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SECOND SESSION OF THE PREPARATORY COMMITTEE OF THE
UNITED NATIONS CONFERENCE ON TRADE AND EMPLOYMENT.

VERBATIM REPORT.

THIRTIETH MEETING OF COMMISSION "B" HELD ON

SATURDAY, AUGUST 16, 1947, at 2.30 P.M.

IN THE

PALAIS DES NATIONS, GENEVA.

The Hon. L. D. WILGRESS (Chairman) (Canada)

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CHAIRMAN: Will the meeting come to order, please.

At the request of the Delegate of Czechoslovakia we were to take a vote at the outset of this meeting regarding the proposal to substitute the word "may" for "shall" in the opening sentence of paragraph 3 of Article 65. The delegate of Czechoslovakia.

H. E. Z. AUGENTHALER (Czechoslovakia): Mr. Chairman, Gentlemen, as Mr. Wilcox observed, we are proposing only a Draft Charter for the consideration of other countries. On the other hand, the Czechoslovakian Delegation, in making its proposal, did so only because it thought to be in line with the intentions of the United Nations, not for other reasons. As the question will, in the end, be settled by the United Nations when the Organization comes to be brought into relationship with the United Nations as a specialized agency, I do not insist upon a new voting on this question.

CHAIRMAN: I would thank the Czechoslovakian Delegate for having withdrawn the request for another vote.

We will now take up the Note which was to take the place of the Czechoslovakian proposal to add new paragraphs 6 and 7. The Note which has been prepared by the Secretariat has been circulated in the English text. We shall have copies of the French text in a very short time. So, if the French/^{speaking}Delegation have no objection, I will read the Note in English, the interpreters will translate it, and we will endeavour to discuss it while waiting for the French text which has been prepared by the Secretariat.

Mr. Angel FAIVOVICH (Chile) (Interpretation): Mr. Chairman, until we have the French text, I am very sorry but I cannot discuss this proposal.

Dr. W. C. NAUDE (South Africa): I am trying to find the word "employment" in the original text, Mr. Chairman. I take it that the Brazilian Delegate refers to sub-paragraph (a)?

Mr. J. TORRES (Brazil): Yes.

Dr. W. C. NAUDE (South Africa): It was not in the New York text. I am not sure that it was in the text of the Subcommittee. I do not know quite what the Brazilian Delegate had in mind.

CHAIRMAN: The Delegate of France.

M. ROYER (France) (Interpretation): Mr. Chairman, I think the reason for which the word "employment" was omitted, both in New York and in Geneva, is that the undertakings of the Member-States relating to full employment are mentioned in Chapter III, in Article 8 to be accurate, and there in this Article the Member-States agree to furnish information on employment. The Article referred to is now Article 7. The reference is in paragraph 1, sub-paragraph (a).

CHAIRMAN: Does that explanation satisfy the Delegate of Brazil?

Mr. J. TORRES (Brazil): Yes, thank you.

CHAIRMAN: Is sub-paragraph (a) approved?

Adopted.

Sub-paragraph (b): we now come to the note of the Legal Drafting Committee: -

"The concluding words of this sub-paragraph should be deleted in view of the provisions of Chapter VIII and the opening sentence of this Article."

CHAIRMAN: Then we will pass on to the next Article and come back to this Note after the French text has been circulated.

We shall take up Article 66: Functions,

First paragraph. Approved?

The Delegate of France.

M. ROYER (France) (Interpretation): I would like to draw the Secretariat's attention to the English text of paragraph (a) - the words "... international trade, including information relating to" have been omitted, before "... commercial policy."

CHAIRMAN: That is correct. Are there any other comments on paragraph 1? Is Article 66 approved?

The Delegate of Czechoslovakia.

H.E. Z. AUGENTHALER (Czechoslovakia): You said "Article 1", Mr. Chairman, and I was looking for Article 1.

I wanted only to ask if the Note which is down to sub-paragraph (c) (i) will remain in the text; because we should be obliged if this Note could be kept in the Draft.

CHAIRMAN: I think we will deal with this Article paragraph by paragraph and then we will come to that Note in due order. There are no objections to the opening paragraph?

Approved.

Sub-paragraph (a).

MR. J. TORRES (Brazil): Is there any reason why the word "employment" was left out?

CHAIRMAN: Will the Chairman of the Sub-Committee please explain?

Does the Czechoslovakian Delegate wish these words to be retained?
The Legal Drafting Committee proposes the deletion of those words.

H.E. Z. AUGENTHALER (Czechoslovakia): That is not this point.

CHAIRMAN: I see: It is on the next page. Does the Commission agree to the deletion of those words?

Dr. W. C. NAUDE (South Africa): I think the Sub-Committee would gladly accept that.

CHAIRMAN: It is agreed. Sub-paragraph (b) is approved?
Agreed.

Sub-paragraph (c). We find here a Note:- "The Committee agreed that the deletion of the mention of specific classes of such nationals and enterprises should not be taken as indicating that these classes are not covered in the above broad language. Thus such language would cover treatment of, for example, commercial travellers, and foreign creditors in bankruptcy, insolvency or re-organization". That Note was proposed by the sub-committee, and, if the Commission approves it, it will be retained in the text of the report. Is the Note approved?

Agreed.

Is sub-paragraph (c) approved?

Agreed.

Is sub-paragraph (d) approved?

Agreed.

Sub-paragraph (e)?

H.E. DR. Z. AUGENTHALER (Czechoslovakia): Mr. Chairman, I think that we are considering in this sub-paragraph the Member countries as being inter-governmental organizations - "to co-operate with the United Nations and other inter-governmental organizations.....".

CHAIRMAN: The Delegate of France.

M. ROYER (France) (Interpretation): Mr. Chairman, we were faced with the same ambiguous drafting in another article, and we decided there to suppress the word "other", which did not add anything to the text.

CHAIRMAN: Is that agreed?

The Delegate for South Africa.

DR. W. C. NAUDE (South Africa): Mr. Chairman, I confess that, as far as I am aware, the United Nations is an inter-governmental organization, and if it is simply a question of dropping the word "other", I am quite sure that no Member of the sub-committee will see anything against it.

CHAIRMAN: The word "other", of course, refers to "other than the International Trade Organization".

The Delegate of France.

M. ROYER (France) (Interpretation): Mr. Chairman, this is only a very minute point, but I hope that in Havana the text will be amended and we will be able then to drop the words "inter-governmental organizations", because by that time the Bank and the International Monetary Fund will have had their final statute approved and then they will become normal specialized agencies. Therefore, the words "inter-governmental organizations" will be replaced by the words "specialized agencies".

CHAIRMAN: I take it then that the Commission does not insist on the deletion of the word "other"?

MR. J. TORRES (Brazil): Mr. Chairman, I think it would be desirable, following the action taken in similar cases. I think the word "other" makes for confusion here.

CHAIRMAN: Is it agreed that the word "other" should be suppressed?

Agreed.

Is sub-paragraph (e) approved?

Agreed.

Is Article 67, "Structure", approved?

Approved.

Is Article 68, paragraph 1, approved?

Agreed.

Paragraph 2?

Agreed.

Paragraph 3?

Agreed.

In a few minutes, the French text of the Note to be added to Article 65 in place of the amendments to paragraphs 6 and 7 proposed by the Czechoslovak Delegation will be distributed. Therefore, I think we can now take up this Note.

The Note reads as follows:- "The Preparatory Committee considered a suggestion to add to Article 65 provisions regarding the effect of suspension of, or expulsion from, membership in the United Nations upon membership in the Organization. It was agreed that in view of the complexity of the issues involved and the late stage at which the suggestion was made, this question should be deferred until the World Trade Conference by which time governments would have been able to study it fully".

CHAIRMAN: Are there any comments? Is the note approved?

M. ROYER (France) (Interpretation): Mr. Chairman, I hope that the Secretariat will go over the drafting of the French note, because as it is drafted now it has a definite anti-feminine touch! They speak of "the expulsion of one Member" in the feminine in French!

CHAIRMAN: I think that is solely due to pressure of time.

Is the note approved?

(Agreed)

We come now to Article 69 on Voting.

I see that the Chairman of the ad hoc Committee that considered the question of Voting is not here.

Mr. Wunsz KING (China): Mr. Chairman, I may be able to get in touch with him.

CHAIRMAN: If the Members of the Commission agree, we might defer Article 69, Voting, until the Chairman of the Sub-Committee is present, and take up in the meantime the subsequent Articles.

Article 70. Paragraph 1. Is paragraph 1 approved?

(Agreed)

Paragraph 2. (Approved)

Article 71 - Powers and Duties.

Paragraph 1. No comments? (Approved).

Paragraph 2? Approved.

Paragraph 3.

Dr. Z. AUGENTHALER (Czechoslovakia): Mr. Chairman, I would favour a simple majority.

CHAIRMAN: The Czechoslovak Delegation has proposed an

amendment to paragraph 3, providing for a simple majority, in place of a two-thirds majority.

Dr. W.C. Naudé (South Africa): Mr. Chairman, speaking as Chairman of the Sub-Committee, I might mention that that one paragraph took the Sub-Committee five meetings—to produce those few words you see there. As regards the distinction between two-thirds and a simple majority, the solution reached is that the Conference by a two-thirds majority may lay down possible exceptional circumstances in which an ordinary simple majority would be adequate to grant a waiver. It was on that basis that a solution was found and these words were produced.

CHAIRMAN: Are any Delegates other than the Czechoslovak Delegation in favour of this proposal?

M. Angel PAIVOVICH (Chile) (Interpretation): Mr. Chairman, in regard to this paragraph 3 and this question of a two-thirds majority, we approve what has been said by the Czechoslovak Delegate, and we have to reserve our position ~~therein~~ regard to Article 13B.

CHAIRMAN: Do any other Delegates wish to speak on this proposal?

Baron P. de CAENBERG (BELGIUM, (Interpretation): Mr. Chairman, I wonder if there is a relation between this Article and Article 13B, because it is stated in this paragraph "in exceptional/^{circumstances}not elsewhere provided for in this Charter".

CHAIRMAN: Any other speakers?

Does the Czechoslovak Delegate wish to maintain his proposal?

Dr. Z. AUGENTHALER (Czechoslovakia): Mr. Chairman, I do not insist.

M. Angel FAIVOVICH (Chile) (Interpretation): Mr. Chairman, referring to the words which have just been mentioned by the Belgian Delegate, I should like to say that the question of Article 13B has been left open for discussion by the World Conference, and this is why I stated this point and mentioned Article 13B.

CHAIRMAN: Article 13B contains its own provisions regarding voting. It is not necessary for the Chilean Delegate to reserve his position on this particular Article in order to protect his position on Article 13B.

M. Angel FAIVOVICH (Chile) (Interpretation): Mr. Chairman, we do not know yet the decision which will be taken by the World Conference.

CHAIRMAN: The reservation of the Delegate of Chile will be recorded with regard to this paragraph.

Are there any other comments on paragraph 3? Is paragraph 3 approved?

(Agreed)

Paragraph 4. Any comments?

(Approved)

Paragraph 5.

Dr. Z. AUGENTHALER (Czechoslovakia): Mr. Chairman, first, I am grateful to the Legal Drafting Committee that reference is made here to the Members and to inter-governmental Article 2, paragraph 7, of the United Nations Charter, -that is, that the Organization is not entitled to make any recommendations concerning individual countries. It is only to make recommendations to Members as a whole.

CHAIRMAN: Does the Czechoslovak Delegate wish to make a motion, or simply have an Amendment?

Mr. AUGENTHALER (Czechoslovakia): I do not want any motion, but should be glad to know if there are any Members of this Commission who are of the contrary opinion.

Mr. SHACKLE (United Kingdom): I cannot help feeling this is a rather doubtful proposition, because if my recollection serves me rightly there is provision, at least in the Balance of Payments article, on which to make recommendations to Members as to matters falling within the scope of that Article.

When I look at paragraph 7 of Article 2 of the Charter I see it reads like this: "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII".

Well surely this is not a case of submitting matters essentially within the jurisdiction of a state; if a state has signed this Charter it will have agreed to the provisions of the Charter, and if the provisions say that the Organisation may make recommendations, well it is agreed in advance it may do so.

But I see no reason to put in any general reservation or variation such as is suggested.

CHAIRMAN: Any other comments?

Mr. AUGENTHALER (Czechoslovakia): Mr. Chairman, I am

grateful to Mr. Shackle for his explanation, because it is just the point I want us to have clear.

The Draft of the Charter contains all kinds of provisions which are essentially matters of domestic jurisdiction; and if there would be a possibility for the I¹O to make recommendations to individual States on those matters, it would mean that the I¹O is greatly interfering with the home policies of the countries concerned. I do not know how some countries would accept a recommendation that it should do something to have, for instance, full employment in one way or another, and so on. It is general, it is usual, that no recommendations in respect of a country should be made without the consent of that country.

CHAIRMAN: The Delegate of the United Kingdom

Mr. SHACKLE (United Kingdom): Mr. Chairman, may I give an example of what I was saying just now. It is quoted from the New York Text but is not altered in this particular substance.

If you will look at Article 26 3 (d) of the New York Text, page 22, you will see that if the Organization considers it desirable, after submitting observations to the parties with the aim of achieving a satisfactory settlement of the matter in question, ^{it may} recommend the withdrawal or modification of restrictions which it determines are being applied in a manner inconsistent with the provisions of the paragraphs.

Now that surely gives a clear power to the Organisation to make a recommendation to an individual Member, and as to its being done with the consent of that Member, the Member has given his consent in advance, because he has signed the Charter which contains that provision.

That is an example of what I mean.

CHAIRMAN: The Delegate of Cuba.

Mr. GUTIERREZ (Cuba): Mr. Chairman, if the Cuban Delegation had the slightest doubt that this Text could give the Organisation the right of intervention, we would be against it absolutely; but we do not think so, and when this Text says, on the contrary, "make recommendations to Members" it is only expressing in a general form what has been set forth along the whole Charter in relation to the different problems under discussion on which the Organisation has to take a consultation or give a decision.

A recommendation only means - as the phrase expresses very clearly - that the Member should do a certain thing according to the provisions of the Charter, and if the Member is willing to accept it there is no intervention at all. If the Member does not accept it, then the Charter has provision for those cases. So there is not one single opportunity to consider this text as conferring on the Organization the right of intervention.

CHAIRMAN: The Delegate of France.

M. ROYER (France) (Interpretation: Mr. Chairman, I would not like to prolong the debate, but I think we are in the midst of confusion here. There are two different things in the Charter. First of all we have recommendations as provided for expressly in Article 26. These recommendations, as I have said, are provided for expressly in the Charter, and these relate to the powers and duties of the Organization and powers which are in the hands of the Conference, as stated in Article 71, Paragraph 1, which reads: "The powers and duties attributed to the Organization by this Charter . . . be vested in the Conference." These powers correspond to undertakings by Members and there I agree with Mr. Shackle on the remark he made, but, in Paragraph 5 of Article 71, we have something quite different. We have here the possibility for the Organisation to make general recommendations on general matters within the general framework of the Charter. Here these recommendations are quite independent and are of a different character from the recommendations which I mentioned first, and here I have to agree with what the Czechoslovak Delegate has just said. It would not be possible for the Organization to act as a tribunal and make recommendations in particular cases, under this provision, to an individual Member.

To take one example, it would not be possible for the Organization to make a recommendation to the United States because the Organization thought that the United States was not following an adequate policy in regard to their natural resources of petroleum, or to tell the United States that they would have to bring into effect a quota on the drilling and extraction of petroleum. Therefore I think that Paragraph 5 only provides for recommendations of a general character, made to all Members in the general framework of the Charter.

CHAIRMAN: The Delegate of the Netherlands.

Mr. A.B. SPEEKENBRINK (Netherlands): Mr. Chairman, I am myself now confused, because when I read that the Conference may make recommendations to Members I thought it was a general power of the Conference to make these recommendations. Then the question arose in my mind as to how we can settle a dispute if we cannot make a recommendation to an individual Member.

CHAIRMAN: The Delegate of South Africa.

Dr. J. E. HOLLOWAY (South Africa): Mr. Chairman, I think the Delegate of France has said most of what I wanted to say. It seems to me that the Article is either necessary or superfluous - because it is covered, in the matters where the Organization has to make recommendations in the course of its normal duties, by other Articles where they have been given the right - or it goes beyond that.

Then there are two cases: one is that it is just a recommendation to the body of Members - as the French Delegate has said - and not to individual Members. I can see no objection to that. But, if it can make a recommendation to any individual Member on anything that happens to that individual Member, you can tell the British Government that it should not go on with nationalization and the United States Government what they ought to do with John L. Lewis, and so forth. Then it is definitely mischievous and in that case I think it should go out.

CHAIRMAN: The Delegate of the United Kingdom.

Mr. R.J. SHACKLE (United Kingdom): I entirely agree with the point of view expressed by the French delegate. It seems to me essential to bear in mind the distinction between the class of recommendations which are provided for by various provisions of the Charter and the class of other cases which are not provided for. The very obvious case of the recommendations which is provided for is in paragraph 1 of Article 87 which says: "The Executive Board or the Conference, as the case may be, shall promptly investigate any matter so referred and shall make recommendations to the Members which it considers to be interested." Clearly it has got to have that power, and what is more, the Members have to accept in advance that they will accept recommendations from the Organisation on those matters. I would like to ask a question whether there is an overlapping of interpretation in this paragraph and another paragraph. It is quite true that Article 66 refers to the Organisation's power of consultation and recommendation while in this paragraph it is mentioned that a particular power of recommendation is granted to the Conference. I am not sure that it is necessary to provide for such a distinction, but that, at any rate, was the idea of the authors of this paragraph.

I should supply the reference to the passage which I have mentioned. It is paragraph (d) of Article 66. There is a slight difference there because in paragraph (d) of Article 66 there is no reference to inter-governmental organisations; otherwise it looks as if they may be overlapping.

CHAIRMAN: Can we, after these explanations, accept paragraph 5?

Dr. W.C. NANDE (South Africa): Mr. Chairman, I wanted to add that the intention was to word that paragraph in the sense of the Commission. Perhaps it was achieved in a rather whimsical

way. It was done by leaving out the word "the" before "Members". You will see in the New York draft there is a reference to the "re - commendation to the Members." By leaving out the word "the" you could ensure a recommendation in general rather than to individual Members.

CHAIRMAN: I thank the chairman of the Sub-Committee. I think that after this explanation we could accept the paragraph seeing that the sub-Committee has in mind the recommendations of the Czechoslovakian delegate when they considered this paragraph. Is paragraph 5 approved? Agreed.

Paragraph 6. A note by the Legal Drafting Committee. "It is recommended that the words 'without its consent' be deleted as their retention implies that a Member may be required to contribute up to one-third of the total expenditures without its consent."

Mr. H.F. ANGUS (Canada): Mr. Chairman, the Canadian delegation wishes to record a reservation to the proviso with which this paragraph ends. The pressure of time made it impossible to debate this matter fully in the sub-Committee, and I think the same consideration - pressure of time - makes it inadvisable to debate it here, and the simplest course is merely to record a reservation to this proviso.

CHAIRMAN: Due account was taken of the reservation by the delegation of Canada. Are there any comments on the recommendation of the Legal Drafting Committee that the words "without its consent" should be deleted?

Dr. H.C. COOMBS (Australia): Mr. Chairman, I dislike the deletion of these words. As a matter of fact we dislike the proviso altogether although we do not want to make an issue on that point. It seems to us that this proviso means that in respect of contributions to the cost of this enterprise we can have for certain Members regressive principle of contributions which we think is not fair. It means that if a fair assessment of the costs suggests that one country should bear more than one-third then the implications of this proviso are that other Members shall bear ^{more} than their fair share. However, we understand the reasons for this and we do not want to object if we delete these words "without ^{its} consent" the proviso will then mean that it will not be possible even to assess a fair contribution by a Member at more than one-third and offer it the opportunity to fulfil the obligation indicated by that assessment. We accept a position that they shall have the right to refuse but we see no reason why they should not be asked.

CHAIRMAN: Any other comments?

H.E. Z. AUGENTHALER (Czechoslovakia): I would support the opinion of Dr. Coombs.

CHAIRMAN: I take it then that it is the sense of this Commission that "without its consent" should be retained. Is that agreed?

The Delegate of France.

M. ROYER (France) (Interpretation): Mr. Chairman, I would like to have it registered in the records that, if we maintain the inclusion of these words here, they will not have the consequential meaning which was brought out by the Legal Drafting Committee. Therefore, the text means here that no Member shall be required to contribute more than one-third, but does not mean that any Member, without its consent, must be assessed for the general contribution.

DR. H.C. COOMBS (Australia): Mr. Chairman, I would like to point out to the Commission that that is precisely what it does mean - that other Members can be required to contribute, and there is, furthermore, a provision in a later part of the Charter for dealing with them if they do not pay promptly in accordance with the assessment.

CHAIRMAN: Are there any other comments?

MR. D.P. KANWANKAR (India): Mr. Chairman, I should like to add one word on this point.

Perhaps the whole difficulty would disappear if we say "Provided that no Member shall be required to contribute more than one-third of the total of such expenditure, unless he voluntarily consents to do so."

CHAIRMAN: Are there any comments on the suggestion of the Indian Delegate?

MR. R.J. SHACKLE (United Kingdom): I do not think that the proposal changes anything. Indeed, it is said here that the Conference will approve contributions by a simple majority and this decision is the majority equivalent of an implicit obligation of the Member State to pay this contribution. If the allocation does require a particular Member to contribute one-third well then, that Member will have to pay one-third even if the decision has not been taken by a simple majority, but I do not see that there is any need to alter the wording at all.

DR. H.C. COOMBS (Australia): Mr. Chairman, I should like to make it quite clear that if delegates would look at Article 85, they would see the penalties to countries which do not promptly contribute to the Organization the amount of the expenditure of the Organization.

The procedure is, as I see it, that the Conference will apportion the costs of the Organization between the Members, and they may desire that a particular country should pay more than one-third. If we take this clause as it now stands with the words "without its consent", or if we take the words which the Indian Delegate suggested, that will mean that if a country is apportioned to pay more than one-third, it would have the right to refuse. Other Members, however, must bear the costs as apportioned, or else bear the penalty to the effect that they shall have no vote.

If we delete this clause, it would mean that the Conference could not apportion more than one-third to any one Member. That is quite a different thing. We believe that it should be open to the Conference to apportion the costs of the Organization which seem fair to them, while reserving the right of any Member, however many Members there may be, to refuse to pay more than one-third. If you do that, it would mean a re-apportionment to the others, and that re-apportionment must be borne, but without those words, the country concerned is not even offered the opportunity of

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contributing what the country believes to be a fair apportionment of costs.

CH. ILMAN: I think it is clearly the sense of the Commission that the words "without its consent" should be retained. I do not believe that the suggestion of alternative wording made by the Delegate for India would materially overcome the point made by the Legal Drafting Committee. Therefore, I would propose that we adopt this paragraph without any change. Is that agreed?

Paragraph 6 is approved.

Are there any comments on paragraph 7?

Approved.

Before taking up the Report of the Sub-Committee on Voting, I would like to call the attention of the Commission to a Note which has been passed to me by the Secretariat.

In the course of the discussion on Articles 34, 35 and 38, the Delegate of the United States proposed the deletion of paragraph 4 of Article 36, because the proposed Article 13(c) deals with the same subject matter.

The decision on the deletion of paragraph 4 of Article 38 was postponed until the text of Article 13C and paragraph 3 of Article 66 had been established. The text of Article 13C has now been established, and we have just approved paragraph 3 of Article 66 (that is, the present Article 71) subject to the reservation of the Delegate of Chile. I therefore think it is now in order for us to take up the proposed deletion of paragraph 4 of Article 38.

Paragraph 4 of Article 38 reads: "The Members recognize that there may in exceptional circumstances be justification for new preferential arrangements requiring an exception to the provisions of Chapter V. Any such exception shall conform to the criteria and procedures which may be established by the Organization under paragraph 5 of Article 66".

Are there any comments on the proposal to delete paragraph 4 of Article 38?

M. ROYER (France) (Interpretation): Mr. Chairman, I am somewhat surprised at this proposal. I do not think that the provisions of Article 13B cover the provisions of paragraph 4 of Article 38. In fact, Article 13B is more limited in its scope, and paragraph 4 of Article 38 has some importance for us. Therefore I would not be in a position to approve of this deletion now, and I would have to reserve my position on the matter.

CHAIRMAN: The Delegate of Brazil.

Mr. J. TORRES (Brazil): Mr. Chairman, when this matter was discussed in the Sub-Committee dealing with Chapter IV, the position of Brazil was that there was no need for the inclusion of this particular problem in Article 13, because

the countries who might need this special treatment would have ample satisfaction in Article 38. However, showing a spirit of conciliation, we agreed to co-operate with the other Members of the Committee in working out some formula which might take care of the needs of certain countries that were so forcefully pressed, and to deal with this in Article 13.

When we discussed the Report on Chapter IV, we indicated this position, and made a reservation on Article 13B pending the decision at the Havana Conference on the matter of voting, because our position is that all these exceptions should only be agreed upon by the Organization on the condition of the two-thirds vote.

We are, therefore, in complete agreement with the proposition of the American Delegation, and feel that if we now transfer the matter from Article 38, paragraph 4 to Article 13B, there is no further need for it in Article 38(4), and we support the proposal of the American Delegation.

M. Angel FAIVOVICH (Chile) (Interpretation): Mr. Chairman, I do not wish to add anything to what the French Delegate has said, because I am in complete agreement with the arguments which he presented. Article 13B refers to new preferential arrangements taken for reasons of economic development and reconstruction, and paragraph 4 of Article 38 relates to preferential arrangements of another nature. We are, therefore, against the deletion of this paragraph.

CHAIRMAN: Any other speakers? If there are no other speakers it will be necessary to put this proposal of the United States Delegation to the vote.

Mr. WILCOX (United States): We have no enthusiasm for the establishment of new preferential arrangements. We agreed in London to put one provision in the Charter in order to satisfy the desires of the Conference.

We have agreed here to put in another provision in the Charter, on the assumption that it displaces the first one.

We see no reason why this escape should appear twice. On the whole we feel that once is too much, and we certainly would take the view that once is enough.

CHAIRMAN: The Delegate of France.

Mr. ROYER: (France): (Interpretation): Mr. Chairman, we are not in favour of new preferential arrangements in themselves; and it was not at the request of the French Delegation that new preferential arrangements were mentioned twice here. We think that one clause relating to new preferential arrangements would be sufficient. In fact we cannot see that there is any overlapping of an escape clause; the overlapping does not coincide and therefore we cannot see that there is a double escape clause here.

Now I would like to state that if the French Delegation is in favour of maintaining paragraph 4 of Article 38, it is for the reason that this Article has already been in the Press and linked there with initiatives taken in other places than in Geneva.

If this Article were to be deleted now a significant value might be attached to this deletion, and it might be interpreted to mean that steps which are, may be, in the process of being taken, would ^{not} have to be taken in the future, and it is not desired to follow the path which was indicated.

CHAIRMAN: The Delegate of the United States.

Mr. WILCOX (United States): I do not believe that the French Delegate is referring in his remarks to paragraph 4 of Article 38, but to a different paragraph which I am trying to have found.

Mr. Chairman, there was written into the new text of Article 38 a section that had to do with arrangements working towards the eventual establishment of a customs union.

This is not the point now under discussion. The point now under discussion is the other text of paragraph 4 of Article 38. There are two different texts.

Mr. AUGENTHALER (Czechoslovakia): Mr. Chairman, I think that this discussion is a little surprising, because we are not prepared for it. That is why I would move that this point be discussed on Monday in Commission "A".

CHAIRMAN: The Czechoslovak Delegate has moved an adjournment of the debate, to the effect that this question should be taken on Monday in Commission "A".

We will now have two speakers for and two against, and the question will then have to be put to the vote.

Does any Delegate wish to speak to the motion of the Czechoslovak Delegate?

Dr. COOMBS (Australia): Could we have the Czechoslovak Delegate explain why he wants to adjourn it?

Mr. AUGENTHALER (Czechoslovakia): Mr. Chairman, for a very simple reason - because it was not on the order of the day.

CHAIRMAN: On that point I might mention that it was agreed in Commission "A" that this point should be taken up in Commission "B".

The Delegate of Belgium.

BARON DE GAIFFIER (Belgium) (Interpretation): Mr. Chairman, if this debate were to be adjourned until Monday, my question is, would we study on Monday the relation between Article 13B and paragraph 4 of Article 58, or the relation between paragraph 4 of Article 58 and paragraph 3 of Article 66?

CHAIRMAN: The proposal of the United States Delegation is that we leave paragraph 4 of Article 58, taking into consideration the relation between 13B and paragraph 3 of Article 66.

Mr. SHACKLE (United Kingdom): Mr. Chairman, we should on the whole be in favour of the Czechoslovak proposal to take it on Monday. There are a number of matters concerned in it and we think that there should be time for the Commission to think the matter over.

CHAIRMAN: The Delegate of Chile.

Mr. FLIVOVICH (Chile) (Interpretation): We are in favour of adjourning the Debate until Monday.

CHAIRMAN: Now two Delegates have spoken in favour of adjourning the Debate until Monday. Does any other Delegate wish to speak against?

Is it agreed to adjourn this discussion until Monday?

Agreed.

We have now come to the point where we should take up the Report of the Sub-committee on Voting and the Composition of the Executive Board. This Report will be found in Document E/PC/T/143. I would also call the attention of the Members of the Commission to the documents which were circulated this morning - Document E/PC/T/W/298, alternative drafts proposed by the United States Delegation regarding Voting; Document W/297, being a Note by the United States Delegation on their proposal and giving particulars regarding various formulae for weighted voting; and Document T/173, being a paper submitted by the Delegation of India regarding India's relative economic importance before and after partition.

There has also been circulated to Members of the Commission this afternoon the Report of the Legal Drafting Committee, giving the text of Article 72 - the composition of the Executive Board - based on the Report of the Sub-committee. This will be found in Document E/PC/T/159, Addendum 1.

I will now call upon the Chairman of the ad hoc Sub-committee, Dr. Wunsz King, to present the Report of the Sub-committee.

H.E. Dr. WUNSE KING (China): First of all, may I add that there are two other documents for our purpose: they are E/PC/T/143, Addition 1 and Addition 2.

The Sub-committee on Voting and the Composition of the Executive Board had four meetings. In addition to the representatives of the six Delegations which were members of that ad hoc Sub-committee, we also had the benefit of hearing the views of the Czechoslovakian, South African, Australian and Netherlands Delegates, and several others.

As we all know, there are two main questions involved: one is the question of Voting and the other is the question of the

composition of the Executive Board. I would say, very modestly perhaps, that the result is rather meagre, because we had referred to us four Articles and now we are reporting back to the parent Commission only one Article, that is, Article 72.

As to the provisions of that Article, I think they are self-explanatory, but I would like to add one or two observations on them. The first observation refers to the selection of the seven States which are entitled to appoint representatives to the Board. The Sub-committee was happy about this solution and I can assure you that I am always happy to tell you that we are happy.

There was not much discussion on this question of the selection of the seven States which are generally recognized to be the States of greatest economic importance. I am also happy to add that this selection was based, I can assure you, not on quantitative considerations, or, in plain speaking, not on a conception of weights, to which a number of Delegations have strongly objected.

As to the remaining ten Members of the Board who are to be elected, we have invented - I suppose with some ingenuity - a scheme of geographical grouping of States. When I say with some ingenuity I really mean to say that I wish to pay tribute to the ingenuity of the author of the scheme and perhaps I am not revealing any secret if I say that the author of this scheme is none other than the United Kingdom Delegate. But you will see at once that we are not entitled to claim that we have invented something which might otherwise claim to be something perfect. Still, we believe that this scheme is the best one in the circumstances.

There are difficulties involved, inasmuch as a scheme of that sort has to be governed by two main considerations: one is the question of homogeneity, the element of homogeneity; the second is the size of the group, of the States aligned to that particular group.

However, I would like to call your special attention to the fact that this text of Article 72 was prepared particularly with a view to the composition of the first Executive Board. I would like also to call your attention to Paragraph 8 of this Article, according to which the provisions of this Article shall be subject to periodical review; that is to say, subject to review by the Conference every three years.

I must add, in summing up, that this text is unanimously recommended by the Sub-committee to Commission B.

H.E.Mr. WUNSZ KING (China): Mr. Chairman, I am sorry I have forgotten that we also discussed the question of voting. With regard to that question, I would like to make one or two preliminary remarks in a very general way. We have done our best in the sub-Committee to endeavour to carry out the specific terms of reference which are first of all to reconcile the two divergent, or rather, several divergent views, and failing that to put forward certain alternative drafts. We have done our best, but somehow we seem to be unable to agree to any compromise, or, alternatively, to produce alternative drafts. However, you will certainly notice that there is a paper embodying the joint ideas of the Canadian and Chinese delegations which would seem to give some ray of hope that even at this late hour some talk of compromise formula might be worked out.

I also seem to have forgotten -- perhaps because of my near-sightedness, and not reading my own notes very carefully -- to refer to the ingenuity of one of the delegations in working out the scheme of grouping. You know, in my notes, I wrote down that it was the Delegation B. which was the author of the scheme, but I thought it was only the British delegation which corresponds to that B., but in fact there were joint authors and both of them are B.; one is the Brazilian delegation, and the other is the British delegation. Therefore I would like to add my one tribute to the two delegations - the B. delegations; what is the Brazilian and the British delegations which have worked out this formula.

CHAIRMAN: I wish to thank the delegate of China for the very excellent manner in which he has submitted the Report of the Sub-Committee, and to thank him for the further explanation which he has given. As Dr. Wunsz King has mentioned, the report of the sub-Committee deals with two main heads, namely voting and the composition of the Executive Board. It seems to me that it would be logical

for us to consider them in that order: First of all the question of voting in order to determine what form of text we should put in the Charter in place of ^{former} Article 64, and after that we shall take up the question of the composition of the Executive Board. If, however, the explanations are closely related it would be in order for Members speaking on the question of voting to refer to the question of the composition of the Executive Board, / but I would ask them to direct their main remarks to the question of voting leaving the arguments referring to the Executive Board to be settled when we come to consider Article 72.

Now, I would ask Members of the Commission to bear in mind that Commission B had a very full debate on this subject of voting ^{the com-} / position of the Executive Board on former occasions, and there was ample opportunity for the members then to record their views on it. Those views were recorded, and therefore there is no need for members to make long speeches as their views are already on record. Therefore I think we should endeavour to take as the basis of our discussion the report of the Sub-Committee together with the papers which have been submitted by the United Kingdom delegation and the United States delegation and the joint paper submitted by the Chinese and Canadian delegations, and to see if we cannot come as rapidly as possible to some decision as to what we should include in the Charter in our Report to take the place of former Article 64.

CHAIRMAN: The Delegate of Norway asked to speak after the Chairman of the Sub-Committee had submitted his report. I take it that the Delegate of Norway wishes to speak on the question of Voting?

MR ERIK COLBLIN (Norway): Yes. Thank you, Mr. Chairman. You said yourself that we had already had a full exchange of views on this question of Voting. During the discussion which we had I expressed some preference for a system of "light" weighted voting. I still maintain that view; but, as the Sub-Committee, in spite of all their endeavours, have not been able to establish any kind of unanimous compromise, and only present us with very different and interesting suggestions, but without committing any Delegation to one of them, I would propose that this Commission should not try to establish a text. I think it would be impossible within a reasonable time to arrive at a more or less unanimous or even a majority text. So I would propose that we send the Report of the Sub-Committee on Voting, with all the Annexes to that Report, to the Havana Conference, and that under Article 69 we simply refer to this documentation in the same way as was done at the New York Drafting Committee.

I have also something to say about the Executive Board, but I retain that for later on.

CHAIRMAN: As it is obvious that we are going to be here for a long time, I think it desirable that we should have a short break for tea, but I would ask that that break should be confined to twenty minutes and that the Commission should reassemble sharp at five o'clock.

(The Meeting adjourned 4.40 p.m.)

CHAIRMAN: We will now resume the discussion.

The next speaker on my list is the Delegate of Brazil.

Mr. O. PARANAGUA (Brazil): Mr. Chairman, I prefer to hear the proposal of the United States Delegate before I make any comments.

CHAIRMAN: The Delegate of the United States.

MR. C. WILCOX (United States): Mr. Chairman, the suggestion that I have to make is quite in sympathy with that made by the Delegate for Norway.

My feeling is that we have in the Charter two articles which are highly political. One is the article dealing with relations with Non-Members, and the other is the article dealing with Voting.

On Article 36, Relations with Non-Members, we have prepared three drafts without commitment and submitted them to the World Conference, and I should like to see this meeting follow a similar procedure with respect to the article on Voting. I feel, however, that the present papers on the subject would perhaps be confusing rather than enlightening if they were presented to the World Conference in their existing form and that they could stand some editing. There is, in the report of the Committee, following the General Discussion, an Attachment submitted by the United Kingdom, and an Attachment B, which is called "Alternative Drafts Prepared by the representative of the United States". As a matter of fact, they are not under that heading of "Alternative Drafts Prepared by the Representative of the United States", because Article 64 listed there comes from the New York Draft, and on the other points there is no draft. We have tried to repair the character of that presentation in document E/LC/T/W/298. That paper, however, is

headed "Alternative Drafts Proposed by the United States". I do not think that that is an accurate heading either, because Alternative A, as listed here, is taken verbatim from the New York Drafting Committee's Report; Alternative B, as listed here, is taken verbatim from the United Kingdom's Annex to the Sub-Committee's Report, and alternative C, which expresses the ideas that were set forth in the United States Attachment to the other report reproduces verbatim in four of its paragraphs the wording of the United Kingdom suggestion. The only difference is that it sets forth a formula, and that formula is taken from the report of the Administrative Sub-Committee of the New York Drafting Committee. The only contribution that we can make to that is under the heading of (d) which says "10 basic votes" but, as a matter of fact, the only contribution we have made to that is the number 10, because they did propose basic votes.

Now, my suggestion would be that we send forward to the World Conference these alternative texts without identification, that is, without identifying Alternative B as the United Kingdom text or Alternative A as the United States text. The reason I propose that is that I should prefer, if possible, to avoid having the United States committed to this particular text.

If that cannot be done, I think, in order to preserve for us perfect liberty of action in this matter, we should put it in as the United States text, but in that case our Delegation at the World Conference might find itself more committed to provide for this particular formula, or for this principle in general, than I should like to bind them to at this stage.

In presenting this I would suggest that the Secretariat be instructed to edit the Notes from the Sub-Committee's Report and to append the content of the Notes by the United Kingdom on what the effect of formula in B would be, and the content of the Note from the United States as to what the effect of the formula in C would be. I even have some misgivings about that, because I do not think that either set of figures can be guaranteed and if that statistical job can be done between now and the World Conference, I think that that would be a distinct help.

You will note that in these tables there are, in many cases, figures not available, so that the resulting computation is somewhat misleading.

I think, perhaps, there might be incorporated also in this connection the substance of the note presented by the Chinese and Canadian Delegations. This might be accomplished in one of two ways: either by inserting the alternative draft as an alternative draft of Article 69 on Voting, and relegating the explanatory notes to footnotes or an appendix; or by merely inserting a note at this point that the question of voting is covered in the attachments to the Charter, and put all the material in that way. This would have the advantage of presenting the World Conference with actual textual material on which to go to work, and it would have the additional advantage of sparing us here and now a repetition of our earlier debates on the principles involved in voting.

CHAIRMAN: The United States Delegate has submitted a proposal on the lines of the proposal made by the Norwegian Delegate and which might facilitate us reaching an early decision on this question here.

As I understand the United States proposal, it is that we should set forth, either in the Charter, in Article 69 or some other place - I should think preferably in the Charter - Alternatives A, B and C, and possibly also a footnote indicating the nature of the proposal put forward by the Canadian and Chinese Delegations.

I think it might facilitate the discussion if we could consider this proposal of the United States Delegation, which is along the lines of the Report of the Sub-Committee and also follows the lines of the suggestion made by the Norwegian Delegate.

Mr. O. PARANAGUA (Brazil): Mr. Chairman, I wonder if it would be better to put under Article 69 just the two principles involved in our discussions, naturally without saying what Delegation suggested the alternative.

For example, Alternative A would be produced as it is here, with a note that it is from the proposed Charter, and Alternative B, with a note "proposed by two Delegations", without naming anybody, with the reference to the Report (if the Report is published or not), and with another note to Alternative C, with the note on Page 7 of the Report. Like that we would have the principles of "one nation, one vote" and the other principle of weighted voting.

CHAIRMAN: The Delegate of Chile.

Mr. RAIVOVICH (Chile) (Interpretation): Mr. Chairman, we are in complete agreement with what the Norwegian Delegate has said and I would like to state here once again that the Chilean Delegation is in favour of the principle which allots one vote per country.

We accept also the point of view expressed here by the Brazilian Delegate and we are quite in agreement with what the United States Delegate suggested regarding forwarding to the World Conference all documents which may help the World Conference to bring about a solution of this problem. In addition to the documents which the U.S. Delegate mentioned, all the documents which would be necessary for the World Conference to reach a solution.

CHAIRMAN: The Delegate of Czechoslovakia.

Mr. AUGENTHALER (Czechoslovakia): Mr. Chairman, I fully agree with the proposals of Mr. Colban and Mr. Wilcox and I would like only to state that we are definitely for one country one vote. We have good reasons for that, and one of them is that if the Executive Secretary counted votes on roll call for 18 countries, what would happen if they would be counting one comma, six, zero five and so on? (Laughter.)

Mr. ANGUS (Canada): Mr. Chairman, I have come to the discussion on voting, unlike to many Delegates here who have had the benefit of the former exhaustive discussion that seems to have taken place in London and New York, and perhaps therefore my attitude towards the discussion which I have had the pleasure of hearing is apt to be a little naive.

I am rather at a loss to understand the position taken by the United States. For a very long time we were told we could not discuss voting until everything in the Charter was known - that it could not till then be fairly discussed and a firm view expressed; and as I say, being a little naive, I rather assumed that when the Charter was known a firm view would be expressed.

That is not what has happened. One is reminded of the story of the philosopher who, when asked the proper age for marriage, said, "If you are under thirty it is too early; but if you are over thirty it is too late." We are told now there is no time for discussing these principles, which should have been discussed only when the content of the Charter was settled.

With regard to the last Committee which reported in favour of presenting three drafts to the World Conference, the Chairman boasted in a shameless way of bringing three illegitimate children before the Conference. The Chairman of our Committee has conducted researches into paternity which are extremely precise, but the United States proposal is to obliterate these and, as it were, to legitimize the children of the Committee which has considered the problem of voting.

Perhaps there is no harm in that, but when we come to the proposals brought forward by the United States Delegation we find that one of those proposals is of a very unreal character. It has not had the support of any single Delegation at this Conference, not even the support of the United States Delegation. It was brought forward by them as a system of voting which they might propose if the Charter were to contain provisions which it does not now contain.

As a demonstration of what the United States might be driven to do in certain circumstances, that may have had a certain value, but as an illegitimate child it has none at all. One can understand parents taking a certain pride in their children; one could even possibly imagine them admitting their paternity, but to try and obliterate them, to make the whole Conference responsible for a proposition put forward as the result of this extremely heavy voting that no Delegation has ever proposed to accept - except as a measure of retaliation, or except against extremely objectionable provisions in the Charter - seems to me - again being somewhat naive - to be dealing very unfairly with the World Conference.

I wonder if it would not be better, even in a political question, to bluish aside the unreal alternative and put up the ones which, after all, have something to be said for them.

There is the principle of one State, one vote, which has made a very wide appeal to a great many Delegates at this Conference, on grounds of principle and on other grounds. There is the proposal for moderate weighting. In certain circumstances this is quite intelligible when you consider the apprehensions of some countries.

The real alternatives are, first of all; one State, one vote; secondly, the moderate weighting, and thirdly, if you will - and if one might be allowed a certain pride in paternity - the proposal for ~~combining~~ the two in a certain number of cases. Therefore, whilst I am not hostile to the general trend of the proposals of Norway, and of the United States, I do think that we might keep away from unrealities, which I think would perhaps defeat the very purpose of helping the World Conference to come to a reasonable decision.

M. ROYER (France) (Interpretation): Mr. Chairman, the French delegation when this Conference met here hoped that it would be possible to reach an agreement on one text. Our hopes here were frustrated and this is why we now adhere to the suggestion made by the Norwegian delegate and seconded by the United States delegate, but, nevertheless, I would like to second the proposal made by the Canadian delegate when he said that in certain cases these legitimate children have been disavowed by their fathers. It seems to me that the first legitimate child is not an illegitimate child at all because the United States is the father of the child. In fact this can be quite well seen from all official texts, and it would be extremely difficult for the United States delegation to disavow this child.

As to the second child, although it might be called an illegitimate child, nevertheless the United Kingdom delegation could easily claim to be the father of that child.

As to the third legitimate child, we might say here with the Canadian delegation that this is a case of nervous pregnancy. But it has been stated here that we were to follow the example set forth in the dealing of Article 36. Although I agree with that I do not think that we should stick to that example too closely because if we follow the Canadian proposal we ought to send to the Conference only two alternatives, and therefore if we were to send only two alternatives and if we were to adhere to Mr. Wilcox's proposal we would have, I think, to send the alternatives without the position taken by the different delegations. That would mean that we would have to delete a paragraph which is numbered now III where each representative has defined his attitude towards the different texts. This does not mean that the French delegation wishes now to reverse the attitude which it has taken previously. We still think that

the principle of one State one vote is the soundest and the simplest way of dealing with this question. Turning to the remarks made just now by Mr. Augenthaler, I would like to say that when the weighted voting is applied the Secretariat is usually confronted with insuperable difficulties, and I, for myself, have attended some conferences where this principle of weighted voting was applied. The Secretariat tried to use coloured cards but in the end they always had to take a roll call.

I would like to state now that we have not got any categorical attitude on this question. We are ready to reach a compromise and we will be ready at Havana to consider any sound proposal which is made and which would enable us to reach a sound solution.

Baron Pierre de GAIFFIER (Belgium) (Interpretation):

Mr. Chairman, the intervention of the Canadian Delegate will allow me to modify slightly what I intended to say. I would like here to base my opinion on the opinion of two Masters -- but first of all I would like to state that the Canadian Delegate has mentioned that we ought to have here firm opinions, and I would not like the Commission to think that the Belgium-Luxembourg Delegation has a fluctuating mind on this question. Now, the two Masters on whom I want to base my opinion are Aristotle and Taine. Aristotle said that equality consisted in treating equally unequal conditions, and Taine said that votes had to be weighed and not counted. But we think there is a third way between weighted voting and the principle of "One State, one vote".

In Belgium we have a principle of parliamentary representation and, as this Commission knows, Belgium has a long experience of this system. The Belgian electoral system has not been created at one stroke and the wish of having always this principle of parliamentary representation in our laws dates back to 1863, when the influence of parliamentary theories put forward by John Stuart Mill was felt in Belgium. After modifications in the Belgian electoral system in 1877 and 1893, modifications which prepared the way for the Reform of 1899, this system is now finally applied both to the elections of our Lower House and of our Upper House.

In fact, Belgium is not the only country where this system of parliamentary representation is established, and we find, if I am not mistaken, in Europe such countries as Finland, Norway, Sweden, Denmark, Holland and Switzerland, and in 1937 Eire had also adopted this system in its new Constitution.

As you know, proportional representation is the system where, instead of reserving all the representation to the half of the electorate plus one, it tries to ensure to each Party a representation which is in relation to its strength. Therefore I

think that this system ought to reassure everyone, because in the end it tends to ensure the triumph of the truth, and this as much in favour of the majority as in favour of the minority.

Mr. Chairman, we wanted here, by giving that example, to show the attitude which has always inspired us in this debate and in the debates which took place in London as well as Geneva, it being our wish to contribute usefully to the Organization; being convinced, on the other hand, that the Charter which will relieve men from the necessity of being just and wise is not yet to be found.

Now, Mr. Chairman, as to the actual problem which is before us, I think we could incorporate in the Charter both alternatives A and B as shown in document W/298. As regards Alternative C, we do not think it would be useful to incorporate that alternative because it only differs from Alternative B by what I might call a somewhat minute grammatical point, and only the Appendices differ. Therefore, if we agree to attach the Appendices to the Charter, we do not think it would be useful to include Alternative C.

As to the proposal made by the Brazilian Delegate, we agree with him, but we do not think, nevertheless, that it would be necessary to include the different points of view of the various delegations in the Notes as he proposed.

Dr. Gustavo GUTIERREZ (Cuba): Mr. Chairman, the Cuban Delegation is not going to debate again in relation to the merits of "One nation, one vote" or of the weighted voting. We have already done it at length in a previous meeting of this Commission. At that meeting we stated that we firmly believed that the only proper method of voting in an international democratic organization was according to the principle of "One nation, one vote." There, everyone expressed an opinion and

there was quite a clear majority in favour of "One nation, one vote." Nevertheless, following the recommendation of our distinguished colleague from Norway to be open-minded, we were open-minded enough to allow the submission of this whole matter to a Sub-Committee in order to find some way of reconciling the different points of view. Now, it seems it is very hard to make that reconciliation. We have before us a very complete proposal, in relation to which I think all Delegations are in accord - that is to refer the matter to the World Conference. So I think we should not go any further into the details of the matter but take our decision in relation to that. Then we could take how that could be done; here also it can be said, and very properly, how it should be done.

It seems that the best way would be to insert in Article 69 the Alternatives A and B and then add Alternative C as suggested by the Canadian delegate, not the new C we have seen, but a combination of A and B, which is really the best way to find the solution.

It was added that, besides that, all the documents should be sent to the delegates going to the World Conference. I would not do that harm to the delegates going to the World Conference! Because it would lead to such a terrible confusion that they would lose all the time from here to the gathering of the Conference trying to find out the real path. So I suppose that aim could be accomplished if we give our very able Secretariat the task of summarising in some sort of statement the procedure formed in the discussions on this matter since the beginning of the birth of this unhappy child in the proposals of the United States Delegation in November 1945 up till now.

CHAIRMAN: The Delegate for the United Kingdom.

Mr. J...C. HELMORE (United Kingdom): Mr. Chairman, I am glad to think that we all seem to be agreed on the proposition that we should send the basic question of One State, One Vote, or Weighted Voting to the World Conference. That seems to me to be entirely in conformity with the precedent we set ourselves on a similar question which has some political import, namely that of Relations with Non-Members.

It may or may not be an accident that in that Report we have Alternatives A and B and C, of doubtful parentage, and that we are here presented with Alternatives A and B and C, also of doubtful parentage, although I do not myself wish to pursue that matter because I am very inexperienced in matters both of illegitimacy and pregnancy!

It does seem to me, Mr. Chairman, that in addition to being representatives of States who have particular views here, we are also a Preparatory Committee whose job it is to send to the World Conference the best material we can to enable some decision to be reached.

Like the Delegate for Cuba, I shall not expand at length on what the United Kingdom thinks is a sound solution of this matter. Our views on this are well known, and I will leave them there.

The problem that is before us is how to submit this matter, and I entirely agree with the suggestion first made by the Delegate for Norway and supported by the Delegate for the United States and others, that we should send Alternatives. The difficulty seems to be in what form to send the Alternatives. Should we put three texts in, or two texts in, or one text in with an Annex, and so on?

Now, we have had a good deal of discussion always on the principle of One State, One Vote or the principle of Weighted Voting, but we have never really discussed, either in the Preparatory Committee itself or in the Commissions or in the Sub-Committees the actual formulae, nor their construction. Indeed, certain delegates on the Sub-Committee said that they would rather not do that, for reasons which one can perfectly well understand. Nevertheless, if we send the United Kingdom proposal forward as the United Kingdom proposal with the figures, it means that it goes without discussion, and we would like to have had a discussion in order that certain possible discrepancies in it could be pointed out. The principle in it, at present, is that the percentage of votes cast by Brazil under our formula is exactly the same percentage of votes as Brazil would cast under One State, One Vote - therefore, there must be something wrong with our formula..

Therefore, Mr. Chairman, my suggestion would be that we should put into the text of the Charter two alternatives only, that is, Alternative A, paragraphs 1 and 2, in the United States paper, and Alternative B, paragraphs 1 and 2, in the United States paper, which you will see are exactly the same as those in Alternative C. We should then relegate to the Explanatory Notes the material which appears in the Alternative Annex of A.

It is here, I think, that we can help the World Conference by not, as has been suggested, sending all the papers - I agree with the Delegate for Cuba that that would be rather a mouthful - but we might assemble in an Annex - and I entirely agree that the Secretariat should assemble for us - a good deal of the material that has been presented, and a basis for beginning this is by the very easy adaptation of the Report of the Sub-Committee, which sets out the latest discussions on this.

We could say with respect to Alternative B that the annexes would vary according to the formula on which weighted voting would be cast, and some of this material could be incorporated there.

What seems to me far more important is that we should include some of the tables that have been prepared. I hope that if those tables are included, there will be in the Report a statement that the Preparatory Committee has asked the United Nations Secretariat to produce for us at Havana more accurate and more complete tables than it would be possible to put into the Report of this Session. The table, for instance, attached to the United Kingdom proposal has been prepared by ourselves, and I would very much prefer that this matter was discussed at Havana on the basis of the table prepared by the United Nations, since then there could be no feeling that it was not based on the best material available, nor, indeed, ^{prepared} by an impartial body. I think it is most important that this should be discussed on the basis of tables prepared by no individual country.

What table we could put in for Alternative C in the United States paper is, of course, slightly more difficult. Some Delegations, led by the Delegation of Canada, have said that this is a monstrosity and an unreal proposal. I am not quite so sure, Mr. Chairman, that it would not be useful to put that in, nor am I so sure that it is an entirely unreal illustration of what might happen with weighted voting, because I feel quite sure that a great deal of the opposition to weighted voting comes from those who have not studied the matter with figures.

I expect that the International Monetary Fund weights have been present in the minds of people as what is meant by

"weighted voting". Now we all know that the weights in the International Monetary Fund were adopted for a particular reason, and when one is considering weights which might be used in I.T.O. voting, obviously one thinks of it on a different basis. One is dealing with a different subject matter, and in an organization where - to give one simple illustration of the difference - countries are not putting up contributions in money. But it is a remarkable fact that under I.M.F. weights, the largest Member has ninety times as many votes as the smallest. If I might be forgiven for referring once more to our own proposal (since it is the only one I have to illustrate my point by) - under our proposal for I.T.O. voting, the largest Member would have less than four times as many as the smallest.

That very considerable difference makes me feel that it would be useful, in spite of the suggestion of the Delegate of Canada that this proposal has no parentage, to produce a heavily weighted table, simply by way of illustration.

I very much hope, Mr. Chairman, that an explanatory annex to our Report on those lines would find favour with the Members of the Preparatory Committee.

I have omitted, in speaking, to refer to the Canadian and Chinese proposal which has been put forward. I think it is a pity that we have not a simple text of that proposal, since it could then have gone forward in the Draft Charter on an equal status with the "one state, one vote" text and the weighted voting text. But certainly I think (though I do not agree with the proposal) that it should be mentioned, and mentioned prominently, as a possible alternative and a possible way out of the difficulty.

Dr. COOMBS (Australia): If anything would be necessary to confirm the Australian Delegation in its view regarding the procedure of adhering to the system of one country one vote, I think the discussions on this matter here and in earlier meetings would have provided the necessary confirmation; but it is clear that it would not be reasonable for us to reach a decision here, in the light of the conflicting views which have been expressed, and I think the Committee is agreed we should pass this question on to the World Conference.

The only question at issue is the way in which we should pass it on. There the difficulty seems to me to arise from the fact that Delegates fear that in one way or another the judgment of the Conference is likely to be affected by the details of the propositions which have been put forward. The Delegate of Canada fears that the monstrosities of the third alternative might affect people's judgment adversely in the consideration of weighted voting. On the other hand, the United Kingdom feels this particular proposal might be made more attractive by the fact that it, like the housemaid's baby, is after all only a little one.

So it does seem to me, therefore, that the simplest thing is for us to send this question on with the necessary material for making a decision; but without specific proposals which might prejudice the issue one way or another.

I would like to suggest, therefore, Mr. Chairman, that we put nothing under the particular heading of the Article - leave the heading and a blank; and in our explanatory note say something like this: That in considering the question of voting - or examining the question of voting - the Committee gave consideration to three alternative approaches to this

question: (a) the principle of one country one vote; (b) weighted voting based upon assessment of economic importance for the purposes of the Charter; (c) weighted voting for certain specified provisions.

Those appear to me to be three alternative methods. There were several possible methods of giving effect to the second proposal. We might then go on to say the Committee decided to refer the whole question to the World Conference, and in doing so invited the Secretariat to prepare for the assistance of the World Conference in considering this question statistical material concerning the countries invited to the World Conference relative to matters affecting relative economic importance such as population, national income, international trade, and international trade per head; and that no further reference should be made to the way in which any particular pieces of information could be combined to give a system of weighting for votes.

That would place the alternatives clearly before the World Conference, and ensure that they would have the material with which they could prepare their own systems, if they wished to indulge in this pastime.

In other words, it would preserve for other potential fathers the pleasure of paternity.

CHAIRMAN: I have three more speakers on my list and, if there are no other Delegates who wish to speak on the subject, I would like to suggest we close the debate. The speakers on my list are China, Brazil and Czechoslovakia.

The Delegate of China.

H.E. Mr. WUNSE KING (China): Mr. Chairman, in deference to the wishes of the United Kingdom Delegate for a simple text in connection with the Chinese and Canadian proposal, I would suggest, subject to the approval of my Canadian colleague, that the text might be drafted on the following lines; that there might be three short paragraphs:

(1) Each Member shall have one vote in the Conference;

(2) In certain designated cases, the system of voting provided for in the preceding paragraph shall be supplemented by requiring also a majority of votes cast in accordance with the system of weighted voting;

(3) The system of weighted voting and the cases to which it will apply shall be determined by the World Conference at Havana.

Speaking for the Delegation of China, I would simply say that the position of the Chinese Delegation at the World Conference will be substantially remain the same as has been indicated in Document T/143, Addendum 2, and I would like to add that the Chinese Delegation does not have the intention in any way of adopting the third child, which I understand is the system of heavy-weight voting.

(Correction, after the interpretation):

For the second paragraph it would be: "In certain designated cases the system of voting provided for in the first paragraph shall be supplemented by requiring also a majority of votes in accordance with the system of weighted voting."

CHAIRMAN: The Delegate of Brazil.

Mr. O. PARANAGUE (Brazil): Mr. Chairman, I was determined not to discuss this question again, but I had the pleasure of listening to the explanation by the United Kingdom Delegate about the merits of weighted voting and I am obliged to say something on the subject.

I think it is very unwise to ask the Secretariat to correct the figures, because it is not a question of the figures; it is a question of the formula. I do not accept the formula. That means that I am not interested in the figures, because the factors are also to be discussed.

After this reservation, I think I might say that we are sending all documents to the World Conference but we are forgetting the most important one - the one we have in the London Report. If you take the London Report, on Page 23 it is written: "6. The conclusions which emerged from the Preparatory Committee's deliberations on the subject of Voting and Executive Board Membership may be briefly stated as follows: (a) The majority of Delegates favoured the principle of one country - one vote in the Conference and in the Executive Board."

If we sent from the First Session of the Preparatory Committee the opinion of the Committee, why are we not sending to the World Conference the opinion of this Commission? There is a majority here, but I do not know which one it is at the moment. I know which majority it was when we met and the Subcommittee was appointed, because it is in the verbatim record. Now I do not know, and I would like to raise this question in Havana, saying that the majority, reading from the verbatim record, was for one country - one vote. For that I propose that the Report of this Commission should insert the same kind of information we have in the London Report: whether the majority of the Preparatory Committee is for one country - one vote, or for weighted voting.

There is no reason why, if we have it in the London Report, we should not have the same information in the Report we are sending from here to Havana. We are sending all information and this is most important.

For this reason, Mr. Chairman, I ask that we should be able to see from this debate what is the majority, or take a vote to find what majority we have here, so that we can send the same kind of information from here to Havana as was sent from London.

H.E. Z. AUGENTHALER (Czechoslovakia): Mr. Chairman, we started with illegitimate children, we then came to pregnancy, and I was rather afraid of what would be our next move, but fortunately we came to Aristotle. I do not know if Aristotle was for the alternative A, or B, or C. What I know about Aristotle is that he was in favour of slavery because he considered that it was a natural condition of human-kind.

Now I think that the best thing would be to close the debate on this matter and, as you have proposed, to include in our report the alternative A or B, possibly also the Chinese and Canadian proposals and nothing more, because as far as I know all Member countries are receiving the papers and they can read our debates. There is time enough until the World Conference to study the problem and any country is free to come forward and present at the World Conference any studies they wish.

CHAIRMAN: As I have said before the debate would be closed after the Czechoslovakian delegate had spoken, but the United Kingdom delegate has asked to say a few words, and with the unanimous consent of the Commission we can give him the floor.

M. O. PARANAGUA (Brazil): I agree to give the floor to the British delegate on condition that I have the right to answer.

Mr. J.R.C. HEMORE (United Kingdom): I am grateful to the Commission, Mr. Chairman, for not proceeding on the principle of one State, one speech.

I simply wanted to say to the Brazilian delegate that I would think it entirely fair that in the annex which I suggested a sentence should be included which would read - I cannot read the first word because I am not as sure as he is what the number is - "so many Members of the Preparatory Committee expressed themselves in favour of the system of one State, one vote."

I would suggest, Mr. Chairman, that we could insert the figure very easily by asking how many delegations wished to contribute to the total which will appear at the beginning of that sentence.

Mr. Erik COLBAN: Mr. Chairman, I am afraid that we are going to do something very wrong now. What does it matter to the Havana Conference whether ten or eleven or twelve members of the Preparatory Committee here tonight declare that they are in favour of such-and-such a way of voting. I have maintained all through the London and Geneva Meetings that on questions of substance we should try to avoid voting so as not to prejudge the final position to be taken up by each one of us.

Dr. J. E. HOLLOWAY (South Africa): Mr. Chairman, I want to support Mr. Colban. If this action is going to be taken, I just want to tell you that you will open the doors once more. I have refrained from saying anything about this thing, because there is no point in wasting time here if it is going to be decided at Havana; but if we want to take a decision here, I want my right to say something - and it may be very lengthy.

CHAIRMAN: I think there may be a certain amount of confusion, first of all as to what the Brazilian Delegate suggested, secondly as to what Mr. Helmore suggested as a means of meeting him.

If I understand the Brazilian Delegate correctly, he said that we should include in the Report we submit, whether it is prepared by the Secretariat or whoever it is prepared by, some reference to the fact that the majority of members of the Preparatory Committee seem to favour "One State, one vote", Mr. Helmore did not suggest that we should take a vote on this question; he simply thought there might be some indication given as to what countries wished to be listed as favouring that principle.

However, I should like to point out to the Brazilian Delegate that our chief object here was to achieve unanimity

if it can be obtained. That is why, I take it, Mr. Colban at the outset of our debate proposed that we should not come to any decision here, but should simply refer the various papers to Havana, putting up to them the various alternatives, so that a decision could be taken by the World Conference.

Now, I would like to point out to the Brazilian Delegate that the verbatim records which have been given of this Preparatory Committee are very full and complete. They will be made available to all the countries which are participating in the Havana Conference and those countries will be able to see, by consulting the records, what countries were in favour of "One State, one vote," and - if they are any good at arithmetic - they will be able to determine whether the majority of countries were in favour of that principle or not.

I hope, therefore, that the Brazilian delegate will be able to withdraw his formal motion and that we will leave the question as to whether a reference shall be made to this point as to whether or not a majority were in favour, until we come to consider whether we will send the information forward or not.

Before I sum up the discussions which have taken place on this question, I would like to raise a matter of procedure which may have the effect of shortening subsequent discussion on the question - on this question: the question of how we shall proceed. It is necessary to come to a decision as to whether or not we should continue on until we come to a conclusion, or whether there shall be an adjournment for dinner. It seems to me clear that we have no hope of completing our work in time to have dinner at a reasonable hour. I would therefore like to suggest that we adjourn at 7.30 and resume our discussion at 9 p.m. The reason I raise this question now is that it is necessary for the Executive Secretary to warn the authorities in charge of the building to have guards

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on duty. Therefore I would like to know if that meets with the pleasure of the Commission.

Dr. Gustavo GUTIERREZ (Cuba): Mr. Chairman, as I am thinking we are not electing a Pope, I would hope to adjourn and continue the work on Monday morning. We are the guests of the City of Geneva and we should pay attention to the fête they are making.

Mr. Erik COLBAN (Norway): I am very strongly in favour of postponement until Monday morning. We have now worked until late at night during six days of this week and we cannot go on doing really good work if we continue the whole night now.

Mr. Clair WILCOX (U.S.A.): Mr. Chairman, we have for next week a rather tight schedule which requires the allowance of a certain amount of time to the Secretariat to get the results of the work ready in time for the final Sessions. I would not insist that we meet this evening, but I do think we must either meet on Sunday or have simultaneous meetings with Commission "A" on Monday.

Sir RAGHAVAN PILLAI (India): I am afraid we shall have a good deal to say about the composition of the Executive Board, and those things are better discussed early in the morning rather than late at night; so I should myself support very warmly the proposal made by the Delegate of Norway and the Delegate of Cuba that further discussions should take place on Monday morning rather than this evening.

CHAIRMAN: The Delegate for the United Kingdom.

MR. J.R.C. HELMORE (United Kingdom): Mr. Chairman, I merely wanted to say, although obviously we will fall in with the majority's wishes on this matter, that I hope that, if we decide to adjourn tonight, we shall go on until at least 8 o'clock and not adjourn now, but if we decide to go on late tonight I hope that we will make a dinner break from, say, 7.30 to 9.00, because some of us are not very fortunately placed with regard to late meals in our hotels, and I do not think we are interested in the fêting.

CHAIRMAN: Is it the sense of the Commission that we should not meet tonight but that we should meet on Monday morning, simultaneously with Commission A?

DR. A.B. SPEEKENBRINK (Netherlands): No, I am against the simultaneous meeting of Commissions A and B, because the Executive Board is a very important meeting, although, on the other hand, the other articles we have to discuss in Commission A are also very important, and I would like a part in both debates.

CHAIRMAN: I will make a further effort to get the unanimous approval of the Commission. I propose that we continue our session tonight until 8 o'clock, or at least until we finish this question of Voting, and that we meet tomorrow at 2.30 to continue our discussion. Is that approved?

Agreed.

We will now continue the discussion on the question of Voting, or rather, the discussion is closed and we now come to the question of Procedure.

I take it from the discussion which has taken place that the

sense of the Commission is that we should adopt the proposal first put forward by Mr. Colban, that we should refer to the Conference at Havana the documentation and the various alternatives. As various people have said, the real question is how we should present this to the Havana Conference, and that is the question which we now have to consider.

Various proposals have been made, and I think we can separate these proposals, and then proceed with each part of the proposal.

First of all, certain delegates have suggested that there should be included in the Charter alternatives A, B and C, and Dr. Coombs has put forward the proposal that there should not be various alternatives put in the Charter, but simply an Explanatory Note explaining why we are not able to consider this question. I take it, from what the what the Commission has said, that the majority of the delegates are in favour, of the insertion in the Charter of various alternatives, so unless that summary of the situation is challenged I think we can proceed on the understanding that the majority is in favour of putting certain alternatives in the Charter. The question as to whether they should be covered by drafting Notes will be dealt with later. I should like to know whether that is the sense of the Commission?

Mr. O. LAMARCA (Brazil): Mr. Chairman, I withdraw my proposal to insert alternatives A and B in favour of the proposal of Dr. Coombs.

CHAIRMAN: Will those Delegates who are in favour of putting in Alternative texts, it to be decided later which alternatives are to be put in, and those delegates who are in favour of the text having Explanatory Notes, please indicate by raising their hands. I will

first ask those who are in favour of having Alternative texts included in the Charter to raise their hands.

(A vote was then taken)

The majority are in favour of including alternative texts.

We have various alternatives before us, now. We have a proposal of the United States, which is to have alternatives A, B and C, as given in their document E/PC/T/W/298, together with an Explanatory Note covering the compromise Canadian/Chinese suggestion and supplemented by statistical and other explanatory material to be put in the appendix.

We have also the proposal of Mr. Helmore that all that should go in the Charter is, paragraphs 1 and 2 of Alternative A and paragraphs 1 and 2 of Alternative B, and that the annexes referred to in Appendices B and C, together with the statistical material, should be relegated to an appendix to be prepared by the Secretariat, and which would be attached to our Report and circulated with our Report when it is submitted to us next Tuesday morning.

Under this proposal, I understand that the Canadian/Chinese proposal will be covered by a footnote and not be in the appendix of the Report.

We then have the proposal of the Czechoslovak Delegation, which I take it is that we should just put in the Charter Alternatives A and B, and that there should be no explanatory material, but we will leave it to the Delegations who are attending the Havana Conference to obtain the necessary information by consulting the records of this Preparatory Committee.

Mr. Clair WILCOX (United States): I should like to withdraw my original proposal in favour of the proposal put forward by Mr. Helmore. I suggest, however, that the parts of his proposal be separated, and that we deal first only with his proposal as to the material to be incorporated in the text of the Article in the Charter, namely, the two paragraphs of Alternative A and the first two paragraphs of B.

Dr. Z. AUGENTHALER (Czechoslovakia): Mr. Chairman, I am of the same opinion as Mr. Wilcox.

CHAIRMAN: I think we are now very close to unanimity on this question. Is the Commission agreed that there should go into the Charter only paragraphs 1 and 2 of

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Alternative A and paragraphs 1 and 2 of Alternative B, supplemented, I would say, also by a footnote explaining the Canadian/Chinese proposal. That seems to me to be a better place, if the proposal could be explained there, than in the Appendix.

Mr. H. F. ANGUS (Canada): Mr. Chairman, I understood Mr. Halmore's proposition to be that the Chinese /Canadian text should go in as an alternative. I may have misunderstood it, but I thought that was the point of my Chinese colleague making a draft of the text.

CHAIRMAN: I want to thank the Canadian Delegate for calling my attention to the draft that was read out by Mr. Wunsz Kin, and I want to apologise to him for not having referred to it before. But it does seem to me that it would not be possible to accept that text as a draft of an Article to go into the Charter, because it refers to the World Conference, and it would not be appropriate for us to present to the World Conference a Draft Charter containing a reference to the World Conference itself.

H. E. Mr. WUNSZ-KING (China): Mr. Chairman, in regard to this text, I am wondering whether you could find some other place for it, instead of a footnote, because a footnote does not look like a place of honour.

CHAIRMAN: Perhaps it would meet the position of the Chinese Delegate if the Secretariat would prepare a note which we could approve at our next Meeting tomorrow, this note to go into the draft as Alternative C?

H. E. Mr. WUNSZ-KING: (China): I thank you for this suggestion.

CHAIRMAN: The Secretariat will prepare a draft and we will deal with that first thing at our Meeting tomorrow.

Mr. Clair WILCOX (United States): It is my understanding that Alternative C, if it went in with the text, would be in the form of a note rather than a draft, because, as I understand the Chinese/Canadian proposal, it is that weighted voting shall be required on certain questions. That would put us in the difficult position of going through the Charter and debating point by point on which questions we would require weighted voting if we were to get a precise text. If it is put in in the form of a note as Alternative C under this heading, that can be avoided.

CHAIRMAN: I think that what we want to find for the Canadian/Chinese proposal is something that is midway between a draft text and a footnote, and I think if we can leave it to the Secretariat to try to work out something they could present to our Meeting tomorrow, that would be the best way in which we could solve this difficulty. I think we are all agreed that it deserves a place a little better than a footnote, but as it is not a draft text it cannot be put in in quite the same way as Alternatives A and B.

Does the Commission agree that all that should go into the Charter is, the first two paragraphs of Alternatives A and B, and a reference to the Canadian/Chinese proposal? (Agreed).

CHAIRMAN: Is the Commission agreed that all that should go into the Charter are the first two paragraphs of alternatives (a) and (b) and a reference to the Canadian and Chinese proposal?

Agreed.

Now we have to deal with what should go into the Appendix. The Secretariat inform me they believe they can prepare by Monday night, in time to be attached to our Draft Report, an Appendix along the lines suggested by Mr. Helmore. That Appendix would contain a description of the alternative proposals, including the Annexes illustrating alternatives (b) and (c). It would also be supplemented by statistical tables prepared by the United Kingdom and United States Delegations, but there would be a note to the effect that before the Havana Conference these statistical tables should be replaced by something which is more up to date and for which the Secretariat would take the full responsibility.

The Delegate of France.

Mr. ROYER (Interpretation) (France): I have just one word to say, namely, that the tables which are to replace the tables which are to be annexed in our Report should not cover the case only of the 17 countries represented here, but should cover the cases of all the countries which will go to the Havana Conference, because the interesting factor is not the case of the 17 countries present here but the countries which will participate in the Havana Conference.

CHAIRMAN: That will, of course, be understood, because the tables which will be worked out by the United Kingdom and United States Delegations will cover also a great number of countries which are not only represented here.

Mr. WILCOX (United States): The formula contained in alternative C in the paper presented by the United States has variously been described as "unreal" and "monstrous".

I hope that in describing this the Secretariat will note that it was prepared by the Administrative Sub-Committee of the Drafting Committee at New York and is contained in pages 53 and 54 of their Report; and it may also note that the Committee stated that this would be the appropriate formula for weighted voting, plus an appropriate base vote. And it may also note that the United States suggested for this purpose that 10 would be an appropriate base vote. I do not insist upon this, but since I have been chided so frequently for refusing to assume the paternity of somebody else's child, I would like to state that I am willing to assume the paternity for the sake of the Secretariat's Appendix of the number, 10.

CHAIRMAN: The Delegate of Cuba.

Mr. GUTIERREZ (Cuba): I am entirely in accordance with the suggestion of the Chair, because it was practically what I personally had suggested before, except in the last expression in relation to statistical tables to be presented for the Havana Conference. I think somebody expressed here the opinion that those tables should be prepared by United Nations' appropriate Organization, so I think it would be a very good thing if the Secretariat does it, but with the consultation or approval of the Statistical Office of United Nations.

CHAIRMAN: When I was referring to the Secretariat, I really meant of United Nations. because they are the only ones competent to do this work.

Any other comments regarding the Appendix ?

Mr. PAKANAGUA (Brazil): Just a word about this Appendix 10. I think when the Secretariat prepares something it is better to put it to the Secretariat of the Administrative Sub-Committee in like Success. Appendix 10 was not our child, it belongs to the Secretariat. I even object about this. I refer to page 62 of the New York Report.

CHAIRMAN: The Delegate of Australia.

Dr. H. C. COOMBS (Australia): Mr. Chairman, I feel somewhat unhappy about the way this discussion is proceeding, particularly the suggestion that these tables should be sponsored by the Secretariat. As has been pointed out already, the essential thing in these tables is not the figures but the formula. These two tables are two propositions for weighted voting and I think that if we are going to attach them to the papers it should be clearly indicated that that is what they are. Whoever sponsored them should, I think, take the responsibility for them. The United States Delegate has indicated that the only thing he is prepared to sponsor in respect of these tables is the figure "10."

I should like to point out that it is the figure 10 which makes that table what it is; it is the critical part of the formula. If we alter that figure and make it 20, we get an entirely different result.

It does seem to me, Mr. Chairman, that this discussion is proceeding in a way that I think, quite frankly, is unfair. We started off with a proposition in the New York Draft; it was discussed in full Commission. It was clear there was not unanimous agreement about it. If my recollection is correct, the majority of the people on the Commission felt that the New York Draft was reasonable. We agreed this thing should be further examined. It has been further examined but the way in which the results of that examination are being presented by the Commission is such as to give quite a wrong impression of the balance of views on the Commission, if I understand them correctly.

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This is not a matter of major importance to me or to my Delegation, but I feel it is a matter of importance to the Commission that what goes forward from here should be a thoroughly accurate representation of our work. I have no objection to what has been decided already, that is, to put alternative texts in the Draft Charter, although I think it would be better if an indication could be given of the degree of support for the various alternatives.

It does seem to me to be particularly important that, if the Secretariat is asked to produce anything, it produces only the things for which it is itself in a position to take responsibility. That was why I proposed that the Secretariat should be asked to supply figures relating to population, national income, international trade and international trade per head, but, if you combine those figures into a table which illustrates forms of weighting, then they do become weighting proposals and I do not think it is right or proper that the Secretariat should be asked to accept responsibility for them.

I feel very strongly, Mr. Chairman, that if we persist in presenting it in this form the result will be to produce an impression to those who read the Report that there is far more weight of opinion in favour of weighted voting than is, in my opinion, in fact the case in this Commission; and, secondly, we should not ask the Secretariat, which, in a matter like this, should be completely impartial, to put forward proposals which are, in essence, proposals which originated with the Delegations on this Commission.

Therefore, Mr. Chairman, I would ask that if we are to send forward proposals in the form of tables of the kind embodied in the United Kingdom document, then they can go forward, and I think it is reasonable that the secretariat should be asked to correct them insofar as they can be corrected with

better figures, but I think they must be clearly labelled by the Delegation sponsoring them. If nobody is prepared to sponsor them, I believe they ought to be omitted.

CHAIRMAN: The Delegate of the United States.

Mr. Clair WILCOX (United States): I think that in Dr. Coombs's remarks there is some confusion between two things: 1. the formulae which are presented in the alternatives which are labelled (b) and (c), and, 2. the statistical tables, which are purely illustrative of what the results of those formulae would be.

The important thing is the formula; the tables are nothing but illustrations. The Secretariat, as I understand it, would take responsibility for the statistical job of preparing accurate tables; it would not take responsibility for the formulae.

As to responsibility for the formulae, I believe that the United Kingdom Delegation would be prepared to take responsibility for the formula which has been labelled "I", which would produce weighted voting. I shall be glad to take responsibility for the formula which would produce the result of so-called heavy-weight voting.

The only reason for my previous remarks was that, as I said, I have been chided for producing something described as unreal or monstrous, which, in fact, was merely built upon the documentation already before this Commission.

CHAIRMAN: I would ask the Executive Secretary to explain just how much responsibility he would be prepared to take.

Mr. E. WYNDHAM-WHITE (Executive Secretary): I am grateful to Dr. Coombs for having raised this point because I would like to explain that I am not prepared, as Executive Secretary, to accept a responsibility which I cannot fulfil. It is therefore desirable that I should outline what I am prepared to undertake.

First of all I am not prepared to accept, as has been suggested the responsibility for any formula for voting. I have undertaken to let the Secretariat produce a description of the formula which has been put forward by the various delegations.

Secondly, in defining that description I have said that the Secretariat would be prepared to include certain statistical material which has been prepared, to illustrate those formulae. I would not be prepared to accept the responsibility for the accuracy of those statistics, and I think it would be necessary to include in the Appendix the statement of the source of those statistics, and to point out that they were based upon such statistics as were available at the time to delegations which put forward statistics as an example.

Thirdly, as regards the documentation of the World Conference, I should be prepared to accept the responsibility for producing revised statistics under the headings listed by Dr. Coombs which I would be prepared to say would be as accurate as the statistical material which the United Nations was able to make.

Dr. H.C. COOMBS (Australia): I would just like to thank the United States delegate for his remarks, and to say that if he takes the measures formulated it would remove all foundation for the criticisms which I have made in respect of the tables.

CHAIRMAN: I think we are very near to reaching agreement on this question. I believe that one of the difficulties has been that we have been suggesting that too much should be included in the Appendix. I would therefore like to propose for the consideration of the Commission that in alternative B when we refer to the Annex to this Charter we should have an asterisk and have some suggestion of this kind: "See the proposals given for weighted voting in the appendix", and in the appendix we should just state simply "This proposal for weighted voting^{is} proposed by the United Kingdom delegation." Then give the annex referred to in paragraph 1 of alternative B, giving the formula, and appended to that a statistical table giving the necessary statistical data and then have another section of the appendix saying: "Proposal for weighted voting submitted by the United States of America," and give the similar particulars with regard to the United States proposal.

If we could confine the appendix to that I think we could avoid all difficulties that have been confronting us.

Mr. H.F. ANGUS (Canada): Mr. Chairman, I want to speak just on a personal point. I am afraid that the word I used earlier this afternoon may have been understood in a sense that was offensive, and certainly I did not mean the word "unreal." I was rather of the opinion that the table which was put forward was not put forward as the genuine opinion of any one country as to what was the best system under this Charter. That was really all that I meant by the word "unreal." The word was merely illustrative. I was afraid of having side by side the proposals that really represented the ideas to which delegations were attached, as their real genuine belief as to what was best in this Charter, and side by side something that was not quite on the same footing, and I hoped that the words used to express that were^{not} too strong.

CHAIRMAN: The Delegate of the United Kingdom.

Mr. J. R. C. HELMORE (United Kingdom): Mr. Chairman, I am afraid in putting forward my original proposal I may have expressed myself badly, but when I referred to the work done by the Secretariat, I certainly had no intention that they should take the responsibility for anything more than checking figures and maybe producing a document.

As far as your own proposition as to the structure of the Appendix is concerned, it meets my view completely, though I would suggest that a sentence be added to it to indicate that the United Nations Secretariat will undertake, or will seek, to produce the revised basic data by the time of the World Conference. It was only that I was anxious that the World Conference itself should not proceed to consider this matter on the basis of figures proposed by a single national delegation.

CHAIRMAN: The Delegate of Belgium.

Baron Pierre de GAIFFIER (Belgium) (Interpretation): Mr. Chairman, I think that Aristotle was right when he said that slavery was the natural condition of humanity, because we are in fact treating the members of the Secretariat as slaves. We are asking them to produce by tomorrow an Alternative C; we are asking them to find a solution of the problem of the statistical tables; we are asking them to draft footnotes which have to be inserted at the foot of the pages: of course we are not allowing them any responsibility! Therefore I would ask that the burdens of the Secretariat be lightened.

CHAIRMAN: I think the burden of the Secretariat has been lightened to the extent that all we expect them to produce tomorrow is a note explaining the Canadian/Chinese proposal. If they can

produce anything more we shall be very glad to have it.

CHAIRMAN: The delegate of the United States.

Mr. Clair WILCOX (United States): Mr. Chairman, I wish to thank the Delegate of Canada for what he has said, I had not intended to commit my Government to the support of this particular principle or this particular formula at Havana, and I hope that I have not done so.

CHAIRMAN: The Delegate of France.

M. ROYER (France) (Interpretation): Mr. Chairman, I would like to add a word to what Mr. Wilcox has just said. I regret that, following Dr. Coombs' intervention, the United States Delegate was moved to sponsor Alternative C, which is the formula embodying the heavy-weight voting principle. I think that it would be wiser to revert to what we had decided previously, that is to safeguard the anonymity of the authors of the proposals, and it would be far better here to just state that these formulae were proposed by two Delegations. I think that this would satisfy Dr. Coombs, because I think that if a formula is published under the sponsorship of the United States here and that is known by public opinion it may tend to create a painful impression and impute motives which I am certain are completely groundless.

Mr. Clair WILCOX (United States): Mr. Chairman, I believe that it had better be left as it is. We have a fair record of it.

Dr. H. C. COOMBS (Australia): Mr. Chairman, as far as I am concerned, the important thing is that the formula underlying any table should be sponsored by somebody. I do not mind if the somebody is mentioned by name, or if it is "one Delegation", or "two Delegations", and I do not mind whether it is put forward as

a firm opinion of the Delegation of the country concerned in putting forward this formula, or whether it is put forward merely as an illustration of the formula of a particular kind. What I was anxious to avoid was that it should be put forward in the Appendix or Annex as the formula, or the results of a formula, which would be either interpreted or sponsored by the Secretariat, or which might be regarded as the opinion of the Committee as a whole, as representing the proper method of implementing one of the Alternatives.

CHAIRMAN: I think it would satisfy the Commission if we simply said in the Appendix that at the Second Session of the Preparatory Committee two separate Delegations submitted two separate proposals for weighted voting which are given under I and II. Would that be satisfactory?

Dr. D. C. COOMBS (Australia) Right.

CHAIRMAN: If it is possible, the Secretariat may prepare the draft of this Appendix, without giving the tables - there might not be time for that - and if we find there is time to do that we will circulate it at the beginning of tomorrow's meeting.

There being no further business, the meeting is adjourned until tomorrow at 2.30 p.m.

(The Meeting adjourned: 8 p.m.)