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FOURTH COMMITTEE: RESTRICTIVE BUSINESS PRACTICES

SUB-COMMITTEE A

SUMMARY RECORD OF TWENTIETH MEETING

Held at the Capitol, Havana, Cuba, on 1 January 1948 at 4.00 p.m.

The first item on the Agenda was the consideration of the proposed new draft presented by the Ad Hoc Committee, to be inserted as paragraph 5 of Article 44.

The representatives of Brazil and Colombia expressed the opinion that none of the drafts submitted by the Ad Hoc Committee on the principle involved were satisfactory to them. Their opinions were based on the conclusion that none of the drafts thus far submitted sufficiently clarified the text of Chapter V, in connection with the obligations of Governmental Agencies whose operations were designed primarily to stabilize domestic prices in the internal economy of the country.

The representative of Belgium, supported by the delegation of India stated that he could see no reason why Chapter V should not specify that both private and public commercial enterprises should avoid any practices which violated the provisions of the Charter.

The delegate for Mexico was in favour of the first draft submitted by the Ad Hoc Committee, on the condition that the word "procedures" in the last line was changed to "provisions", or of the second draft if the words "required by a member" and "essential to the carrying out of actions specifically" were deleted.

The representative of Norway was also in favour of the second draft, with the deletion of the words "required by a member".

Several of the delegations expressed their reluctance to accept this change, and proposed that the amendment be referred back to the Ad Hoc Committee for redrafting, which suggestion was accepted by the Sub-Committee.
