

JOINT STATEMENT BY THE DELEGATIONS OF
CANADA AND THE UNITED KINGDOM

1. The delegations of Canada and of the United Kingdom consider that certain references to the CONTRACTING PARTIES to the General Agreement on Tariffs and Trade, at present in square brackets in the text of the Draft Agreement (L/320), are essential in order to ensure that the minimum link between SACA and the CONTRACTING PARTIES, which the great majority of the Working Party desire, is written into the Agreement before, and not after, it enters into force.
2. The references in question are the following:

Article VI, paragraph 2:

"Where circumstances make it impracticable to conform precisely to the provisions of Articles III and IV, a negotiating conference may draw up an arrangement which does not conform precisely to the provisions of those Articles but which appears otherwise to accord with the general principles and objectives underlying this Agreement. Any such arrangement shall be submitted to the Assembly and to the CONTRACTING PARTIES before it is put into operation and shall not operate if disapproved by either."

Article X, paragraphs 5 and 7:

"5. The Assembly shall publish either itself or jointly with other inter-governmental organizations an annual report reviewing, to the extent that they consider necessary consistently with paragraph 6 below, developments in international commodity trade, including the operation of arrangements and any other intergovernmental consultation and action in the primary commodity field. The report shall be transmitted to the CONTRACTING PARTIES for their observations."

"7. The Assembly shall give full consideration to any observations which the CONTRACTING PARTIES to the General Agreement on Tariffs and Trade may make upon their annual report and shall use their best endeavours to ensure that the operation of this Agreement and of all consultations and arrangements resulting from it accord with the spirit and objectives of the General Agreement."

Article XII, paragraph 2:

"Except where otherwise provided in this Agreement each Signatory shall recognize the Assembly as the deciding authority in all matters of principle relating to commodity arrangements subject, as provided elsewhere, to reference to the CONTRACTING PARTIES to the General Agreement on Tariffs and Trade."

Article XVI

"This Agreement shall enter into force as among Governments which have accepted it on the thirtieth day after instruments of acceptance have been deposited with [.....] by not less than twenty Governments, of which not less than eighteen shall be contracting parties to the General Agreement."

Article XIX

"This Agreement may be amended at any time by the affirmative vote of two-thirds of the Signatories [subject to the agreement of the CONTRACTING PARTIES to the General Agreement on Tariffs and Trade]. No Signatory shall be bound by the terms of an amendment which it has not accepted, but the Signatories may decide that an amendment is of so fundamental a character that any Signatory unwilling to accept it shall withdraw from membership at a date to be determined by the Assembly which shall be not less than six months from the date on which the amendment comes into force."

3. The delegations of Canada and of the United Kingdom are ready to discuss in detail with the delegations of Brazil, Chile, Czechoslovakia and Indonesia the arguments for and against the retention of these references, and to consider any amendments that may afford a reconciliation of the points of view expressed in the informal meeting held on the morning of 13 September 1955.