

SUMMARY RECORD OF

FOURTEENTH MEETING OF THE TARIFF AGREEMENT COMMITTEE
HELD ON TUESDAY, 9 SEPTEMBER 1947, AT 2.30 p.m AT
THE PALAIS DES NATIONS, GENEVA.

Chairman: The Honourable L.D. WILGRESS

Article XXV - Withholding or Withdrawal of Benefits.

Concerning the proposal of the Czechoslovakian Delegation, Dr. AUGENTHALER (Czechoslovakia) indicated that he would have no objection to the retention of the word "government" rather than "state". With this amendment the Czechoslovakian proposal was adopted.

Article XXVI - Modification of Schedules.

M. ROYER (France) indicated that the French translation of the words "which has not become or has ceased to be a contracting party" would have to be corrected. Mr. SHACKLE (United Kingdom) withdrew his suggestion to substitute the word "vary" for "modify".

M. ROYER remarked that the French equivalent of "schedule" should be "liste" and not "bareme".

With the approval of the Committee the CHAIRMAN indicated that the Tariff Negotiations Working Party would present proposals for the establishment of a Legal Drafting Committee.

Concerning the Czechoslovakian and United Kingdom proposals relating to the mention of a date the Committee agreed to insert the words "on or after January 1 1951".

Concerning the Czechoslovakian suggestion to delete the words"..... and subject to consultation with the other contracting parties which the Committee determines have a substantial interest in the product concerned.....", it was observed that the present Article deferred from Article XXV and that an amendment which might be proper in Article XXV might not be appropriate in the present Article. Dr. COOMBS (Australia) and Mr. FORTHOMME (Belgium) felt that the words "which the Committee determines" should be retained.

The CHAIRMAN suggested that, in the light of the discussion, the text should stand in its present form.

With respect to the Australian proposal in Document E/PC/W/326, the Australian representative pointed out that the proposal was designed to introduce some flexibility into the Agreement following the lapse of the first three years in order to permit a modification in individual items without encouraging the withdrawal of a contracting party desiring to make such modifications.

Mr. ADARKAR (India) indicated that he would not be opposed to the proposal if it were understood that the procedure of Article XXVI would apply whether the modifications of schedules were desired for purposes of economic development or for any other purpose.

After considerable discussion during which Mr. Melander (Norway) and Dr. Augenthaler (Czechoslovakia) expressed their support for the proposal and Mr. Forthomme (Belgium) expressed his opposition, it was agreed that a sub-committee should be established to give further consideration to the Australian proposal. Representatives of the following Delegations were appointed to the sub-committee: Australia, Belgium, Czechoslovakia, France, India, Norway and the United States, and the representative of India was designated Chairman.

During the discussion a considerable degree of agreement was reached on a proposal by Mr. LEDDY (United States) that a provision be added to the existing text to the effect that in the negotiations an endeavour should be made to maintain a general level of mutually advantageous concessions which would not, on the whole, be less favourable to trade than those provided for in the Agreement, and that, if agreement cannot be reached the country desiring to withdraw an item from the Agreement may do so and the other country may suspend equivalent concessions.

Article XXVII - Amendments.

The Committee adopted the United Kingdom proposal that paragraph 1 should become an article by itself entitled "Suspension and Supersession" and the remaining paragraphs should constitute a new article entitled "Amendments". Consequently, in the second line of paragraph 2, after the words "provisions of this Article" the words "or of Article XXVII" were added.

On the amendment proposed by the Australian Delegation in Document E/PC/W/323 Mr. OLDINI (Chile), Mr. ADARKAR (India) and Mr. JABBARA (Syria) expressed their disinclination to accept the amendment since it might complicate the supersession of the provisions in the General Agreement by the provisions of the final Charter. Mr. Royer supported the Australian proposal as representing a realistic solution.

During the course of the discussion Mr. WEBB (New Zealand) remarked on the absence of any provision for an Organization or Secretariat. The Chairman pointed out that when the Secretary-General convened a meeting of the Contracting Parties arrangements could be made for such Organization and Secretariat as seemed necessary during the short period in which the Contracting Parties would have to operate before the ITO came into being.

On the suggestion of the Chairman further consideration of the first paragraph of Article XXVII was deferred until the Australian Delegation could submit a draft revised in the light of the discussion.

The meeting rose at 6.25 p.m.