Canada)

The CHAIRMAN, opening the meeting, invited comment on the latest reports (documents E/PC/T/S/7 and E/PC/T/S/8) of the Tariff Negotiations Working Party, which were approved.

Mr. FAIVOVICH (Chile) stated that the date for the Final Act, fixed for 30 September, was based on the assumption that the tariff negotiations were completed by 10 September. This was improbable and he was anxious for a final and specific date to be fixed for the Final Act.

Dr. AUGENTHALER (Czechoslovakia) and Mr. MOBARAK (Lebanon) supported the proposal.

M. ROYER (France) did not think the Committee could commit itself to a specific date. However, either the Final Act or the Protocol could be signed without the Schedules, or the signature of all documents could be effected by the diplomatic representatives of the contracting parties when the Schedules were completed.

Dr. HOLLOWAY (South Africa) suggested that, since the signature merely certified the correctness of the text, the Agreement could be ready for signature immediately the text was completed. Those who had completed their tariff negotiations could sign and leave. If later something should happen that prevented them from accepting the Agreement, they could decline to ratify it.

Mr. BROWN (United States) thought that those Delegations who had completed the bilateral negotiations could return home and leave technically qualified officers in charge. He felt that the signature of the Final Act should embrace not only the text but also the Schedules.

Mr. FAIVOVICH (Chile) supported the proposal of the Delegate for South Africa.

The suggestion of the CHAIRMAN to refer this matter to the Tariff Negotiations Working Party was approved.

The CHAIRMAN then suggested to have a first reading of the Tariff Agreement and leave any points on which agreement could not be easily reached to be dealt with in the second reading. He called upon the Delegates for France and Czechoslovakia to present their joint amendment to paragraph 3 of Article I.

M. ROUX (France) explained that the text of the paragraph in the Draft Agreement did not cover all the cases and that the joint Czechoslovak-French amendment was proposed to correct this.

Mr. SHACKLE (United Kingdom) thought that the amendment was unnecessarily elaborate and that one or two small changes would suffice.

Mr. WINTHROPE BROWN (United States) suggested to appoint a Sub-Committee to work out a draft.

Mr. WUNSZ KING (China) and Mr. ALMEIDA (Brazil) supported the amendment.

Mr. DORN (Cuba) and Mr. ADARKAR (India) supported the suggestion to appoint a Drafting Sub-Committee.

The CHAIRMAN then suggested the Sub-Committee to be composed of the representatives of Australia, Czechoslovakia, France, Lebanon-Syria, the United Kingdom and the United States. This was agreed.

The CHAIRMAN then invited comments on Paragraph 3 of Article II (as in document E/PC/T/189 Corr.2).

Mr. SHACKLE (United Kingdom) wished to have minor corrections made, namely to insert in the eleventh line from the bottom of the paragraph after the words "stabilisation arrangement", a comma instead of a semi-colon; and two lines below to insert the word "the" before "countries".

Dr. AUGENTHALER (Czechoslovakia) thought that this paragraph went further than the Charter provisions and suggested its deletion.

Mr. EVANS (United States) pointed out that one of the reasons for Paragraph 3 of Article 10 was to permit a State-trading country to use all the devices allowed to other countries in respect of quantitative restrictions. He did not think that Paragraph 3 of Article II went further than the Charter.

Mr. MELANDER (Norway) also suggested the deletion of Paragraph 3 of Article II and proposed the inclusion of Article 31 in Part II.

M. ROYER (France) supported the proposals of the Czechoslovak and Norwegian Delegates.

Mr. SHACKLE (United Kingdom) thought that there was only one type of case not covered here, namely of a monopoly set up after the Agreement had come into force and import duties had been negotiated. This was the only one for which provisions need be made and suggested to establish a small working group to deal with this.

Mr. JOHNSEN (New Zealand) supported the inclusion of Article 31 in Part II.

Mr. EVANS (United States) agreed with the proposal to set up a working party.

The CHAIRMAN then appointed a Sub-Committee consisting of the representatives of Canada, Czechoslovakia, France, Norway, United Kingdom and the United States, the terms of reference being "to devise means of incorporating the result of negotiations pursuant to Article 31 of the Charter and of providing for cases where tariff concessions already negotiated are liable to be affected by the creation of a State-trading monopoly". This was agreed.

It was agreed that the Sub-Committee should also deal with the Norwegian proposal in respect of paragraph 3 as contained in page 2 of document E/PC/T/W/312.

On Paragraph 4, Mr. BROWN (United States), with respect to the Norwegian comment on this paragraph as contained in page 2 of document E/PC/T/W/312, explained that the provision in Paragraph 4 served to allow a Member to make an adjustment in its concessions, if it found that for the reasons stated in this paragraph it was not obtaining what it had a right to expect.

Mr. MELANDER (Norway) having declared himself satisfied with this explanation, paragraph 4 was approved.

The meeting rose at 6.00 p.m.