

UNITED NATIONS  
ECONOMIC  
AND  
SOCIAL COUNCIL



GENERAL  
E/AC.6/SR.102  
3 March 1951

ENGLISH  
ORIGINAL: FRENCH

Twelfth Session  
ECONOMIC COMMITTEE

SUMMARY RECORD OF THE HUNDRED AND SECOND MEETING

Held at Santiago, Chile,  
on Tuesday, 27 February 1951, at 10.15 a.m.

CONTENTS:

Item 30: Conclusion of an international convention on Customs treatment of samples and advertising material. (E/C.2/282, E/C.2/282/Add.1, E/AC.6/L.33, E/AC.6/L.34)

Chairman: Sir Ramaswami MUDALIAR

<u>Members:</u>	Mr. MASOIN	Belgium
	Mr. CREPAULT	Canada
	Mr. LABBE	Chile
	Mr. CHA	China
	Mr. KUNOSI	Czechoslovakia
	Mr. LEGATTE	France
	Mr. ADARKAR	India
	Mr. KHOSROVANI	Iran
	Mr. VELASCO	Mexico
	Mr. HUSAIN	Pakistan
	Mr. BARRETO	Peru
	Mr. GARCIA	Philippines

Members (continued):

Mrs. NARRELL	Poland
Mr. CARBONNIER	Sweden
Mr. CHERNYSHEV	Union of Soviet Socialist Republics
Mr. PATTERSON	United Kingdom of Great Britain and Northern Ireland
Mr. LUBIN	United States of America
Mr. REY VERCESI	Uruguay

Representatives of specialized agencies:

Mr. MENDEZ	International Labour Organisation (ILO)
Mr. WILLIAMS	International Monetary Fund
Mr. SABA	United Nations Educational, Scientific, and Cultural Organization (UNESCO)

Representatives of non-governmental organizations:

Mr. MOORE )	International Chamber of Commerce (ICC)
Mr. WATSON )	
Mrs. SALMON	World Federation of United Nations Associations (WFUNA)

Secretariat:

Mr. WEINTRAUB	Director of the Division of Economic Stability and Development
Mr. SCHACHTER	Department of Legal Affairs
Mr. DUMONTET	Secretary of the Committee

ITEM 30: CONCLUSION OF AN INTERNATIONAL CONVENTION ON CUSTOMS TREATMENT OF SAMPLES AND ADVERTISING MATERIAL. (E/C.2/282, E/C.282/Add.1, E/AC.6/L.33 E/AC.6/L.34)

The CHAIRMAN announced that the Committee had before it a document (E/C.2/282 and E/C.2/282/Add.1) produced by the International Chamber of Commerce, a non-governmental organization in category A; the document made recommendations relating to an international convention on customs treatment of samples and advertising materials and suggested methods to be adopted by Governments in that respect. Furthermore, the delegations of Canada, France, Peru and the United Kingdom had submitted a draft resolution (E/AC.6/L.33) on the question.

/Mr. LEGATTE

Mr. LEGATTE (France) recalled that the International Chamber of Commerce, which was an organization independent of the United Nations, as well as submitting to the Economic and Social Council its proposal (which the Council Committee on Non-Governmental Organizations had declared to be admissible), had submitted a similar proposal to the Contracting Parties to the General Agreement on Tariffs and Trade. The International Chamber of Commerce, which had thus placed its proposal before two different authorities, thought that the time was ripe to prepare a draft convention on the subject. Thorough groundwork on the subject had already been done by the Economic Committee of the League of Nations, which had produced a draft convention in 1935; that had been approved by thirteen States, and the legislation of several countries had to a large extent been based upon it. The ICC thought that on the basis of the League of Nations draft, it would be possible, after making a few alterations to suit the present situation, to produce a text acceptable to a large number of countries, and it was counting on the support of the Economic and Social Council and of the meeting of the contracting parties.

The first question which arose was that of the competence of, and possibilities of action by, the Council. It was certainly competent to consider the matter, which would not otherwise have been placed on its agenda. That did not necessarily mean that the Council should deal with the matter itself. The Economic and Social Council had often tackled very difficult and highly technical questions; for example, recent sessions at Geneva, had been devoted to economic development and full employment. Nevertheless, although there had often been occasion to appreciate the high qualities of the distinguished economists on the Council, there could be no doubt that, as regards customs policy, members of the Council would necessarily have to consult the experts on that subject in their own country, as the preparation of the proposed instrument would call for consideration of purely technical questions, such as, the size, quality and quantity of the articles imported, the import duties and above all, the granting of mutual concessions.

/As a consequence

As a consequence, the French delegation thought it unlikely that a debate on the substance of the problem would prove useful, if held in the Council or the Economic Committee. Until such time as the organ provided for in the Havana Charter or some other specialized body had been set up, the Economic and Social Council would possess no effective instrument to enable it to carry out the task successfully. Moreover, it might be questioned if the establishment by the Council of a Committee of Experts to examine substance of the question would be of any value. To establish the basis and general outlines of a convention was indeed tantamount to a readjustment of the different customs policies. In short, it was inconceivable that the purposes envisaged by the ICC could be achieved by work carried out in the peace and solitude of study. A large amount of documentation would be required, and a request would have to be made for the good offices of experts from several countries. The proposed meeting of experts might therefore fail in its task or find itself forced to convene a very large meeting, attended by hundreds of experts, which would entail prolonged delay and very heavy expenditure.

It might be suggested that the Council would be failing in its task if it was deterred by the difficulties inherent in forming a committee of experts. His delegation did not think so, however. It would not in any case be the first time that organs of the United Nations had handed over a task to an inter-governmental organization. Thus, when it had been necessary to prepare a draft convention on problems concerned with the importation of educational, scientific and cultural materials, UNESCO had referred the matter to the contracting parties. Thirty-two countries had taken part in the last session of the latter, and thirteen others had sent observers. According to statisticians, 90 per cent of world trade was carried on between member countries.

/The Contracting

The Contracting Parties were neither hostile nor competitive towards the United Nations. Moreover, under Article XXIX of the General Agreement, the Contracting Parties must observe the Havana Charter to the fullest extent of their executive authority and having regard to the principles set forth in its Chapters I to VI and IX. Further, Article XXIX provided that Part II of the Agreement should be suspended from the date of entry into force of the Havana Charter.

The Agreement between the Contracting Parties was purely provisional and quite in conformity with the Havana Charter and its preamble. The United Nations, for its part, was not unaware of the existence of the General Agreement, and it maintained relations with the Contracting Parties; the Interim Commission for the International Trade Organization had assisted at the third session of the Contracting Parties at Annecy. Article 87 of the Havana Charter provided for arrangements with inter-governmental organizations and co-operation with them. Further, even if the Havana Charter, in particular Articles 17, 18, 35 and 44 which referred to customs questions, were in force, that would in no way prevent the ITO from allowing action to be taken by the inter-governmental organizations in the best position for attaining the desired results.

Naturally, the Council had the powers of the specialized agencies under its jurisdiction, even where such agencies had not yet started to operate, as was the case with the ITO.

Since the ICC had submitted the question direct to the Contracting Parties, it might be thought that it would be enough to refer the question to that competent technical body, with the proviso that the Council might intervene if results did not come up to expectations. In any event, the French delegation thought that, since the Council had placed the item on its agenda, it should express a wish that the Contracting Parties should examine the question at their next session and take the appropriate measures. His delegation did not think that such a wish would be without practical value, since fourteen of the eighteen members of the Council had taken part in the last session of the Contracting Parties.

/To sum

To sum up, the French delegation was of the opinion that, in spite of the importance which <sup>the Council</sup> should be attached to the customs treatment of samples, it was preferable for technical reasons to entrust the study of the problem to the Contracting Parties. The joint draft resolution upheld that view.

After reading the text of the draft, he added a few comments. As regards the title, he would prefer that the words "instruments de propagande commerciale" should be replaced by "moyens de publicite commerciale" which were more in keeping with French usage. With regard to the formula "Bearing in mind", that was intended to imply that the Council had not forgotten the work done by the League of Nations fifteen years before; it was also intended to draw the attention of the Contracting Parties to that possible basis for their work. Finally, the phrase "Recognizing the importance of international action in this sphere" was intended to define the Council's attitude to the valuable initiative taken by the ICC in that field.

The transmission of summary records to the Contracting Parties was intended to keep the latter informed of the Council's point of view on the substance of the question and the procedure adopted. The final recommendation expressed in the resolution marked the Council's hope that the Contracting Parties would deal with the problem at their autumn meeting.

In conclusion, he expressed the hope that the draft resolution submitted by Canada, France, Peru and the United Kingdom would meet with the unanimous approval of the Council.

Mr. CREPAULT (Canada) wished to explain briefly why his delegation appeared among the sponsors of the draft under consideration (E/AC.6/L.33).

The Contracting Parties to the General Agreement on Tariffs and Trade had for some time past been engaged in active negotiations for the purpose of lowering customs tariffs and eliminating trade barriers.

The Canadian Government, realizing the necessity of facilitating trade, had considered that the experience of the Contracting Parties to the General Agreement might be utilized to advantage, and therefore proposed that the question under consideration should be referred to those parties for consideration. The joint draft resolution seemed to him a reasonable one, and likely to hasten the solution of the problem, while leaving the Contracting Parties free to act as they thought fit.

/He expressed

He expressed the hope that this draft would prove acceptable to the majority of the delegations.

Mr. SABA (United Nations Educational, Scientific and Cultural Organization) said that certain of the recommendations formulated at Geneva had already been incorporated in an international agreement.

The agreement in question was one to which the French representative had already referred, the agreement adopted by the General Conference of UNESCO on the importation of educational, scientific and cultural material. It should be observed that this agreement went beyond what the Committee of the League of Nations had envisaged.

The 1950 Agreement had been adopted after exhaustive exchanges of views between UNESCO and the contracting parties to the General Agreement. Article 4 of that Agreement, regarding the importation of touristic material, reproduced in full the proposals of the League of Nations. The Contracting States had undertaken to import duty free all publications aimed at encouraging the tourists from abroad. This agreement, moreover, went further than the draft convention of the League of Nations since it did not distinguish between imports for the purpose of resale and those intended for free distribution. It contained other provisions such as those concerning catalogues and price lists of books and other educational articles, with which UNESCO was more particularly concerned.

In reply to the CHAIRMAN, Mr. SABA (United Nations Educational, Scientific and Cultural Organization) said the Agreement had been opened for signature only in the previous November, and that it had already been signed by more than twenty States.

Mr. KUNOSI (Czechoslovakia) wished to define his delegation's attitude on the two proposals under consideration.

/In the first

In the first place the draft of the International Chamber of Commerce was based on a very old document which probably did not correspond to present realities. Moreover, this document had been circulated very recently, although the question was a highly technical one which required to be carefully studied by the Government services. Lastly, the League of Nations draft seemed never to have been put into force. It would be interesting to know why this was so. In any case, it should be observed that Czechoslovak law granted a large number of the facilities provided for in this text.

With regard to the joint draft resolution (E/AC.6/L.33), he thought that the contracting parties were competent to conduct bilateral negotiations, but he wondered whether it was qualified to draw up a model international convention. He considered that the best way of dealing with a customs problem was to have recourse to bilateral negotiations. The nations could thus grant each other advantages which corresponded to the reciprocal character of the commercial interchanges between two given countries. A general convention, on the other hand, would always tend to limit the advantages of each to the minimum acceptable to all.

Moreover, there were about thirty-five contracting parties to the General Agreement, which was less than the number of the Members of the United Nations. A certain number of countries were therefore not represented.

As a matter of fact the Czechoslovak delegation thought that the Council might very well help the Governments to conduct these negotiations. He did not see why the Council should not set up a committee of technical experts on which a large number of countries would be represented and in which the most varied and comprehensive opinions would be expressed. The document thus prepared by the committee of experts could then be made the subject of bilateral negotiations between the States concerned.

/Mr. LEGATTE



Mr. LEGATTE (France) wished to provide the Czechoslovak representative with a few additional items of information. The latter was quite right in saying that the draft convention prepared by the League of Nations Committee did not appear to have been adopted by very many States. In fact, very few Governments had entirely embodied in their legislation the draft convention adopted by the Economic Committee of the League of Nations. But this did not mean that the work thus accomplished was of no importance or even of no practical consequence.

In the first place, there was at least one State which had incorporated the League of Nations draft in full into its legislation. Furthermore, the draft in question had nevertheless had an influence on the regulations of a certain number of countries.

As the Czechoslovak representative had pointed out, customs conventions were essentially bilateral. But a bilateral agreement usually rested on a reference document the choice, nature and contents of which were very important. Experience showed that the bilateral agreements eventually concluded on the basis of such a reference document bore a close relation to the solutions proposed in that document. At the outset of the negotiations, the parties tended to reject the solutions thus proposed but later they came back to them. It could not therefore be said that the existence of a draft convention was unimportant.

The Czechoslovak delegation also seemed to prefer that the draft convention should be prepared by a technical organ belonging to the United Nations rather than by the contracting parties because the latter only numbered 32, or 45 if one counted the countries sending observers. It should be observed, however, that the sole purpose in view was to improve the basis of work established by the Economic Committee of the League of Nations. The aim was to prepare a document technically superior to that of the League of Nations. For that purpose it was perhaps not necessary to rely on a study of the United Nations, which would have to be very technical.

/In conclusion

In conclusion he expressed the view that the meeting of thirty or forty nations would supply a sufficiently wide range of expert opinion to ensure that the work done would be likely to prove acceptable to a large number of governments.

Mr. MOORE (International Chamber of Commerce) did not think that the document drafted by the Economic Committee of the League of Nations was out of date. Although it was true that the draft convention in question was fifteen years old, the problem itself was still basically the same and the International Chamber of Commerce had therefore decided, after studying the draft in detail, that it might be used as the basis for the conclusion of a convention. The proposed study by a technical group, whether of the United Nations or some other body, would bring all details up to date. As the Czechoslovak representative had pointed out, it was quite true that the League of Nations draft had not been put into effect but it should be remembered that there had hardly been any normal commercial relations between States since 1935 and it would be desirable to attempt to restore them, and the ICC proposal was intended as a step towards that objective.

The draft recommended by the International Chamber of Commerce was not the work of a few business men intent on their own interests, but had been carefully prepared, with due regard to the needs of commercial travellers and to the necessity for promoting the circulation of new products. By adopting the draft under consideration, the Council would help to achieve that international co-operation in the economic field which was a duty laid upon it by the San Francisco Charter.

Mr. CHERNYSHEV (Union of Soviet Socialist Republics) felt that the need for such a convention was by no means obvious. Problems relating to the customs treatment of samples and advertising material could and should be solved by means of bilateral agreements which were the only means of taking into account the problems peculiar to each country and the provisions of domestic law in each case. The joint draft resolution (E/AC.6/L.33) was designed to refer the study of the question to the contracting parties to the General Agreement on Tariffs and Trade or, in other words, to aim at the drawing up of an international convention. Such a step was neither justified nor desirable and the USSR delegation would vote against the joint draft resolution.

/Mr. BARRETO

Mr. BARRETO (Peru) felt that, old as it was, the draft drawn up by the Economic Committee of the League of Nations was still relevant. It would, he thought, provide an excellent basis for work and the contracting parties to the General Agreement on Tariffs and Trade would undoubtedly be able to improve it. The Peruvian delegation was prepared to support the draft resolution submitted jointly by Canada, France, Peru and the United Kingdom.

Mr. MASOIN (Belgium) regarded the joint draft resolution (E/AC.6/L.33) as the expression of a moral obligation upon the Council. The Economic Committee had at its disposal a draft prepared by the League of Nations which, although never put into effect, had been incorporated in the laws of a number of countries; moreover, there was a group, consisting of the contracting parties to the General Agreement on Tariffs and Trade, which had special competence in the field of commercial relations between States and of customs tariffs. He was glad that the Council had the opportunity of referring the League of Nations draft to the contracting parties for study.

He did not agree with the USSR representative as to the desirability of bilateral negotiations. He felt that a bilateral system would reduce trade to the level of the opportunities offered by the less generous party and to that of the more restrictive legislation. It was better to take advantage of the benefits of multilateral negotiations. In that connexion he pointed out that the contracting parties were thirty-two in number and that their trade represented approximately 90 per cent of the world total. There would clearly be an advantage in exploiting that situation and his delegation felt that the Economic Committee could rely upon the contracting parties to adapt the League of Nations draft to the present situation.

/In reply to

In reply to the scruples expressed by the French representative, he said the Committee could incorporate in the joint draft resolution a phrase reserving the Council's technical position, in some such words as: "without pronouncing on the manner and conditions in which those documents shall be used".

In conclusion he said his delegation would support the joint draft resolution (E/AC.6/L.33).

Mr. ADARKAR (India) said that he would confine his statement to procedural matters at this stage. As regards the substance, he agreed with the French delegation that it was somewhat too technical and in view of the changed circumstances, further and detailed consultation by not only the Council, but all Member Governments of the United Nations and the contracting parties of the G.A.T.T. was necessary. Unfortunately, however, the G.A.T.T. was not an organization and had no consultative status. Hence, although the matter might well be discussed by contracting parties jointly, it would be the correct procedure to address them individually. It was relevant to point out that the International Chamber of Commerce had itself referred this matter to the G.A.T.T. and no doubt the G.A.T.T. countries would give their views jointly or separately in due course. It must be remembered that after all a Convention was not merely a technical question, but that the highest common factor of agreement, arrived at by negotiation, would be the basis of the Convention.

It was for that reason that the Indian delegation submitted its draft amendment (E/AC.6/L.34) requesting the Secretary-General to transmit the documentation and the summary records of the debate on that subject by the Council to Governments Members of the United Nations and to other Governments participating in the General Agreement on Tariffs and Trade, and to invite their views.

Mr. LUBIN (United States of America) thought that the contracting parties to the General Agreement on Tariffs and Trade were competent to deal with the question of the customs treatment of commercial samples and referred in that connexion to Articles VII, VIII and IX of the General Agreement which contained provisions to that effect. He also pointed out that the Council and the Secretariat did not have the same facilities as the contracting parties. For those reasons he was in favour of referring to the contracting parties the question of concluding an international convention on the customs treatment of samples and advertising material.

/Mr. CREPAULT

Mr. CREPAULT (Canada) associated himself with the remarks made by the United States representative. If the Council were to follow the Indian representative's suggestions, it would be faced at its fourteenth session with the same situation as now -- that is, it would have to choose between setting up a technical committee and referring the matter to the contracting parties.

As regards the statement made by the USSR representative, he pointed out that the draft resolution made no specific recommendations to the contracting parties to the General Agreement on Tariffs and Trade; there was no question of deciding whether or not it was necessary to have a convention in that field. The Council confined itself to transmitting to the contracting parties to the General Agreement on Tariffs and Trade the summary records of the debates devoted to that subject by the Council, and the Canadian delegation was confident that the contracting parties would be able to take the appropriate action -- whether relating to an international convention or simply to bilateral or multilateral agreements.

Mr. ADARKAR (India), in reply to the United States representative, wished to make it clear that he did not question the competence of the contracting parties to the General Agreement on Tariffs and Trade, but only the consultative status of that body. A recognition of the G.A.T.T. without such a consultative status might create a precedent and prove a source of embarrassment.

Mr. LEGATIE (France) believed that he had replied to the Indian representative's objection in advance. If the International Trade Organization existed at the present time it would be a simple matter for the Council to refer the question to it. The ITO would then be competent under the terms of the Havana Charter to apply to the contracting parties to the General Agreement on Tariffs and Trade. He felt that, failing the ITO, the Economic and Social Council could take such action in place of a specialized agency which had not yet been set up.

He agreed with the Indian representative that a dangerous precedent might thereby be established but recalled that if the ITO existed with a status similar to that provided for by the Havana Charter, it could obtain its documentation from non-governmental organizations. It would also be able to apply to the contracting parties, and the Economic and Social Council could do likewise.

/In conclusion

In conclusion, he emphasized how desirable it was for the Council to take advantage of the competence of the contracting parties in customs matters. That did not mean, however, that the Council would be dropping the question once and for all.

Mr. BARRETO (Peru) said that his delegation considered that the documents should be transmitted to the contracting parties for two reasons. The first was the reason given by the United States representative; the second was that the contracting parties to the General Agreement were best qualified to study the question and to take action on the conclusions to which its studies led.

The contracting parties would be able to take a general point of view which would enable a practical agreement to be reached, and this if it was satisfactory could be submitted to the Council in order that the countries which were not contracting parties might accede to it if they wished.

Mr. GARCIA (Philippines) said that his delegation approved the prudent and realistic attitude reflected in the joint draft resolution. He thought it was difficult not to be in agreement with the French representative. It would be wise to take advantage of a careful study made by a competent body, and the International Chamber of Commerce should be congratulated on its initiative.

He drew the Council's attention to the passage in document E/C.2/282 in which the ICC said "In the Committee's opinion there should be little difficulty in reaching agreement rapidly among governments...."

The French representative had said that there were no direct relations between the Council and the group of contracting parties to the General Agreement on Tariffs and Trade. He ventured to remind him that while fourteen members of the Economic and Social Council were contracting parties to the General Agreement the other members might also take an interest in the conclusion of a convention on the subject.

The Philippines delegation wondered whether it was not possible to accept the amendment of India which seemed to it clear and logical. As far as it was concerned, it was prepared to support that amendment, and it asked the sponsors of the joint draft resolution to give it favourable consideration.

/He also

He also thought that it might be well to modify the beginning of the first paragraph of the joint draft resolution. The expression "bearing in mind" seemed to imply that the Council should not lose sight of the draft convention of the Economic Committee of the League of Nations by adopting a convention of similar substance.

He therefore proposed that the words "bearing in mind" should be replaced by the word "recalling" which was a more prudent term.

Mr. ADARKAR (India), after hearing the arguments of the representative of France, did not understand why the latter was not in favour of the drafting of a more complete resolution under which all the States Members of the United Nations, and not only the contracting parties, would be invited to study that important question.

The French representative had referred to organizations in connexion with the contracting parties to the General Agreement on Tariffs and Trade. Although the contracting parties had a Secretariat, they were not an organization. They merely represented a group of parties to an agreement who met together to negotiate and promote the purposes set forth in the General Agreement. They had not the status of an organization nor had they consultative status with the United Nations in the sense provided for in the Charter.

He did not agree with the Peruvian representative that the countries which were not contracting parties to that Agreement would accept the measures taken by those who were. It was a question concerning which there must be negotiations in order to reach as general agreement as possible. That was the aim of the amendment proposed by his delegation.

As regards the time factor, since the contracting parties would not meet until September, the Council would not, in any event, be able to ascertain their views until its fourteenth session. The procedure recommended would thus involve no delay.

Mr. BUSAIN (Pakistan) thought that the Indian amendment was very logical. States which were parties to the General Agreement on Tariffs and Trade were not all members of the United Nations, and conversely Members of the United Nations

/were not

were not all parties to the Agreement. It was only proper to secure the participation of as many nations as possible in the consideration of the question. Furthermore, in view of the date fixed for the meeting of the contracting parties, the procedure proposed by the Indian delegation would cause no delay.

Pakistan would vote for the amendment proposed by the Indian delegation.

Mr. MASOIN (Belgium) supported the idea of transmitting documentation to all the Members of the United Nations as well as to the contracting parties, and he thought that all the members of the Committee were of that opinion, but he also believed there was disagreement amongst them as to the advisability of inviting those countries to state their views. He therefore proposed a compromise formula which would consist of the deletion from sub-paragraph (a) of the Indian amendment of the words "and to invite their views"; and the transfer of those words to sub-paragraph (b).

In that way, certain delegations might find themselves able to vote for sub-paragraph (a), and to adopt another attitude with regard to sub-paragraph (b) if they agreed with the Belgium delegation that by inviting those countries to express their views, the Economic and Social Council would be intervening in the technical study of the draft convention without having at its disposal the necessary resources for doing so.

If the Indian representative accepted this amendment, the Belgian delegation would vote for sub-paragraph (a).

Mr. LUBIN (United States of America) could not accept the Belgian proposal if it resulted in the elimination of the two last sub-paragraphs of the joint draft resolution. The purpose of the Council should be to obtain concrete results as soon as possible. This was the purpose aimed at by the authors of the joint draft resolution in the two last paragraphs. It was even possible that the contracting parties would take action at their next meeting.

His delegation thought, however, that the documentation would in any event be transmitted to the States which were not contracting parties and believed that everybody agreed on that point.

He proposed that a sub-paragraph to that effect should be added to the joint draft resolution.

/Mr. LEGATTE



Mr. LEGATTE (France) was certain that the very clear proposal put forward by the United States of America was a step towards a solution. The French delegation had at first thought, when preparing the joint draft resolution, that documentation should be transmitted only to the contracting parties, because they constituted the technical body competent to deal with the question, but it saw no objection to the documentation being also transmitted to the States which were not contracting parties.

Mr. PATTERSON (United Kingdom) supported the United States proposal and urged that the last two sub-paragraphs of the joint draft resolution should be retained. The question was a technical one and should be treated on a technical basis.

In any case, it would be quite in order for States which were not contracting parties to receive the documentation and to be kept informed of the results of the study.

Mr. CREPAULT (Canada) supported the French representative and thought the Council was within reach of a solution of the problem.

Instead, however, of the additional sub-paragraph proposed by the United States representative, he thought that it might be preferable simply to add to the last paragraph but one of the joint draft resolution, after the words "requests the Secretary-General to transmit" the words "to Governments Members of the United Nations and".

Mr. ADARKAR (India) did not agree with the United States representative. The amendment proposed by the Indian delegation would not prevent the contracting parties from examining the question.

As regards the Canadian proposal, it differed very little from the Indian amendment, but it was less complete, since it would still be necessary to ascertain what measures should be taken if the contracting parties adopted a draft convention. The contracting parties no doubt constituted a technical group, but Members of the United Nations who were not contracting parties to the General Agreement on Tariffs and Trade might also be competent to deal with the question. The decision of the contracting parties should not be binding upon the other Members of the United Nations. If an agreement were reached at the next session of the contracting parties, the Council could examine what other measures should be taken.

The CHAIRMAN put the various amendments to the vote.

1. Indian amendment (E/AC.6/L.34)

The amendment was rejected by 11 votes to 4, with 3 abstentions.

2. Canadian amendment, consisting of the addition of the words "to Governments Members of the United Nations and" to the last paragraph but one of the joint draft resolution (E/AC.6/L.33) after the words "requests the Secretary-General to transmit".

The amendment was adopted by 15 votes to none, with 3 abstentions.

3. Philippine amendment, consisting of the replacement in the first sub-paragraph of the joint draft resolution of the words "Bearing in mind" by the word "recalling".

The amendment was adopted by 8 votes to none, with 13 abstentions.

The CHAIRMAN then put to the vote the joint draft resolution submitted by Canada, France, Peru and the United Kingdom (E/AC.6/L.33) as amended.

The draft resolution was adopted by 15 votes to 3.

The meeting rose at 12.50 p.m.