

CHAPTER IX.—GENERAL PROVISIONS

Article 93

Relations with Non-Members

Alternative A.

1. Nothing in this Charter shall preclude any Member from concluding or maintaining commercial treaties or maintaining economic relations with non-Members; *Provided* that no Member shall seek preferential export or import duties or taxes or exclusive advantages in its trade with any non-Member.

2. If a substantial part of any Member's foreign trade is with non-Members, such Member shall be entitled to suspend the application of any of the provisions of this Charter; *Provided* that their execution causes or threatens to cause a serious injury to its legitimate economic interests.

3. Any Member shall afford the Organization and directly affected Members an adequate opportunity to consult with it in respect of its action and of the best way which would enable the Member concerned to safeguard its interests without prejudicing the general purposes and objectives of this Charter and the legitimate interests of the above-mentioned Members.

If no adjustment can be effected, the Member concerned may withdraw from the Organization at any time by written notice addressed to the Director-General either on its own behalf or on behalf of a territory which is at the time self-governing in respect of matters provided for by this Charter, giving reasons therefor. This withdrawal shall become effective on the date such notice is received. The Director-General shall immediately notify all other Members.

Article 93.

The Preparatory Committee transmits these three texts to the World Conference, without expressing at this stage any judgment concerning the merits of one proposal as against another, in order to assist the World Conference in determining, in the light of all relevant circumstances, the text to be incorporated in the Charter governing relations with non-Members.

Some question was raised as to the status of a Member of the United Nations if it should fail to become a Member of the Organization and to the status of a country not eligible for membership in the Organization. The World Conference may wish to seek expert opinion as to whether, under these circumstances, any of the drafts would be in conflict with the obligations of Members of the United Nations.

In this connection the Preparatory Committee calls the attention of the World Conference to the definition of a "non-Member" in paragraph 7 of Alternative "B" and to the words "although qualified to do so" in paragraph 3 of Alternative "C" which would exclude from the scope of all or some of the provisions of the Article non-Member countries which were not qualified for Membership. The World Conference may wish to consider whether these particular passages should be retained or deleted in the light of the resolution regarding Spain which the General Assembly adopted on 12 December 1946.