The problem mentioned by the representative of Germany at the meeting of the Tariff Negotiations Committee has been discussed with various delegations. As a result of suggestions made to meet the difficulties, the Chairman of the Legal Working Party submits the attached draft for consideration by the Working Party at the meeting on 9 December 1950.
Draft Decision by the CONTRACTING PARTIES Agreeing to
the Accession of the Federal Republic of Germany
to the General Agreement on Tariffs and Trade

The CONTRACTING PARTIES,

HAVING REGARD to the results of the negotiations directed towards the
accession of the Federal Republic of Germany to the General Agreement
on Tariffs and Trade,

DECIDE in accordance with Article XXXIII of the General Agreement,

1. (a) The CONTRACTING PARTIES agree to the accession of the Government
of the Federal Republic of Germany to the General Agreement on the
terms relevant to such accession which are provided for in the Torquay
Protocol to the General Agreement.

(b) The CONTRACTING PARTIES further agree that, notwithstanding
the provisions of Article I of the General Agreement, the accession
of the Government of the Federal Republic of Germany will not require
any modification in the de facto status of intra-German trade in
goods originating within Germany.

(c) In according the benefits of the General Agreement to
goods shipped from the Federal Republic of Germany, the contracting
parties will make no distinction between goods originating in the
territory of the Federal Republic and those originating in the
Western sectors of Berlin.

(d) The provisions of subparagraph 1(b) and (c) above may be
reconsidered at any time at the request of any Contracting Party, and
any decision taken by the CONTRACTING PARTIES in this respect will be
taken by a majority of the votes cast.

2. This Decision shall be open for signature by contracting parties
at Torquay on March 1, 1952 and after March 15, 1952 at the
3. This Decision shall constitute a decision of the CONTRACTING PARTIES taken on 1 May 1, 1951, provided that it shall then have been signed by two-thirds of the governments which are at that time contracting parties.

4. The Secretary-General of the United Nations shall promptly furnish a notification of each signature to this Decision to each Member of the United Nations, to each other government which participated in the United Nations Conference on Trade and Employment, and to any other interested government.