The Working Party which was set up to redraft Article 93 consisted of the representatives of Australia, Belgium, Cuba, Iran, Lebanon, Sweden, the United Kingdom and the United States, and held one meeting under the chairmanship of Mr. Evans (United States). The Working Party reached unanimous agreement on all of the following points:

**Paragraph 1**

It was agreed to accept the second of the two alternatives proposed by the representative of Australia and appearing in document E/CONF.2/C.6/W.120, thus making the paragraph read:

"Nothing in this Charter shall preclude any Member from maintaining economic relations with non-Members."

All other suggestions for amending this paragraph were withdrawn.

**Paragraph 2**

It was agreed to maintain the text of paragraph 2 without further change. The Working Party considered that the amendments proposed by the Chairman of Sub-Committee H were unnecessary and undesirable in the light of the change proposed in paragraph 1. The Working Party agreed to the note suggested by the representative of the United Kingdom appearing in document E/CONF.2/C.6/W.120.

**Paragraph 3**

The Working Party agreed on the text of paragraph 3 without further change, and the suggestion by the representative of Iran was withdrawn.

**Paragraph 4**

No further change.

**Paragraph 5**

The Working Party agreed to the text without further change, and the representative of Lebanon withdrew his suggestion providing for a transitional period.

The recommendations
The recommendations of the Working Party include the adoption of those changes and notes which had been previously agreed to in the Sub-Committee. The complete new text, including the previously adopted amendments, therefore would read as follows:

**Article 93**

*Relations with Non-Members*

1. Nothing in this Charter shall preclude any Member from maintaining economic relations with non-Members.

2. Members recognize that it would be inconsistent with the purpose of this Charter to seek any arrangements with non-Members for the purpose of obtaining for the trade of such Members preferential treatment as compared with the trade of other Members, or so to conduct their trade with non-Members as to result in injury to other Members. Accordingly, no Member shall enter into any new arrangement with a non-Member which precludes the non-Member from extending to other Members any benefit provided for by such arrangement.

3. Subject to the provisions of Chapter 17, no Member shall extend to the trade of any non-Member treatment which, being more favourable than that which it extends to any Member, injures the economic interests of another Member.

4. Nothing in this Charter shall be interpreted to require a Member to extend to non-Members treatment as favourable as that which it extends to Members under the provisions of the Charter. Failure to extend such treatment shall not be regarded as inconsistent with the terms or the spirit of the Charter.

5. The Executive Board shall make periodic studies of general problems arising out of commercial relations between Members and non-Members and, with a view to promoting the purpose of the Charter, may make recommendations to the Conference with respect to such relations. Any recommendation involving alterations in provisions of this Article shall be dealt with in accordance with Article 95.

---

*Nothing in this Article shall be construed to prejudice or prevent the operation of the provisions of Article 57 (1) regarding the treatment to be accorded to non-participating countries under the terms of a commodity control agreement which conforms to the requirements of Chapter VI.*
In addition the Working Party agreed that the following note should be included in the report of the Sub-Committee and in the report of the Sixth Committee:

"The Sub-Committee understands that, in general, the second sentence of paragraph 2 applies to treaties or agreements which, by their terms, preclude the extension to other Members of the benefits provided for in such treaties or agreements. This interpretation does not rule out the possibility that, when a Member wilfully accomplishes the same result by other means, the second sentence should be held to apply."