

United Nations
CONFERENCE
ON
TRADE AND EMPLOYMENT

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CONFERENCE
DU
COMMERCE ET DE L'EMPLOI

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SIXTH COMMITTEE: ORGANIZATION

SUB-COMMITTEE J ON ARTICLES 95, 96, 98, 99 AND 100

NOTES ON ELEVENTH MEETING

Held 3 February 1948, at 6.00 p.m.

Chairman: Mr. MACHADO (Cuba)

The Sub-Committee continued its discussion of the point of order raised by the representative of France which was that in connection with the proposal of the delegation of the United States there were international questions not capable of being solved at Havana and that therefore the Conference was not competent to decide the matter.

This point of order was supported by the representatives of Poland, Czechoslovakia and China on the ground, inter alia, that the Conference did not have the power of construing international agreements entered into by certain of the states at the Conference and one other state.

The representative of the United Kingdom considered that the representative of the United States should be given the floor so as to explain his amendment and reply to the various points which had been raised. He thought that it was necessary to hear this statement before the Sub-Committee could decide whether there was any clash of obligations on the part of certain states represented at the Conference.

The representative of Australia thought that the Conference was competent to take a decision upon the proposal of the delegation of the United States but he pointed out that the question amounted to whether it would be wise to put such a proposal into the Charter. He thought that implementation of the Charter as regards Germany and Japan should be left to the control authorities and he therefore suggested that the Sub-Committee consider adopting a resolution of an advisory nature suggesting action by the Allied Control Council for Germany and by the Far Eastern Commission.

The representatives of India and Belgium suggested that a working party should be established to examine fully all the implications of the proposal of the delegation of the United States.

The representative of France maintained his point of order but stated that if this point of order were upheld he would be prepared to enter into a discussion as to whether or not the proposal of the delegation of the

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United States might not be embodied in some other form, such as a resolution of the Conference.

In the course of the discussion the Chairman stated that in his opinion the Conference was competent to discuss the merits of the proposal before it but the real question before the sub-committee was whether or not it would be advisable for the Conference to adopt the substance of the proposal and either place it in the Charter or deal with it in some other manner.

It was agreed that after the representative of the United States had been given an opportunity of replying to the debate upon the point of order, the Chairman would issue his ruling.
