SIXTH COMMITTEE: ORGANIZATION

WORKING PARTY TO STUDY THE QUESTION OF AN INTERIM COMMISSION FOR THE INTERNATIONAL TRADE ORGANIZATION

Note by the Executive Secretary

In view of the delay in initiating discussion on document E/CONF.2/C.6/N.55, it is considered desirable to lay before the Working Party forthwith the draft of an arrangement regarding the establishment of an Interim Commission. The draft is circulated herewith as a possible basis for discussion by the Working Party.

THE GOVERNMENTS represented at the United Nations Conference on Trade and Employment

HAVING prepared a Charter for an International Trade Organization (hereinafter referred to as "the Charter" and "the Organization" respectively)

HAVING DECIDED THAT, pending the establishment of the International Trade Organization, an Interim Commission should be established for the performance of certain functions

DETERMINE, through the undersigned representatives duly authorized to that effect, upon the following arrangements:

1. There is hereby established an Interim Commission for the International Trade Organization (hereinafter referred to as "the Commission") consisting of the governments signatories of this arrangement. The Commission shall appoint an Executive Committee of \( \frac{3}{8} \) members to exercise any or all of the powers of the Commission, as the Commission may determine on establishing the Executive Committee.*

Alternative B

of ..............................................................................................................................................................................

* Under this formula, the Interim Commission would hold its first meeting at the close of this Conference for the purpose of appointing the Executive Committee and entrusting it with the tasks which it should fulfil. It is anticipated that the Interim Commission would meet again immediately before the first Conference of the International Trade Organization for the purpose of approving the report of the Executive Committee.

** Under this formula the representatives of the governments signatories of this arrangement would meet at the close of this Conference to elect the members of the Interim Commission.
2. The Commission shall have the following functions:
   (a) to convene the first regular session of the Conference of the Organization (hereinafter referred to as "the Conference").
   (b) to prepare the provisional agenda for the first regular session of the Conference, together with documents and recommendations relating to all matters upon this agenda, including:
      (i) proposals as to the programme and budget for the first year of the Organization;
      (ii) studies regarding selection of headquarters of the Organization;
      (iii) draft financial and staff regulations.
   (c) to consult with the United Nations with a view to the preparation of a draft agreement of relationship as contemplated in Article 84 of the Charter, for consideration by the first regular session of the Conference and, pending consideration of such a draft agreement by the Conference, to establish such interim relationship as may be considered desirable.
   (d) to consult with other inter-governmental organizations with a view to presenting to the first regular session of the Conference documents and recommendations regarding the implementation of paragraphs 2 and 4 of Article 84 of the Charter and, pending consideration of such recommendations by the Conference, to establish such interim relationships as may be considered desirable.
   (e) to consult with non-governmental organizations with a view to presenting to the first regular session of the Conference documents and recommendations regarding the implementation of paragraph 3 of Article 84 of the Charter and, pending consideration of such recommendations by the Conference, to establish such interim arrangements for consultation and co-operation with such organizations as may be considered desirable;
   (f) to prepare and recommend to the first regular session of the Conference the annex referred to in paragraph 3 of Article 87 of the Charter;
   (g) *.

* A paragraph has been included empowering the Interim Commission to consider any urgent problems which would, after the entry into force of the basic instrument of the Organization concerned, come within the jurisdiction of the Organization. It is for consideration whether a similar provision should be inserted in this arrangement enabling the Commission to consider any such matters brought to its attention by a Government which, at that time, had accepted the Charter or by the Economic and Social Council, and to take such interim steps as the Commission might consider necessary and desirable pending establishment of the Organization.
3. The Commission shall elect its own officers and adopt its own Rules of Procedure.

4. The Commission shall appoint an Executive Secretary who shall be its chief administrative officer. The Executive Secretary shall also perform such other functions and duties as the Commission may determine.

5. The Executive Secretary shall appoint the staff of the Commission using as he considers desirable such assistance as may be extended to him by the Secretary-General of the United Nations.

6. The Executive Secretary shall prepare and the Commission shall approve the budget estimates for the operation of the Commission, including proposals regarding the structure of the Secretariat. The expenses of the Commission shall be met from funds provided by the United Nations and for this purpose the Commission shall make the necessary arrangements with the Secretary-General of the United Nations for the advance of such funds and for their reimbursement. Should these funds be insufficient, the Commission may accept advances from Governments. Such advances from Governments may be set off against the contributions to the Organization of the Governments concerned.

7. The services of the Secretariat of the Commission shall be made available to the Contracting Parties to the General Agreement on Tariffs and Trade, as defined in Article XXV thereof, at their request, upon terms to be agreed with the Commission.

8. The Commission shall hold its first meeting in Havana immediately after its establishment and shall meet thereafter as often as may be necessary. The headquarters of the Commission shall be located at

9. The Commission shall submit a report of its activities to the first regular session of the Conference.

10. The Commission shall cease to exist upon the appointment of the Director-General of the Organization, at which time the property and records of the Commission shall be transferred to the Organization.

11. This arrangement shall be effective as from this date and may at any time be adhered to by any Government entitled to be an original Member of the Organization.

12. The original texts of this arrangement shall be deposited with the Secretary-General of the United Nations, who shall furnish certified copies to all interested Governments.

DONE at Havana this .............day of .................1948, in a single English original and in a single French original, both texts being equally authentic.

* Provision should be made in this paragraph for any matters which may be specifically referred to the Interim Commission by this Conference.