

FIFTH COMMITTEE: INTER-GOVERNMENTAL COMMODITY AGREEMENTS

PRELIMINARY ANNOTATED AGENDA

Prepared by the Secretariat for Discussion of Chapter VI of Draft Charter

1. This Preliminary Annotated Agenda includes amendments submitted by delegations to the Secretariat up to 12.00 noon on 3 December 1947.
2. There were no reservations made against this Chapter by any of the Members of the Preparatory Committee.
3. In the light of discussion at the General Committee (2 December 1947) the Committee may wish to consider the elimination of footnotes (Articles 52, 54 and 60). These footnotes are listed in this Preliminary Agenda.
4. Delegates are reminded that amendments are due by 6 December. A further Annotated Agenda will be prepared after that date including all amendments submitted.

CHAPTER VI

INTER-GOVERNMENTAL COMMODITY AGREEMENTS

SECTION A - INTRODUCTORY CONSIDERATIONS (ARTICLES 52 - 54)

Article 52 - Difficulties Relating to Primary Commodities

Footnote: "Reference to the need to adopt 'special treatment of the international trade in such commodities' merely means that international trade is the aspect of a particular commodity problem directly appropriate for international treatment. Agreement regarding the treatment of the international trade in a commodity might, of course, involve agreement regarding production or consumption of the commodity."

Article 53 - Primary and Related Commodities

Paragraph 1. The delegation of Chile proposes the deletion of "For the purposes of this Chapter" and the insertion of "For the purposes of this Charter."

Article 54 - Objectives of Inter-governmental Commodity Agreements

Preamble: The delegation of Chile proposes the deletion of the word "may" and the insertion of the word "shall".

Footnote: "Inter-governmental commodity agreements approved by the Food and Agriculture Organization for the distribution of basic foods at special prices are permitted under this draft Charter and are considered to be covered by paragraph (e)."

/SECTION B

SECTION B - INTER-GOVERNMENTAL COMMODITY AGREEMENTS IN GENERAL
(ARTICLES 55 - 58)

Article 58 - Types of Agreements:

Paragraph 6. The delegation of India proposes to amend this paragraph by the addition of "or Article 64" at the end of the first sentence (see document E/CONF.2/11/Add.27).

Explanation by the delegation of India. "This amendment is consequential on the one proposed by the delegation of India to Article 64 (see below) and is intended to enable Members to enter into commodity control agreements recommended by Conferences called by other competent Inter-governmental Organizations."

SECTION C - INTER-GOVERNMENTAL COMMODITY CONTROL AGREEMENTS
(ARTICLES 59 - 63)

Article 60 - Additional Principles governing Commodity Control Agreements

Footnote: "The term 'reasonable' as applying to prices in sub-paragraph (a) is to be interpreted as in Article 54 (c). Under sub-paragraph (b):

- (i) there shall be no more than two groups of countries within an agreement, and the principle of 'equal voice' in substantive matters shall apply as between them;
- (ii) countries which are large producers and consumers of the commodity concerned, but which are not large exporters or importers, shall have an appropriate voice.

It is recommended that any difference on voting arrangements which cannot be settled in a commodity conference should be dealt with in the same manner as laid down in Article 63 for the settlement of differences concerning commodity control agreements."

Article 62 - Initial Term, Review and Renewal of Commodity Control Agreements

Paragraph 1. The delegation of Costa Rica proposes in the first sentence to replace the words "a period of not more than five years" with the words "fixed periods" and in the second sentence to replace the phrase "a period not exceeding five years" with "a term equal to the initial period". (document E/CONF.2/11/Add.16).

SECTION D - MISCELLANEOUS PROVISIONS (ARTICLES 64 - 67)

Article 64 - Relations with Inter-governmental Organizations

The delegation of India proposes the addition of:

"(d) to convene a commodity conference and submit the recommendations and conclusions of such a conference to the Organization". (see document E/CONF.2/11/Add.27).

Explanation by the delegation of India: "The delegation of India considers that competent inter-governmental organizations like the F.A.O. should have concurrent jurisdiction with the I.T.O. in the matter of

/convening

convening commodity conferences and promoting inter-governmental commodity agreements."

Article 65 - Obligations of Members regarding Existing and Proposed Commodity Agreements

Paragraph 1: The delegation of Argentina proposes to replace the words "Members shall conform with the decisions..." in the third sentence by:

"The Organization shall make the recommendations warranted by the case regarding the continued participation of Members in any such inter-governmental agreement which, after review by the Organization, shall have been found to be inconsistent with the provisions of this Chapter." (See document E/CONF.2/11/Add.3).

Paragraph 2. The delegation of Argentina proposes to replace the words "Members shall conform with decisions" in paragraph 2 by:

"Members shall consider the recommendations..." (see document E/CONF.2/11/Add.3).
