INTERIM COMMISSION FOR THE INTERNATIONAL TRADE ORGANIZATION

Provisional Application of Chapter VI
of the Havana Charter

(See Summary Records of Emergency Session of
Executive Committee, ICITO/1/17 & 18)

There is circulated herewith a preliminary draft of a Protocol
of Provisional Application to put the Commodity Chapter into force
submitted by the United Kingdom delegation for consideration at the
informal meeting of the Executive Committee on Friday, 22 July, 1949

1. The Governments of ... here include a list of Governments
which are known to be ready to sign and which collectively cover
an adequate proportion of world trade in primary commodities,
to form a "nucleus" undertake, provided that this Protocol
shall have been signed on behalf of all the foregoing Govern­
ments not later than ........., to apply provisionally on and
after ........... Chapter VI of the Havana Charter for an Inter­
national Trade Organization, subject to the modifications set
forth in paragraph 6 below.

2. Any other Government signatory to this Protocol shall
make effective such provisional application of Chapter VI
of the Havana Charter on or after .... upon the expiration
of thirty days from the day of signature of this Protocol
on behalf of such Government.

3. Any Government signing this Protocol does so in respect
of its metropolitan territory and of the other territories
for which it has international responsibility, except such
separate Customs territories as it shall notify to the
Secretary General of the United Nations at the time of such
signature.

[Then include paragraphs on the lines of para. 9(b) and
(c) of the Anneoy Protocol]
4. Joint Action by the Signatories.

Representatives of the signatory Governments shall meet from time to time for the purpose of giving effect to those provisions of this Protocol which involve joint action, and, generally, with a view to facilitating the operation and furthering the objectives of this Protocol. Wherever reference is made in this Protocol to the signatory Governments acting jointly, they are designated as the SIGNATORY.

Then include provisions corresponding to paras. 2, 3 and 4 of Article XXV of G.A.T.T., and perhaps also a waiver provision on the lines of Articles XXV(5)(a).

5. Relation of this Protocol to the Havana Charter

(i) This Protocol shall be suspended, as from the day on which the Havana Charter enters into force, as between those Governments signatory of the present Protocol which have accepted the Havana Charter.

(ii) If at any time the Havana Charter should cease to be in force, the signatory Governments shall meet as soon as practicable thereafter to agree whether this Protocol shall be supplemented, amended or maintained.

(iii) If any signatory Government has not accepted the Havana Charter by the date upon which it enters into force, the signatory Governments shall confer to agree whether, and if so in what way, this Protocol insofar as it affects relations between such signatory Government and other signatory Governments, shall be supplemented or amended. Pending such agreement the provisions of this Protocol shall, notwithstanding the provisions of sub-paragraph (i) above, continue to apply as between such signatory Government and other signatory Governments.
6. **Form of Chapter VI to be applied**

For the purposes of the present Protocol, Chapter VI of the Havana Charter shall be modified as follows:

(i) for all references to "Members" read "signatory Governments";

(ii) for all references to the "Organization" read "The SIGNATORIES";

(iii) in Article 56, paragraph 1, for "Charter" read "Chapter";

(iv) in Article 66(b), for the words "which shall apply the procedure set forth in Chapter VIII with appropriate adjustments to cover the case of non Members" read "who shall deal with the matter in such manner as they may decide";

(v) in Article 70 -

   sub-para. (a) after "Section D of Chapter IV" add "of the Havana Charter".

   sub-para. (c) after "Chapter V or Chapter VI" add "of the Havana Charter".

7. **Withdrawal**

Any signatory Government may withdraw from this Protocol or may separately withdraw on behalf of any of the separate Customs territories for which it has international responsibility and such withdrawal shall take effect upon the expiration of sixty days from the day on which written notice of such withdrawal is received by the Secretary General of the United Nations.

8. **Secretariat Services**

The SIGNATORIES may make such arrangements with the
Executive Committee of the Interim Commission for the I.T.O.
as may be agreed for the provision of Secretariat Services
by the Executive Committee to the SIGNATORIES.

9. The original of this Protocol shall be deposited with
the Secretary General of the United Nations, who will furnish
certified copies thereof to each Member of the United Nations
and to each other Government which participated in the