DRAFT DECLARATION ON THE PROVISIONAL ACCESSION OF SPAIN TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

The Government of Spain and the other governments on behalf of which this Declaration has been accepted (the latter governments being hereinafter referred to as the "participating governments"),

CONSIDERING that the Government of Spain made on 21 May 1960 a formal request to accede to the General Agreement on Tariffs and Trade (hereinafter referred to as the "General Agreement") in accordance with the provisions of Article XXIII of the General Agreement; and

HAVING REGARD to the desire of many contracting parties to the General Agreement to conduct the tariff negotiations with Spain, which it is considered should precede accession under Article XXIII, during the tariff conference to be held in 1960-1961, arrangements for which are being made by the CONTRACTING PARTIES to the General Agreement (hereinafter referred to as the "CONTRACTING PARTIES");

1. DECLARE that, pending the definite accession of Spain to the General Agreement under the provisions of Article XXIII, following the conclusion of tariff negotiations with the contracting parties to the General Agreement, the commercial relations between the participating governments and Spain shall be based upon the General Agreement, provided that:

(a) Spain shall not have any direct rights with respect to the concessions contained in the schedules annexed to the General Agreement either under the provisions of Article II or under the provisions of any other Article of the General Agreement;

(b) the present Declaration shall in no way affect the provisions governing the trade between the Spanish Peninsula and the Balearic Isles on one hand, the Canary Islands and the Spanish provinces and localities in Africa on the other hand.

2. REQUEST the CONTRACTING PARTIES to perform such functions as are necessary for the implementing of this Declaration.

3. This Declaration, which has been approved by the CONTRACTING PARTIES by a two-thirds majority, shall be open to acceptance, by signature or otherwise, by Spain, by contracting parties to the General Agreement and by any governments which accede provisionally to the General Agreement.

4. This Declaration shall be deposited with the Executive Secretary of the CONTRACTING PARTIES.
5. The Executive Secretary of the CONTRACTING PARTIES shall promptly furnish a certified copy of this Declaration, and a notification of each acceptance thereof, to each government to which this Declaration is open for acceptance.

6. This Declaration shall become effective between Spain and any participating government on the thirtieth day following the day upon which it shall have been accepted on behalf of Spain and of that government; it shall remain in force until the Government of Spain accedes to the General Agreement under the provisions of Article XXIII thereof or until 31 December 1961, whichever date is earlier, unless it has been agreed between Spain and the participating governments to extend its validity to a later date.

DONE at Geneva this day of one thousand nine hundred and sixty, in a single copy in the French and English languages, both texts authentic.
PARTICIPATION OF SPAIN IN THE WORK OF THE CONTRACTING PARTIES

Draft Decision

CONSIDERING that the Government of Spain has made a request to the CONTRACTING PARTIES to the General Agreement on Tariffs and Trade to accede to the General Agreement in accordance with the provisions of Article XXXIII and is ready to enter into tariff negotiations with contracting parties to that end,

DESIRING that the Government of Spain, pending its accession, shall be associated with the discussions and deliberations of the CONTRACTING PARTIES,

NOTING that a number of contracting parties intend that, pending the definite accession of Spain pursuant to Article XXXIII, commercial relations between them and Spain shall be based upon the provisions of the General Agreement, in accordance with the Declaration of

CONSIDERING that the said Declaration requests the CONTRACTING PARTIES to perform certain functions comparable in nature to their functions under the General Agreement,

THE CONTRACTING PARTIES

DECIDE:

1. To invite the Government of Spain to participate in sessions of the CONTRACTING PARTIES and of subsidiary bodies established by the CONTRACTING PARTIES,

2. To accept such functions as are necessary for the operation of the Declaration referred to in the preamble to this Decision, and

3. To make arrangements for tariff negotiations between contracting parties and Spain during the tariff conference commencing in 1960.

This Decision shall continue in effect until the accession of Spain to the General Agreement following tariff negotiations with contracting parties or until 31 December 1961, whichever date is earlier, unless the CONTRACTING PARTIES agree to extend it to a later date.