

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

WORKING PARTY ON TECHNICAL ARTICLES

Summary Record of the Sixth Meeting held on Friday,
16 May 1947, at 10.30 a.m. in the Palais des Nations,
Geneva.

Chairman: H.E. Eriq Colban.

In opening the meeting the Chairman made two announcements:

- (a) Article 20 - Marks of Origin. The Chairman drew attention to the fact that the ad hoc sub-committee appointed to discuss the proposed amendment of paragraph 7 had now submitted a revised text (document W/c0). At the request of members who had not had an opportunity of studying the proposed text, it was agreed to postpone discussion until the next meeting.
- (b) Article 19 - Customs Formalities. The CHAIRMAN recalled that delegates who had taken part in the discussion on paragraph 5 (formerly paragraph 4) had been asked to meet informally to discuss the differences of opinion which had emerged during the discussion of the Working Party. He suggested that this informal meeting should be held at an early date. He enumerated the following delegations as having taken part in the discussion:

Australia, France, New Zealand, Union of South Africa,
United Kingdom and United States.

1. Article 23 - Boycotts. The delegates for Lebanon and Syria agreed to the suggestion of the CHAIRMAN that their proposal to delete Article 23 could be set aside and that the Working Party could proceed with the examination of the alternative proposal that the Article should be amended as set forth in document W/61. The Delegates for LEBANON and SYRIA advised that they wished to amend the second of the alternative proposals contained in that document by the deletion of the words "with political objectives".

It was agreed that Article 23, as it appears in the Report of the Drafting Committee, should remain unaltered. The Delegates for Lebanon and Syria reserved their position, declaring that they could not accept this Article if it were not amended so as to permit of boycotts when required because of a vital interest of a Member, unless it were clearly understood that the provisions do not apply to the case envisaged by them.

The Delegate for INDIA announced that although his delegation was not in accord with Article 23, they would not insist upon its deletion or amendment.

2. Article 16 - Freedom of Transit. Referring to the general comment in the Report of the Drafting Committee, the CHAIRMAN stated that paragraph (a) required no action, the Delegate for INDIA stated that he would withdraw the objection mentioned in paragraph (b), and the Delegate for CHILE announced that he wished to maintain, for the time being, his views expressed in paragraph (c).

Paragraph 1. The CHAIRMAN announced that, concerning paragraph 1, reservations by the Delegates for Australia

and Belgium appeared in the Report of the Drafting Committee and that amendments had now been proposed by France and Benelux (document W.31) supported by Czechoslovakia (document W.63) and by Chile (document W.55).

The amendment proposed by the French and Belgian Delegations was discussed and it was agreed to add to the last sentence of the first paragraph the words "but shall apply to air transit of goods and baggage".

At the request of the Delegate for CANADA, the Working Party then discussed the possible desirability of confining the provisions of this Article to goods to the exclusion of means of transport by the deletion of the words in the first two lines, "and also vessels and other means of transport", as had been suggested by the Delegate for Chile in the Drafting Committee. In suggesting the deletion of the words in question, the Delegate for Canada pointed out that while appreciating the reasons for including means of transport put forward by certain countries, it did not seem quite consistent to deal with one aspect of transportation in the Charter and exclude others.

After discussion it was agreed that the paragraph, as it appeared in the Report of the Drafting Committee, should be retained on the understanding that the Delegates for Canada and Chile should have the opportunity to raise the matter again in Second Reading if they should so desire.

The Working Party then discussed the proposal of the Chilean Delegation (document W.55) concerning the shipment of goods from one point of a Member country to another point of the same country across the territory of another state. Members of the Working Party agreed with the Chairman that it was clear

from the wording of Article 16 that the provisions of this Article were meant to cover such transit traffic as that envisaged by the Chilean Delegation. The Delegate for CHILE stated that if this interpretation were mentioned in the minutes he would be content to withdraw his proposed amendment.

The NETHERLANDS Delegate enquired whether goods arriving in one country from abroad without the final destination being known and subsequently (while still in bond) being sold to a third country, would enjoy freedom of transit to that country according to this paragraph. While it appeared the general opinion of the Working Party that this would be the case, the Delegates for Australia and New Zealand thought that such goods were not covered by this paragraph. The Chairman asked the Netherlands Delegate to reconsider the question in the light of the discussion that had taken place and, if necessary, submit an amendment.

It was agreed that the next meeting of the Committee should be held at 10.30 a.m. on Saturday, 17 May.

The meeting rose at 1 p.m.