

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

W.9/224

23 February 1955

Special Distribution

CONTRACTING PARTIES
Ninth Session

Administrative Steering Group for
the Review

NOTE ON PROCEDURE FOR CONCLUDING PLENARIES

The Administrative Steering Group feels that before the CONTRACTING PARTIES embark on the final series of Plenary meetings, they should reach a decision on procedures to be followed.

1. The CONTRACTING PARTIES should consider the report of Working Party IV on the procedure for approval of amendments (L/314) in order to decide whether to approve the proposal of the Chairman that the CONTRACTING PARTIES adopt by a two-thirds majority a Resolution in the following terms:

"The CONTRACTING PARTIES RESOLVE that, as a rule of procedure applicable to the discussion of Item 3 of the Ninth Session Agenda, amendments to be submitted to contracting parties for acceptance pursuant to Article XXX of the General Agreement shall be approved by a majority of two-thirds of the votes cast."

2. The CONTRACTING PARTIES would then address themselves to each of the Working Party reports in the order proposed in W.9/209, i.e. Working Party II, I, III and IV.

3. By this stage all the specific amendments would have been collated by the secretariat in the form of draft Protocols. The CONTRACTING PARTIES should reach a decision on the inclusion or otherwise of each individual amendment in the Protocols. These decisions would be by a two-thirds majority in accordance with the special rules of procedure adopted in paragraph 1 above.

4. Following the lines of the report of the Legal and Drafting Committee, (W.9/173) the amendments requiring two-thirds acceptance and those requiring unanimity will be submitted in separate draft Protocols. The CONTRACTING PARTIES should decide in respect of each of these protocols whether the amendments collated in it shall be treated as a single amendment for purposes of acceptance (see Report of Legal and Drafting Committee - W.9/173).

5. The CONTRACTING PARTIES would thus have established the contents of the Protocols on amendments and the next step would be to provide for the authentication of these texts which it is suggested should be done through the signature of a Final Act.

6. The signature of the Final Act would follow immediately upon the approval of the contents of the Protocols. The signature would take place without ceremony and an announcement would be made that the results of the Review would be the subject of a communiqué to be issued by the Executive Secretary on the tenth day following the signature of the Final Act. This delay is intended to enable governments to receive the final texts before an announcement is made, and also to have an opportunity for making simultaneous announcements in their capitals if they so wish.

7. In addition to amendments to the Agreement, there is also the agreement on organization which will have to be adopted separately by the CONTRACTING PARTIES, but would also be attached to the Final Act for the purposes of authentication.

8. It is suggested that the Protocols of Amendments and the Organizational Agreement be opened for acceptance by signature on the date of the signing of the Final Act and remain open for such acceptance in Geneva until 15 March 1955. They would then be transferred to the Headquarters of the United Nations and remain open for acceptance until the opening day of the Tenth Session of the CONTRACTING PARTIES. Appropriate arrangements should be made whereby the CONTRACTING PARTIES could, by action at the Tenth Session, extend the date for acceptance in case it should turn out that some contracting parties have found it impracticable to accept within the time period proposed. The secretariat will shortly make proposals for this purpose.