

ECONOMIC  
AND  
SOCIAL COUNCIL

CONSEIL  
ECONOMIQUE  
ET SOCIAL

RESTRICTED

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ORIGINAL: ENGLISH

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

TARIFF AGREEMENT COMMITTEE

GENERAL AGREEMENT ON TARIFFS AND TRADE

The Delegation of the United States suggests the following revision of Article XXIII of the General Agreement.

Joint Action by the Contracting Parties

1. Representatives of the contracting parties shall meet from time to time for the purpose of giving effect to those provisions of this Agreement which involve joint action and generally with a view to facilitating the operation and furthing the purposes of this Agreement. Wherever reference is made elsewhere in this Agreement to joint activity by the contracting parties, they are identified for convenience as the "Contracting Parties".
2. The Secretary General of the United Nations is hereby requested to convene the first meeting of the Contracting Parties which shall take place not later than February 1, 1948.
3. Each contracting party shall be entitled to have one vote at all meetings of the Contracting Parties.
4. Except as otherwise provided in this Agreement decisions of the Contracting Parties shall be taken by a majority of the contracting parties present and voting.

5. In exceptional circumstances not elsewhere provided for in this Agreement, the Contracting Parties may waive an obligation imposed upon a contracting party by this agreement; Provided that any such decision shall be approved by a two-thirds majority of the votes cast and that such majority shall comprise more than half of the contracting parties.

The contracting parties may also by such a vote

(a) define certain categories of exceptional circumstances to which other voting requirements shall apply for the waiver of obligations, and

(b) prescribe such criteria as may be necessary for the application of this paragraph.<sup>7</sup>

6. As soon as the International Trade Organization has been established the Contracting Parties shall transfer their functions to the Organization, except to the extent that they may agree otherwise pursuant to Paragraph 2 of Article XXVII.

Wherever the word "Committee" appears elsewhere in the General Agreement, it should be changed to "Contracting Parties". This will occasionally require consequential changes in related verbs, as, for example, changing "if the Committee decides" to "if the Contracting Parties decide".

The first reference to the Contracting Parties appears in Article V, paragraph 5, of the General Agreement (page 12). The words in parentheses in the fourth and fifth lines from the bottom should be changed to read "hereinafter referred to as the Contracting Parties".