

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

Summary Record of the Third Meeting

in Executive Session

Held on Thursday, 8 May 1947 at 10.30 a.m.

in the Palais des Nations, Geneva.

Chairman: H.E. Erik Colban.

In opening the meeting the CHAIRMAN stated that documents T/45/Rev.1, dealing with consultation with non-governmental organizations in Category A and T/60, Report on Credentials, had been distributed to delegations and would be discussed at the next meeting in Executive Session. Delegates would receive document t/59 relating to the base dates and a paper containing an amendment to the Rules of Procedure, and these would also be discussed at the next meeting.

He said that this meeting had been convened for the purpose of discussing Articles 15 - 23 and 37 of the Draft Charter; only this morning numerous proposed amendments had been distributed in addition to those put forward by the United States and Canada (W.23 and W.24 of 6 May). Delegates had received also an annotated agenda, W.28, for the discussion of the Articles in question.

He drew attention also to W.29, distributed that morning, containing proposals by the Cuban Delegation for the amendment of Article 15 and putting forward for discussion two important questions, namely the general purposes of the Charter and the

status of bilateral trade agreements in relation to the proposed General Agreement. The Chairman expressed the opinion that it would be difficult for the Committee to discuss these documents until members had had more time to study them.

Mr. FAIVOVICH (Chile) suggested that the logical order for the discussion of the Charter would be to begin with Chapter I and to examine the Articles in the order in which they appear. He said that many Articles of the first four Chapters had a direct bearing upon Chapter V and that therefore discussion of the latter could not have a satisfactory outcome unless the first four Chapters had been previously examined. In any event, he urged that Article 14 should be discussed before the Committee proceeds with the technical articles of Chapter V.

The CHAIRMAN suggested that possibly there was some misunderstanding regarding the plans which had been decided upon at a previous meeting; it had been the intention of the Committee to examine the technical Articles, which had been drafted in New York, so as to give them the same status as that enjoyed by the rest of the Charter, but without endeavouring to establish the final wording of these Articles.

Mr. GUTIERREZ (Cuba) agreed with the Delegate for the United States that consideration of the technical Articles should be postponed until delegates had had an opportunity to study the documents distributed. Further, he suggested that the Committee should examine first of all those parts of the Charter which had a direct bearing upon, and were essential to, the tariff negotiations. He accepted the Chairman's explanation but considered nevertheless that preliminary general talks were required. He read to the Committee certain sections

of the Cuban Delegations's memorandum, W.29, which had been distributed that morning, and referred in particular to certain differences of opinion which had already arisen in the tariff negotiations regarding the status of existing trade treaties if and when the proposed General Agreement on tariffs and trade comes into force.

The CHAIRMAN, in reply to the last point in the Cuban Delegate's remarks, suggested that the Secretariat, with the help of interested delegates, should prepare a paper and also a draft paragraph for insertion in the General Agreement for consideration by the Committee. In reply to a suggestion that this problem should be referred to the Tariff Negotiations Working Party, the Chairman stated that he would prefer to keep the tariff and the Charter deliberations separate, but of course the Secretariat would consult with the Working Party. He then suggested that a start might be made at this meeting on the discussion of Article 15.

Dr. HOLLOWAY (South Africa) said that he had enquired at a previous meeting whether on this occasion technical Articles were to be discussed in detail, and the reply had been in the negative; he could not understand therefore why it was now proposed to proceed with a detailed examination of the provisions of these Articles.

Mr. FAIVOVICH (Chile) stated that he would not object to an examination at the present time of Articles 15 - 23 and 37 on the understanding that no final decisions would be made and that there would be a further opportunity to discuss these Articles when the whole Charter is examined. He insisted, however, that the discussion of Chapter V should begin with Article 14.

The Chairman said that he agreed with the views expressed by the South African delegate and accordingly he suggested that the Committee should consider the technical Articles as a group and should regard them as the outcome of a continuation of the work of the Technical Sub-Committee in London; the Committee might take note of the work that had been done and might accept these Articles as a part of the Draft Charter for eventual consideration with all the other sections; if this were done the Committee could then pass to a general discussion of the Charter as suggested by the Delegates for Cuba and Chile. He then asked the Chairman of the Tariff Negotiations Working Party, who had originally suggested that the technical Articles should be examined prior to the general talks on the Charter on 15 May, whether he had any comment to make.

Mr. WILGRESS (Chairman, Tariff Negotiations Working Party) traced the history of the discussions on these technical Articles and stated that in the view of his Working Party these Articles, in view of their bearing on the tariff negotiations, should be examined by the Preparatory Committee prior to the commencement of the Charter talks on 15 May, so that all Articles of the Charter should have the same status.

Mr. COOMBS (Australia) suggested that all the amendments now proposed to these technical Articles should be referred to the Technical Sub-Committee for examination and report.

Mr. HOLMES (United Kingdom) agreed with the Australian Delegate that these articles should be referred to a Technical Sub-Committee or Working Party. He suggested that in future a definite agenda should be provided for each meeting, and he drew attention to Rule 24 of the Rules of Procedure (Annexure 4

to the Report of the First Session) which provides that all proposed resolutions, amendments etc. shall be distributed at least twenty-four hours before the meeting at which they are to be considered.

The CHAIRMAN stated that the Committee appeared to be in agreement that the technical Articles and all the proposed amendments should be referred to a Technical Sub-Committee on which all delegations would be represented, and suggested that the first meeting be held on the following day, 9 May, at 10.30 a.m. and that the Sub-Committee should decide upon its rules of procedure. In reply to further questions and suggestions, the CHAIRMAN stated that the Committee which would examine these Articles should be looked upon as a Working Party rather than as a Technical Sub-Committee, and that members of this Working Party should be prepared to discuss all matters, including political questions, arising out of the provisions of these Articles.

Before the conclusion of the meeting, Mr. COLBAN was elected Chairman of the Working Party and Mr. SHACKLE Vice-Chairman.

The Committee decided that Articles 19, 20, 21 and 22 should constitute the Agenda for the first meeting.