

DRAFTING COMMITTEE OF THE PREPARATORY COMMITTEE OF THE  
UNITED NATIONS CONFERENCE ON TRADE AND EMPLOYMENT

DRAFT GENERAL AGREEMENT ON TARIFFS AND TRADE

INTRODUCTION

1. The Sub-Committee on Tariff Negotiations has prepared the draft General Agreement on Tariffs and Trade which is set out in the present document to supersede the first draft prepared at the First Session of the Preparatory Committee.
2. The draft Agreement reproduces many provisions of the Charter. Reservations entered by Delegates to those provisions of the Charter, which reservations will be found in the Report of the Drafting Committee, apply equally to the corresponding provisions of the draft Agreement.
3. It was agreed by the Sub-Committee that there would need to be some provision made for the provisional generalization to the trade of Governments not parties to the General Agreement of the tariff concessions granted under the Agreement pending consideration by the International Conference of the question whether benefits under the Charter should be extended to non-Members of the Organization. However, as the Drafting Committee had not considered the terms of Article 36 of the Charter relating to non-Members, it was decided to defer consideration of this question until a later stage.
4. The Delegates for Brazil and New Zealand reserved their positions regarding the non-inclusion in the draft Agreement of provisions relating to export subsidies. The Delegates for Brazil and China considered that the provisions of Article 12 of the Charter should be included in the draft

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Agreement. The Delegate for the United States considered that the provisions contained in Article V (Tariff Valuation) and Article XVI (Maintenance of Domestic Employment) should not be included in the draft Agreement.

5. The Delegate for Czechoslovakia felt that the same degree of importance should be attached to all of these provisions of the Charter that are to become effective by virtue of the Protocol to the draft Agreement as is attached to the provisions of the Charter which have been reproduced in the Agreement. Should this not be possible by including these provisions in the Agreement (properly adjusted and simplified) he considered it appropriate to restrict the Agreement only to tariffs, preferences and most-favoured-nation treatment and to dispose of all other provisions by including them in the Protocol. The Delegate for China associated himself with the last of the comments made by the Delegate for Czechoslovakia.

6. The Sub-Committee is of the opinion that the draft Agreement should not be made public but should merely be passed on to the Second Session of the Preparatory Committee as a working paper without commitment to any Government.

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THE GOVERNMENTS OF Australia, Belgium, Brazil, Canada, Chile, China, Cuba, Czechoslovakia, France, India, Lebanon, Luxembourg, Netherlands, New Zealand, Norway, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom and United States\*

HAVING been appointed by the Economic and Social Council of the United Nations to constitute a Preparatory Committee to make preparations for an International Conference on Trade and Employment

\* If, as expected, Syria also participates in the negotiations, it would also be a party to the Agreement.

/HAVING,

HAVING, in fulfilment of this function, prepared and recommended to the said Conference the draft Charter for an International Trade Organization of the United Nations (hereinafter referred to as the Charter) the text of which is set forth in the Report of the Preparatory Committee of the Economic and Social Council

DESIRING to further the attainment of the objectives of the said Conference by making effective among themselves such provisions of the above-mentioned draft Charter as are applicable at this stage and thus taking such action prior to the Conference as will constitute concrete achievement capable of generalization to all countries on equitable terms.

HEREBY AGREE AS FOLLOWS:

Article I

(cf. Article 12 of the Charter)

General Most-Favoured-Nation Treatment

1. With respect to 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 provided for in Article II, any advantage, favour, privilege or immunity granted by any contracting party to any product originating in or destined for the territory of any other country, shall be accorded immediately and unconditionally to the like product originating in or destined for the territories of all other contracting parties respectively.

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\* This paragraph, relating to exceptions for preferences of certain categories remaining after negotiations, would be agreed upon after the negotiations at the Second Session have been completed. Meanwhile, the provisions of paragraph 2 of Article 14 and Article 24 of the draft Charter would apply.

/Article II

Article II

(cf. Article 13 of the Charter)

National Treatment on Internal Taxation and Regulation

1. The contracting parties agree that neither internal taxes nor other internal charges nor internal laws, regulations or requirements should be used to afford protection directly or indirectly for any national product.
2. The products of the territory of any contracting party imported into the territory of any other contracting party shall be exempt from internal taxes and other internal charges of any kind higher than those imposed, directly or indirectly, on like products of national origin.
3. The products of the territory of any contracting party imported into the territory of any other contracting party shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations or requirements affecting their internal sale, offering for sale, transportation, distribution or use of any kind whatsoever. The provisions of this paragraph shall be understood to preclude the application of internal requirements restricting the amount or proportion of an imported product permitted to be mixed, processed or used Provided that any such requirement in force on the day of signature of this Agreement may, subject to the provisions of Article VIII, be continued until the expiration of one year from the day on which this Agreement enters into force. This period may be extended in respect of any product if the Committee provided for in Article XXII; (hereinafter referred to as the Committee) concurs that the requirement concerned is less restrictive of international trade than other measures permissible under this Agreement.
4. The provisions of paragraphs 1 and 3 of this Article shall not be construed to prevent the application, consistently with the provisions of Article VIII, of internal laws, regulations or requirements other than taxes relating to the distribution or exhibition of cinematograph films.

/5. The provisions

5. The provisions of this Article shall not apply to the procurement by governmental agencies of supplies for governmental use and not for resale [or for use in the production of goods for sale].

Article III

(cf. Article 14 of the Charter)

Freedom of Transit

1. Goods (including baggage) and also vessels and other means of transport shall be deemed to be in transit across the territory of a contracting party when the passage across such territory, with or without trans-shipment, warehousing, breaking bulk, or change in the mode of transport, is only a portion of a complete journey, beginning and terminating beyond the frontier of the contracting party across whose territory the traffic passes. Traffic of this nature is termed in this Article "traffic in transit". The provisions of this Article shall not apply to the operation of aircraft in transit.
2. There shall be freedom of transit through the territories of the contracting parties via the routes most convenient for international transit for traffic in transit to or from the territories of other contracting parties. No distinction shall be made which is based on the nationality of persons, the flag of vessels, the place of origin, departure, entry, exit or destination, or on any circumstances relating to the ownership of goods or vessels or other means of transport.
3. Any contracting party may require that traffic in transit through its territory be entered at the proper customhouse, but, except in cases of failure to comply with applicable customs laws and regulations, such traffic coming from or going to the territories of other contracting parties shall not be subject to any unnecessary delays or restrictions and shall be exempt from customs duties and from all transit duties or other charges imposed in respect of transit, except charges for transportation or those commensurate with administrative expenses entailed by transit or with the cost of services rendered.

/4. All charges

4. All charges and regulations imposed by contracting parties on traffic in transit to or from the territories of other contracting parties shall be reasonable, having regard to the conditions of the traffic.

5. With respect to all charges, rules and formalities in connection with transit, each contracting party shall accord to traffic in transit to or from the territory of any other contracting party treatment no less favourable than the treatment accorded to traffic in transit to or from any third country.

6. Each contracting party shall accord to products which have been in transit through the territory of any other contracting party treatment no less favourable than that which would have been accorded to such products had they been transported from their place of origin to their destination without going through such territory. Any contracting party shall, however, be free to maintain its requirements of direct consignment (expedition direct) existing on the day of signature of this Agreement in respect of any goods in regard to which such direct consignment is a requisite condition of eligibility for entry of the goods at preferential rates of duty, or has relation to the contracting party's prescribed method of valuation for duty purposes.

#### Article IV

(cf. Article 15 of the Charter)

#### Anti-Dumping and Countervailing Duties

1. No anti-dumping duty or charge shall be imposed on any product of the territory of any contracting party imported into the territory of any other contracting party in excess of an amount equal to the margin of dumping under which such product is being imported. For the purposes of this Article, the margin of dumping shall be understood to mean the amount by which the price of the product exported from one

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country to another is less than (a) the comparable price charged for the like product to buyers in the domestic market of the exporting country, or, in the absence of such domestic price, either (b) the highest comparable price at which the like product is sold for export to any third country in the ordinary course of commerce, or (c) the cost of production of the product in the country of origin plus a reasonable addition for selling cost and profit; with due allowance in each case for differences in conditions and terms of sale, for differences in taxation, and for other differences affecting price comparability.

2. No countervailing duty shall be imposed on any product of the territory of any contracting party imported into the territory of another contracting party in excess of an amount equal to the estimated bounty or subsidy determined to have been granted, directly or indirectly, on the production or export of such product in the country of origin or exportation. The term "countervailing duty" shall be understood to mean an additional duty imposed for the purpose of offsetting any bounty or subsidy bestowed, directly or indirectly, upon the manufacture, production or exportation of any merchandise.

3. No product of the territory of any contracting party imported into the territory of any other contracting party shall be subject to anti-dumping or countervailing duty by reason of the exemption of such product from duties or taxes imposed in the country of origin or exportation upon the like product when consumed domestically, or by reason of the refund of such duties or taxes.

4. No product of the territory of any contracting party imported into the territory of any other contracting party shall be subject to both anti-dumping and countervailing duties to compensate for the same situation of dumping or export subsidization.

/5. No contracting

5. No contracting party shall impose any anti-dumping or countervailing duty or charge on the importation of any product of the territories of other contracting parties unless it determines that the effect of the dumping or subsidization, as the case may be, is such as materially to injure or threaten to injure an established domestic industry, or is such as to prevent the establishment of a domestic industry.

6. Nothing in this Article shall preclude parties to a regulatory commodity agreement conforming to the principles of Chapter VII of the Charter from incorporating in such agreement provisions prohibiting, as between themselves, the use of anti-dumping duties in cases in which dumping, within the meaning of paragraph 1 of this Article, may be permitted under the terms of such an agreement.

#### Article V

(cf. Article 16 of the Charter)

#### Tariff Valuation

The contracting parties recognize the validity of the general principles of tariff valuation set forth in the following sub-paragraphs, and they undertake to give effect to such principles, in respect of all products subject to duties, charges or restrictions based upon or regulated in any manner by value, at the earliest practicable date. Moreover, they undertake upon a request by another contracting party, to review the operation of any of their laws or regulations relating to value for duty purposes in the light of these principles. The Committee is authorized to request from contracting parties reports on steps taken by them in pursuance of the provisions of this paragraph.

/(a) (final text)

(a) (final text not yet drafted)

(b) The value for duty purposes of any imported product should not include the amount of any [customs duty or] internal tax, applicable within the country of origin or export from which the imported product has been relieved by means of refund or made exempt.

(c) In converting the value of any imported product from one currency to another for the purpose of assessing duty, the rate of exchange to be used should be fixed in accordance with prescribed standards to reflect effectively the current value of each currency in commercial transactions.

(d) The bases and methods for determining the value of products subject to duties, charges or restrictions based upon or regulated by value should be stable and should be given sufficient publicity to enable traders to estimate, with a reasonable degree of certainty, the amount of duty likely to be imposed.

#### Article VI

(cf. Article 17 of the Charter)

#### Customs Formalities

1. The contracting parties recognize the principle that subsidiary fees and charges imposed on or in connection with importation or exportation should be limited in amount to the approximate cost of services rendered and should not represent an indirect protection to domestic products or a taxation of imports or exports for fiscal purposes. They also recognize the need for reducing the number and diversity of such subsidiary fees and charges, for minimizing the incidence and complexity of import and export formalities, and for decreasing and simplifying import and export documentation requirements.

/2. The contracting

2. The contracting parties undertake to give effect to the principles and objectives of paragraph 1 of this Article at the earliest practicable date. Moreover, they undertake, upon a request by another contracting party, to review the operation of any of their customs laws and regulations in the light of these principles.

3. Except in cases of serious negligence, greater than nominal penalties over and above the duty properly payable should not be imposed by any contracting party in connection with the importation of any product of the territory of any other contracting party because of errors in documentation which are obviously clerical in origin or with regard to which good faith can be established.

4. The provisions of this Article shall extend to fees, charges, formalities and requirements relating to all customs matters, including:

- (a) Consular transactions, such as consular invoices and certificates;
- (b) Quantitative restrictions;
- (c) Licensing;
- (d) Exchange regulations;
- (e) Statistical services;
- (f) Documents, documentation and certification;
- (g) Analysis and inspection; and
- (h) Quarantine, sanitation and fumigation.

Article VII

(cf. Article 19 of the Charter)

Publications and Administration of Trade Regulations  
Advance Notice of Restrictive Regulations

1. Laws, regulations, judicial decisions of judicial authorities and administrative rulings of general application made effective by any contracting party pertaining to the classification or the valuation of products for customs purposes, or to rates of duty, taxes or other charges,

/or to requirements

or to requirements, restrictions or prohibitions on imports or exports or on the transfer of payments therefor, or affecting their sale or distribution, transportation or insurance, or affecting their warehousing, inspection, exhibition, processing, mixing or other use, shall be published promptly in such a manner as to enable traders and Governments to become acquainted with them. Agreements in force between the Government or a governmental agency of any contracting party and the Government or a governmental agency of any other country affecting international trade policy shall also be published. This paragraph shall not require any contracting party to disclose confidential information which would impede law enforcement, or otherwise be contrary to the public interest or would prejudice the legitimate business interests of particular enterprises, public or private.

2. Each contracting party shall administer in a uniform, impartial and reasonable manner all its laws, regulations, decisions and rulings of the kind described in paragraph 1 of this Article.

3. No administrative ruling of any contracting party effecting an advance in a rate of import duty or other charge under an established and uniform practice, or imposing a new or more burdensome requirement, restriction or prohibition on imports, or on the transfer of payments therefor, shall, as a general rule, be applied to products of the territory of any other contracting party, and within the limits of administrative practicability, be

applied to products of the territory of any other contracting party.

/already

already en route at the time of publication thereof in accordance with paragraph 1 of this Article provided that if any contracting party customarily exempts from such new or increased obligation products entered for consumption or withdrawn from warehouse for consumption during a period of thirty days after the date of such publication, such practice shall be considered in full compliance with this paragraph. The provisions of this paragraph shall not apply to anti-dumping or countervailing duties.

#### Article VIII

##### Schedules of Concessions on Particular Products\* \*\*

1. Each contracting party shall accord to the commerce of the other contracting parties the treatment provided for in the appropriate Schedule annexed to this Agreement and made an integral part hereof.

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\* It is contemplated that there would appear at an appropriate place in each of the Schedules a provision along the following lines: "The products of the territories of the contracting parties, enumerated and described in this Schedule, shall, on their importation into /name of country/ be exempt from ordinary customs duties in excess of those set forth and provided for in this Schedule, subject to the conditions therein set out. Such products shall also be exempt from all other duties or charges imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of /name of country/ in force on that day provided that this sentence shall not prevent the Government of /name of country/ from imposing at any time on the importation of any product a charge equivalent to an internal tax imposed in respect of the like domestic product or in respect of an article from which the imported product has been manufactured or produced in whole or in part.

\*\* It is also contemplated that there would be included at an appropriate place in the Agreement undertakings designed to prevent the nullification or impairment of the benefits of the tariff concessions of the Agreement which would result from any reclassification of products at higher rates of duty than those provided for in the Schedules. Such undertakings might take the form either of provisions designed to prevent such reclassification entirely, during the life of the Agreement, or to prevent the imposition of higher duties resulting from such reclassification, or, in cases where neither of these two courses might be practicable, of provisions for negotiations to restore the previous balance between concessions and counter-concessions.

/2. No contracting

2. No contracting party shall alter the general principles applicable in its territory for determining dutiable value and converting currencies so as to impair the value of any of the concessions provided for in the appropriate Schedule annexed to this Agreement.

3. If any contracting party, after the day of signature of this Agreement, establishes or authorizes, formally or in fact, an effective monopoly of the importation of any product for which a maximum rate of duty is provided in the appropriate Schedule annexed to this Agreement, the price for such imported product charged by the monopoly in the home market shall not exceed the landed cost (before payment of any duty) by more than such maximum duty; after due allowance for internal taxes, transportation, distribution and other expenses incident to purchase, sale or further processing and for a reasonable margin of profit. For the purpose of applying this margin regard may be had to average landed costs and selling prices of the monopoly over recent periods. The monopoly shall, as far as administratively practicable, and subject to the other provisions of this Agreement, import from the territories of contracting parties and offer for sale at prices charged within such maximum margin such quantities of the product as will be sufficient to satisfy the full domestic demand for the imported product, account being taken of any rationing to consumers of the imported and like domestic product which may be in force at that time.

#### Article IA

(cf. Article 23 of the Charter)

#### General Elimination of Quantitative Restrictions

1. Except as otherwise provided in this Agreement, no prohibitions or restrictions other than duties, taxes or other charges, whether made effective through quotas, import licenses or other measures, shall be imposed or maintained by any contracting party on the importation of any product of the territory of any other contracting party or on the exportation or sale for export of any product destined for the territory of any other contracting party.

/2. The provisions

2. The provisions of paragraph 1 shall not extend to the following:

(a) Prohibitions or restrictions on imports or exports imposed or maintained during the early post-war transitional period, which are essential to

- (i) the equitable distribution among the several consuming countries of products in short supply, whether such products are owned by private interests or by the government of any contracting party;
- (ii) the maintenance of wartime price control by a contracting party undergoing shortages subsequent to the war;
- (iii) the orderly liquidation of temporary surpluses of stocks owned or controlled by the government of any contracting party or of industries developed in the territory of any contracting party owing to the exigencies of the war, which it would be uneconomic to maintain in normal conditions Provided, that restrictions for this purpose may not be instituted by any contracting party after the date on which this Agreement enters into force except after consultation with other interested contracting parties with a view to appropriate international action.

Import and export prohibitions and restrictions imposed or maintained under sub-paragraph (a) shall be removed as soon as the conditions giving rise to them have ceased, and in any event, not later than 1 July 1949 Provided, that this period may, with the concurrence of the Committee, be extended in respect of any product for further periods not to exceed six months each.

(b) Export prohibitions or restrictions temporarily imposed to relieve critical shortages of foodstuffs or other essential products in the territory of the exporting contracting party.

(c) Import and export prohibitions or restrictions necessary to the application of standards for the classification and grading of commodities in international trade.

(d) Export or import quotas imposed under regulatory inter-governmental commodity agreements conforming to the principles of Chapter VII of the

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Charter.

(e) Import restrictions on any agricultural or fisheries product, imported in any form, necessary to the enforcement of governmental measures which operate (i) to restrict the quantities of the like domestic product permitted to be marketed or produced, or (ii) to remove a temporary surplus of the like domestic product by making the surplus available to certain groups of domestic consumers free of charge or at prices below the current market level. Any contracting party imposing restrictions on the importation of any product pursuant to this sub-paragraph shall give public notice of the total quantity or value of the product permitted to be imported during a specified future period and of any change in such quantity or value. Moreover, any restrictions imposed under (i) of this sub-paragraph shall not be such as will reduce the total of imports relative to the total of domestic production, as compared with the proportion which might reasonably be expected to rule between the two in the absence of the restrictions. In determining this proportion the contracting party shall pay due regard to the proportion prevailing during a previous representative period and to any special factors which may have affected or may be affecting the trade in the product concerned. The contracting party shall consult with any other contracting parties which are interested in the trade in question and which wish to initiate such consultations.

(f) Import and export prohibitions or restrictions imposed on private trade for the purpose of establishing a new or maintaining an existing monopoly of trade for a state-trading enterprise operated under Article XV.

Article X

(cf. Article 24 of the Charter)

Restrictions to Safeguard the Balance of Payments

1. Contracting parties may need to use import restrictions as a means of safeguarding their external financial position and as a step toward the restoration of equilibrium in their balance of payments on a sound

/and lasting

and lasting basis, particularly in view of their increased demand for imports needed to carry out their domestic employment, reconstruction, development or social policies. Accordingly, notwithstanding the provisions of Article IX, any contracting party may restrict the quantity or value of merchandise permitted to be imported insofar as this is necessary to safeguard its balance of payments and monetary reserves.

2. The use of import restrictions under paragraph 1 shall be subject to the following requirements:

(a) No contracting party shall impose new restrictions or intensify existing restrictions except to the extent necessary to stop or to forestall the imminent threat of a serious decline in the level of its monetary reserves or, in the case of a contracting party with very low monetary reserves, to achieve a reasonable rate of increase in its reserves, due allowance being made in each case for any special factors which may be affecting the level of the contracting party's reserves, for any commitments or other circumstances which may be affecting its need for reserves, and for any special credits or other resources which may be available to protect its reserves.

(b) Contracting parties shall eliminate the restrictions when conditions would no longer justify the imposition of new restrictions under sub-paragraph (a), and shall relax them progressively as such conditions are approached.

(c) Contracting parties shall not apply the restrictions in such a manner as to exclude completely imports of any class of goods.

3. (a) Any contracting party which is not maintaining restrictions under paragraphs 1 and 2 but which is considering the need for their imposition, shall, before imposing such restrictions (or, in circumstances in which prior consultation is impracticable, immediately

/Following

following upon the imposition of such restrictions) consult with the Committee as to the nature of its balance-of-payments difficulties, the various corrective measures which may be available, and the possible effects of such measures on the economies of other contracting parties. The Committee shall invite the International Monetary Fund to participate in the consultations. No contracting party shall be required during such discussions to indicate in advance the choice or timing of any particular measures which it may ultimately determine to adopt.

(b) The Committee may at any time invite any contracting party applying import restrictions under paragraphs 1 and 2 to consult with it about the form or extent of the restrictions, and shall invite a contracting party substantially intensifying such restrictions to consult accordingly within thirty days. Contracting parties thus invited shall participate in such discussions. In the conduct of such discussions the Committee shall consult the International Monetary Fund and any other appropriate inter-governmental organization, in particular with regard to the alternative methods available to the contracting party in question of meeting its balance-of-payments difficulties. The Committee shall, not later than two years from the day on which this Agreement enters into force, review all restrictions existing on that day and still maintained under paragraphs 1 and 2 at the time of the review.

(c) Any contracting party may consult with the Committee with a view to obtaining the prior approval of the Committee for restrictions which the contracting party proposes, under paragraphs 1 and 2 to maintain, intensify or impose, or for the maintenance, intensification or imposition of restrictions under specified future conditions. The Committee shall invite the International Monetary Fund to participate in the consultations. As a result of such consultations,

/the Committee

the Committee may approve in advance the maintenance, intensification or imposition of restrictions by the contracting party in question insofar as the general extent, degree and duration of the restrictions are concerned. To the extent to which such approval has been given, the action of the contracting party applying restrictions shall not be open to challenge under sub-paragraph (d), on the ground that such action is inconsistent with the provisions of paragraphs 1 and 2.

(d) Any contracting party which considers that any other contracting party is applying import restrictions under paragraphs 1 and 2 in a manner inconsistent with the provisions of those paragraphs or of Articles XI and XII, or in a manner which unnecessarily damages its commercial interests, may bring the matter for discussion to the Committee. The contracting party applying the restrictions shall then participate in discussions of the reasons for its action. The Committee shall, if it is satisfied that there is a prima facie case that the complaining party's interests are adversely affected, consider the complaint. It may then, after consultation with the International Monetary Fund on any matter falling within the competence of the Fund, and, if it considers desirable, after submitting observations to both parties with the aim of achieving a satisfactory settlement of the matter in question, recommend the withdrawal or modification of restrictions which it determines are being applied in a manner inconsistent with the provisions of paragraphs 1 and 2 or of Articles XI and XII or in a manner which unnecessarily damages the interests of another contracting party. If the restrictions are not withdrawn or modified in accordance with the recommendation of the Committee within sixty days, such other contracting party shall be released from such obligations incurred under this Agreement towards the contracting party applying the restrictions as the Committee may approve.

/(e) The Committee

(e) The Committee in reaching its decision under sub-paragraph (d) shall not recommend the withdrawal or general relaxation of restrictions on the ground that the existing or prospective balance-of-payments difficulties of the contracting party in question could be avoided by a change in that contracting party's domestic employment, reconstruction, development or social policies. In carrying out such domestic policies, however, contracting parties shall pay due regard to the need for restoring equilibrium in the balance of payments on a sound and lasting basis.

4. In giving effect to the restrictions on imports under this Article, a contracting party may select imports for restriction on the grounds of the essentiality of other imports to essentiality in such a way as to give priority to imports required by its domestic employment, reconstruction, development or social policies and programmes. In so doing the contracting party shall avoid all unnecessary damage to the commercial interests of other contracting parties.

5. If there is persistent and widespread application of import restrictions under this Article, indicating the existence of a general disequilibrium which is restricting international trade, the Committee shall seek consultation with the International Monetary Fund. The Committee may then, in collaboration throughout with the Fund, initiate discussions to consider whether other measures might not be taken, either by those contracting parties whose balances of payments are under pressure or by those contracting parties whose balances of payments are tending to be exceptionally favourable, or by any appropriate inter-governmental agency or organization to remove the underlying causes of the disequilibrium. On the invitation of the Committee contracting parties shall participate in such discussions.

6. Throughout this Article and Articles XI and XII the phrase "import restrictions" includes the restriction of imports by state-trading organizations to an extent greater than that which would be permissible under Article VIII.

/7. Contracting

7. Contracting parties recognize that during the next few years all of them will be confronted, in varying degrees, by problems of economic adjustment resulting from the war. During this period the Committee shall, when required to take decisions under this Article or under Article XII, take full account of the difficulties of postwar adjustment.

Article XI

(cf. Article 25 of the Charter)

Non-Discriminatory Administration of Quantitative Restrictions

1. No prohibition or restriction shall be applied by any contracting party on the importation of any product of the territory of any other contracting party or on the exportation of any product destined for the territory of any other contracting party, unless the importation of the like product of all third countries or the exportation of the like product to all third countries is similarly prohibited or restricted.

2. Contracting parties shall observe the following provisions in applying import restrictions:

(a) The administration of the restrictions should be carried out in such a way as to result in a distribution of trade which approaches as closely as possible to the shares which the various contracting parties might be expected to obtain as the result of international competition in the absence of restrictions.

(b) Wherever practicable, quotas representing the total amount of permitted imports (whether allocated among supplying countries or not) shall be fixed, and notice given of their amount in accordance with sub-paragraph 3 (b).

(c) In cases in which quotas are not practicable, the restrictions may be applied by means of import licenses or permits without a quota.

(d) Import licenses or permits, whether or not issued in connection with quotas, shall not (save for purposes of operating quotas allocated /in accordance

in accordance with sub-paragraph (e)) require or provide that the license or permit be utilized for the importation of the product concerned from a particular country or source.

(e) In cases in which a quota is allocated among supplying countries, the shares of the various supplying contracting parties should in principle be determined in accordance with commercial considerations such as, e.g., price, quality and customary sources of supply. For the purpose of appraising such commercial considerations, the contracting parties applying the restrictions may seek agreement with respect to the allocation of shares in the quota with all other contracting parties having a substantial interest in supplying the product concerned. In cases in which this method is not reasonably practicable, the contracting party concerned shall allot to contracting parties having a substantial interest in supplying the product, shares based upon the proportions of the total quantity or value of the product supplied from the territories of such contracting parties during a previous representative period, due account being taken of any special factors which may have affected or may be affecting the trade in the product.

3. (a) In cases in which import licenses are issued in connection with import restrictions, the contracting party applying the restriction shall provide, upon the request of any contracting party having an interest in the trade in the product concerned, all relevant information as to the administration of the restriction, the import licenses granted over a past recent period and the distribution of such licenses among supplying countries Provided that there shall be no obligation to supply information as to the names of importing or supplying enterprises.

(b) In the case of import restrictions involving the fixing of quotas (whether or not allocated among supplying countries), the contracting party applying the restrictions shall give public notice of the total quantity or value of the product or products which will be permitted to be imported during a specified future period and of any change in

/such quantity

such quantity or value, provided that any supplies of the product in question, which were en route at the time at which public notice was given, shall not be excluded but may be counted, as far as practicable, against the quantity permitted to be imported in the period in question or in the next following period or periods.

(c) In the case of quotas allocated among supplying countries, the contracting party applying the restriction shall promptly inform all other parties having an interest in supplying the product concerned of the shares in the quota, by quantity or value, currently allocated to the various supplying countries.

4. With regard to restrictions imposed in accordance with sub-paragraph 2 (e) of this Article or under sub-paragraph 2 (e) of Article IX, the selection of a representative period for any product and the appraisal of any special factors affecting the trade in the product shall be made initially by the contracting party imposing the restriction. Provided that such contracting party shall, upon the request of any other contracting party having a substantial interest in supplying that product or upon the request of the Committee, consult promptly with the other contracting party or with the Committee regarding the need for an adjustment of the base period selected or for the re-appraisal of the special factors involved.

5. The provisions of this Article shall apply mutatis mutandis to any tariff quota established or maintained by any contracting party insofar as is applicable the principle of this Article shall extend to any export restriction by quantity or value.

Article XII

(cf. Article 26 of the Charter)

Exceptions to the Rule of Non-Discrimination

1. The provisions of Articles IX, X and XI shall not preclude (a) restrictions with equivalent effect to exchange restrictions authorized under Section 3 (b) of Article VII of the Articles of Agreement of the International Monetary Fund; (b) prohibitions

- (b) prohibitions or restrictions in accordance with sub-paragraph 2 (a) (1) or 2 (d) of Article IX;
- (c) conditions attaching to exports which are necessary to ensure that an exporting country receives for its exports its own currency or the currency of any member of the International Monetary Fund specified by the exporting country;
- (d) restrictions in accordance with Article X which either
- (i) are applied otherwise consistently with Article XI against imports from other countries by a group of territories with a common quota in the International Monetary Fund, or
  - (ii) assist in the period until 31 December 1951, by measures not involving substantial departure from the provisions of Article XI a country whose economy has been disrupted by war;
- (e) restrictions in accordance with Article X which both
- (i) provide a contracting party with additional imports above the maximum total of imports which it could afford in the light of the requirements of paragraph 2 of Article X if its restrictions were consistent with Article XI, and
  - (ii) have equivalent effect to exchange restrictions, which are permitted to that contracting party under the Articles of Agreement of the International Monetary Fund or under the terms of any special exchange agreement, which may have been made between the contracting party and the Committee under Article XIII. Provided, that a contracting party, which is not imposing restrictions on payments and transfers for current international transactions, may apply import restrictions under (i) of this sub-paragraph in special circumstances and only with the prior approval of the Committee in agreement with the International Monetary Fund.

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2. If the Committee finds, after consultation with the International Monetary Fund on matters within the competence of the Fund, that import restrictions or exchange restrictions on payments and transfers in connection with imports are being applied by a contracting party in a discriminatory manner inconsistent with the exceptions provided under this Article or in a manner which discriminates unnecessarily against the trade of another contracting party, the contracting party shall within sixty days remove the discriminations or modify it as specified by the Committee Provided that a contracting party may, if it so desires, consult with the Committee to obtain its prior approval for such discrimination, under the procedure set forth in paragraph 3 (c) of Article X and to the extent that such approval is given, the discrimination shall not be open to challenge under this paragraph.

3. When three-quarters of the contracting parties of the Organization have accepted the obligations of Article VIII of the Articles of Agreement of the International Monetary Fund, but in any event before 31 December 1951, the Committee shall review the operation of this Article, in consultation with the International Monetary Fund, with a view to the earliest possible elimination of any discrimination, under sub-paragraphs 1 (e) (i) and (ii) of this Article, which restrict the expansion of world trade.

#### Article XIII

(cf. Article 27 of the Charter)

#### Exchange Arrangements

1. The Committee shall seek co-operation with the International Monetary Fund to the end that the Committee and the Fund may pursue a co-ordinated policy with regard to exchange questions within the competence of the Fund and questions of quantitative restrictions or other trade measures within the competence of the Committee.

2. Contracting parties shall not seek by exchange action to frustrate the provisions of this Agreement and shall not seek by trade action to frustrate

/the purposes

the purposes of the International Monetary Fund.

3. In order to avoid the imposition of trade restrictions and discriminations through exchange techniques and in order to avoid the danger of conflicting jurisdiction between the Committee and the International Monetary Fund in exchange matters, the contracting parties shall also undertake membership of the International Monetary Fund Provided that any government which is not a member of the International Monetary Fund may accept this Agreement if, upon acceptance, it undertakes to enter as soon as possible into special exchange agreement with the Committee which would become part of its obligations under this Agreement, And provided further that a contracting party which ceases to be a member of the International Monetary Fund shall forthwith enter into a special exchange agreement with the Committee, which shall then become part of its obligations under this Agreement.

4. A special exchange agreement between a contracting party and the Committee under paragraph 3 of this Article must provide to the satisfaction of the Committee, collaborating throughout with the International Monetary Fund, that the purposes common to the Committee and the Fund will not be frustrated as a result of action in exchange matters by the contracting party in question.

5. A contracting party which has made such an agreement undertakes to furnish the Committee with the information which it may require, within the general scope of Section 5 of Article VIII of the Articles of Agreement of the International Monetary Fund, in order to carry out its functions relating to such agreement.

6. The Committee shall seek and accept the opinion of the International Monetary Fund as to whether action by the contracting party in exchange matters is permissible under the terms of the special exchange agreement and shall act in collaboration with the International Monetary Fund on all

/questions

questions which may arise in the working of a special exchange agreement under this Article.

Article XIV

(cf. Article 28 of the Charter)

General Undertaking Regarding Subsidies

If any contracting party grants or maintains any subsidy, including any form of income or price support, which operates directly or indirectly to increase exports of any product from, or to reduce imports of any product into its territory, the contracting party shall notify the Committee in writing as to the extent and nature of the subsidization, as to the estimated effect of the subsidization on the quantity of the affected product or products imported into or exported from the territory of the contracting party and as to the conditions making the subsidization necessary. In any case in which it is determined, by consultation through the Committee among the contracting parties having an important interest in the trade in the product concerned, that serious prejudice to the interest of any other contracting party is caused or threatened by any such subsidization, the contracting party granting the subsidization shall, upon request, discuss with the other contracting party or contracting parties concerned, or with the Committee, the possibility of limiting the subsidization.

Article XV

(cf. Article 29 of the Charter)

Non-Discriminatory Administration of State-Trading Enterprises

1. If any contracting party establishes or maintains a state enterprise, wherever located, which imports, exports, purchases, sells, or distributes any product, or if any contracting party grants exclusive or special privileges, formally or in effect, to any enterprise to import, export, purchase, sell, distribute or produce any product, the commerce of other

/contracting

contracting parties shall be accorded treatment no less favourable than that accorded to the commerce of any country other than that in which the enterprise is located in respect of the purchase or sale by such enterprise of any product. To this end such enterprise shall, in making its external purchases or sales of any product, be influenced solely by commercial considerations, such as price, quality, marketability, transportation and other terms of purchase or sale and also any differential customs treatment maintained consistently with the other provisions of this Agreement.

2. The provisions of paragraph 1 relating to purchases or imports by state enterprises shall apply to purchases or imports of products for re-sale for for use in the production of goods for sale. With respect to purchase or imports by state enterprises of products for governmental use and not for re-sale for for use in the production of goods for sale contracting parties shall accord to the commerce of other contracting parties fair and equitable treatment, having full regard to all relevant circumstances.

3. This Article shall apply to any enterprise, organ or agency in which there is effective control by the Government of a contracting party for over whose trading operations the government of a contracting party exercises effective control by virtue of the special or exclusive privileges granted to the enterprise for over whose trading operations a government is under the arrangements providing for the special or exclusive privileges granted to the enterprise, legally entitled to exercise effective control for.

#### Article XVI

(cf. Article 3 of the Charter)

#### Maintenance of Domestic Employment

1. Each contracting party shall take action designed to achieve and maintain full and productive employment and high and stable levels of effective demand within its own jurisdiction through measures appropriate to its political, economic and social institutions.

2. Measures to sustain employment and demand shall be consistent with the other purposes and provisions of this Agreement and in the choice of such measures each contracting party shall seek to avoid creating balance-of-payments difficulties for other contracting parties. /Article XVII

Article XVII

(cf. Article 11 of the Charter)

Governmental Assistance to Economic Development

1. The contracting parties recognize that special governmental assistance may be required in order to promote the establishment or reconstruction of particular industries and that such assistance may take the form of protective measures. At the same time the contracting parties recognize that an unwise use of such measures would impose undue burdens on their own economies and unwarranted restrictions on international trade and might increase unnecessarily the difficulties of adjustment for the economies of other countries.

2. Therefore

(a) If a contracting party, in the interest of its programme of economic development, considers it desirable to adopt any protective measure which would conflict with any other provision of this Agreement, it shall so notify the Committee and shall transmit to the Committee a written statement of the considerations in support of the adoption of the proposed measure. The Committee shall promptly inform those contracting parties whose trade would be substantially affected by the proposed measure and afford them an opportunity of presenting their views. The Committee shall then promptly examine the proposed measure in the light of the provisions of this Agreement and the considerations presented by the applicant contracting party, the views presented by the other contracting parties which would be substantially affected by the proposed measure, and such criteria as to productivity and other factors as it may establish, taking into account the stage of economic development or reconstruction of the contracting party.

(b) If, as a result of its examination pursuant to sub-paragraph (a), the Committee concurs in any measure which would be inconsistent with any obligation which the applicant contracting party has assumed under

/Article VIII

Article VIII of this Agreement, or which would tend to nullify or impair the benefit to such other contracting party or parties of any such obligation, the Committee shall sponsor and assist in negotiations between the applicant contracting party and the other contracting party or parties which would be substantially affected, with a view to obtaining general agreement. Upon such agreement being reached the Committee may release the applicant contracting party from the obligation in question or from any other relevant obligation under this Agreement, subject to such limitations as may have been agreed upon in the negotiations between the contracting parties concerned or as the Committee may impose.

(c) If, as the result of its examination pursuant to sub-paragraph (a), the Committee concurs in any measure, other than those provided for in sub-paragraph (b), which would be inconsistent with any other provision of this Agreement, the Committee may release the applicant contracting party from any obligation under such provision, subject to such limitations as the Committee may impose.

Article XVIII

(cf. Article 32 of the Charter)

Emergency Action on Imports of Particular Products

1. If, as a result of unforeseen developments and of the effect of any obligations incurred under or pursuant to this Agreement, any product is being imported into the territory of any contracting party in such increased quantities and under such conditions as to cause or threaten serious injury to domestic producers of like or directly competitive products (or, in the case of a product which is the subject of a concession with respect to a preference, is being imported under such conditions as to cause or threaten serious injury to producers in a territory which receives or received such preference), the contracting party shall be free to suspend the obligation in respect of such product in whole or in part, or to withdraw or modify the concession to the extent and for such time as may be necessary to prevent such injury.

/2. Before any

2. Before any contracting party shall take action pursuant to the provisions of paragraph 1, it shall give notice in writing to the Committee as far in advance as may be practicable and shall afford the Committee and those contracting parties having a substantial interest as exporters of the product concerned, an opportunity to consult with it in respect of the proposed action. In critical and exceptional circumstances such action may be taken provisionally without prior consultation Provided that consultation shall be effected immediately following upon the taking of such action.

3. If agreement among the interested contracting parties with respect to the action is not reached, the contracting party which proposed to take or continue the action, shall, nevertheless, be free to do so, and if such action is taken or continued, the affected contracting parties shall then be free, not later than sixty days after such action is taken, to suspend, upon the expiration of thirty days from the day on which written notice of such suspension is received by the Committee, the application to the trade of the contracting party taking such action, of such substantially equivalent obligations or concessions under this Agreement the suspension of which the Committee does not disapprove. In cases of abuse the Committee may authorize an affected contracting party to suspend obligations or concessions in addition to those which may be substantially equivalent to the action originally taken.

#### Article XIX

(cf. Article 33 of the Charter)

#### Consultation - Nullification or Impairment

1. Each contracting party will accord sympathetic consideration to, and will afford adequate opportunity for consultation regarding, such representations as may be made by any other contracting party with respect to the operation of customs regulations and formalities, anti-dumping and countervailing duties, quantitative and exchange regulations, subsidies,

/state-trading

state-trading operations, sanitary laws and regulations for the protection of human, animal or plant life or health, and generally all matters affecting the operation of this Agreement and will, in the course of such consultation provide the other contracting party with such information as will enable a full and fair appraisal of the situation which is the subject of such representations.

2. If any contracting party should consider that any other contracting party is applying any measure, whether or not it conflicts with the terms of this Agreement, or that any situation exists, which has the effect of nullifying or impairing any object of this Agreement or of such Protocol, the contracting party or parties concerned shall give sympathetic consideration to such written representations or proposals as may be made with a view to affecting a satisfactory adjustment of the matter. If no such adjustment can be effected, the matter may be referred to the Committee, which shall, after investigation, and, if necessary, after consultation with the Economic and Social Council of the United Nations and any appropriate inter-governmental organizations, make appropriate recommendations to the contracting parties concerned. The Committee, if it considers the case serious enough to justify such action, may authorize a contracting party or parties to suspend the application to any other contracting party or parties, of such specified obligations or concessions under this Agreement as may be appropriate in the circumstances. If such obligations or concessions are in fact suspended, any affected contracting party shall then be free, not later than sixty days after such action is taken, to withdraw from this Agreement upon the expiration of sixty days from the day on which written notice of such withdrawal is received by the Committee.

/Article XX

Article XXIV (cf. Article 35 of the Charter) relating to the measures  
relating to the measures of General Exceptions and to the measures of  
Subject to the requirement that such measures are not applied in a  
manner which would constitute a means of arbitrary or unjustifiable  
discrimination between countries where the same conditions prevail, nor as  
a disguised restriction on international trade, nothing in this Agreement shall  
be construed to prevent the adoption or enforcement by any contracting party  
of measures:  
(a) necessary to protect public morals; and  
(b) for the purpose of protecting human, animal or plant life or health  
if corresponding safeguards under similar conditions exist in the  
importing country;  
(c) relating to fissionable materials;  
(d) relating to the traffic in arms, ammunition and implements of war  
and to such traffic in other goods and materials as is carried on for  
the purpose of supplying a military establishment;  
(e) in time of war or other emergency in international relations,  
relating to the protection of the essential security interests of a  
contracting party;  
(f) relating to the importation or exportation of gold or silver;  
(g) necessary to secure compliance with laws or regulations which are  
not inconsistent with the provisions of this Agreement, such as, e.g.,  
those relating to customs enforcement, deceptive practices,  
and the protection of patents, trade marks and copyrights;  
(h) relating to the products of prison labour;  
(i) imposed for the protection of national treasures of artistic,  
historic or archaeological value;  
(j) relating to the conservation of exhaustible natural resources if  
such measures are taken pursuant to international agreements or are made  
effective in conjunction with restrictions on domestic production or

/consumption

consumption;

(k) undertaken in pursuance of obligations under the United Nations Charter for the maintenance or restoration of international peace and security.

Article XXI

(cf. Article 36 of the Charter)

Territorial Application - Frontier Traffic - Customs Unions

1. In the application of the provisions of this Agreement the territory of each contracting party shall be considered as a single customs territory provided that if there are two or more customs territories under the jurisdiction of any contracting party, each such customs territory shall be considered as a separate customs territory.
2. The provisions of this Agreement shall not be construed to prevent
  - (a) advantages accorded by any contracting party to adjacent countries in order to facilitate frontier traffic; or
  - (b) the formation of a customs union Provided that the duties and other regulations of commerce imposed by any such union in respect of trade with other contracting parties shall not on the whole be higher or more stringent than the average level of the duties and regulations of commerce applicable in the constituent territories prior to the formation of such union.
3. Any contracting party proposing to enter into a customs union shall consult with the Committee and shall make available to the Committee such information regarding the proposed union as will enable it to make such reports and recommendations to contracting parties as it may deem appropriate.
4. The contracting parties recognize that there may in exceptional circumstances be justification for new preferential arrangements requiring an exception to the provisions of this Agreement. Any such exception shall conform to the criteria and procedures which may be established under paragraph 5 of Article XXII.
5. For the purpose of this Article a customs territory shall be understood to mean any territory within which separate tariffs or other regulations of  
/commerce

commerce are maintained with respect to a substantial part of the trade of such territory. A "customs union" shall be understood to mean the substitution of a single customs territory for two or more customs territories, so that all tariffs and other restrictive regulations of commerce as between the territories of contracting parties of the union are substantially eliminated and substantially the same tariffs and other regulations of commerce are applied by each of the contracting parties of the union to the trade of territories not included in the union.

#### ARTICLE XXII

##### Functions and Structure of the Interim Trade Committee

1. An Interim Trade Committee is hereby established on which each contracting party shall have one representative.
2. The Committee is authorized to perform such functions as are specifically provided for in the other provisions of this Agreement and generally to perform any other functions which may be appropriate or necessary for the full implementation of this Agreement and its accompanying Protocol.
3. Each representative on the Committee shall have one vote.
4. Subject to the provisions of paragraph 5 of this Article, decisions of the Committee shall be taken by a majority of the representatives present and voting.
5. The Committee may, by a vote of two-thirds of its members, adopt criteria and procedures, including voting procedures, for waiving, in exceptional circumstances, obligations incurred under this Agreement.
6. As soon as the International Trade Organization has been established and is capable of exercising its functions, the Committee may be dissolved by the procedure laid down in paragraph 3 of Article XXIII and its functions and assets transferred to the Organization.\*

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\* It may be necessary to include in this Article a provision regarding contributions to the expenses of the Committee.

Article XIII

Revision, Amendment and Termination

1. This Agreement may be amended or revised, by the procedure laid down in paragraph 3 of this Article, in the light of the provisions of the Charter for an International Trade Organization drafted by the International Conference on Trade and Employment, or otherwise.
2. In the event of the dissolution of the Committee under paragraph 6 of Article XII, this Agreement shall be terminated, provided that those contracting parties which become Members of the International Trade Organization may provide that such obligations under this Agreement as they may specify shall continue in force between themselves as part of the relevant provisions of the said Charter.
3. A decision of the Committee to amend, revise or terminate this Agreement under this Article or to dissolve the Committee under paragraph 6 of Article XII shall become effective upon its formal acceptance by two-thirds of the contracting parties, communicated to the Secretary-General of the United Nations within such period as the Committee may specify.
4. Any contracting party, which does not communicate its acceptance of such decision within the time specified, shall cease to be a member of the Committee and a party to this Agreement, provided that it may be re-admitted with the concurrence of all the contracting parties, which have accepted such decision, upon such conditions as they may prescribe.

Article XIV

Interpretation and Settlement of Disputes

1. Texts of this Agreement in the official languages of the United Nations shall be regarded as equally authoritative.
2. Any dispute arising out of the interpretation or operation of this Agreement shall be referred to the Committee which shall deal with it in such manner as it deems appropriate.

/Article X

Article XXV

Entry into Force and Withdrawal

1. The original of this Agreement shall be deposited with the Secretary-General of the United Nations, who will furnish certified copies thereof to all interested governments.
2. Each government accepting this Agreement shall deposit an instrument of acceptance with the Secretary-General of the United Nations, who will inform all interested governments of the date of deposit of each instrument of acceptance and of the date on which this Agreement enters into force under paragraph 3.
3. This Agreement shall enter into force on the thirtieth day following the day in which instruments of acceptance have been deposited with the Secretary-General of the United Nations on behalf of [all] [a stated number] of the governments represented on the Preparatory Committee of the International Conference on Trade and Employment.
4. Each government accepting this Agreement does so in respect of the metropolitan territory and of such other territories for which it has international responsibility with the exception of those territories which are self-governing in respect of matters provided for in this Agreement. Each accepting government shall notify the Secretary-General of the United Nations of its acceptance of this Agreement on behalf of any such self-governing territory willing to undertake the obligations of this Agreement, and upon the date specified in such notification the provisions of this Agreement shall become applicable to that territory.
5. Each contracting party shall take such reasonable measures as may be available to it to assure observance of the provisions of this Agreement by subordinate governments and authorities within its territory.
6. Without prejudice to the provisions of Article XIX, any contracting party may withdraw from this agreement, either on its own behalf or on behalf of one of its territories which is at the time self-governing in the

/respect

respect mentioned in paragraph 4 of this Article, after the expiration of three years from the day on which this Agreement enters into force, by written notification addressed to the Secretary-General of the United Nations. The Secretary-General will immediately inform all other contracting parties. The withdrawal shall take effect six months from the date of the receipt of the notification by the Secretary-General.

Article XXVI

Adherence

The Committee shall as necessary evolve procedures under which governments not parties to this Agreement may adhere to it on terms to be agreed between such governments and the Committee.

Article XXVII

The Protocol

The annexed Protocol signed this day is hereby made an integral part of this Agreement.

/DRAFT PROTOCOL

DRAFT PROTOCOL TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

THE GOVERNMENTS OF Australia, Belgium, Brazil, Canada, Chile, China, Cuba, Czechoslovakia, France, India, Lebanon, Luxembourg, Netherlands, New Zealand, Norway, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom and United States

HAVING this day undertaken, in the General Agreement on Tariffs and Trade, to bring into force among themselves measures for the liberalization of world commerce provided for in Chapter V of the Charter referred to in the Preamble to such Agreement

RECOGNIZING the close relationship between such measures and the fulfilment of the broad purposes and provisions of the Charter as a whole

HAVE AGREED AS FOLLOWS:

1. They undertake to be guided in their international economic relations by the following purposes, in accordance with Chapter I of the Charter

(a) To promote national and international action -

- (i) designed to realize the objectives set forth in the Charter of the United Nations and particularly in Article 55 (a) thereof, namely, higher standards of living, full employment, and conditions of economic and social progress and development;
- (ii) for the expansion of the production, exchange and consumption of goods, for the achievement and maintenance in all countries of high and steadily rising levels of effective demand and real income, for the development of the economic resources of the world and for the reduction of tariffs and other trade barriers and the elimination of all forms of discriminatory treatment in international commerce;

/(iii) to avoid

(iii) to avoid excessive fluctuations in world trade and contribute to a balanced and expanding world economy.

(b) To further the enjoyment by all contracting parties, on equal terms, of access to the markets, products and productive facilities which are needed for their economic prosperity and development.

(c) To encourage and assist the industrial and general economic development of the contracting parties, particularly of those still in the early stages of industrial development.

(d) To facilitate the solution of problems in the field of international trade, employment and economic development through consultation and collaboration.

(e) To enable contracting parties by increasing the opportunities for their trade and economic development on a mutually advantageous basis, to avoid recourse to measures which disrupt world commerce, reduce productive employment or retard economic progress.

2. Pending their acceptance of the Charter in accordance with their constitutional procedures and the entry into force of the Charter, they also undertake to observe, and to make effective to the fullest extent of their authority, all of the principles and provisions of the following Chapters of the Charter:

Chapter III - Employment, Demand and Economic Activity  
" IV - Economic Development  
" V - General Commercial Policy  
" VI - Restrictive Business Practices  
" VII - Inter-governmental Commodity Arrangements

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