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TRADE AND EMPLOYMENT**

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FIFTH COMMITTEE: INTER-GOVERNMENTAL COMMODITY AGREEMENTS

SUMMARY RECORD OF FIFTEENTH MEETING

Held at Havana, Cuba, on Saturday, 7 February 1948 at 6.00 p.m.

Chairman: Mr. BONOW (Sweden)

1. CONSIDERATION OF DRAFT RESOLUTION CONCERNING THE INTERIM CO-ORDINATING COMMITTEE FOR INTERNATIONAL COMMODITY ARRANGEMENTS (Document E/CONF.2/C.5/16)

Mr. CAPLAN (United Kingdom) supported the Draft Resolution and stated that the recent publication of the Interim Co-ordinating Committee for Commodity Arrangements gave a clear account of the work accomplished. The Resolution would not affect the work of the Committee, but was a necessary amendment to recognize a constitutional fact. The Committee included a representative of the Food and Agriculture Organization in recognition of their substantial interest in the commodity field. The Draft Charter recognized that the primary responsibility for international agreements relating to commodities was placed with the ITO but that there should be effective co-operation between FAO and the ITO as indicated in Article 64. The Interim Committee is concerned with inter-governmental action in commodities, and this was of interest to FAO because of the effect on production and consumption, particularly as regards the nutritional aspect. The important thing was that the United Nations should recognize that this Committee would prevent unwise duplication of work. There were useful opportunities for co-ordination and the United Kingdom delegation strongly commended the Resolution to the Committee.

Mr. ROYER (France) said that the Resolution touched only on administrative questions, changing the conditions under which the Interim Committee would be constituted. When a Member entered the ITO it would be necessary to transmit to the Organization agreements concluded and negotiated; it was preferable to take measures in advance to ensure that agreements reached in the interim period would be in conformity with the Charter of the ITO; that task had been entrusted to the Interim Committee by the Economic and Social Council.

The Draft Resolution was adopted unanimously.

2. CONSIDERATION

2. CONSIDERATION OF REDRAFT OF THE FINAL TEXT OF CHAPTER VI PROPOSED BY THE CENTRAL DRAFTING COMMITTEE (Document E/CONF.2/C.8/3)

Mr. ROYER (France) as Chairman of the Drafting Committee stated that drafting changes had been made only in the interest of coherence and precision; changes which might involve questions of substance were simply noted.

Article 52 - approved without comment.

Article 53 - approved, subject to the consideration by the Central Drafting Committee of the consistent use of the phrase "primary commodities" in other Articles, as noted by the representative of Chile.

Article 54 - approved without comment.

Article 55

It was agreed that the phrase "Unless the Organization decides that the request is not well founded," (Article 55, paragraph 2) be replaced by "Unless the Organization decides that the case put forward in support of the request does not warrant such action,".

Article 55 was approved as amended.

Article 56 - approved, subject to the return to the original text of paragraph 1.

Article 57

Mr. CAPLAN (United Kingdom) explained that the word "inter-governmental" had been deleted from the title of Article 56 because it was considered superfluous. He stated that titles of Articles had no legal force.

Article 57 was approved, subject to the return to the original text of paragraph 1. (c).

Article 58

It was agreed, as proposed by Mr. KUNTER (Turkey) that, for purposes of clarification, the word "action" in the last line of paragraph 5 (b) of Article 58 should be amended to read "finding".

It was agreed that the words "shall conform" which were in the original text should be retained.

Article 58 was approved as amended.

Article 59 was approved after the Committee had endorsed the congratulatory remarks made by Mr. CAPLAN (United Kingdom) regarding the French text of that Article.

Article 60

The CHAIRMAN drew attention to the Note to Article 60 by the Central Drafting Committee, and Mr. CAPLAN (United Kingdom) pointed out that any country participating in a commodity agreement should have a voice, and the redraft of Article 60 made this clear.

/Article 60

Article 60 as proposed by the Central Drafting Committee was approved.

Article 61, 62 and 63

Approved without comment.

Article 64

Mr. ROYER (France) pointed out that, in the French text, the "s" in "necessaires" in the fourth line should be deleted.

With the above-mentioned drafting correction Article 64 was approved.

Article 65

After some discussion it was agreed that the words "continued" and "or otherwise" in the second sentence of paragraph 2 should be deleted.

Article 65 was approved with the above-mentioned amendment.

Article 66

Approved without comment.

Article 67

The CHAIRMAN drew attention to the Central Drafting Committee's Note to Article 67.

After some discussion Mr. ROYER (France) suggested that the words "objectives of this Chapter" be included along with "the purposes and objectives set forth in Article 1", in paragraph 1 (d) and that paragraph 1 (c) be left unchanged.

It was agreed that this proposal should be accepted.

Article 67 was approved with this amendment.

Mr. SCHWENGER (United States) on behalf of the Committee thanked the Chairman of the meeting for his leadership.

The meeting rose at 7.45 p.m.
