

**United Nations**  
**CONFERENCE**  
**ON**  
**TRADE AND EMPLOYMENT**

**Nations Unies**  
**CONFERENCE**  
**DU**  
**COMMERCE ET DE L'EMPLOI**

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ORIGINAL: ENGLISH

SIXTH COMMITTEE: ORGANIZATION

SUB-COMMITTEE I (ARTICLE 94)

NOTES ON THE SEVENTH MEETING

Held at 4.00 p.m. Friday, 27 February

Chairman: Mr. J. GOMEZ-ROBLES (Guatemala)

In view of the absence of the Chairman, Mr. TINOCO (Costa Rica), Mr. C. A. LLANES (Costa Rica) proposed that Mr. GOMEZ-ROBLES (Guatemala) should serve as Chairman. The Sub-Committee approved unanimously.

Concerning the provision adopted provisionally at the Sixth Meeting regarding peace treaties and special regimes (E/CONF.2/C.6/W.100) the Sub-Committee confirmed the text subject to a reservation by the representative of Iraq pending final decisions on the texts of Articles 15 and 16. The representative of Turkey, who was not a member of the Sub-Committee, indicated that his delegation also reserved its position on this text pending the outcome of the discussion on Article 16. The representative of Turkey indicated that he would secure information concerning relevant provisions of the Treaty of Lausanne in case it might become necessary to reopen this portion of Article 94 at a later stage.

The Sub-Committee considered the possible inclusion of the word "solely" before "for the purpose of" in the text of paragraph 1 (c) on the basis of suggestions which the representatives of the United States and the United Kingdom had provided at the request of the Sub-Committee (see E/CONF.2/C.6/W.100, paragraph 4). The Sub-Committee concurred in the present language of paragraph 1 (c), but agreed to include a note in the Sub-Committee report to the effect that the Sub-Committee understood the exception granted in this paragraph to be granted solely for the purpose of permitting a member country to provide for its national security requirements.

Concerning the question of making provision in the Charter for the special circumstances arising out of the recent establishment of India and Pakistan as independent states, the Sub-Committee approved the following

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additional sub-paragraph to paragraph 1 of Article 94:

"(d) to prevent action taken in accordance with the terms of Annex \_\_\_\_\_ to the Charter."

With reference to this new sub-paragraph, the Sub-Committee approved the following text of the annex referred to therein:

"ANNEX \_\_\_\_\_

Special Provisions Regarding India and Pakistan

"Since there are special circumstances arising out of the establishment of India and Pakistan as independent states, and since they have long constituted an economic unit, the provisions of the Charter shall not prevent the two countries from entering into special arrangements with respect to the trade between them, pending the establishment of their mutual trade relations on a definitive basis. Measures adopted by India and Pakistan in order to carry out definitive agreements in respect of their mutual trade, once they have been agreed upon, may depart from particular provisions of this Charter; Provided that such measures are in general consistent with the purpose and objectives of the Charter."

The Sub-Committee discussed provisionally the draft of a new article proposed by the delegation of the United Kingdom concerning "Relations with the United Nations", together with amendments and related proposals suggested by the representatives of Australia, Czechoslovakia and the Union of South Africa.

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