

PREPARATORY COMMITTEE OF THE INTERNATIONAL CONFERENCE
ON TRADE AND EMPLOYMENT

AMENDMENT TO THE AMERICAN SUGGESTED CHARTER

Note by the Brazilian Delegation

ARTICLE 8

RECIPROCALITY AND EQUALITY OF TREATMENT
AMONGST FREE MEMBER COUNTRIES

The member countries shall apply the principle of equality of conditions of commerce and the reciprocity of advantages in their foreign trade. In order to improve commercial relations they shall enter into reciprocal and mutually advantageous negotiations directed to the conclusion of multilateral trade agreements.

Each of the contracting parties of such multilateral trade agreements shall be entitled to the same advantages, favours, privileges or immunities in all matters concerning customs duties and charges of any kind imposed on or in connection with importation or exportation or imposed on the international transfer of payments for imports or exports, and with respect to the method of levying such duties and charges, and with respect to all rules and formalities in connection with importation or exportation, and with respect to all matters relating to internal taxation or regulation referred to in Article 9.

The member countries which are not contracting parties of a multilateral trade agreement, and therefore are not entitled to the reciprocal advantages granted to one another by the contracting parties, may at any time ask for the privilege of becoming a party to this multilateral trade agreement, provided they enter into negotiations in order to grant equivalent advantages to the member countries which are contracting parties of the multilateral trade agreement, in return for the advantages received when they became contracting parties.

Two or more member countries may enter into negotiations directed to the conclusion of a trade agreement provided they consult the other members of the ITO as to whether they desire to take part in the negotiations. If the members consulted were not parties in the negotiations, and a trade agreement were concluded amongst the countries taking the initiative of the proposal, this trade agreement would stay open and other member countries could adhere to the agreement on the same conditions referred to in the above paragraph. The provisions of paragraph 2 of Article 31 relating to the treatment of trade of non-members shall be applied to bilateral agreements between members and non-members.

The principle of reciprocity and equality of treatment of this Article shall also extend to the awarding by members of governmental contracts for public works.

ADDITIONAL LETTER (c) TO THE PARAGRAPH OF ARTICLE 8

(c) Restrictions to the equality of treatment already adopted in commercial conventions, which were admitted by reasons of special geographical, political and ethnical conditions.
