

JOINT SUB-COMMITTEE OF COMMITTEES II AND VI

NOTES ON FIFTEENTH MEETING

Held at the Capitol, Havana, Cuba,  
Monday, 12 January 1948, at 10.30 a.m.

Chairman: Mr. H. C. COOMES (Australia)

1. The Sub-Committee first of all gave consideration to the Peruvian Amendment to add an additional paragraph between present paragraphs 2 and 3 of Article 11. After discussion it was agreed to add a sub-paragraph on the lines of that stated below in paragraph 3 of Article 11. The sub-paragraph in question is underlined in the text below. The rest of the text is as contained in E/CONF.2/C.2&6/A/W.3 as amended by the Joint Sub-Committee at its ninth (E/CONF.2/C.2&6/A/W.6) and fourteenth (E/CONF.2/C.2&6/A/W.13) meetings.

"3. The Organization may, in such collaboration with other inter-governmental organizations as may be appropriate,

(a) make recommendations for and promote bilateral or multilateral agreements on measures designed:

- (i) to assure just and equitable treatment for the enterprise, skills, capital, arts and technology brought from one Member country to another;
- (ii) to avoid international double taxation in order to stimulate the flow of foreign private investments;
- (iii) to maximise the benefits to Members from the fulfilment of the obligations under this Article.

(b) formulate and promote.....investment."

It was decided to refer the proposed sub-paragraph (iii) to Working Party No. 3 in order that they should consider and recommend to the Joint Sub-Committee regarding the exact wording.

2. The Joint Sub-Committee then considered the report of Working Party No. 3 concerning the Mexican amendment to the second sentence of paragraph 1 of Article 11 (E/CONF.2/C.2&6/A/W.12) and approved the report.

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3. The Joint Sub-Committee then gave consideration to the Report of Working Party No. 3 regarding the Turkish Amendment to paragraph 2 of Article 10 (E/CONF.2/C.2&6/A/W.14). After discussion it was agreed that a new paragraph 3 should be inserted in Article 10 as follows:

"3. [With a view to promoting industrial and general economic development especially of those countries which are still relatively undeveloped] the Organization shall co-operate fully with the Economic and Social Council of the United Nations and appropriate inter-governmental Organizations on all phases of economic development within their special competence and in particular in respect of finance, equipment, technical assistance and managerial skills."

It was agreed further that the preamble should remain in square brackets pending consideration of this amendment by Sub-Committee D of Committee II on the footnote to Chapter III on reconstruction.

4. The Joint Sub-Committee took up next the subject of approval of paragraph 2 of Article 11 and examined a proposal of the United States delegation that the paragraph be approved but that an interpretative text be inserted in the records. It was decided that Working Party No. 3 should examine this interpretative text and that the matter would be reconsidered at the next meeting of the Joint Sub-Committee.

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