SIXTH COMMITTEE: ORGANIZATION

CORRIGENDA TO SUMMARY RECORDS OF TWENTY-NINTH, THIRTY-FIRST, THIRTY-SECOND AND THIRTY-THIRD MEETINGS

   (Page 6)
   Line 1, after "said that" insert "as regarded the question put by the
delegate of Cuba".
   Line 2, delete "and that" and insert "because".
   Line 3, after "Sub-Committee" insert "which had prepared the draft now
being debated".
   At the end of the second sentence, add "as a result of the late war. With
regard to the competent authorities, the Conference could refer to them as
such, as was suggested, but could not determine which they were nor designate
them."

   The complete text of Mr. Garcia Serrato's speech as reported now reads:

   Mr. GARCIA SERRATO (Uruguay) said that as regarded the question put by
the delegate of Cuba, the wording of the text was unambiguous because the
intention of the proposal had been made clear during discussions in the
Sub-Committee which had prepared the draft now being debated. The text was
intended to apply only to countries now under military occupation as a result
of the late war. With regard to the competent authorities, the Conference
could refer to them as such, as was suggested, but could not determine which
they were nor designate them.

   (Page 3)
   Replace the first phrase of the second sentence by the following:
"Although the note had been objected to on the grounds that it had an alleged
political implication,"
   In the fourth line, for "a problem" read "an economic and juridical
problem."
   At the end of the second sentence, insert: "from any doubt or suspicion."
   The text would then read:

/Mr. GARCIA SERRATO
Mr. GARCIA SERRATO (Uruguay) supported the representative of Guatemala. Although the note had been objected to on the grounds that it had an alleged political implication, it did not refer to any special case but to a general principle and the text reflected the existence of an economic and juridical problem. It would not be in contradiction to the principles of trade and employment to re-draft the note in the spirit of the language of the Charter in order to safeguard the reign of law from any doubt or suspicion.

3. (Page 4)

At the end of the second sentence, delete the words "political and". Add the following: "It would be possible to find in any international economic or juridical problem latent political connotations similar to those which were thought to be present in the note put forward by the delegation of Guatemala. In international matters there was no hard and fast dividing line between political and other questions."

The text would then read:

Mr. GARCIA SERRATO (Uruguay) agreed with the representatives of Chile and Colombia. The Guatemalan note involved a problem of economic relations as well as legal aspects. It would be possible to find in any international economic or juridical problem latent political connotations similar to those which were thought to be present in the note put forward by the delegation of Guatemala. In international matters there was no hard and fast dividing line between political and other questions.

4. (Page 5)

In the second line, replace the words "regarding the effective date of the Charter" by the following: "that the Charter should enter into force after being ratified by a majority of the States signing the Final Act."

In line six, after the words: "suggested that" insert "although he preferred the proposal supported by his delegation",

In the last line, delete the words "might still be a reasonable solution" and insert the following: "that the Charter would enter into force one year after its signature, when twenty ratifications had been received, if the States ratifying the Charter accounted for two-thirds of world trade, was better than the compromise solution proposed by the Sub-Committee."

The text would then read as follows:

Mr. GARCIA SERRATO (Uruguay) said that his delegation maintained its original point of view that the Charter should enter into force after ratification by a majority of the States which signed the Final Act.
reviewed previous discussions concerning the number of ratifications, the volume of trade represented and the effective date and suggested that although he preferred the proposal supported by his delegation, the original proposal of Colombia, supported by Cuba and agreed to by the United Kingdom, according to which the Charter would enter into force when twenty States had ratified it, provided that they accounted for two-thirds of world trade, was better than the compromise solution proposed by the Sub-Committee.

5. (Page 6) Delete all following the word "text" in line 3, and insert the following:

"...and preferable to the Sub-Committee's draft. He doubted whether the Charter could be put into force with only twenty ratifications. If the twenty States ratifying the Charter did not represent the greater part of world trade, there could not be an International Trade Organization, while, even if they did represent the greater part of world trade, he thought it would be difficult for the ITO to secure recognition as a specialized agency in accordance with the terms of Articles 52 and 63 of the Charter of the United Nations. Since fifty-eight States had been present during the drafting of the Charter in Havana, twenty ratifications, however weighty they might be, would show that a majority of the nations rejected the work accomplished. They would therefore have, not a world organization, but a family-party or club of powerful nations. It was in order to avoid these two extremes and to lend prestige to the ITO, that the delegation of Uruguay and Mexico had proposed that the Charter should enter into force when it had been ratified by a majority of its signatories. The amendment they had proposed was the result of foresight and had been made in good faith. Only if the work of the Co-ordinating Committee was useful, constructive and acceptable, as he sincerely hoped it would be, would a majority of States ratify the Charter. If they did not, an organization with world-wide jurisdiction and significance could not be set up by a minority of States.


(Page 2) After the report of the speech made by Mr. OTANÉZ (Venezuela), insert the following:

Mr. GARCIA SERRATO (Uruguay) observed that the delegation of Uruguay would have preferred to see the thorny problem of the composition of the Executive Board settled in accordance with Alternative B of Article 75 of the Geneva text, which, as he had said during the first reading of the Article, he supported.
Before the remarks of Mr. KELLOGG (United States), insert the following:

"Mr. GARCIA SERRATO (Uruguay) warmly supported the proposal of the representative of Costa Rica that the Trade Charter should be called the Charter of Havana. Recalling specific precedents, he mentioned other international documents which were officially named after the places in which they had been drawn up. He also recalled cases in which custom had given particular treaties and conventions the names of the cities in which they had been signed. These names had been recognized and respected by history, by learned institutions and the texts of international law. Rules grew out of custom and custom thus contributed to the creation of the law. The name, the Charter of Havana, would set a distinguishing mark on the creative work accomplished in Havana with the assistance of forty-one nations which were not present at the London, New York and Geneva sessions, and would proclaim the world-wide scope of the work achieved by the present Conference. It would also be a way of paying a well-deserved tribute to Cuba, to the Cuban Government, and to the Cuban people and Press for the hospitality they had given and the assistance and courtesy they had shown."