

Executive Committee

Second Session

SUMMARY RECORD OF THE FIFTEENTH MEETING

Held at the Palais des Nations, Geneva,  
on Wednesday, 15 September 1948, at 10 a.m.

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

REPORT OF AD HOC WORKING GROUP ON THE SWISS PROPOSAL  
(ICITG/EC.2/18)

Mr. SUTENS (Benelux), Chairman of the Working Group, presented the Report and explained its purpose and the recommendations contained therein. The Working Group's initial plans for the implementation of the Havana decision, by means of an enquiry conducted by a number of experts in co-operation with a person familiar with the Swiss economy nominated by the Swiss Government, had not met with the concurrence of the Swiss representative, Mr. Walter Stucki, who had said that he could not assist in an enquiry of this nature. The procedure outlined in paragraph 4 was, therefore, recommended by the Working Party for the continuation of its endeavour to carry out the study by means of a questionnaire. In view of the unfinished task of the Working Group, it was suggested that experts be appointed to carry out the studies during the adjournment of the Executive Committee and that the Group should adjourn until a week before the Third Session, when it would meet to consider the Report submitted by the experts and make its own Report to the Executive Committee. On this basis, the Working Group wished to be empowered to continue its work, if possible with

the assistance of experts to be nominated in consultation with the Executive Secretary.

Mr. BRONZ (United States) suggested that in selecting the experts, the Working Group should be given the discretion either to invite nominations by governments or to appoint experts who would receive remuneration as members of the Secretariat.

Mr. POLITIS (Greece) emphasized that since the questionnaire as well as other relevant information had not been supplied to the delegates, the Executive Committee should not take a stand on the substance of the question. He therefore supported the suggestion that the Working Group should continue its consultation with the Swiss Government on its own initiative and use its own judgment; the Executive Committee should refrain from discussing the question until a report had been received from the Working Group at the Third Session.

The CHAIRMAN suggested the following terms of reference for the Working Group:

"The Executive Committee empowers the Working Group on the Swiss question to continue its examination of the problems referred to it with a view to submitting its report to the Executive Committee at the Third Session; the Working Group is authorized to discuss the various aspects of the question with representatives designated by the Swiss Government and may also take appropriate measures to obtain expert advice."

The terms of reference and the Report of the Working Group were approved.

REPORT OF DRAFTING COMMITTEE ON THE SPANISH TEXT (ICITO/EC.2/19)

The Chairman introduced the Report and proposed its adoption.

Mr. AMPUDIA (Mexico) stated that a memorandum had been prepared by the Latin-American delegations for the consideration of the Executive Committee, which suggested the

following procedure; the Spanish text, after review by the Executive Secretary's staff together with the experts of the delegations, should be submitted to the members of the Interim Commission, particularly the Spanish-speaking members; two months should then be allowed these Governments to study the text and submit comments; at the end of this period a meeting of representatives of the Latin-American Governments should be convened to agree upon a text which, after final examination by representatives of the French and English speaking countries, should be deposited with the Secretary-General of the United Nations as the authentic text. He did not believe that this procedure involved any significant departure from the substance of the Drafting Committee Report.

Mr. LECUYER (France) supported the proposal of the delegate of Mexico in view of the care required for the translation of so difficult a text as that of the Charter.

Mr. CORSE (United States) enquired whether the special meeting of the Latin-American countries referred to by the delegate of Mexico was to be convened by the Executive Committee and would require the services of the Secretariat. There could, of course, be no objection to the Latin-American countries meeting among themselves in order to submit in joint action an agreed text to the Executive Committee.

Mr. SHACKLE (United Kingdom) agreed that the Latin-American countries were, of course, at liberty to consult each other. The questions seemed to be merely (1) whether enough time was provided for such consultation, and (2) whether a further meeting of the representatives, including those of the French and English speaking countries, would be necessary.

Mr. BETANCOURT (Colombia) pointed out that agreement by the Latin-American countries on a single text before its consideration by the English and French speaking countries would avoid delay caused by uncoordinated interpretations and would, therefore, expedite the establishment of the Spanish text.

Mr. JIMENEZ CASTILLO (El Salvador) stated that the memorandum referred to by Mr. Ampudia might supplement the Working Group Report since no provision was made in the latter for dealing with any objections lodged before 30 November. It was not clear in the present arrangement how the Executive Secretary would produce a satisfactory text if there were objections.

The CHAIRMAN considered that the Report might be amended along the general lines suggested by the delegate of Mexico so that a mechanism could be set up for reconciling different opinions in the event of substantial objections being lodged.

Mr. AMPUDIA, in reply to a question, said that the Spanish-speaking delegations had in mind that the meeting of the Latin-American countries should be convened by the Executive Secretary. As for the place and manner of meeting, it would be for the Secretariat to decide.

Mr. JIMENEZ CASTILLO reiterated his views as to the difficulties with which the Secretariat would be faced if many objections were lodged. In view of this, he considered that the Executive Secretary would need expert assistance in his task and the meeting should, therefore, be convened by him and serviced by the Secretariat.

Mr. CORSE enquired whether the memorandum envisaged the participation in that meeting of all Spanish-speaking members of the Interim Commission or merely of the Executive

Committee. He suggested that the procedure should be approved in principle but that the convening of the meeting be left to the Latin-American countries themselves.

Mr. SHACKLE supported the delegate of the United States.

Mr. JIMENEZ CASTILLO thought it unfair and infeasible to place the responsibility of convening the meeting without any assistance from the Secretariat on any one of the Latin-American countries or to ask the Latin-American countries to bear the burden of the expenditure of such a meeting.

Mr. PEDROSA (Phillipine Republic) pointed out the urgency of the need for a Spanish text by many countries, including his own, for legislative purposes. He suggested adding another paragraph to the Report of the Working Party, in anticipation of the contingency envisaged in the Latin-American memorandum, to authorize the Executive Secretary to call upon a panel of experts consisting of one nominee from each of the countries which had raised objections, such a panel to meet not later than 15 December at such a place as the Executive Secretary should deem suitable.

The CHAIRMAN, summarizing the discussion, said that there had been a general recognition of the need for a mechanism for reconciling divergent objections but that the four stages of procedure suggested in the memorandum might have the effect of delaying the establishment of the text. He therefore suggested the following additional paragraph to the Report:

"If changes are suggested by a government or governments, they shall be circulated before November 30 to all the members of the Interim Commission and, if the changes suggested cannot

be agreed upon by correspondence, the Executive Secretary is authorized to consult a panel of experts in order to establish the final Spanish text of the Havana Charter and deposit this authentic text with the Secretary-General of the United Nations by December 31 at the latest".

Mr. AMPUDIA said that the purpose of the memorandum was merely to assist the Executive Secretary in his task. He would agree, therefore, to leaving the procedure to the discretion of the Executive Secretary whilst reminding the delegates of the necessity for prior consultation with all Spanish-speaking countries before making a text authentic.

Mr. JIMENEZ CASTILLO thought that the Executive Secretary should judge as to whether an objection was merely concerned with style or whether it concerned matters of substance. It would not be necessary to convoke a meeting if the objections were only of the former category or very few of the latter. He thought that if only those countries which had lodged objections were to be represented at the said meeting, other countries interested should not be barred from sending observers.

Mr. BETANCOURT supported the views of the delegate of El Salvador and pointed out that those countries which had not lodged objections might later object to the solutions reached at the meeting in regard to the objections presented by other countries if they had no opportunity of partaking in its deliberations and making their views known.

The CHAIRMAN thought that these could be taken into account by the Executive Secretary, who should use his judgment both on the question of the necessity for such a

meeting, and as to the most desirable workable or efficient size of the meeting. Other countries would be free to send observers.

Mr. BETANCOURT felt that to limit the size of the meeting for working efficiency might not gain time in the long run since the text had to be agreed to by all countries concerned, and he requested the fact to be placed on record that all countries interested might send observers.

The Report of the Working Party was approved with the incorporation of the additional paragraph proposed by the Chairman.

REPORT OF SUB-COMMITTEE 2 ON ECONOMIC DEVELOPMENT AND RECONSTRUCTION (ICITO/EC.2/20).

Mr. ADARKAR (India) presented the Report and outlined its contents. The Report was merely a record of the discussions at this Session and of certain tentative conclusions to be further considered before the next Session. The specific recommendations were made subject to necessary changes to be made in the light of further study.

With regard to the future activities of the ITO, attention was drawn to the conclusion in the Report that the Organization should not undertake any activities which were being carried out by the other inter-governmental organizations unless careful consideration and consultation should warrant otherwise; the main objective of the ITO in this respect would be to fill the gaps left over in the industrial field and to supplement the work of other specialized agencies who had already embarked on these activities. As regards the structure of the ITO in respect of economic development, the matter should be carefully studied even before the commencement of the work of the ITO. As to the

question of finance, there was no use in making concrete recommendations before consultation had taken place with other inter-governmental organizations engaged in similar activities. The Delegates were requested to pay particular attention to paragraph (25) of the Report in which governments were asked to submit information for the guidance of the Executive Committee in matters concerning economic development.

The meeting adjourned at 1 p.m.