DRAFT CONCLUSIONS OF THE INTERSESSIONAL COMMITTEE FOLLOWING DISCUSSIONS OF THE ROME TREATY

1. The Committee noted with satisfaction that the rapid progress towards the establishment of the institutions described in the statement by the representative of the Six would facilitate early and close co-operation between the CONTRACTING PARTIES.

2. The Committee noted the reports of the sub-groups established at the Twelfth Session, as well as the reports of the Working Party which had been carrying out an examination of the possible effects of the provisions of the Rome Treaty relating to the associated overseas territories to the metropolitan territories of the EEC. The Committee also heard a series of statements by members of the Committee relating to these various matters and a similar statement from the representative of the Community.

3. In the light of these statements and reports, the Intersessional Committee:

   a) Felt that it would be more fruitful if attention could be directed to specific and practical problems, leaving aside for the time being questions of law and debates about the compatibility of the Rome Treaty with Article XXIV of the General Agreement.

   b) Noted that the normal procedure of the General Agreement and the techniques and traditions of the CONTRACTING PARTIES in applying them, were well adapted to the handling of such problems.

   c) Suggested that in the first instance the procedures of Article XXII would be the most appropriate for this purpose. This Article enables any contracting party or contracting parties to seek consultation with other contracting parties on any matter affecting the operation of the General Agreement. Moreover, under this Article it is the obligation of contracting parties to afford adequate opportunity for such consultations.
d) Felt that the procedures of paragraph 1 of Article XXII were adequate to deal with questions affecting more than one contracting party, and that for such questions it would be perfectly consistent with the terms of the Article, and would facilitate the attainment of results consistent with the basic principles and objectives of the General Agreement, for the countries concerned to arrange for joint consultations in which all contracting parties which consider that they have a substantial trade interest in the matter might join, and also for the outcome of the consultations to be communicated to the CONTRACTING PARTIES. The Committee therefore recommends that in such cases it will be appropriate to adopt the procedures indicated in the annex below.

e) Pointed out that the normal procedures of Article XXII were of general applicability and could, therefore, be invoked by those contracting parties whose most immediate concern related to the various matters covered by the terms of reference of the Working Party on Associated Overseas Territories. If these matters were to be handled in this way, it would be possible to suspend the activities of the Working Party for the time being, after the completion of the reports on commodities which have already been discussed by it.

4. During the Committee's discussion, a number of contracting parties expressed the desire for close contact with the Community regarding the working-out of the agricultural policy of the Community. The representatives of the EEC pointed out that the working-out of this policy would be a lengthy process and that the work of the Ministerial Conference at Stresa would be confined to comparing the agricultural policies of the Member States and in particular to establishing a balance sheet of their requirements and resources. The Committee recognized that the working-out of the agricultural policy would be a matter of years. The Committee took note of this statement, but assumed that the Community would furnish to the CONTRACTING PARTIES from time to time such information as the six Member States would have furnished initially to comply with paragraph 7 of Article XXIV if the agricultural policy were developed and set out in the Rome Treaty itself.
5. Members of the Committee and the representatives of the Community re-affirmed the views they had expressed at the Twelfth Session concerning the maintenance or imposition of quantitative restrictions for balance-of-payments reasons. As regards the common tariff, the Committee noted with satisfaction the statement by the representative of the Community to the effect that the latter will endeavour to supply within the envisaged time-limit the common external tariff and the fullest possible documentary material regarding this tariff.

6. The Committee welcomed the spirit of co-operation and understanding which had prevailed in these discussions, which they felt would greatly facilitate the discussion when the CONTRACTING PARTIES resume their examination of the Rome Treaty pursuant to Article XXIV.

ANNEX ON PROCEDURES

The contracting parties interested in possible consultations under Article XXII on questions affecting the interests of a number of contracting parties, as a matter of convenience and in order to facilitate the observance of the basic principles and objectives of the General Agreement, agree on the following procedures:

a) any contracting party seeking such a consultation under Article XXII shall at the same time so inform the CONTRACTING PARTIES,

b) any other contracting party asserting a substantial trade interest in the matter, shall advise the consulting countries of its desire to be joined in the consultation,

c) such contracting party shall be joined in the consultation providing the consulting countries agree that the claim of substantial interest is well founded,

d) if the claim to be joined in the consultation is not accepted, the contracting party concerned shall be free to refer its claim to the CONTRACTING PARTIES,

e) at the close of the consultation, the consulting countries shall advise the CONTRACTING PARTIES of the outcome,

f) the Executive Secretary shall provide such assistance in these consultations as the parties may request.