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CZECHOSLOVAKIA: PROPOSED AMENDMENTS

Observations on Article 12

The delegation of Czechoslovakia reserved its position to Article 12 because it is the general policy of the Czechoslovak government not to admit direct investments into Czechoslovakia (i.e. those types of investments where a foreign investor acquires ownership, interest or property in an enterprise in Czechoslovakia). For this reason the delegation of Czechoslovakia cannot agree to the last sentence of paragraph 1 of Article 12 ("Accordingly.....investments") and suggests that this sentence be deleted and that it should be left to the consideration of the government of each country to decide what would be its policy as to investments.

Observations on Article 19

The delegation of Czechoslovakia is of the opinion that films being works of art are not just simple commercial commodities or industrial products. They are individualized creations of varying artistic talents. They are never sold in the form of a piece of merchandise whose ownership passes from one owner to the other but as more or less limited rights to exhibit them publicly in a given territory for a given period of time and hence fall rather under the category of copyrights. In this respect it is for instance obvious that one cannot request from one country, because it possesses twenty square feet of an original picture of Velasquez, that it should be obliged also to buy twenty square feet of any other oil painting of whatever nationality. The quality of films and tendencies of films may greatly change from one period to another and hence it should be stated that films should be explicitly excluded from the competence of the ITO, especially as the question of films is dealt with by the film division of the secretariat of the United Nations or UNESCO.

Observations on Section B, Chapter IV. - (Publicity of Quantitative Restrictions).

The delegation of Czechoslovakia, while not opposed to the principle of public notice, is of the view that too rigid a rule would have a restrictive effect upon the expansion of trade in general and that unlimited publicity

publicity should be requested only by those countries which have a predominant part of their trade with countries which themselves publish quotas.

Observations on Article 23

In the opinion of the delegation of Czechoslovakia the Geneva text of this article does not take fully into account practical difficulties of the present period. Accordingly the delegation of Czechoslovakia feels that the original wording as it was in Article 28 of the London and New York draft corresponds better to economic realities.