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21 January 1947

ORIGINAL: ENGLISH

PREPARATORY COMMITTEE OF THE UNITED NATIONS CONFERENCE  
ON TRADE AND EMPLOYMENT

DRAFTING COMMITTEE

SUMMARY RECORD OF THE FIRST MEETING

Held at Lake Success on 20 January 1945  
at 3:00 p.m.

The meeting was opened by Mr. A. D. K. Owen, Acting Secretary-General.

It was agreed that the rules of procedure of the Preparatory Committee should apply as far as possible to the proceedings of the Drafting Committee. It was also agreed that the provisions of Rule 57 of these rules should be waived so that the Chairman and Vice-Chairman might be able to participate in meetings both as such and as the representative of a member, and that Rule 49 should be waived, the making of verbatim records being unnecessary.

Mr. COLBAN (NORWAY) was unanimously elected Chairman of the Drafting Committee and Mr. ADARKAR (INDIA) Vice-Chairman. The provisional agenda was adopted without change.

Mr. PARANGUA (BRAZIL) stated that agreement had been reached in London upon sixty-six of the articles contained in the Charter which had been drafted there. Agreement had still to be reached on the remaining twenty-three articles. Of these twenty-three articles agreement had been reached upon one paragraph of one article, five articles had been completely drafted, two articles contained provisions which were to remain only if their subject matter had not been fully covered elsewhere, one article was drafted with four alternative wordings and fourteen articles were to be considered and drafted at a

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later stage. He suggested that the Drafting Committee should set up two sub-committees the first of which should examine from the drafting standpoint the articles which had been agreed upon in London and the second of which should work upon the remaining articles. He asked what was the meaning of the phrase "at a later stage" which was used throughout the report with reference to the latter articles. Did this phrase mean that these articles would be considered by the Drafting Committee or by the Second Session of the Preparatory Committee. Finally he pointed out that the Report of the First Session of the Preparatory Committee expressed the doubt whether the Drafting Committee could do further work upon Article 68 which dealt with membership of the Executive Board.

Mr. LEDDY (UNITED STATES) replied that the meaning of the phrase "at a later stage" depended upon the article to which it referred. For example, he did not think the Drafting Committee could deal with the article regulating relations with non-members, but it certainly could work upon Articles 15 to 23 inclusive. He suggested that no rigid limits should be laid down at the present time with regard to the scope of the Drafting Committee's work, but that these limits should be determined in the course of proceedings by the dictates of common sense.

The CHAIRMAN expressed the opinion that the Brazilian delegate's proposal might result in loss of time. He suggested that the Drafting Committee should set up two sub-committees, the first to deal with Articles 15 to 23 inclusive and the second to deal with functions of commissions, the purposes of the organization membership of the Executive Board and voting.

In the light of the Chairman's observations Mr. PARANAGUA agreed to postpone consideration of his proposal.

Mr. SMITH (CANADA) said that he thought the Drafting Committee

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should discuss the issues, which the Chairman suggested should be referred to sub-committees, before any subsidiary bodies were set up to consider them.

The SECRETARY explained that a great amount of detailed work had been done upon Articles 15 to 23 in London and for that reason it would seem that a sub-committee could be set up immediately to work upon these articles. In view of the Secretary's explanation Mr. SMITH withdrew his proposal.

It was agreed that in accordance with the Chairman's proposal two sub-committees should be set up immediately. The first of these sub-committees would deal with Articles 15 to 23 inclusive and would be composed of the delegates for the UNITED STATES, FRANCE, the UNITED KINGDOM, the NETHERLANDS, BELGIUM, AUSTRALIA and CZECHOSLOVAKIA, while the second sub-committee should deal with membership of the Executive Board, and voting and should be composed of the delegates for BELGIUM, the NETHERLANDS, BRAZIL, CUBA, SOUTE AFRICA, the UNITED KINGDOM and the UNITED STATES. It was also agreed that the Chairmen of the sub-committees could call upon any delegate who was not a member of the sub-committees to participate at any time and also that any delegate, even if not called upon by the Chairman of one of the sub-committees, could be present and participate in the meetings of the sub-committee whenever he wished.

The CHAIRMAN asked the Drafting Committee whether it wished to have a general exchange of views upon the work to be done and if so whether it wished that this exchange should take place immediately or at a later date.

Mr. SHACKLE (UNITED KINGDOM) said that he thought if a general discussion of the Charter were held, it should be conducted chapter by chapter so that after each chapter had been examined the Drafting Committee could decide whether it was necessary to set up a subsidiary

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body to do further work upon that part of the Charter. He thought that to appoint a general rapporteur for the Drafting Committee would burden unduly any delegate and he therefore suggested that instead of a general rapporteur a legal and drafting sub-committee should be established at an early stage to do drafting and editing work upon each chapter as the general discussion upon it was finished.

The CHAIRMAN agreed with Mr. Shackle, but stated that he thought it was too early to appoint a drafting sub-committee at this stage.

Mr. JUSSIANT (BELGIUM-LUXEMBOURG) asked that when the drafting sub-committee was set up it should revise the French text of the Charter as well as the English text. This was agreed.

Mr. FRESQUET (CUBA) asked whether the report of the Drafting Committee would be published. It was agreed that at the present time no decision should be taken on this point, but that the report, for the present, should be drafted so that, if necessary, it would be in such a form that it could be made public.

The SECRETARY announced that as Syria was linked with the Lebanon in a customs union, the Secretary-General was taking steps to invite Syria to participate in the work of the Drafting Committee in planning the tariff negotiations to commence in Geneva on 8 April.

It was decided that the Drafting Committee should hold its next meeting at 10:15 a.m. on Tuesday, 21 January 1947 and that the two sub-committees which had been established should meet at 2:45 p.m. on the same date.