THIRD COMMITTEE: COMMERCIAL POLICY

SUB-COMMITTEE B (PROPOSED NEW ARTICLE 18 A)

NOTES ON FIFTH MEETING

Held at Havana on Saturday, 6 March 1948

Chairman: Dr. J. E. HOLLOWAY (Union of South Africa)

The CHAIRMAN announced that official confirmation had now been received that the text of Section 3 of Article II of the International Maritime Convention as contained in document E/CCNF.2/C.3/B/M.6/Corr.1, was correct.

The delegate of the United Kingdom stated that in view of the purposes of Article 18 A now being covered by the functions of the Inter-governmental Maritime Organization, the establishment of which had just been agreed in Geneva, the insertion of Article 18 A would only cause an over-lapping of functions and a possible conflict of activities between the ITO and the Maritime Organization. The same applied also to the Chapter on Restrictive Business Practices insofar as it related to shipping, and he would therefore suggest that Article 18 A should not be inserted in the Charter, and that shipping should be excluded from the scope of Chapter V. He was supported by the representatives of India, Norway and France.

The delegate of Venezuela considered that countries not members of the Maritime Organization would be deprived of the possibility of complaining about restrictive practices in relation to shipping which was possible under the present Article 50, and he reserved the position of his delegation upon this matter.

It was agreed to recommend to Committee III that Article 18 A should not be included and that a new paragraph should be added to Article 50, reading:

"The provisions of this Chapter shall not apply to shipping."