

GENERAL AGREEMENT ON TARIFFS AND TRADE

WORKING PARTY 10

Statement by the Czechoslovak Delegation regarding
the possibility of Accession of Western Germany to the General
Agreement on Tariffs and Trade

In addition to its statement made at Annecy the Czechoslovak Delegation wishes to draw attention to the fact that, at the Second Session of the Preparatory Committee, a Subcommittee was appointed with the following Terms of Reference:

"To examine the situation respecting the participation as full contracting parties of Burma, Ceylon and Southern Rhodesia", and "as to how the text of the General Agreement should be changed" (E/C/T/198, 15 September 1947).

In order to form an opinion with regard to the participation of these countries, the Subcommittee requested the United Kingdom Delegate to submit information relating to the ability of these territories:

- (a) to approve and modify their tariffs without the consent of the United Kingdom;
- (b) to apply the General Agreement without reference to the United Kingdom; and
- (c) to enter into contractual relations on commercial matters with foreign governments, including any examples of such contractual relations

Having considered all the relevant facts, the Sub Committee unanimously agreed to recommend to the Tariff Agreement Committee that:

"Burma, Ceylon and Southern Rhodesia, according to their status de jure and/or de facto, can be admitted to participate as full contracting parties to the General Agreement on Tariffs and Trade."

In this way the Contracting Parties have laid down the rules for the possibility of accession of a country to the General Agreement on Tariffs and Trade.

The Occupation Statute for Western Germany, issued on April 10, 1949, specifically reserves to the occupation powers: Trade discrimination (para 2(b)), foreign affairs including international agreements made by or on behalf of Germany (para 2(c)), and control over foreign trade and exchange (para 2(g)), and under the memorandum on the measures for Germany, issued on April 27, the Joint Export-Import Agency and the Joint Foreign Exchange Agency, or any successor to them, continue in existence, are charged with the performance of their present functions and the United States has retained its predominant voice in them. Therefore, it seems sufficiently clear, that Western Germany cannot satisfy the conditions laid down by the Contracting Parties and cannot be invited to the next set of tariff negotiations with the view to become a full contracting party to the General Agreement on Tariffs and Trade.