

18 February 1948
GATT/1/1

GENERAL AGREEMENT ON TARIFFS AND TRADE

SECRETARIAT NOTE

FIRST SESSION OF THE CONTRACTING PARTIES OF THE
GENERAL AGREEMENT ON TARIFFS AND TRADE

In accordance with paragraph 2 of Article XXV of the General Agreement on Tariffs and Trade, the Secretary-General of the United Nations is requested to convene the First Meeting of the Contracting Parties, which shall take place not later than 1 March 1948.

The Secretary-General of the United Nations communicated by cable on 30 January with the Governments concerned and confirmatory letters were dispatched on 2 February. There is attached herewith the text of the invitations to the First Session, together with the Provisional Agenda which was enclosed. Contracting Parties are invited to advise the Secretariat of any items which they would wish to add to the present provisional agenda. Should any such items be received before the start of the First Meeting, a revised provisional agenda will be issued.

The following remarks regarding the attached provisional agenda may prove to be of use to delegations:

Item 1

There is enclosed a set of provisional Rules of Procedure for consideration by delegations. These Rules are intended fundamentally to be of use at the First Session, and it may be that they will require substantial amendment before the Second Session of the Contracting Parties. At this stage, and in view of the special nature of the First Session of the Contracting Parties, it would appear advisable to adopt a fairly simple set of Rules of Procedure, leaving their elaboration for later on.

Item 4

Delegations may find it useful to refer to the documentation of the United Nations Conference on Trade and Employment which concerns the Working Party for the Interim Commission of the ITO, as it regards the Secretariat for the General Agreement on Tariffs and Trade.

Item 5

A draft Protocol, for preliminary consideration, is enclosed. All signatories of the Final Act at Geneva were circularized by the Secretariat at Havana on 28 November 1947, and were asked whether their Schedules had

/been found.

been found in order or whether any corrections were considered necessary in order to bring them into conformity with the agreements reached in the negotiations at Geneva. Certain delegations have not yet replied and if they have any amendment or addition to make to the attached draft Protocol, it would be appreciated if they could communicate with the Secretariat at their earliest convenience. It should be noted that representatives should be in possession of credentials that will enable them to sign this Protocol.

Item 6

In accordance with the notifications lodged at Geneva, it would appear as if Australia and Cuba are the only Contracting Parties which are required to submit particulars in this connection. It is understood that Australia does not intend to maintain the measure concerning which she supplied particulars at Geneva and, consequently, it is expected that only Cuba will submit the information provided for under paragraph 6 of Article XVIII of the General Agreement on Tariffs and Trade.

Item 8

Delegations will no doubt wish to keep in mind certain discussions which have taken place on this issue in the course of the United Nations Conference on Trade and Employment.

Item 9

Participating countries may wish to consider, at least in a preliminary manner, the possibility of a new round of tariff negotiations this year.

As regards the precise date on which the First Session of the Contracting Parties will start, it will be noted that the Secretary-General's invitation refers to 28 February or the end of the United Nations Conference on Trade and Employment, whichever is the earlier. An endeavour will be made to start the meeting of the Contracting Parties as soon as possible and, if feasible before 28 February. However, the representatives of some of the Contracting Parties are busily engaged in the work of the Conference, and it may prove to be difficult to hold simultaneous meetings of the Contracting Parties and the Conference. In any case, a further notification in this connection will be sent to the interested parties here in Havana at an early date.

ANNEXURE 1

To the Governments of: Australia, Belgium, Canada, Cuba, France, Luxembourg, Netherlands, United Kingdom, United States.

Sir:

With reference to Paragraph 2 of Article XXV of the General Agreement on Tariffs and Trade, [which is being provisionally applied by your Government in accordance with the terms of the Protocol of Provisional Application which was drawn up in Geneva on October 30, 1947,] I have the honor to inform you that the first meeting of the contracting parties (as defined in Article XXXII of the Agreement) will take place at the Capitol Building, Havana, Cuba, on the final day of the current United Nations Conference on Trade and Employment, or on February 28, whichever is the earlier.

I have selected Havana as the most suitable place for the first meeting of the contracting parties because the above-mentioned Conference is taking place there, and I feel it is likely you will wish your Delegates to the Conference to represent you at the meeting of the Contracting Parties to the General Agreement on Tariffs and Trade. I enclose a copy of the provisional agenda for this meeting.

I have the honor to be, Sir,

Your obedient Servant,

Note: The words between square brackets in the first paragraph were not included in the letter to Governments which are not yet contracting parties. Instead, a new paragraph was inserted between paragraphs 1 and 2, reading as follows:

"Although your Government is not yet applying the General Agreement on Tariffs and Trade, it is desirable that you should appoint a representative to act as an Observer and to participate in the consideration of certain items appearing on the Provisional Agenda".

These countries are: Brazil, Burma, Ceylon, Chile, China, Czechoslovakia, India, Lebanon, New Zealand, Norway, Pakistan, Southern Rhodesia, Syria, and Union of South Africa.

/ANNEXURE 2

ANNEXURE 2

FIRST MEETING OF THE CONTRACTING PARTIES OF THE
GENERAL AGREEMENT ON TARIFFS AND TRADE

PROVISIONAL AGENDA

1. Adoption of Provisional Rules of Procedure
2. Election of Chairman
3. Adoption of Provisional Agenda
4. Arrangements regarding the Secretariat of the Contracting Parties
5. Signature of Protocol incorporating typographical corrections to the text of the Schedules of the General Agreement on Tariffs and Trade as signed at Geneva
6. Notification of measures by contracting parties under Paragraph 6 of Article XVIII
7. Any questions that may be raised concerning commitments made under the Agreement and regarding its operation
8. Relation of the General Agreement to the Charter for an International Trade Organization (Article XXIX)
9. Accession to the General Agreement on Tariffs and Trade of governments not parties to the Agreement (Article XXXIII)
10. Determination of the date of the second meeting of the contracting parties
11. Other business

ANNEXURE 3

FIRST SESSION OF THE
CONTRACTING PARTIES TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

Draft Rules of Procedure

CHAPTER I - AGENDA

Rule 1

The provisional agenda for each session shall be drawn up by the Secretary in consultation with the Chairman and shall be communicated to the contracting parties at least three weeks before the date of meeting. It shall be open to any contracting party to propose items for inclusion in this provisional agenda up to one month from the date of meeting.

Rule 2

The first item of business at each session shall be the consideration and approval of an agenda.

Rule 3

The agenda may be amended at any time or priority given to certain items.

CHAPTER II - CREDENTIALS

Rule 4

Each contracting party as defined in Article XXXIII of the General Agreement on Tariffs and Trade shall be represented by an accredited representative.

Rule 5

Each representative may be accompanied by such alternate representatives and advisers as he may require.

Rule 6

The credentials of representatives shall be submitted to the Secretary at least one week before the opening of a meeting. They shall take the form of a communication from or on behalf of the Minister of Foreign Affairs authorizing the representative to perform on behalf of the contracting party the functions indicated in Article XXIV of the General Agreement on Tariffs and Trade. The Chairman after consulting with the Secretary shall draw attention to any case where a representative has omitted to present his credentials in due time and form.

CHAPTER III - OBSERVERS

Rule 7

The representatives of countries signatories at Geneva of the Final Act
/of the

of the General Agreement on Tariffs and Trade which have not become contracting parties may attend meetings in the capacity of participating observers on the invitation of the contracting parties.

Rule 8

Representatives of specialized agencies may participate in the meetings without vote on the invitation of the contracting parties.

CHAPTER IV - OFFICERS

Rule 9

A Chairman and a Vice-Chairman shall be elected from among the representatives. They shall each hold office for a period of one year.

Rule 10

If the Chairman is absent from any meeting or part thereof, the Vice-Chairman shall preside.

Rule 11

If the Chairman ceases to represent a contracting party or is so incapacitated that he can no longer hold office, the Vice-Chairman shall become Chairman.

Rule 12

The Vice-Chairman acting as Chairman shall have the same powers and duties as the Chairman.

Rule 13

The Chairman or the Vice-Chairman acting as Chairman shall normally participate in the proceedings as such and not as the representative of a contracting party. He may, however, at any time request that he be permitted to act in either capacity.

CHAPTER V - SECRETARIAT

Rule 14

The Secretary shall act in that capacity at all meetings. He may appoint another member of the staff to take his place at any meeting.

Rule 15

The Secretary shall provide and direct such staff as is required, shall be responsible for making all the necessary arrangements for meetings and generally shall perform all other tasks which may be assigned to him.

Rule 16

The Secretary or his deputy may at any time upon the invitation of the chairman of the body concerned make either oral or written statements concerning any question under consideration.

CHAPTER VI - CONDUCT OF BUSINESS

Rule 17

A simple majority of the contracting parties shall constitute a quorum.

Rule 18

In addition to exercising the powers conferred upon him elsewhere by these rules, the Chairman shall declare the opening and closing of each meeting, shall direct the discussion, accord the right to speak, put questions to the vote, announce decisions, rule on points of order and, subject to these rules, have complete control of the proceedings. The Chairman may also call a speaker to order if his remarks are not relevant.

Rule 19

During the discussion of any matter a representative may raise a point of order. In this case the Chairman shall immediately state his ruling. If his ruling is challenged, the Chairman shall immediately submit it for decision and it shall stand unless overruled.

Rule 20

During the discussion of any matter a representative may move the adjournment of the debate. Any such motion shall have priority. In addition to the proposer of the motion, one representative may be allowed to speak in favour of, and two representatives against, the motion.

Rule 21

A representative may at any time move the closure of the debate. In addition to the mover of the motion, not more than one representative may be granted permission to speak in favour of the motion and not more than two representatives may be granted permission to speak against the motion, after which the motion shall be put to the vote immediately.

Rule 22

During the course of a debate the Chairman may announce the list of speakers and, with the consent of the meeting, declare the list closed. He may, however, accord a right of reply to any representative if a speech delivered after he has declared the list closed makes this desirable.

Rule 23

The contracting parties may limit the time allowed to each speaker.

Rule 24

Proposals and amendments shall normally be introduced in writing and circulated to all representatives not later than twelve hours before the commencement of the meeting at which they are to be discussed.

Rule 25

Rule 25

If two or more proposals are moved relating to the same questions, the meeting shall first vote on the most far-reaching proposal and then on the next most far-reaching proposal and so on.

Rule 26

When an amendment is moved to a proposal, the amendment shall be put to the vote first, and if it is adopted, the amended proposal shall then be put to the vote.

Rule 27

When two or more amendments are moved to a proposal, the meeting shall vote first on the amendments farthest removed in substance from the original proposal, then, if necessary, on the amendment next farthest removed, and so on until all the amendments have been put to the vote.

CHAPTER VII - VOTING

Rule 28

Except as otherwise specified in the General Agreement on Tariffs and Trade, decisions shall be taken by a majority of the votes cast.

Rule 29

Each contracting party shall be entitled to one vote.

CHAPTER VIII - COMMITTEES

Rule 30

Such committees and sub-committees as may be necessary may be established.

Rule 31

A simple majority of the members of a committee shall constitute a quorum.

Rule 32

The provisions of Rules 17 to 29 shall be applied in the proceedings of committees.

CHAPTER IX - LANGUAGES

Rule 33

Subject to the provisions of Rule 34, English and French shall be the working languages.

Rule 34

A decision, by unanimous agreement, may be taken at any meeting to adopt a rule of procedure regarding interpretations of a more simple character than Rule 33.

CHAPTER X - RECORDS

Rule 35

Summary Records of the meetings of the contracting parties shall be kept /by the

by the Secretariat. They shall be sent as soon as possible to all representatives who shall inform the Secretariat not later than twenty-four hours after the circulation of the summary record of any changes they wish to have made.

Rule 36

Committees may decide to adopt records of a more simple form than those mentioned in Rule 35.

CHAPTER XI - PUBLICITY OF MEETINGS

Rule 37

The meetings of the contracting parties and of committees shall ordinarily be held in private. It may be decided that a particular meeting or meetings should be held in public.

Rule 38

After a private meeting has been held, the Secretary, with the approval of the body concerned, may issue a communiqué to the press.

ANNEXURE 4

DRAFT PROTOCOL
TO THE GENERAL AGREEMENT
ON TARIFFS AND TRADE

PROJET DE PROTOCOLE
RELATIF A L'ACCORD GENERAL SUR LES
TARIFFS DOUANIERS ET LE COMMERCE

The Governments of the COMMONWEALTH OF AUSTRALIA, the KINGDOM OF BELGIUM, the UNITED STATES OF BRAZIL, BURMA, CANADA, CEYLON, the REPUBLIC OF CHILE, the REPUBLIC OF CHINA, the REPUBLIC OF CUBA, the CZECHOSLOVAK REPUBLIC, the FRENCH REPUBLIC, INDIA, LEBANON, the GRAND-DUCHY OF LUXEMBURG, the KINGDOM OF THE NETHERLANDS, NEW ZEALAND, the KINGDOM OF NORWAY, PAKISTAN, SOUTHERN RHODESIA, SYRIA, the UNION OF SOUTH AFRICA, the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, and the UNITED STATES OF AMERICA.

Les Gouvernements du COMMONWEALTH D'AUSTRALIE, du ROYAUME DE BELGIQUE, des ETATS-UNIS DU BRESIL, de la BIRMANIE, du CANADA, de CEYLAN, de la REPUBLIQUE DU CHILI, de la REPUBLIQUE DE CHINE, de la REPUBLIQUE DE CUBA, des ETATS UNIS D'AMERIQUE, de la REPUBLIQUE FRANCAISE, de l'INDE, du LIBAN, du GRAND-DUCHE DE LUXEMBOURG, du ROYAUME DE NORVEGE, de la NOUVELLE-ZELANDE, du PAKISTAN, du ROYAUME DES PAYS-BAS, de la RHODESIE DU SUD, du ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD, de la SYRIE, de la REPUBLIQUE TSCHECOSLOVAQUE et de L'UNION SUD-AFRICAINE,

HAVING on the thirtieth day of October One Thousand Nine Hundred and Forty Seven at Geneva signed the Final Act of the General Agreement on Tariffs and Trade.

AYANT signé le trente octobre mil neuf cent quarante sept, à Genève, l'Acte final de l'Accord général sur les tarifs douaniers et le commerce,

HAVING noted that certain corrections should be made in Annex B and in the Schedules annexed to the said Agreement.

AYANT constaté que certaines corrections doivent être apportées à l'annexe B ainsi qu'aux listes annexées audit Accord,

HEREBY AGREE, through the undersigned representatives duly authorized to

SONT PAR LES PRESENTES, par l'entremise de leurs représentants dûment

that effect, as follows:

- 1. To amend the note to Annex B on page 68 of the English text in the following manner:

<u>now reads:</u>	<u>should read:</u>
For imports into Metropolitan France	For imports into Metropolitan France and territories of the French Union.

- 2. To amend the Schedules in the following manner:
 - (a) The following correction should be made in the Schedule of Canada (Schedule V), in the English text only:

Page 19 - Tariff Item Number ex. 156 (v)

<u>now reads</u>	<u>should read</u>
\$4.30	\$4.50

- (b) In the Schedule of Ceylon (Schedule VI), on page 1 of the English text and on the page facing page 1 of the French text, the introductory paragraph should be deleted.
- (c) The following corrections should be made to the Schedule of Czechoslovakia (Schedule X) in the French text only:

autorisés à cet effet, convenus de ce qui suit :

- 1. Modifier la note jointe à l'annexe B, page 77 du texte français, de la manière suivante :

<u>au lieu de</u>	<u>lire</u>
Pour l'importation dans la Métropole.	Pour l'importation dans la Métropole et dans les territoires de l'Union française.

- 2. Modifier les listes de la manière suivante :
 - a) Dans la liste du Canada (liste V), apporter la correction suivante qui ne concerne que le texte anglais :

- b) Dans la liste de Ceylan (liste VI), à la page 1 du texte anglais et à la page précédant la page 1 du texte français, supprimer l'introduction.
- c) Apporter à la liste de la Tchécoslovaquie (liste X), les corrections suivantes qui ne concernent que le texte français :

Page 11 - Position du Tarif ex. 1 :

<u>au lieu de</u>	<u>lire</u>
....compétente du pays importateur (9).....	....compétente du pays exportateur (9).....

Page 11 - Position du Tarif ex. 2 :

<u>au lieu de</u>	<u>lire</u>
....compétente du pays importateur (9).....	....compétente du pays exportateur (9).....

Page 27 - Position du Tarif ex. 312 :

<u>au lieu de</u>	<u>lire</u>
....caoutchouc d'une épaisseur ....	....caoutchouc d'une largeur....

Page 44 - Deuxième position du Tarif :

<u>au lieu de</u>	<u>lire</u>
illisible	542

Page 53 - Position du Tarif ex. 637 :

<u>au lieu de</u>	<u>lire</u>
ex. 637	ex 637
ex b)	b)3

Page 53 - Position du Tarif ex. 652 :

<u>au lieu de</u>	<u>lire</u>
ex 652	ex 652
a)	a)
b)	ex b)

(d) In the Schedule of India (Schedule XII), the following correction should be made in the English text only:

d) Dans la liste de l'Inde (liste XII), apporter la correction suivante qui ne concerne que le texte anglais :

Page 4 - Tariff Item Number Ex. 22 (5) (b)

<u>now reads</u>	<u>should read</u>
....gallon of the Strength of....	....gallon of the strength of....

(e) In the Schedule of the Union of South Africa (Schedule XVIII) the following corrections should be made in the English text.

e) Dans la liste de l'Union Sud-Africaine (liste XVIII), apporter les corrections suivantes au texte français:

Page 12 - Tariff Item Number 108 (e) :

Page 13 - Position du Tarif 108 (e) :

<u>now reads</u>	<u>should read</u>
....and barrels therefor, single....each	.... and barrels therefor, single....per barrel

<u>au lieu de</u>	<u>lire</u>
.... y compris leurs canons, à un coup...pièce	....y compris leurs canons, à un coup...par canon.

Page 12 - Tariff Item Number 108 (f)

Page 13 - Position du Tarif 108 (f) :

<u>now reads</u>	<u>should read</u>
....including barrels therefor, double and other....each	....including barrels therefor, double and other....per barrel

<u>au lieu de</u>	<u>lire</u>
.... y compris leurs canons, à deux coups et autres... pièce	.... y compris leurs canons, à deux coups et autres... par canon

(f) The following corrections should be made in the Schedule of the United Kingdom (Schedule XIX) in the English text:

f) Apporter les corrections suivantes au texte français de la liste du Royaume-Uni (liste XIX) :

Page 41 - Tariff Item Number 6 (a):

<u>now reads</u>	<u>should read</u>
....on the area of	....on the area
the tissue or 17	of the tissue or
1/2% of the value of	22 1/2% of the
the tissue	value of the
whichever is the	tissue whichever
greater.	is the greater.

Page 41 - Tariff Item Number 6 (b):

<u>now reads</u>	<u>should read</u>
....on the area of	....on the area
the tissue or 17 1/2%	of the tissue or
of the value of the	22 1/2% of the
tissue whichever is	value of the
the greater.	tissue whichever is
	the greater.

Page 41 - Tariff Item Number 6 (Other Tissues)

<u>now reads</u>	<u>should read</u>
....plus 17 1/2% of	....plus 22 1/2% of
the value of the	the value of the
tissue.	tissue.

Page 53 - Tariff Item Number 3 G.A.V. (Clove)

<u>now reads</u>	<u>should read</u>
Free	10%

3. To authorize the United Nations to effect registration of this Protocol which shall enter into force immediately.

DONE at Havana, in a single copy, in the English and French languages, both texts authentic, this day of

Page 45 - Position du Tarif 6 a) :

<u>au lieu de</u>	<u>lire</u>
....de la surface	....de la surface
du tissu, ou 17	du tissu, ou 22
1/2% de la valeur	1/2% de la valeur
du tissu.	du tissu.

Page 45 - Position du Tarif 6 b)

<u>au lieu de</u>	<u>lire</u>
....de la surface	....de la surface
du tissu ou 17 1/2%	du tissu ou 22 1/2%
de la valeur du	de la valeur du
tissu.	tissu.

Page 46 - Position du Tarif 6 (Autres tissus)

<u>au lieu de</u>	<u>lire</u>
....plus 17 1/2%	....plus 22 1/2%
de la valeur du	de la valeur du
tissu.	tissu.

Page 61 - Position du Tarif 3 D.G.A.V. (de clous de girofles)

<u>au lieu de</u>	<u>lire</u>
Franchise	10%

3. Autoriser l'Organisation des Nations Unies à effectuer l'enregistrement du présent Protocole, qui entrera en vigueur immédiatement.

FAIT à La Havane, en un seul exemplaire, en langues française et anglaise, les

February One Thousand Nine Hundred and
Forty Eight.

deux textes faisant également foi, le
..... février mil neuf cent quarante
huit.

For the Commonwealth of Australia:

Pour le Commonwealth d'Australie :

For the Kingdom of Belgium:

Pour le Royaume de Belgique :

For the United States of Brazil:

Pour les Etats-Unis du Brésil :

For Burma:

Pour la Birmanie :

For Canada:

Pour le Canada :

For Ceylon:

Pour Ceylan :

For the Republic of Chile:

Pour la République du Chili :

For the Republic of China:

Pour la République de Chine :

For the Republic of Cuba:

Pour la République de Cuba :

For the Czechoslovak Republic:

Pour la République tchécoslovaque :

For the French Republic:

Pour la République française :

For India:

Pour l'Inde :

For Lebanon:

Pour le Liban :

For the Grand-Duchy of Luxemburg:

Pour le Grand-Duché de Luxembourg :

For the Kingdom of the Netherlands:

Pour le Royaume des Pays-Bas :

For New Zealand:

Pour la Nouvelle-Zélande :

For the Kingdom of Norway:

Pour le Royaume de Norvège :

For Pakistan:

Pour le Pakistan :

For Southern Rhodesia:

Pour la Rhodésie du Sud :

For Syria:

Pour la Syrie :

For the Union of South Africa:

Pour l'Union Sud-Africaine :

For the United Kingdom of Great Britain
and Northern Ireland:

Pour le Royaume-Uni de Grande-Bretagne
et d'Irlande du Nord :

For the United States of America:

Pour les Etats-Unis d'Amérique :
