

EXECUTIVE COMMITTEE
SECOND SESSION

Sub-Committee 3 on Administration

REPORT OF THE WORKING PARTY ON THE
INTERNATIONAL CUSTOMS TARIFF BUREAU

The Working Party on the International Customs Tariff Bureau was composed of the delegates of Benelux, Brazil, Canada and the United States. The United States delegate acted as Chairman. The Working Party held three meetings and discussed possible alternative methods of dealing with the Bureau. At its first meeting, the Working Party discussed with Mr. Briffeuil the details of the staff, budget and operations of the Bureau. Mr. Briffeuil explained the difficult financial position of the Bureau which had been caused, in part, by the failure of many of the parties to the Convention to pay arrears in their contributions, and in part by the inadequacy of the present scale of contributions in the light of present costs.

The Working Party was impressed with the work which the Bureau had been able to do in spite of its very limited staff and budget. It was informed that, whereas the Bureau has had to limit the amount of material which it could translate and publish, because of inadequate funds, it has no discretion under the 1891 Convention with respect to the languages in which publication must be undertaken, namely - English, French, Spanish, Italian and German.

The Working Party also discussed the legal aspects of the question, including possible methods of modifying or terminating the Convention.

On the basis of its deliberation, the Working Party came to the conclusion that, if the work of the Bureau was to be maintained without interruption, the most practicable procedure would be that envisaged in Article 87, paragraph 3(c) of the Havana Charter. The Working Party therefore recommends that the Executive Secretary be directed, in consultation with the officials of the Bureau, to work out the details of an arrangement for bringing the Bureau under the direct supervision of the ITO. The arrangement so worked out would be submitted to the Executive Committee at its next session and eventually to the First Session of the Conference of the ITO. Under such an arrangement, the Bureau would be financed from the ITO budget, at least insofar as those of its Members which are also Members of the ITO are concerned. Such a method of financing would relieve ITO Members from further current contributions to the Bureau. It would, however, leave the Bureau free to collect full contributions from other Members which were not Members of the ITO, and to seek the payment of arrears from any Members which had not already made such payment.

The Working Party was inclined to believe, however, that at a later stage it might be found desirable to look forward to the performance of the functions of the Bureau by the ITO itself. The Working Party recommends, therefore, that the Executive Secretary be requested to take this possibility into consideration in the course of the consultations referred to above, and to report to the Executive Committee on possible means of effecting at a later stage a transfer of the functions and resources of the Bureau to the ITO under paragraph 3(b) of Article 87 of the Havana Charter. Under the second stage it might be envisaged that the work might still be carried on in Brussels, but the Working Party does not feel qualified to express a view at this time as to what arrangements should be made at such stage.

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The Working Party was impressed by the stringent financial difficulties in which the Bureau now finds itself, and considered that Members of the Interim Commission would feel that they had a substantial interest in the carrying on of the Bureau's work without interruption. At the same time the Working Party felt that it would not be appropriate for one body to make detailed recommendations regarding the internal affairs of another. The Working Party did, however, feel that it would be appropriate for the Executive Committee to give moral support to the efforts made by the Bureau, with the assistance of the Belgian Ministry of Foreign Affairs, to collect contributions to the Bureau which are in arrears, and possibly to seek additional voluntary contributions for the Bureau.

Accordingly, the Working Party proposes the attached Resolution for consideration by the Executive Committee.

DRAFT RESOLUTION OF THE
EXECUTIVE COMMITTEE OF THE INTERIM COMMISSION
OF THE INTERNATIONAL TRADE ORGANIZATION
REGARDING FINANCIAL ASSISTANCE TO THE INTERNATIONAL
CUSTOMS TARIFF BUREAU AT BRUSSELS

THE EXECUTIVE COMMITTEE OF THE INTERIM COMMISSION OF
THE INTERNATIONAL TRADE ORGANIZATION

CONSIDERING the importance of the work which has long been and is still being performed by the International Customs Tariff Bureau at Brussels in translating and publishing the customs tariffs of all the countries of the world, and

CONSIDERING the immediate financial difficulties confronting the Bureau, which seriously impair its ability to translate and publish these customs tariffs; and

CONSIDERING that, although it has instructed the Executive Secretary to enter into consultations with the appropriate authorities of the Bureau with a view to presenting to the first Conference of the International Trade Organization proposals for bringing the Bureau within the budget of the International Trade Organization, nevertheless such financial assistance as this may ultimately provide to the Bureau will have no immediate effect in relieving the Bureau's present difficulties; and

CONSIDERING that the work of the Bureau should be continued until such a time as the relationship between the Bureau and the International Trade Organization may be determined and brought into effect; and

CONSIDERING that the Belgian Ministry of Foreign Affairs is charged under the 1891 Convention with the adoption of the measures necessary for the organization and operation of the Bureau.

RECOMMENDS to Governments Members of the Interim Commission that they give sympathetic consideration to any appeal which may be made by the Belgian Ministry of Foreign Affairs on behalf of the Bureau, for the purpose of obtaining immediate payment of such contributions to the Bureau as are currently due or in arrears, or to other suggestions which the Ministry may make with a view to relieving the present financial difficulties of the Bureau.