

JOINT SUB-COMMITTEE OF COMMITTEES II AND VI

NOTES ON SIXTEENTH MEETING

Held at the Capitol, Havana, Cuba, Tuesday, 13 January at 3.00 p.m.

Chairman: Mr. H. C. COOMBS (Australia)

1. The representative of Mexico stated that he reserved his position on the whole of Article 11 until he had seen the text of Article 12.
2. The Sub-Committee gave consideration to the Report of Working Party No. 3 on the Chilean amendment to paragraph 2 of Article 11, the Afghanistan amendment to paragraph 3 of Article 11 and the Pakistan amendment to paragraph 2 of Article 10 (E/CONF.2/C.2&6/A/W.15).

The following text was approved in the place of that appearing in paragraph 2 of E/CONF.2/C.2&6/A/W.15:

"3. The Organization may in such collaboration with other inter-governmental organizations as may be appropriate

(a) make recommendations for and promote bilateral or multilateral agreements on measures designed

(i) to assure just and equitable treatment for the enterprise, skills, capital, arts and technology brought from one country to another;

(ii) to avoid international double taxation in order to stimulate the flow of foreign private investments;

(b) make recommendations and promote agreements designed to facilitate an equitable distribution of skills, arts, technology, materials and equipment with due regard to the needs of all Members;

(c) formulate and promote ..... investment."

The additions indicated in the above text by underlining refer to changes from the text contained in E/CONF.2/C.2&6/A/W.3 as amended by the Joint Sub-Committee at its ninth (E/CONF.2/C.2&6/A/W.6) and fourteenth (E/CONF.2/C.2&6/A/W.13) meetings.

3. Attention was drawn to difficulties in the French translation of the English words "skills" and "materials" which arose both in the above new text and in the present draft of the Charter. The Chairman stated that the English word "materials" as used in Article 11 should be interpreted to mean "raw and partly processed materials", and asked the Secretariat to draw the attention

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of the Central Drafting Committee to this problem. It was decided that the question of an interpretative text with regard to the above addition to Article 11 (3) be considered at the next meeting.

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