Following the discussion in committee on Article 38, the French and Belgium-Luxembourg Delegations feel it desirable to point out to the other delegations that the commercial agreement concluded between France and the Belgium-Luxembourg Economic Union on 23 February 1938 provides for a special regime for the exchange of certain specified agricultural and industrial products between Belgium and the Grand Duchy of Luxembourg on the one hand, and certain specified bordering areas of France on the other hand.

The above-mentioned delegations have always been of the opinion that this special regime was covered by those articles of the Charter which deal with frontier traffic.

Should any one of the other delegations have any doubt as to the possibility of maintaining this regime under the terms of Article 38 as at present worded, the French and Belgium-Luxembourg Delegations would be obliged to request the inclusion of a new annexure to Article 14, paragraph 2(b), mentioning the special arrangement which is still in force and which the three countries concerned intend to maintain.

In that case the heading which the above-mentioned delegations would suggest for Annexure G would be as follows:

Special Regime for exchanges between Belgium and the Grand Duchy of Luxembourg, and certain bordering areas of France.