

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED
LIMITED B
GATT/CPS/SR.5
11 April 1951
ORIGINAL : ENGLISH

CONTRACTING PARTIES
Special Session, 1951

SUMMARY RECORD OF THE FIFTH MEETING

Held at the Marine Spa, Torquay,
on Tuesday, 3 April 1951 at 11.15 a.m.

Chairman: Mr. J. MELANDER (Norway)

- Subjects discussed:
1. Questions concerning the Torquay Protocol.
 2. Proposed Negotiations between the United States and Cuba relating to preferences (GATT/CPS/2).
 3. Draft Press Release on the problem of the disparity of European tariffs (Torquay/26).
 4. Other Business.

1. Questions concerning the Torquay Protocol

Mr. GISLE (Sweden) explained that the Tariff Negotiations Committee had decided to request the Contracting Parties to approve certain changes in the Torquay Protocol and to adopt a resolution on unfinished Article XXVIII negotiations. These changes were explained in the report of the Legal Working Party (document GATT/TN.2/43), which also contained a draft resolution.

The changes to the Torquay Protocol were adopted.

Mr. REISMAN (Canada) explained that certain changes had been made in the Annex to the Resolution which was before the meeting of the Tariff Negotiations Committee. He assumed that the Annex was to be adopted as amended by the Tariff Negotiations Committee, i.e., with the deletion of all the items from the Cuban list except item 253 (b).

The CHAIRMAN confirmed this modification of the text of the Resolution. The Contracting Parties would be voting on the Resolution as thus modified.

The Resolution was adopted by a vote of 22 in favour, none against.

2. Proposed Negotiations between the United States and Cuba relating to Preferences (GATT/CPS/2)

Mr. HOLLIS (United States) introduced the paper that had been circulated by the U.S. Delegation and explained the system of preferences that existed between the two governments. He wished to make it clear first that the proposed negotiations would involve no changes to the most-favoured-nation treatment nor any increases in the margins of preference, and secondly that negotiations had not yet been undertaken.

The CHAIRMAN suggested that the Contracting Parties approve the proposed negotiations between the United States and Cuba as set out in the document, and that the Executive Secretary be instructed to circulate any proposed modifications of either schedule to the contracting parties for approval.

This was agreed.

3. Draft Press Release on the Problem of the Disparity of European Tariffs (Torquay/26)

The EXECUTIVE SECRETARY proposed certain changes in the press release.

The press release was approved as so modified.

4. Other Business

Mr. ROHAC (Czechoslovakia) recalled the reservation he had made at the first meeting of the Session as to the possibility of raising the question of the interpretation of the relationship between Articles I and XXVIII. He wished to place on record that Article I should be interpreted as completely excluding an increase in margins of preference in the schedules. The view of his delegation was that, where the most-favoured-nation rate was raised as the result of an Article XXVIII negotiation, the preferential rate must also be raised to the extent necessary to retain the margin between the two rates fixed at Geneva. In that sense he believed that Article I applied to all negotiations, even those under Article XXVIII.

The CHAIRMAN said that this matter had been raised at the first meeting of the Session. The Czechoslovak representative had stated certain views on the interpretation of two articles in the Agreement. It was for the Contracting Parties to decide whether they wished this matter placed on the Agenda for discussion at this time.

Mr. ROHAC said he did not wish to insist that this item be placed on the Agenda, but only that his statement be recorded in the summary record.

The CHAIRMAN said that this would be done.

Mr. STEYN (Union of South Africa) said that earlier in the day the Tariff Negotiations Committee had met for the last time and he was sure the participating countries would wish to express their appreciation of the invaluable work done by its acting Chairman, Mr. GISLE.

Mr. GISLE thanked Mr. STEYN and the Contracting Parties.

There being no other business, the CHAIRMAN declared the Special Session closed.

The meeting closed at 12.30.