

task could not be performed at Havana by the Legal Drafting Committee which only had time to devote its attention to the text of the Charter itself.

Article 106 - Deposit and Authenticity of Texts, Title and Date of the Charter. This Article provides that pursuant to Article 102 of the United Nations Charter the original texts of the International Trade Organization Charter in the five official languages of the United Nations (English, French, Chinese, Spanish and Russian) will be deposited with the Secretary-General of the United Nations.

There was a good deal of acrimonious discussion on the delicate question of what texts should be authoritative for purposes of interpretation. The Canadian Delegation, for technical reasons more than anything else, maintained that only the English and French texts should be authentic. When the United States Delegation reversed its position and accepted the five official languages of the United Nations as authentic, that principle was quickly adopted by the Conference. The Article, therefore, provides that, for purposes of interpretation of the Charter, the English, French, Spanish, Chinese and Russian texts will be equally authoritative and that any discrepancy between texts will be settled by the Conference. The Executive Committee of the Interim Commission has been charged with the task of establishing authentic texts in the Chinese, Spanish and Russian languages.

Since, under Article 39 of the Statute of the International Court of Justice, only French and English are recognized as the official languages of the Court, the phrase "subject to the provisions of the Statute of the International Court of Justice" was inserted in paragraph 1 of Article 106 so that the Chinese, Spanish and Russian texts will not be authoritative before the International Court.

Paragraph 2 of this Article establishes that the date of the Charter shall be March 24, 1948, which is the day on which the Final Act of the Havana Conference was signed. The need to establish the date of the Charter was necessary in view of the many references which are made to it in other parts of the Charter, such as Article 13, sub-paragraph 7 (a)(1); Article 18, paragraph 6; Article 35, paragraph 6.

The final paragraph of the final Article of the Charter provides that the Charter for an International Trade Organization will be known as the Havana Charter. This title was proposed and supported by all the Latin American countries.

Although the Canadian Delegation did not specifically support this suggestion, it did not oppose it when it became evident that there was general support for it. Although, at first sight, the title appears to be purely honorary, there was some feeling that the title might confirm the solidarity of the Latin American countries which was keenly felt at Havana and at times became obnoxious because of the many difficulties which it caused. The Havana Charter might become to mean in the eyes of those delegations "a Latin American Charter for under-developed countries."