The Sub-Group was established in order to consider, in the light of the discussions in the Working Party, organizational provisions and related questions. It submits as a basis for the Working Party's report to the CONTRACTING PARTIES a draft Agreement for the Organization for Trade Cooperation (Annex 1). In drawing up these Articles, the Sub-Group based itself upon the proposals of the French, Norwegian and United States delegations (L/290, L/276 and L/292). Specific reservations to the various Articles are recorded in the footnotes, including reservations which were recorded in the earlier discussions in the Working Party.

In addition the Sub-Group suggests the following texts for inclusion in the Working Party's report to the CONTRACTING PARTIES. It also suggests amendments to Articles XXIII, XXV and XXXIII (Annex 2).

1. General

(a) It was agreed that the organizational agreement should contain only the basic provisions relating to the structure and functions of the Organization. Many questions of detail to give effect to the intent of the articles of the Agreement would clearly have to be contained in the rules of procedure to be drawn up by the Assembly and the subsidiary bodies of the Organization. For example, it would be left to the Assembly in its rules of procedure to provide rules governing elections to the Executive Committee so that the criteria for its composition (contained in Article 7) can be fulfilled, rules regarding the election of officers, etc. Again the rules of procedure of the Executive Committee would set out the rights reserved to non-members of that Committee with respect to notification of and attendance at meetings, circulation of documents, and so forth (it should be noted that the rules of procedure of the Executive Committee and other subsidiary bodies will be subject to approval by the Assembly).
(b) It was agreed that the continuing validity of decisions taken by the CONTRACTING PARTIES prior to the entry into force of the organizational agreement would be adequately covered by the amended Article XXV of the General Agreement and Articles 3 and 13 of the organizational agreement.

2. Article 1 - Establishment

(a) Article 1 establishes the Organization to further the achievement of the purposes and objectives set forth in the General Agreement, and Article 3 provides that the Organization shall administer the General Agreement. The Working Party agreed that this required consequential amendments to paragraphs 1 and 2 of Article XXV of the General Agreement. It also agreed to recommend the deletion from Article XXV of other provisions (paragraphs 3, 4, and 5(a)) and the deletion of the second, third, fourth, and fifth sentences of paragraph 2 of Article XXIII the substance of which is incorporated in the organizational agreement. Detailed recommendations in this regard are set out in Annex 2.

(b) The Working Party considered that the amended Articles XXIII and XXV and the amendment substituting references to the Organization throughout the General Agreement for the existing references to the CONTRACTING PARTIES should not enter into force before the entry into force of the organizational agreement, and felt it would be desirable that these be included in a separate Protocol. Accordingly, it proposes the insertion, in the appropriate Protocol, of language to cover this (see Annex 2). It follows from the language proposed for the replacement of references to the CONTRACTING PARTIES by references to the Organization that the texts of all amendments should continue to use the expression "the CONTRACTING PARTIES".

(c) It was not considered necessary to maintain, in the amended Article XXV, the existing reference to "facilitating the operation and furthering the objectives" of the General Agreement since Articles 1 and 3 of the organizational agreement referred to this, in the one case directly and in the other by reference.

(d) The phrase "as provided for in the General Agreement and herein" was inserted because some representatives felt that without such a phrase the article might be construed as referring only to the second paragraph rather than to the whole of the Preamble.

3. Article 2 - Membership

(a) It will be noted that this Article specifies that the members of the Organization shall be the contracting parties to the General Agreement.
Parallel amendments are proposed to Articles XXV and XXIII of the General Agreement so as to specify that all contracting parties, as soon as possible, and any country which accedes to the General Agreement, should become members of the Organization (see Annex 2). It was agreed that the conditions under which governments which are not parties to the General Agreement might participate in certain activities of the Organization, when authorized pursuant to the last sentence of the Article, should be carefully defined in the decision taken by the Organization so as to indicate the duration and extent of such participation.

(b) The Working Party considered that the provisions of the second sentence of Article 2 would cover the case of a customs territory becoming a contracting party under Article XXVI:4(c). This interpretation was supported by the Legal and Drafting Committee.

4. Article 3 - Functions

(a) The Working Party felt that sponsorship of any negotiations by the Organization under this article would not of itself imply endorsement by the Organization of any agreement resulting from such negotiations. If the Organization should sponsor a negotiation under this article the fact that a country is a member would not imply that it would participate in such negotiation, itself sponsor such negotiation, or endorse the results thereof. The Article would not permit the Organization to amend or interpret any agreement sponsored by it, or otherwise to determine rights or obligations under such agreement. Finally the Working Party felt that the Organization might receive and discuss reports from the parties to other agreements, including reports from the parties to agreements which the Organization had sponsored under the provisions of sub-paragraph (b), and consider them in relationship to the General Agreement.

(b) The Working Party considered that it was clear that the "recommendations" referred to in sub-paragraph (e) would not be binding on members.

(c) The Working Party considered that sub-paragraph (d) of this Article would cover the proposals of the Scandinavian delegations (L/273, L/275 and L/276) and of the German delegation (L/261/Add.1, page 16) for the insertion of paragraphs or articles authorizing the undertaking of studies, collection of statistics, etc. It was also considered that sub-paragraph (c) of this Article, and Article 13, would permit the Organization to undertake the study of definitions of value, procedures for determining value, standardization of rules and procedures relating to dumping, subsidization and anti-dumping and countervailing duties, and the making of recommendations to members thereon. The Working Party suggests that the CONTRACTING PARTIES specifically endorse this interpretation and agree that the Organization should, in accordance with these provisions, consider studying such questions when appropriate.
(d) The German representative explained the proposal of his delegation (L/261/Add.1, page 17), the intention of which was to create certain obligations in the field of foreign trade statistics, in order that adequately detailed statistics of foreign trade (imports and exports) as well as of customs revenue and related matters, be established and published. This would be in the interest of contracting parties, particularly with relation to tariff negotiations and the collective reduction of tariff levels, and also in the interest of the international commercial world. The German delegation, after hearing the views of other delegates, agreed that it was not possible at this stage to insert the proposed Article, either into the General Agreement or into the organizational agreement. It was clear that many contracting parties would not be able to assume such obligations at present and it was pointed out by the representatives of the under-developed countries that many of them do not have the necessary technical knowledge or other facilities for the establishment of up-to-date statistical services. Furthermore, it appeared to be a matter of too great detail to be adequately covered by a general provision, and one that might better be worked out by the Organization, if it so desired, as circumstances seemed propitious. In the course of the discussion of this question, the German delegation proposed that countries having well-developed foreign trade statistics might place their experience at the disposal of other countries within the framework of the technical assistance or other programmes of the United Nations or, if this were not practicable, as a form of technical assistance through the General Agreement. The Working Party sympathized with the reasons that had prompted the German proposal and agreed on the importance of adequate statistics (from the special point of view of customs statistics) for the administration of the General Agreement and for all concerned with international trade. It considered that the precise means of implementing this objective might better be studied by the Organization when it considered it appropriate.

(e) It was agreed that the final paragraph of this article does not limit in any way the right of the Organization to consider possible amendments to the General Agreement and to decide to submit such amendments to governments for acceptance in accordance with the provisions of Article XXX of that Agreement. It was also agreed that an obligation arising from the operation or interpretation of a specific provision of the General Agreement or the Organizational Agreement, including an interpretation that a particular obligation thereunder had become applicable, would not be the imposition of a "new obligation" within the meaning of this paragraph.

5. Article 6 - The Assembly

It was agreed that, although it was not desirable to specify the meeting place of the Assembly and the Executive Committee in the agreement, both bodies should meet at the headquarters of the Organization unless there were strong reasons to meet elsewhere.
6. **Article 7 - The Executive Committee**

(a) The Working Party agreed that it was essential to the effectiveness of the Executive Committee that it should be restricted in size and representative in character. Some members felt that, in the event that membership of the Organization increased substantially or included countries with economic systems different from those of the present contracting parties, it might be necessary to provide for a larger Executive Committee. It was, however, considered that this eventuality could more appropriately be met by an amendment to the Organizational Agreement.

(b) The expression "elected periodically by the Assembly" should not be intended to preclude the election by the Assembly of a member of the Executive Committee when a vacancy occurs. The Working Party felt that the rules of procedure should cover the possibility of such an election without having to wait until the following periodical elections.

(c) It was agreed that the reference in Article 7, sub-paragraph (a)(iii) to "different types of economies" should be interpreted as also covering small and medium economies.

(d) Some members felt that any delegation of powers by the Assembly should be subject to a two-thirds majority vote. Other members observed that there was no reason, legal or otherwise, why the Assembly should be obliged to abide by stricter voting rules for the delegation of its powers than those which the agreement imposed for taking decisions of substance. Still others felt that it was in practice unlikely that the Assembly would agree to such delegation unless in fact there were general agreement to do so, and that an express limitation was not necessary. In the assignment of functions and powers to the Executive Committee, it was also agreed that the Assembly might initially be guided by those assigned by the CONTRACTING PARTIES to the Intersessional Committee.

(e) It was agreed that it would be desirable for the rules of procedure to provide that the Executive Committee would be the only subsidiary body to which the Assembly could delegate the authority to make final decisions without the right of appeal.

(f) Sub-paragraph (c) gives members the right to participate in meetings of the Executive Committee when matters of concern to them are under discussion, and it was emphasized that this Article should be liberally interpreted. Article 9(b), it should be noted, modifies the rule that each member of the Executive Committee shall have one vote by the proviso that the rules of procedure may limit the exercise of this voting right in cases of disputes.
7. **Article 10 - Budget**

It was felt that the Assembly should take such measures as it considered appropriate to ensure that the contributions were paid by members before the vote of a member in arrears in the payments of its contribution was actually withdrawn.

8. **Article 11 - Status**

The Working Party considered that the Assembly, in appointing the Director-General, should give consideration to the circumstances in which he should act as the legal representative of the Organization. Mention of this function of the Director-General should be made in the terms of his appointment.

9. **Article 12 - Relations with the United Nations**

(a) Although the language of Article 12 is only permissive, it is the view of the Working Party that, subject to a satisfactory agreement being negotiated, it would be desirable for the new organization to be brought into a specialized agency relationship with the United Nations. The establishment of this relationship by such a formal agreement, under Article 63 of the Charter, would serve to safeguard the autonomy and independence of the Organization within the co-ordinated pattern of the United Nations and the specialized agencies already in existence.

(b) The Working Party took into account a suggestion by the Secretary-General of the United Nations that the CONTRACTING PARTIES should consider carefully a very close integration of the proposed Organization with the central organ of the United Nations. Whilst agreeing on the desirability of coordination and the avoidance of overlapping, the Working Party felt, having regard to the nature of the General Agreement and the functions which the Organization would have to carry out with respect to it, that the articles proposed in the organizational agreement represent a more appropriate basis for working out a suitable relationship with the United Nations.
10. **Article 16 - Continued application of Provisions of this Part**

It was agreed that this provision was solely designed to ensure that the members of the Organization should not, acting as contracting parties to the General Agreement, amend the General Agreement so as to introduce similarly general provisions relating to the granting of waivers or the release of contracting parties from their obligations under any part of the General Agreement. The provision was not meant to preclude the incorporation into the General Agreement, by amendment thereof, of new provisions permitting the Organization to relieve contracting parties from particular obligations under specified circumstances.

11. **Articles 17 and 18 - Entry into force and relation to amendments to the General Agreement**

The Working Party calls the attention of the CONTRACTING PARTIES to the Joint Report on the Establishment of an Organization by the Rapporteurs (W.9/93) which formed the basis for some of the articles relating to the establishment of the Organization, entry into force, etc.
ANNEX I

DRAFT AGREEMENT ON THE ORGANIZATION FOR TRADE COOPERATION

PART I - GENERAL

Article 1 - Establishment

The Organization for Trade Cooperation (hereinafter referred to as the Organization) is hereby established to further, as provided for in the General Agreement and herein, the achievement of the purposes and objectives set forth in the General Agreement on Tariffs and Trade (herein referred to as the General Agreement).

Article 2 - Membership

The Members of the Organization shall be the contracting parties to the General Agreement. Governments which become or cease to be contracting parties to the General Agreement shall become or cease to be Members of the Organization. The Organization may, by a two-thirds majority of the votes cast, invite governments which are not or which cease to be contracting parties to the General Agreement to participate in such activities of the Organization and on such terms as it shall decide; Provided that in no case shall such participation involve the right to vote or to be counted in determining the fulfilment of the relevant voting requirements when the Organization is exercising any function relating directly to the General Agreement.

Article 3 - Functions

The Organization shall administer the General Agreement and generally facilitate the operation of that Agreement.

Other functions of the Organization shall be:

(a) to facilitate intergovernmental consultations on questions relating to international trade;

(b) to sponsor international trade negotiations;

(c) to study questions of international trade and commercial policy and, where appropriate, make recommendations thereon;
(d) to collect, analyze and publish information and statistical data relating to international trade and commercial policy, due regard being paid to the activities in this field of other international bodies.

The Organization shall, in carrying out these functions, endeavour to give full effect to the provisions of Article 1.

The Organization shall have no authority to amend the provisions of the General Agreement, and no decision or other action of the Assembly or any subsidiary body of the Organization shall have the effect of imposing on a Member any new obligation which the Member has not specifically agreed to undertake.

Article 4 - Settlement of Disputes and Difficulties

The Members recognize that the purposes and objectives referred to in Article 1 will be furthered by the prompt and amicable discussion and adjustment of disputes or difficulties arising in international trade. Any such dispute or difficulty which the Members cannot resolve by direct consultation or by some other method of amicable settlement may be submitted to the Organization which may study the matter and, where appropriate, make recommendations.

PART II - STRUCTURE AND ADMINISTRATION OF THE ORGANIZATION

Article 5 - Structure in General

The Organization shall have an Assembly, an Executive Committee and a Secretariat.

Article 6 - The Assembly

(a) The Assembly shall consist of all the Members of the Organization.

(b) It shall be the responsibility of the Assembly to carry out the functions of the Organization.

1 France, Norway and the United States are considering language for insertion in the report to take the place of this article.
(c) The Assembly shall determine the seat of the Organization.

(d) The Assembly shall meet in regular annual session and in such special sessions as may be convened in accordance with the rules of procedure.

(e) The Assembly shall establish its own rules of procedure and shall approve the rules of procedure of the Executive Committee and of any other subsidiary body.

Article 7 - The Executive Committee

(a) The Executive Committee shall consist of sixteen Members of the Organization elected periodically by the Assembly. Each election shall be for a single term and each Member shall be eligible for re-election. In such elections, the Assembly shall be guided by the following criteria:

(i) the Executive Committee shall include the Members of chief economic importance, in the determination of which particular regard shall be paid to their shares in international trade;

(ii) the Executive Committee shall be representative of the broad geographical areas to which the Members belong;

(iii) the Executive Committee shall be representative of different degrees of economic development, different types of economies and different economic interests.

(b) The Executive Committee shall exercise the powers and perform the duties assigned to it by the Assembly. Decisions or recommendations of the Executive Committee shall be subject to a right of appeal to the Assembly by any Member except under such conditions as may be prescribed by the Assembly.

(c) Any Member of the Organization which is not a member of the Executive Committee shall be entitled to participate, without the right to vote, in the discussion by the Executive Committee of any matter of particular concern to it.

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1 Brazil reserves its position on this clause.

2 Australia, Brazil, Chile and India specifically reserved their position on this clause, to the effect that any assignment of powers from the Assembly should be by a two-thirds vote.
Article 8 - The Secretariat

(a) The Assembly shall appoint a Director-General as chief administrative officer of the Organization. The powers, duties, conditions of service and term of office of the Director-General shall conform to regulations approved by the Assembly.

(b) The Director-General or his representative shall be entitled to participate, without the right to vote, in all meetings of the Assembly and subsidiary bodies of the Organization.

(c) The Director-General shall appoint the members of the staff, and shall fix their duties and conditions of service in accordance with regulations approved by the Assembly.

(d) The selection of the members of the staff shall as far as possible be made on a wide geographical basis and with due regard to the various types of economy represented by Member countries. The paramount consideration in the selection of candidates and in determining the conditions of service of the staff shall be the necessity of securing the highest standards of efficiency, competence, impartiality and integrity.

(e) The responsibilities of the Director-General and of the members of the staff shall be exclusively international in character. In the discharge of their duties, they shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their positions as international officials. The Members shall respect the international character of the responsibilities of these persons and shall not seek to influence them in the discharge of their duties.

Article 9 - Voting

(a) At meetings of the Assembly each Member of the Organization shall be entitled to have one vote and, except as otherwise provided for in the General Agreement or in this Agreement, decisions of the Assembly shall be taken by a majority of the votes cast.

(b) Each member of the Executive Committee and of other subsidiary bodies shall have one vote therein; Provided that the rules of procedure may require that parties to a dispute shall abstain from voting.

Article 10 - Budget and Contributions

(a) The Director-General shall present to the Assembly, through the Executive Committee, the annual budget estimates and financial statement of the Organization. The Assembly shall approve the accounts and the budget.
(b) The Assembly shall apportion the expenditures of the Organization among the Members, in accordance with a scale of contributions to be fixed by the Assembly, and each Member shall contribute promptly to the Organization its share of these expenditures. A Member which is in arrears in the payment of its contributions shall have no vote and shall not be counted in determining the fulfilment of the relevant voting requirements in the organs of the Organization, if the amount of its arrears equals or exceeds the amount of the contributions due from it in respect of the preceding two complete years. The Assembly may, nevertheless, permit such a Member to vote, if it is satisfied that the failure to pay is due to circumstances beyond the control of the Member.

Article 11 - Status

(a) The Organization shall have legal personality.

(b) The Organization shall enjoy in the territory of each of the Members such legal capacity, privileges and immunities as may be necessary for the exercise of its functions.

(c) The representatives of the Members, and the officials of the Organization shall similarly enjoy such privileges and immunities as may be necessary for the independent exercise of their functions in connexion with the Organization.

(d) The privileges and immunities to be accorded by a Member to the Organization, to its officials and to the representatives of its Members shall be similar to those accorded by that Member to specialized agencies of the United Nations, to their officials and to the representatives of their members, under the Convention on the Privileges and Immunities of the Specialized Agencies, or under similar arrangements.

Article 12 - Relations with other Organizations

(a) The Organization shall make arrangements with inter-governmental bodies and agencies which have related responsibilities to provide for effective cooperation and the avoidance of unnecessary duplication of activities.
(b) In pursuance of the provisions of the preceding paragraph, the Organization may, by an agreement approved by the Assembly, be brought into relationship with the United Nations, as one of the specialized agencies referred to in Article 57 of the Charter of the United Nations.

c) The Organization may make suitable arrangements for consultation and cooperation with non-governmental organizations concerned with matters within the scope of the Organization.

PART III - SPECIAL PROVISIONS RELATING TO THE ADMINISTRATION OF THE GENERAL AGREEMENT

**Article 13 - Administration in General**

The Organization shall give effect to those provisions of the General Agreement which provide for action by the Organization, and shall carry out such other activities in relation to the General Agreement which involve joint action. This shall include the taking of decisions, the sponsorship of negotiations and consultations, the conduct of studies, the circulation of proposals and the receipt of reports, in any case in which such action is required or appropriate to carry out the purposes of the General Agreement.

**Article 14 - Waivers in Exceptional Circumstances**

In exceptional circumstances, not elsewhere provided for in this Agreement nor provided for in the General Agreement, the Assembly may waive an obligation imposed upon a contracting party by the General Agreement; provided that any such decision shall be approved by a two-thirds majority of the votes cast and that such majority shall comprise more than half of the Members. The Assembly may also by such a vote (i) define certain categories of exceptional circumstances to which other voting requirements shall apply for the waiver of obligations imposed by the General Agreement upon a contracting party thereto, and (ii) prescribe such criteria as may be necessary for the application of this Article.

**Article 15 - Nullification and Impairment**

(a) If a claim of nullification or impairment of a benefit accruing under the General Agreement is referred to the Organization, it shall promptly investigate the matter and shall make appropriate recommendations to the contracting parties to the General Agreement which it considers to be concerned, or give a ruling on the matter, as appropriate. The Organization may consult with contracting parties, with the Economic and Social Council of the United Nations, and with any appropriate intergovernmental organization in cases where it considers such consultation necessary.

1 South Africa reserves its position.
(b) If the Organization considers that the circumstances are serious enough to justify such action, it may authorize a contracting party or parties to suspend the application to any other contracting party or parties of such concessions or other obligations under the General Agreement as it determines to be appropriate in the circumstances. If the application to any contracting party of any obligation or concession is in fact suspended, that contracting party shall then be free, not later than sixty days after such action is taken, to give written notice to the Secretary-General of the United Nations of its intention to withdraw from the General Agreement and such withdrawal shall take effect upon the sixtieth day following the day on which such notice is received by him.

Article 16 - Continued Application of Provisions of this Part

The Members shall not, acting as contracting parties to the General Agreement, amend the General Agreement so as to provide therein for procedures, other than consultation, negotiation or recommendation, applicable to the general situations to which Articles 14 and 15 relate.

PART IV - OTHER PROVISIONS

Article 17 - Amendments

Amendments to this Agreement shall become effective, in respect of those Members which accept them, upon acceptance by two-thirds of the Members of the Organization and thereafter in respect of each other Member upon acceptance by it.

Article 18 - Entry into Force

(a) The original of this Agreement shall be open at Geneva on for acceptance, by signature or otherwise, by those governments which are contracting parties to the General Agreement. It shall thereafter be deposited with the Secretary-General of the United Nations, and on and after it shall be open for such acceptance at the Headquarters of the United Nations.

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1 Chile reserves its position.
(b) Notwithstanding the provisions of Article 2:

(i) This Agreement shall enter into force, as among the governments which have accepted it, on the thirtieth day following the day on which it shall have been accepted by governments, the territories of which account for 85 per centum of the total external trade of the territories of the governments which were contracting parties to the General Agreement on 1 January 1955. Such percentage shall be determined in accordance with the table set forth in the Annex to this Agreement. This Agreement shall enter into force for each other government on the thirtieth day following the day on which it is accepted thereby.

(ii) If by ___________ this Agreement shall not have entered into force pursuant to sub-paragraph (i) of this Article, those governments, being contracting parties to the General Agreement, which are prepared to do so may nevertheless decide to apply it; Provided, that the territories of such governments account for the percentage of trade required for the entry into force of this Agreement under sub-paragraph (i).

Article 19 - Notification and Registration

(a) The Secretary-General of the United Nations shall promptly furnish a certified copy of this Agreement and a notification of its entry into force, and of each acceptance thereof, accession thereto, or withdrawal therefrom, to each contracting party to the General Agreement, to each member of the United Nations which is not such a contracting party, and to all specialized agencies of the United Nations.

(b) The Secretary-General is authorized to register this Agreement in accordance with Article 102 of the Charter of the United Nations.

PART V - TRANSITORY PROVISION

Article 20 - Relation to Amendments to the General Agreement

If this Agreement enters into force before the entry into force of amendments to the General Agreement contained in the Protocol Amending the General Agreement dated ___________, this Agreement shall, until the entry into force of such amendments, be applied as if all references in the General Agreement to "the CONTRACTING PARTIES" were references to the Organization.

Done at Geneva, in a single copy, in the English and French languages, both texts authentic, this ___________ day of __________, one thousand nine hundred and __________.
**Agreement on the Organization for Trade Cooperation**

**ANNEX**

**PERCENTAGE SHARES OF TOTAL EXTERNAL TRADE TO BE USED FOR THE PURPOSE OF MAKING THE DETERMINATION REFERRED TO IN ARTICLE 18**

*(based on the average of 1949 - 1953)*

If, prior to the accession of the Government of Japan to this Agreement, acceptances shall have been deposited by contracting parties the external trade of which under column I accounts for the percentage of such trade specified in paragraph (b) of Article 18, column I shall be applicable for the purposes of that paragraph. If such acceptance shall not have been deposited prior to the accession of the Government of Japan, column II shall be applicable for the purposes of that paragraph.

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<th>Country</th>
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<th>Column II (Contracting parties on 1 March 1955 and Japan)</th>
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**Note:** These percentages have been determined taking into account the trade of all territories in respect of which the governments mentioned above apply the General Agreement on Tariffs and Trade.
ANNEX 2

PROPOSED AMENDMENTS AND PROVISIONS FOR INCLUSION
IN THE PROTOCOL OF AMENDMENTS

The following amendments shall not become operative before the day upon which the Agreement establishing the Organization for Trade Cooperation has entered into force:

1. **Article XXIII**
   
   Delete, in paragraph 2, the second, third, fourth and fifth sentences.

2. **Article XXV**
   
   Replace paragraphs 1, 2, 3, 4 and 5(a) by the following:

   "1. The Organization for Trade Cooperation, established by the Agreement bearing the date of 1955, shall give effect to those provisions of this Agreement which provide for action by the Organization and such other provisions as involve joint action, and may carry on any other activities with respect to the General Agreement which are provided for by the Agreement establishing the Organization.

   "2. All contracting parties shall, as soon as possible become Members of the Organization.

   "3. Those contracting parties which have accepted the Agreement on the Organization for Trade Cooperation may decide at any time after the entry into force of that Agreement that any contracting party which has not accepted it shall cease to be a contracting party."

3. **Article XXXIII**
   
   Article XXXIII shall read as follows:

   "A government not party to this Agreement may accede thereto on terms to be agreed between such government and the CONTRACTING PARTIES; Provided that such government shall at the time of accession undertake the obligations of membership in the Organization. Decisions of the CONTRACTING PARTIES under this paragraph shall be taken by a majority comprising two-thirds of the contracting parties."
The following interpretative note to Article XXXIII shall be inserted:

"Ad Article XXXIII

A government, acting on behalf of a separate customs territory possessing full autonomy in the conduct of its external commercial relations and of other matters provided for in this Agreement, may accede to this Agreement on behalf of that territory on terms applicable thereto; Provided that the obligations of membership in the Organization are undertaken by such territory or on its behalf."

4. A provision will be included, the language of which has not yet been fully agreed upon by the Legal and Drafting Committee, changing the expression CONTRACTING PARTIES to the Organization in each case where the former occurs.