

PREPARATORY COMMITTEE OF THE INTERNATIONAL CONFERENCE  
ON TRADE AND EMPLOYMENT

HEADS OF DELEGATIONS

SUMMARY RECORDS OF MEETINGS

Fifth Meeting  
Held on Friday 15 November 1946  
at 10.30 a.m.

Chairman: M. SUTENS (Belgium)

The CHAIRMAN said that his colleagues would have read in the morning paper of the disastrous accident to a Dutch Air Liner, in which a high official of the Dutch Government had lost his life. He desired, on their behalf, to express sincere sympathy to the Dutch Delegation on this tragic occurrence.

Note by the Secretariat (E/PC/T/DEL/8)

The CHAIRMAN drew the attention of his colleagues to the note by the Secretariat, which would form the basis of their discussion. He suggested that the resolutions be considered one by one.

In connection with the first resolution on page 2 of the document, Mr. NEHRU (India) suggested that the words "including a draft Convention" be inserted after the word "agenda" in line 4 of the document. He also suggested that the words "and to issue invitations to member Governments" be inserted after the word "arrangements" in the last line.

H.E. Mr. COLBAN (Norway) had no objection to Mr. Nehru's first proposal, but he questioned the advisability of the second, as the Conference in Geneva would merely be the resumption of the existing Conference. He did not consider that any further invitations were necessary.

The CHAIRMAN understood that his colleagues were in general agreement with Mr. NEHRU's first proposal.

The insertion of the words "including a draft Convention" after the word "agenda" on the fourth line, was approved.

Mr. KUNOSI (Czechoslovakia), on Mr. NEHRU's second suggestion, pointed out that the Geneva Session would discuss tariff negotiations which had not been dealt with at the present session of the Preparatory Committee; that, he felt, was a specific item which necessitated a new invitation. Furthermore, one member Government had failed to take up the invitation to attend the present Conference and a fresh invitation might facilitate the attendance of a member who had not felt able to accept an invitation for the present session. He therefore favoured the Indian proposal.

Mr. WYNDHAM-WHITE pointed out that the Preparatory Committee was a Committee established by the Economic and Social Council. It was therefore somewhat misleading to talk about "invitations". This was particularly true of the Geneva meeting which was in effect a continuation of the present session. With regard to the point raised by the Delegate for Czechoslovakia, Mr. WYNDHAM-WHITE explained that the question of tariff negotiations would come up when the Committee discussed the fourth resolution on page 6.

The CHAIRMAN thought that the last paragraph was quite wide enough as it stood, and suggested that any further discussion on the point raised by the Delegate for Czechoslovakia be deferred until the Committee came to the fourth resolution.

The CHAIRMAN then directed the attention of the Committee to the second resolution. He explained that, in the original draft, the report was to consist of a First Part, a Second Part and an

Appendix. They would note that the appendix had now disappeared from the text, but it would be found at the end of the first paragraph of the third Resolution under the guise of "other documents".

Mr. WILCOX (United States) wished to raise for reconsideration the question of the publication of the texts which hitherto had been relegated to the confidential appendix. At the end of the week, the Committee would have agreed draft texts for Chapters on Employment, Economic Development, Restrictive Business Practices, Commodity Arrangements, and Organization. In a further week's time they would be approaching such a text on commercial policy. It had been agreed in previous meetings that the Report (Parts I and II) would be made public, but that the textual material would be the subject of an appendix (Part III) which would be kept secret.

He would like to suggest that the textual material also should be made public, for the following reasons: In the first place, it was a matter of practical impossibility to keep the text secret. Hundreds of copies would be in the hands of people all over the world, and leakages of information of doubtful authenticity were inevitable. In the second place, secrecy would embarrass the United States in the hearings which were to be held in preparation for the tariff discussions. It would be difficult to handle the suggested Charter if it were known that other drafts were in existence; and if a Draft were to be published in the Press, it would be impossible to affirm or deny its correctness. One part of the argument that would be advanced in the United States in support of tariff action, would be that it was part of a grand design, of which the ITO was an essential factor. Secrecy would deprive them of any virtue attaching to this argument. It was essential that public support for the whole

programme be rallied and consolidated. It would be a tragedy to see the Charter rejected in the United States, because it differed substantially from what the people, over several months, had been led to expect. The Reports had not had the same detailed consideration as the texts, and if they were published alone, more emphasis might be read into the disagreements than in the agreements. There were particular reasons in favour of the publication of Chapter 6. He hoped that the outcome of the discussions would contribute substantially to the question of the relationships between the ITO and the FAO. There were important reasons why the chapters on Employment Industrialization and Commodities should be published, and he saw no reason why the publication of the chapter on Restrictive Business Practices should be withheld. What he had been advocating could be achieved by the Committee stating that it transmitted a tentative draft to the Interim Drafting Committee for editorial revision, and asked the Interim Drafting Committee to report back at its next meeting for further consideration. In conclusion, Mr. WILCOX said that the publication of the documents would show world opinion that genuine progress had been made. If the texts were to be withheld, world opinion might infer that their authors had no very firm faith in their own work.

The CHAIRMAN had been so impressed by the arguments advanced by Mr. Wilcox - and so, he felt convinced, were his colleagues - that, although the question had been decided at an earlier stage, he would now re-open the general discussion.

Mr. NATHAN (France) had been profoundly struck by the deep sincerity underlying Mr. Wilcox's remarks. He agreed on the vital importance of all available information being made public. The problems in the United States, to which Mr. Wilcox had referred, were common to all countries. He therefore urged that the maximum of documents be published, so that the world could know the maximum of achievement.

H.E. Mr. COLBAN (Norway) shared the views expressed by Mr. Wilcox and Mr. Nathan. Between the two sessions of the Preparatory Committee, it was his country's intention to consult interested parties in Norway on the essential points raised. To do this, hundreds of documents would be required, and though the Norwegian Press would loyally abide by any desires expressed by the Government, it would be quite impossible to avoid leakages. Indeed, unless the Appendix were published, he would have to make the strongest reserves on this point.

Mr. FRESQUET (Cuba) expressed his agreement with Mr. Wilcox, and begged leave to remind the Committee that an exactly similar position was taken up by the Cuban Minister for Foreign Affairs at the Committee's first Plenary Meeting.

Mr. HELMORE (United Kingdom) had been convinced by Mr. Wilcox's argument. When the question was originally discussed, it was very early on during the Committee's proceedings, and such a wide measure of agreement had never been expected. It was obvious, however, that there would have to be some gaps in the published text, such as Article 1, on the General Purposes of the Organization. Some of the work of Committee V, for instance, was not very far advanced, and it would be preferable to say quite frankly that a part of the report on matters dealt with in Committee V was not yet ready. Further, there would be some points upon which agreement had not been achieved, and he understood that the published documents would make no reference to the names of any particular delegation. He therefore proposed, as an amendment, that the last six words on page 3 of the second resolution be deleted, and the phrase "reporting other suggestions and conflicting views" be substituted. He also suggested the addition of the following new paragraph, to meet the various views expressed:

"Any texts completed at this meeting should be included in the Report, together with any alternative texts giving expression to different points of view"

Mr. NEHRU (India) supported Mr. WILCOX and Mr. HELMORE. He added that the time factor was of great importance, and that the texts should be in the hands of the Governments by the middle of December.

In reply to a question by H. E. Mr. WUNSZ KING (China) as to whether Mr. WILCOX intended that only agreed texts be published, Mr. WILCOX replied that alternative texts would be published when available.

Mr. MCKINNON (Canada) agreed with Mr. WILCOX. He enquired whether a conflicting view would be attributed to any particular delegation. He attached no small importance to this question of attribution.

Mr. HELMORE (United Kingdom) thought it would on the whole be safer if reservations were not attributed in the Report to any particular delegation.

The CHAIRMAN understood that his colleagues were agreed on the publication of the texts of Articles on which agreement had been reached, and which would normally have been included in the Annex.

Mr. NEHRU (India) reverting to Mr. HELMORE's reply on the question of attribution, said that it raised a completely new problem. In India, the procedure would be by means of public discussion. Questions would be asked and answers would be given, and it would be quite impossible to decline to say to what delegation any particular view had been attributed. Furthermore, if the record was to be factual it must be complete.

H. E. Mr. WUNSZ KING (China) stated that the procedure in the Chinese Legislative Assembly was that when questions of a confidential nature were raised, the answers were given in secret sessions.

Mr. WILCOX (United States) did not suggest that a new Draft Charter be published, but that the relevant texts be appended to the part of the Report concerned. He agreed that it would be unwise to print the views of particular countries in the report, and suggested that Mr. NEHRU's point might be met by some separate arrangement whereby certain members would be entitled to disclose attributions by agreement between the countries concerned.

The CHAIRMAN, in view of the lateness of the hour, decided to adjourn the meeting. Rapporteurs and Secretaries of Committees could get in touch with the Secretariat in order to inform themselves as to the precise pattern of the Report.

He suggested that the meeting be resumed on Monday, 18 November at 3 p.m.

The meeting rose at 1 p.m.

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