SIXTH COMMITTEE: ORGANIZATION

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

TEXT OF ARRANGEMENT REGARDING THE ESTABLISHMENT OF AN INTERIM COMMISSION AS DRAFTED AT FIRST READING

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 to this arrangement. The Commission shall appoint an Executive Committee of eighteen members to exercise any or all of the functions of the Commission, as the Commission may determine on establishing the Executive Committee.

2. The Commission shall have the following functions:

(a) to convolve the first regular session of the Conference of the Organization (hereinafter referred to as "the Conference") not more than 3/6 months after the receipt of the last acceptance needed to bring the Charter in force.

(b) to submit 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
(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.*

(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.

(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.

(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) to examine the powers, responsibilities and activities in the field of industrial and general economic development of the United Nations, of the specialized agencies and of other inter-governmental organizations, including regional organizations, and the availability of facilities for technical services or studies of the natural resources of underdeveloped countries or of the possibilities of their industrial development, whether of general or of particular industries, or for the improvement of their systems of transportation and communications, or with respect to the manner

---

* 1. The representative of Peru suggests that sub-paragraph (c) should read: "to prepare a draft agreement of relationship as contemplated in Article 84 of the Charter."

2. The representative of the United States suggests that the word "consult" should be changed to "negotiate."

** Section 35 of the Convention on the Privileges and Immunities of the Specialized Agencies adopted by the General Assembly of the United Nations reads as follows: "Draft annexes 1 to 9 are recommended to the specialized agencies named therein. In the case of any specialized agency not named in Section 1, the Secretary-General of the United Nations shall transmit to the agency a draft annex recommended by the Economic and Social Council."

The Secretariat therefore suggests that sub-paragraph (f) should be amended to read: "to prepare for recommendation by the Economic and Social Council to the first regular session of the Conference the annex referred to in paragraph 3 of Article 87 of the Charter."

/in which investment
in which investment of foreign capital may contribute to their economic development; in the light of this examination to report to the first regular session of the Conference upon the structure and administrative methods and the working relations with the United Nations, the specialized agencies and other intergovernmental organizations, which will enable the Organization most effectively to carry out its positive functions for the promotion of economic development of Members, the report to be submitted in such a manner and at such a time as will enable the taking of appropriate action at the first session.

(h) to enter into consultations with the Secretary-General of the United Nations on the subject of the reimbursement to the Secretary-General of the expenses incurred by the Preparatory Committee of the United Nations Conference on Trade and Employment and by that Conference and, in the light of such consultations, to present a report to the first regular session of the Conference.

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 Executive Secretary may enter into arrangements with the Secretary-General of the United Nations regarding the provision of a Secretariat for the Interim Co-ordinating Committee for International Commodity Arrangements.

/9. The Commission
9. 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 ............... 

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

11. 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.

12. 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.

13. 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.

14. *

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

* The representative of the Philippines suggests the insertion of a new paragraph 14 reading as follows: "Signature of this arrangement shall not be interpreted as meaning either explicit or tacit agreement with the provisions of the Charter approved by the United Nations Conference on Trade and Employment."