

# GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED  
LIMITED C  
CP.6/W/17  
12 October 1951  
ORIGINAL: ENGLISH

CONTRACTING PARTIES  
Sixth Session

## WORKING PARTY 3 ON THE CONTINUING ADMINISTRATION OF THE AGREEMENT

### Note by the Chairman of the Working Party

On the basis of the discussions which have taken place in the Working Party, and in the light of certain consultations which I have had with individual members of the Working Party, I venture to put forward the following proposals as a basis for further discussion:

- (a) It is evident from the discussion in the Contracting Parties and in the Working Party that there is not a sufficient measure of agreement on the establishment of a Standing Committee to justify proceeding with that suggestion at the present time.
- (b) There is, however, general agreement that in order effectively to administer the Agreement provision should be made to deal with cases requiring urgent action between Sessions.
- (c) There is also general agreement that the work of the regular Sessions could be facilitated and shortened if more extensive preparations of agenda items were undertaken in advance of the Sessions.
- (d) In these circumstances it seems to me that a solution to these problems might be found along the following lines:

#### A. Ad hoc Committee for Agenda and Intersessional Business.

1. As an experimental arrangement to operate between the Sixth and Seventh Sessions the Contracting Parties should establish an ad hoc Committee for Agenda and Intersessional Business. This should consist of the Chairman of the Contracting Parties (ex officio), as Chairman of the Committee, and of .... members to be proposed by the Chairman and approved by the Contracting Parties at the Sixth Session. If the Chairman were not available to preside at any meeting of the Committee, the Committee would elect a chairman for that meeting.

#### FUNCTIONS

2. The functions of the Committee should be limited to the following matters.

#### Preparation of Agenda of the Seventh Session

3. The Committee should meet four to six weeks before the opening of the Seventh Session to consider what matters are likely to arise at that Session and the adequacy of the documentation available. They should also meet at or shortly before the opening of the Seventh Session, to consider the provisional Agenda and make recommendations to the Contracting Parties in the light of the documentation submitted, as to the order of business.

Urgent inter-sessional business

4. The Committee should meet as necessary to consider urgent matters arising between the Sixth and Seventh Sessions, and not foreseen and provided for by the Contracting Parties at the Sixth Session, which:

- (a) the contracting party (or parties) raising the matter requests be so dealt with, or
- (b) prima facie require to be dealt with in accordance with inter-sessional procedures.

PROCEDURE

5. In respect of matters not provided for in paragraphs 6 and 7 below, which in the view of the Committee require inter-sessional action, the Committee should establish a Working Party consisting of some or all of its members, together with the countries directly concerned, any countries which claim a substantial interest in the matter and wish to be represented on the Working Party, and any other countries which the Committee might consider it necessary to invite and which were willing to serve on the Working Party. The Working Party would examine all the relevant facts and views and report thereon to the Seventh Session of the Contracting Parties. If, however, a matter were of sufficient urgency the Working Party might request the convening of a Special Session, in accordance with the rules of procedure, to consider the Report of the Working Party.

6. In respect of any matter relating to the application of Articles XII to XV of the Agreement which in the view of the Committee required such inter-sessional action, the Committee would make appropriate arrangements for consideration of the matter in accordance with the inter-sessional procedures adopted at the Third Session of the Contracting Parties. In any case where, under these procedures, the appointment of an ad hoc Working Party would be called for, the function (at present invested in the Chairman) of establishing this Working Party might be carried out by the Committee.

7. Matters relating to Article XVIII of the Agreement would continue to be referred direct to the existing Inter-sessional Working Party appointed at the Third Session and subsequently re-appointed.

MEETINGS

8. The Committee should meet in Geneva on the call of the Executive Secretary

9. Contracting parties not members of the Committee or of an intersessional working party would, in accordance with the practice of the Contracting Parties, be entitled to be represented by an observer at meetings of the committee or working party.

GENERAL

10. The foregoing suggestions relate only to urgent matters arising between Sessions which cannot be foreseen at the time when the Contracting Parties are in session. If, in the course of a session, it comes to the notice of the Contracting Parties that a matter will arise between sessions requiring action before the next regular session, the Contracting Parties shall take action to provide the necessary arrangements for dealing with the matter.

B. Secretariat

The question of the functions of the Secretariat should be dealt with as a separate item in the report of the Working Party as indeed was the case in the report of Working Party "E" of the 5th Session, which is the principal document before the present Working Party. I suggest that the Working Party recommend that the Contracting Parties decide that the usual functions of a secretariat shall continue to be carried out, pending further consideration of this matter at a later Session, by the Executive Secretary of the Interim Commission for the International Trade Organization. The Working Party might record that it considered that such functions would include the examination of proposals submitted for the agenda of the Contracting Parties, entering into consultations with interested contracting parties and the submission of reports to the Contracting Parties. Furthermore, the Working Party might wish to recommend that contracting parties facilitate the task of the Secretariat to the fullest possible extent and that in appropriate cases where the governments concerned are at a considerable distance from the headquarters of the Secretariat, these governments consider designating a representative stationed near the headquarters of the Secretariat who would, subject of course to instructions by his government, be able to discuss with the Secretariat points arising in the preparation of such reports. If this procedure is not convenient or appropriate in particular cases, the governments concerned would make other arrangements for close liaison and speedy communication between themselves and the Secretariat.