

emergency" was understood to mean a serious and impending emergency; the French text is: "cas de grave tension internationale".

- (c) Nothing in the Charter can prevent a Member from entering into or carrying out any inter-governmental agreement (or other agreement on behalf of a government) made by or for a military (army, air force or navy) establishment for the purpose of meeting essential requirements of the national security of one or more of the participating countries.

This is a new exception which was not in the Geneva text and which was proposed by the United States Delegation to permit continuation of their stock-piling policies. In this case, as in those mentioned above, the agreement may include countries which are non-Members as well as Members of the Organization.

The Conference agreed on a necessary counterpart to this provision. Article 32 - Liquidation of Non-Commercial Stocks - was inserted in Chapter IV of the Charter. The main reason for the inclusion of this Article was to provide machinery for prior consultation in regard to the liquidation of stocks accumulated for security reasons under this exception.

The other exceptions provided for in this Article are not of a security nature.

Sub-paragraph 1 (d) provides that any action taken in accordance with the provisions of Annex M is also excepted from the provisions of the Charter. Annex M contains special provisions regarding India and Pakistan. It recognizes that in view of the special circumstances arising out of the establishment as independent States of India and Pakistan, which have long constituted an economic unit, the provisions of the Charter will not prevent the two countries from entering into interim agreements (such as tariff agreements) with respect to the trade between them. Once reciprocal trade relations have been established on a definitive basis, measures adopted by these countries in order to carry out definite agreements with respect to their reciprocal trade relations may depart from particular provisions of the Charter. Such measures, however, must be, in general, consistent with the objectives of the Charter. An exception, identical in substance, is contained in an interpretative note to Article XXIV, paragraph 5, of the General Agreement on Tariffs and Trade.

Finally, paragraph 2 provides that the Charter will not be construed to over-ride,

- (a) any of the provisions of peace treaties or permanent settlements resulting from the Second World War which are or shall be in force and which are or shall be registered with the United Nations, or
- (b) any of the provisions of instruments creating Trust Territories or any other special regimes established by the United Nations.