

‘GREAT EXPECTATIONS’: ROMANIA’S ACCESSION TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE (1968-1971)

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Abstract: At the end of the 1960s, the Romanian authorities awarded more and more importance to foreign trade, aiming to increase trade relations with all states, regardless of their political and economic system. One of the main international organizations regulating international trade was the General Agreement on Tariffs and Trade (GATT), to which Romania became an observer in 1957 and with which it established “technical contacts” in 1966. This article investigates Romania’s diplomatic efforts to be accepted as a Contracting Party to the GATT. The timeframe of the paper spans from 1968, when Romania applied for membership to 1971, when it signed the protocol. In this sense, this article will look at Romanian-European Economic Community (EEC) contacts within the GATT, a subject rather ignored by the scholarship until now. For the first time in historiography, this article investigates Romania’s GATT accession negotiations. Based on multi-archival research, the work is structured into three main parts. The first section briefly presents the context in which, at the end of the 1960s, Romania decided to become a contracting party to GATT. This framework details the country’s expectations / hopes for accession. The second part analyzes the actual negotiations, highlighting especially the points of divergence between Romania and the contracting parties. The third part details the official and unofficial assessments of the Romanian side regarding the results obtained following the accession negotiations.

Keywords: Socialist Romania, GATT, EEC, 1960s, 1970s, CMEA



Rezumat: La sfârșitul anilor 1960, autoritățile române începuseră să acorde tot mai multă importanță comerțului exterior, urmărind să sporească relațiile comerciale cu toate statele, indiferent de sistemul lor politic și economic. Una dintre principalele organizații internaționale care reglementa comerțul internațional a fost Acordul general privind tarifele și comerțul (GATT), la care România a devenit observator în 1957 și cu care a stabilit „contacte tehnice” în 1966. Acest articol investighează eforturile diplomatice ale României de a fi acceptate ca parte contractantă a GATT. Perioada analizată se întinde din 1968, când România a solicitat aderarea până în 1971, când a semnat protocolul. Acest articol va analiza contactele românești din cadrul GATT, un subiect ignorat până acum de istorici. Pentru prima dată în istoriografie, acest articol

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investighează negocierile de aderare la GATT ale României. Pe baza cercetărilor multi-arhivistice, lucrarea este structurată în trei părți principale. Prima prezintă pe scurt contextul în care, la sfârșitul anilor 1960, România a decis să devină parte contractantă la GATT. Acest cadru detaliază așteptările / speranțele țării pentru aderare. A doua parte analizează negocierile efectuate, evidențiind în special punctele de divergență dintre România și părțile contractante. A treia parte detaliază evaluările oficiale ale părții române cu privire la rezultatele obținute în urma negocierilor de aderare.

Cuvinte cheie: România socialistă, GATT, CEE, 1960, 1970, CAER

I. Introduction

The end of the 1960s is considered a period of great autonomy and of great diplomatic successes in Romania's foreign policy. Some authors consider that Romania's foreign and commercial policy after Ceaușescu's speech from 21 August 1968 had placed the country in semi-isolation within the Soviet bloc, while other scholars believe that Romania's autonomy was manifested within the limits of Soviet acceptance and that the Soviet Union even benefited from Romania's commercial contacts with the West¹. In spite of differences of opinion regarding COMECON (Council for Mutual Economic Assistance – CMEA), commercial and technical exchanges between Romania and the USSR continued and a Treaty of friendship, collaboration and assistance was signed in Bucharest, on 7 July 1970².

In this context, Romanian authorities also awarded more and more importance to foreign trade, aiming to increase trade relations with all states, regardless of their political and economic system. Specialists in the Romanian Ministry of Finance also appreciated that the country should access advantageous staggered loans from the specialized bodies of the UN-IMF and the Bank for International Settlements. Moreover, Romania considered that the CMEA states, in accordance with their national sovereignty and interests, were also entitled to establish relations with international financial institutions, which included even going so far as applying for membership³

¹ Florin Răzvan-Mihai, „Relațiile internaționale ale României [1945-1999]”, in *Panorama comunismului în România*, ed. Liliana Corobca (Iași: Editura Polirom, 2020), 925, 927.

² Vasile Bega, „Evoluția relațiilor politice româno-sovietice”, in *Panorama comunismului în România*, ed. Liliana Corobca (Iași: Editura Polirom, 2020), 973.

³ Ion Alexandrescu, „Politici și evoluții în economia României (1945-1989)”, in *Panorama comunismului în România*, ed. Liliana Corobca (Iași: Editura Polirom, 2020), 575.

One of the main international organizations regulating international trade was the General Agreement on Tariffs and Trade (GATT)⁴. Romania became an observer in 1957 and it established “technical contacts” in 1966. In 1968, Romania asked for the opening of negotiations in order to become a contracting party of the GATT, which indeed led to a stage of intense negotiations between the Romanian side, on the one hand, and the contracting parties, on the other. These proceedings were very little studied and known until today. In the negotiations on Romania’s accession protocol to the GATT, the Common Market, and its member countries have often expressed positions different from those of Romania and have often opposed and blocked its proposals and requests. For the first time in historiography, this article investigates Romania’s GATT accession negotiations, with special attention being paid to the position of the Common Market on this issue. It could also be argued that Romania’s desire to join the GATT represents the embryo of Europeanization and Westernization of its foreign policy⁵ post-1989, a process which materialized in the country’s subsequent accession to the WTO, NATO, and the EU.

Based on a multi-archival research, this work is structured into three main parts. The first briefly presents the context in which, at the end of the 1960s, Romania decided to become a contracting party to the GATT. This framework details the country’s expectations / hopes for accession. The second part analyzes the actual negotiations, highlighting especially the points of divergence between Romania and the contracting parties, as well as the causes for these divergences. The third part reflects on the official and unofficial assessments of the Romanian side regarding the results obtained following the accession negotiations.

Between 1958 and 1961, the trade partner of the European Economic Community (EEC) with whom the Western organization reported the greatest

⁴ The General Agreement on Tariffs and Trade (GATT) had been established within the United Nations Conference on Trade and Employment (UNCTE) at Geneva, on 30 October 1947, entering in effect in 1948. The purpose behind the creation of this structure was to foster growth through multilateral free trade or reduced tariffs agreements after the Second World War. The US declined to join on political grounds. Still, the GATT was gradually enlarged in the ensuing rounds of negotiations. In less than 15 years after it was founded there were 70 member states, which amounted to four fifths of international commerce. (see: I. T. Berend, *An Economic History of Twentieth-Century Europe: Economic Regimes from Laissez-Faire to Globalization* (Cambridge: Cambridge University Press, 2006), 193).

⁵ See, for example, Ion Bunescu, “The Europeanization of the Foreign and Security Policy of Romania. From the Warsaw Pact to the Three Seas Initiative”, *Annals of the „Ovidius” University of Constanța – Political Science Series* 9 (2020): 213-241.

commercial growth was the Council of Mutual Economic Aid (CMEA)⁶. The GATT and the IMF were among the most representative economic associations that the Soviet bloc collaborated with, Czechoslovakia even being a founding member of GATT since 1947⁷.

The relations between the GATT and the CMEA countries, including Romania, have been mentioned briefly in older, more general research papers dealing with the economic relations of the Soviet bloc countries⁸. More recently, the interactions between Romania and the GATT were discussed in studies by E. Dragomir, where emphasis was laid on the complex international context generated by Romania's strategy towards the Common Market as a CMEA member⁹. It is shown that by seeking to become a GATT member and be recognized as a developing country, and allowed to accede to the Group of 77, respectively, Romania hoped to sidestep tariffs for its exports to the EEC and join the EEC's Generalized Scheme of Preferences (GSP)¹⁰. Nevertheless, the negotiations behind Romania's accession to the GATT have remained an unexplored topic up to this moment.

⁶ Elena Dragomir, *Opoziția din interior: România și politicile CAER față de CEE: (1957-1989). Volume 1 [The Opposition Within: Romania and the CMEA Policies towards the EEC: 1957-1989]* (Târgoviște: Cetatea de Scaun, 2019), 51.

⁷ Anna Calori et al., “Alternative Globalization? Spaces of Economic Interaction between the “Socialist Camp” and the “Global South””, in *Between East and South. Spaces of Interaction in the Globalizing Economy of the Cold War, Volume 3*, eds. Anna Calori et al. (Berlin/Boston: De Gruyter Oldenbourg, 2019), 10.

⁸ For example, K. Grzybowski, “Socialist Countries in GATT”, *American Journal of Comparative Law* 28 (1980): 539-554. Petra Pissulla, “Experiences of the Centrally Planned Economies in the GATT”, *Soviet and Eastern European Foreign Trade* 26, no. 2 (1990): 3-15. Rorden Wilkinson and James Scott, “Developing country participation in the GATT: a reassessment”, *World Trade Review* 7, no. 3 (2008): 473-510. Roshani M. Gunewardene, “GATT and the Developing World: is a New Principle of Trade Liberalization Needed?”, *Maryland Journal of International Law* 15, no. 1 (1991): 45-68. Gheorghe Zaman and George Georgescu, “A retrospective study on Romania's external trade in the past 100 years”, *Munich Personal RePEc Archive*, no. 89707 (2018), 1-65, https://mpra.ub.uni-muenchen.de/89707/1/MPRA_paper_89707.pdf (accessed 15 May 2021).

⁹ Elena Dragomir, “Romania Turns West: National and international rationales”, in *European Socialist Regimes' Fateful Engagement with the West: National Strategies in the Long 1970s*, eds. Angela Romani and Federico Romero (London and New York: Routledge, 2021), 191, 193, 197, 199, 200, 202, 203, 205; Elena Dragomir, *Opoziția din interior: România și politicile CAER față de CEE (1957-1989) [The Opposition Within: Romania and the CMEA EEC Policy, 1957-1989]*, Vol. 1 (Târgoviște: Cetatea de Scaun, 2019), 50, 108, 111, 135, 167, 170-173, 180-185, 262-270, 284.

¹⁰ Elena Dragomir, “Breaking the CMEA hold: Romania in search of a ‘strategy’ towards the European Economic Community, 1958–1974”, *European Review of History: Revue européenne d'histoire* 27, no. 4 (2019): 512.

II. Context: Industrialization and Development of Foreign Trade as a Goal of Socialist Romania

After 1965, a new Constitution was adopted in Bucharest, proclaiming Romania “a socialist republic”. In accordance with the line of development proposed in the works of the Congress of the Romanian Worker’s Party in 1960, building a prosperous socialist society was based on the growth of industry and heavy industry¹¹, which in turn could only be achieved through the purchase of industrial technology and machinery¹². This implied imports from Western countries, which meant that Romania would have to find ways of paying for these imports by securing loans, obtaining better deals for its exports¹³, or by paying for them with gold from the state reserve. According to economic statistics, fuel, raw materials, metals, industrial and transport machinery accounted for 68% of Romania’s imports in 1960, while by 1970, there was a marginal increase to 71,4%¹⁴.

In Ceaușescu’s report on the activity of the Romanian Communist Party (RCP) at the 9th Congress in 1965, it was stated that the total volume of the external trade had increased 2,3 times compared to 1959 and that “during this period, economic relations with socialist countries as well as with other countries have been broadened”, while the quality of the goods exported by Romania has increased thanks to the “import of raw materials and resources, of modern technical equipment, in accordance with the needs of the economy”¹⁵. In July 1966, in one of Nicolae Ceaușescu’s exhortations, the aim of achieving unimpeded economic collaboration, with no discrimination (tariffs) was presented as a major factor in achieving peace and cooperation in Europe¹⁶.

¹¹ Gheorghe Gheorghiu-Dej, *Raport la cel de-al treilea Congres al Partidului Muncitoresc Român* [Report at the third Congress of the Romanian Workers’ Party] (Bucharest: Editura Politică, 1960), 9-12.

¹² Dragomir, “Romania Turns West: National and international rationales”, 191.

¹³ Ibid.

¹⁴ Zaman and Georgescu, “A retrospective study on Romania’s external trade in the past 100 years”, 30.

¹⁵ *Congresul al IX-lea al Partidului Comunist Român 19-24 iulie 1965* [Ninth Congress of the Romanian Communist Party 19-24 July 1965], 30. [Author’s translation].

¹⁶ National Archives of Romania (henceforth ANR), *Expunerea tovarășului Nicolae Ceaușescu la adunarea activului de partid, referitor la consfătuirea Comitetului Politic Consultativ al Tratatului de la Varșovia, precum și asupra unor probleme ale C.A.E.R., care a avut loc la București în zilele de 4-7 iulie a.c.* [Comrade Nicolae Ceaușescu’s presentation at the assembly of the party’s activists, regarding the meeting of the Political Consultative Committee of the Warsaw Pact, as well as on some issues

The concern towards foreign trade can also be exemplified in Ceaușescu’s speech at the *Conference on Foreign Trade* from 23 February 1967, where it was mentioned that:

“It is known that the greater part of new enterprises are built using imported machinery, installation[s] and licenses. The assurance of the import of raw materials and complex installation[s] requires, of course, serious efforts on behalf of the state; at the same time, it is directly connected to the proper unfolding of foreign trade”¹⁷.

Moreso, it was estimated that Romania would soon find it difficult to pay for its imports, because the volume of imported goods was growing at a larger rate than that of its exports¹⁸. In this respect, the recommendation made was that foreign trade organizations should make efforts to export industrial and chemical products and machinery on Western markets. Likewise, it was declared that the country could not go on exporting merchandise with a low degree of processing, due to the inefficiency of this type of exports¹⁹. In the same source, great emphasis was laid on broadening economic collaboration with both socialist and capitalist states, and on the diversification of economic relationships and technical and scientific cooperation²⁰. In the meeting between President de Gaulle and Ceaușescu in May 1968, the General Secretary confessed his disagreement vis-à-vis “*Certaines tendances qui peuvent avoir leur origine dans les bonnes intentions, par exemple le Marche Commun, mais qui pour nous ne sont pas actuelles, car le développement de ce côté-ci du monde exige que chaque Etat se développe librement*”²¹, undoubtedly referring to the practice of charging tariffs for imports from Romania within the Common Market.

of CMEA, which took place in Bucharest on 4-7 July 1966], Fund CC al PCR Secția Relații Externe, file no. 1804/25.06.1966, 10.

¹⁷ Ceaușescu, *România pe drumul desăvârșirii construcției socialiste: Rapoarte, cuvântări, articole: Septembrie 1966 – Decembrie 1967* [Romania on the road to the completion of socialist construction: Reports, speeches, articles: September 1966 – December 1967], 214.

¹⁸ *Ibid.*, 215.

¹⁹ *Ibid.*, 219.

²⁰ *Ibid.*, 226-227.

²¹ Historical Archives of the European Union (HAEU), fund Ministère des Affaires Etrangères MAEF, document no. MAEF.SG-34.29 *Entretiens franco-roumains, Minutes of the meeting between Charles de Gaulle and Nicolae Ceaușescu of 14 May 1968*, 38. [Eng. trans.: “Certain trends which may have their origin in good intentions, for example the Common March, but which for us are not current, because the development on this side of the world requires that each State develop freely”].

Having explained the view of the RCP towards the need of widening the country's commercial relations, in the next section of the paper, I will move on to address the interactions between Romania and the GATT after 1968.

III. Romania and the GATT Negotiations

As mentioned earlier, Romania had the status of observer within the GATT since 1957. Starting from July 1966, a “technical connection”²² was established between the International Trade Center of the GATT and the Chamber of Commerce of the Socialist Republic of Romania. Next, the Romanian foreign trade and external affairs state institutions saw an opportunity to join the GATT which was brought into discussion and approved at the level of the Executive Bureau of the CC of the RCP on 26 February 1968²³. The State Planning Committee, the Ministry of Foreign Affairs, the Ministry of Foreign Trade, and the Ministry of Finances based their proposal for accession as a full GATT member on a detailed report²⁴. This document, titled *The interest and conditions for a possible participation of the Socialist Republic of Romania in the General Agreement on Tariffs and Trade (GATT)*, began with a short history of the international organization and an outline of its aims, scopes, existent types of membership (full membership, provisional membership, and special arrangement membership), main activities, decision-making process, base principles, and a summary of the relations between other socialist states and the GATT. Thus, the report provides the basic principles for the functioning of the GATT, which had the potential to be advantageous once Romania became a full member.

The first mentioned principle concerns the development of free trade based on the reciprocal granting of the most-favored-nation clause between all the

²² ANR, *Notă de sinteză asupra lucrării intitulate „Interesul și condițiile unei eventuale participări a Republicii Socialiste România la Acordul General pentru Tarife și Comerț (GATT)”* [Brief notes on the work entitled “The interest and conditions for a possible participation of the Socialist Republic of Romania in the General Agreement on Tariffs and Trade (GATT)”], file no. 28/1968, Fund CC al PCR, Secția Cancelarie [CC of the RCP, Chancellery Department], 15.

²³ ANR, *Protocol nr. 10 al Prezidiului Permanent al CC al PCR din ziua de 26 februarie 1968* [Protocol no. 10 of the Permanent Presidium of the CC of the PCR from February 26, 1968], file no. 28/1968, Fund CC al PCR, Secția Cancelarie [CC of the RCP, Chancellery Department], 2-4.

²⁴ ANR, *Notă de sinteză asupra lucrării intitulate „Interesul și condițiile unei eventuale participări a Republicii Socialiste România la Acordul General pentru Tarife și Comerț (GATT)”* [Brief notes on the work entitled “The interest and conditions for a possible participation of the Socialist Republic of Romania in the General Agreement on Tariffs and Trade (GATT)”], file no. 28/1968, Fund CC al PCR, Secția Cancelarie [CC of the RCP, Chancellery Department], 10-20.

member states. Still, it is mentioned that Romania would not be able to obtain the status of most-favored nation from the USA, as such a provision required Congress approval²⁵. Other principles referred to banning, in theory, quantitative import restrictions and the protection of national industry only through tariffs; the development of consultation mechanisms between trade partners as the fundamental means of avoiding any harm to their commercial interests; the adoption of the decisions of the contracting parties through general consensus, or if that was not reached, through unanimous vote (amendments to the Agreement including those related to the most-favored-nation clause, lists of concessions agreed upon between parties), through two-thirds majority (the amendment of other articles), or through simple majority (other decisions)²⁶. There were exceptions to these principles, which included the acknowledgment of preferential systems in force at the time of the conclusion of the agreement; the acknowledgment of the creation of free trade zones and customs unions, such as the Common Market; the acceptance of quantitative restrictions for the import of certain products which would harm internal production or affect the trade balance; or the so-called “security clause”, whereby no state could be forced to provide information or undertake actions harming its national security or breaching international obligations deriving from the UN Charter²⁷.

According to the document, the main accomplishments of the GATT regarded the elimination of 67.000 import restrictions or tariffs; awarding \$350 million yearly in food aid to developing countries; and the negotiation in the Kennedy Round²⁸ of a gradual reduction in tariffs on 70% of imports to industrialized countries, excluding grains, meat, and dairy products²⁹. Furthermore, it is shown that developing countries had been granted the possibility of being exempted from the principle of full reciprocity in deals with developed countries as of November 1964³⁰. Overall, this synthesis offers an optimistic outlook on the functioning of the GATT, focusing on highlighting the specific advantages for a developing state that would result from the accession process.

²⁵ Ibid., 15.

²⁶ Ibid., 11-12.

²⁷ Ibid., 12.

²⁸ The Kennedy Round refers to the sixth session of GATT negotiations, held in Geneva, from 1964 to 1967.

²⁹ Ibid., 13.

³⁰ Ibid.

Keeping these observations in mind and considering that, as previously stated, in the field of foreign trade, the RCP was aiming to minimize losses incurred through tariffs and facilitate exports in order to achieve a positive trade balance³¹, it is not surprising that the Romanian policy-makers became interested in applying for full GATT membership, with the status of developing country. All in all, the authors of the report expected the country to obtain direct benefits, such as: the application of the Kennedy Round tariffs reductions; the introduction of the liberalization mechanisms practiced between the GATT member states; better assurances that once tariff reductions and relaxations were granted, they would not be unilaterally denounced; and that, generally, Romania would benefit from the additional possibility of defending its economic interests in an organized setting³². In exchange for obtaining these advantages, the Romanian officials expected to be required to commit to the elimination of import quotas and export subsidies, according to the Agreement provisions, and to commit to a certain increase in imports from GATT countries “which would not be difficult to fulfill since our foreign trade planning provides a rise in exchanges with GATT countries by 1970”³³, and the possibility was foreseen that the country would have to provide detailed statistics and information on its currency to GATT partners, keeping in view the “security clause”. There are also warnings in the report stating that, for example, Czechoslovakia had not been awarded all the expected liberalizations in spite of being a full member, and that any conditions were, ultimately, subject to a case-to-case negotiation³⁴. It remained to be seen to what extent these functioning principles would be reflected in the evolution of Romania’s economic situation in the following years after the GATT accession. Similarly, it was mentioned that, even though Poland, Yugoslavia, and Czechoslovakia were full members, the countries had to adapt their tariff regime and foreign trade policy. Particularly, it was concluded that Moscow:

“does not have a favorable position towards the GATT as it considers that the problems of international trade can find resolution through the establishment of a world trade organization”³⁵.

³¹ Ibid., 16.

³² Ibid.

³³ Ibid., 17.

³⁴ Ibid., 16-18.

³⁵ Ibid., 14.

The proposals for Romania's GATT accession were included in the last part of the document, namely that action will be taken to ensure the support of the influential member states in the GATT and that, if accession conditions were met, the country would apply for full membership with the intention of "obtaining for our country as many advantages as possible which we currently do not benefit from in bilateral agreements"³⁶. The task of directing the consultations between Romania and GATT was given to the Ministry of Foreign Trade; a position of "councilor" representing Romania at the GATT was created within the Permanent Mission of Romania to the United Nations Office in Geneva; and directions were given for opening talks with the UN Development Programme and GATT Secretariat so that the Romanian staff from relevant institutions could benefit from training courses on working with GATT³⁷. Mircea Petrescu, director in the Ministry of Foreign Trade (MFT), was appointed chief of the country's delegation to the GATT. His team consisted of:

- Dumitru Lăzăroiu, director in the Ministry of Finances;
- Victor Aldea, counselor in the MFT;
- Nicolae Dinu, second secretary at the Permanent Mission of the UN in Geneva;
- and Șerban Modoran from the Ministry of Foreign Affairs³⁸.

Romania submitted its formal application of accession to the GATT to the Secretariat on 22 July 1968, which received it on 2 August 1968³⁹. The Romanian authorities presented several reasons in support of their application: the fact that the country had been an observer at the GATT since 1957; the desire to pursue economic cooperation with all countries "regardless of their social and economic systems in accordance with the principles of national independence and sovereignty, equality of rights, non-interference in domestic affairs"⁴⁰; the fact that over the past years Romania had broadened and diversified its exports and imports; and not least, the development of international trade as a goal of governmental policy⁴¹.

³⁶ Ibid., 19-20.

³⁷ Ibid., 20.

³⁸ GATT Archive, *List of representatives*, document no. Spec(69)85 of 25 June 1969, <https://docs.wto.org/gattdocs/q/GG/SPEC/69-85.PDF>, 5.

³⁹ GATT Archive, *Accession of Romania*, document no. L/3050 of 2 August 1968, <https://docs.wto.org/gattdocs/q/GG/L3799/3050.PDF>.

⁴⁰ Ibid.

⁴¹ Ibid.

	1950	1960	1965	1966	1967
1. GATT total	964.7	3,210.1	5,990.0	7,162.9	9,677.7
2. Exports to GATT countries	325.5	1,630.3	2,852.8	3,350.1	4,073.5
3. Imports from GATT countries	638.9	1,579.8	3,137.2	3,812.8	5,604.4

Table no. 1. Trade of Romania with the GATT countries in million external lei / lei valută (\$1 = 6 lei). Source: GATT Archive, Contracting Parties - Twenty-Fifth Session - [12-29 November 1968] - Accession of Romania - Memorandum on Foreign Trade Regime, document no. L/3101, 14 November 1968, p. 26, <https://docs.wto.org/gattdocs/q/GG/L3799/3101.PDF>.

The memorandum that the Romanian authorities submitted to the GATT Secretariat after sending the accession letter, was meant to illustrate the fact that the economy of socialist Romania had reached a level of development that made it a valuable trade partner. The memorandum included a short presentation of the economic growth registered in Romania as well as a description of the evolution and structure of the country's foreign trade, with appendixes detailing Romania's trade with each GATT member state. According to the report, the balance of trade had always been negative for the country, with the exception of the year 1960 (Table 1). Emphasis was laid on the investments program of the socialist government and the hope was that, as a GATT member, Romania "will be able to contribute under the best conditions to the development of international relations and economic co-operation"⁴². Contracting parties were also invited to submit questions with regard to the memorandum.

In order to examine the application, the GATT secretariat under Thirumalraya Swaminathan (India) established an initial working group consisting of 25 member states (including Poland)⁴³. Aside from this, a call was issued so that other countries could join the working party by December of that year⁴⁴.

On 22 January 1969, Romania submitted a revised memorandum to the GATT. There were only a few terminological differences. For example, the initial memorandum stated that the Romanian trade enterprises carried out their

⁴² GATT Archive, *Accession of Romania. Memorandum on Foreign Trade Regime*, document no. L/3101 of 14/11/1968, <https://docs.wto.org/gattdocs/q/GG/L3799/3101.PDF>, 7.

⁴³ The rest of the countries were: Germany, Australia, Austria, Belgium, Canada, the EEC, Cuba, Spain, USA, France, Greece, India, Israel, Italy, Luxembourg, Nigeria, Netherlands, United Kingdom, Sierra Leone, Sweden, Switzerland, Turkey, and Yugoslavia.

⁴⁴ GATT Archive, *Working Party on Accession of Romania – Membership and Terms of Reference*, document no. L/3129 of 22/11/1968, <https://docs.wto.org/gattdocs/q/GG/L3799/3129.PDF>.

activity based on the principle of “profitability”⁴⁵, while in the revised edition the guiding principle is “remunerativeness”⁴⁶.

GATT members were invited to submit questions with regard to the memorandum, and these questions as well as the answers of the Romanian government were summarized by the Secretariat of the economic organization. The inquiry included general queries on the legislation governing the country’s foreign trade, with clarifications showing that Romania did not charge customs duties on imported or exported goods; that consumer goods enjoyed the same access conditions as other commodities; that, at that moment, Romania had not concluded preferential agreements with third parties; and that the country was willing to consult with “any GATT member who might not be satisfied with the commercial policies in force or with the results of bilateral exchanges”⁴⁷.

Other questions posed inquired to what extent would competition be allowed between imported and home-produced goods. The answer provided was that:

“Should the importation of certain goods prove more advantageous than the production of such goods at home, importation would be given preference. Of course, importation possibilities are bound up with the available means of payment, which are mostly derived from exports receipts”⁴⁸.

When asked whether it would undertake an expansion of its trade with GATT members at least for an initial period of several years, the Romanian part replied that:

“...Romania might consider using the receipts from her exports to the contracting parties’ territories in order to increase her imports from those territories and make other payments in those countries”⁴⁹.

A related question concerned whether the country was willing to provide statistics regarding imports by country in the period 1966-1967 with the factors

⁴⁵ GATT Archive, *Accession of Romania. Memorandum on Foreign Trade Régime*, document no. L/3101 of 14/11/1968, <https://docs.wto.org/gattdocs/q/GG/L3799/3101.PDF>, 7.

⁴⁶ GATT Archive, *Accession of Romania. Memorandum on Foreign Trade Régime. Revision*, document no. L/3101.Rev.1 of 22.01.1969, <https://docs.wto.org/gattdocs/q/GG/L3799/3101R1.PDF>, 6.

⁴⁷ GATT Archive, *Accession of Romania. Replies to questionnaire*, document no. L/3211 of 28 May 1969, <https://docs.wto.org/gattdocs/q/GG/L3799/3211.PDF>, 2-3.

⁴⁸ *Ibid.*, 6.

⁴⁹ *Ibid.*, 8.

accounting for the variations in quantity and origins. Regarding the former, the answer was that:

“the variations which occurred in the volume and geographical distribution ... could be determined by ... opportunities for marketing offered to Romanian products by various countries, competitiveness of foreign suppliers, trade conjecture on different markets, changes in the export availability, needs for imports, etc.”⁵⁰.

The list of imports for the 1966-1967 period by quantity and country was provided later⁵¹. An important section of the set of inquiries on the memorandum was dedicated to the bilateral agreements concluded by Romania; consequently, a list of the existing bilateral agreements at the time was annexed to the responses of the Romanian government⁵². Also, the licensing system of imports and exports posed interest to the GATT members, as did the fixing of prices and taxation of foreign trade activities. In these respects, clarifications were given that “import and export licenses are issued in accordance with the provisions of the Foreign Trade Plan, taking into account the necessity of maintaining the equilibrium of the balance of payments, and bearing in mind the quantities or values laid down in trade agreements”⁵³ and it was stressed that:

“Romanian export products are sold at foreign market prices. Romanian foreign trade organizations like similar organizations in other countries, seek to obtain normal economic advantages from export transactions in accordance with market conditions, without perturbing world market prices. For imported products, whatever their country of origin, domestic prices are fixed at the level of the prices of similar domestic products or substitutes, while taking into account the difference in quality”⁵⁴.

Generally, on several occasions, the Romanian part expressed its availability to consult with any GATT member country should any issues or problems arise in the way foreign trade was conducted.

⁵⁰ Ibid., 4.

⁵¹ GATT Archive, *Imports of Some Goods into the Socialist Republic of Romania*, document no. L/3211/Add. 1 of 26 June 1969, <https://docs.wto.org/gattdocs/q/GG/L3799/3211A1.PDF>.

⁵² GATT Archive, *Accession of Romania. Replies to questionnaire*, document no. L/3211 of 28 May 1969, <https://docs.wto.org/gattdocs/q/GG/L3799/3211.PDF>, 22-40.

⁵³ Ibid., 16.

⁵⁴ Ibid., 17-18.

The meeting of the working party on the Accession of Romania was held in Geneva at Villa le Bocage, on 25 June 1969⁵⁵. The statements of the Romanian representative at this meeting stress the fact that Romania pursued a policy of developing trade relations with “all countries of the world irrespective of their social and economic system”⁵⁶. An outline of the economic gains of the country for the year 1968 and a summary of Romania’s goals regarding its GATT accession were also provided in this statement. Reassurances were given that the country was willing to grant the same trade liberalizations to GATT members that it received and that Romania’s foreign trade plan, based on the Five-Year plans, represented “an orderly and flexible forecast of the major needs and capabilities of the national economy”⁵⁷ and not a future source of unequal treatment for trade partners. Moreover, it also stated that Romanian import-export companies operators carried out an exclusively commercial activity. The conclusions of the statement seek a clarification on whether “the General Agreement constitutes the proper framework for the expansion of trade between Romania and the contracting parties”⁵⁸, hoping that “by acceding to GATT Romania should obtain from the contracting parties a specific commitment regarding the elimination of discriminatory quantitative restrictions”⁵⁹.

Following these statements, the rest of the meeting was taken up by the discussion of the previously submitted questions and answers, with the addition of further clarifications and explanations⁶⁰. More details were requested on the issue of Romania’s CMEA membership, specifically whether CMEA membership involved a system of mandatory quotas of a preferential nature, i.e., in the sense of asking whether Romania would be obliged to award preferential treatment to socialist states. The response clarified the fact that, while a co-ordination between CMEA countries existed, “trade with these countries is based on purely commercial criteria”⁶¹. Also, clarifications were given on the system of economic planning, namely that “the Romanian government does not

⁵⁵ GATT Archive, *Working Party on the Accession of Romania*, document no. AIR/724 of 12 June 1969, <https://docs.wto.org/gattdocs/q/GG/GATTAIR/724.pdf>, 1.

⁵⁶ GATT Archive, *Working Party on the Accession of Romania, Statement of the Romanian representative at the meeting on 25 June 1969*, document no. Spec(69)86 of 26 June 1969, <https://docs.wto.org/gattdocs/q/GG/SPEC/69-86.pdf>, 1.

⁵⁷ *Ibid.*, 2.

⁵⁸ *Ibid.*, 3.

⁵⁹ *Ibid.*

⁶⁰ GATT Archive, *Meeting of the working party on 25-26 June 1969*, document no. Spec(69)110 of 3 September 1969, <https://docs.wto.org/gattdocs/q/GG/SPEC/69-110.pdf>, 1.

⁶¹ *Ibid.*, 4.

intend to engage in consultations concerning its Annual Plan” but that, at the same time, it was willing to “consult with GATT members on matters concerning the development of mutual commercial relations”⁶². It is interesting that a further inquiry regarded Romania’s position on Part IV (Trade and Development) of the GATT given the country’s status as a developing nation, and, especially when considering the situation that “it should have an advanced agriculture by 1980”⁶³. Part IV of the GATT was a commitment for “a rapid and sustained expansion of the export earnings of the less-developed contracting parties” (art. 36 paragraph 2), stating that “The developed contracting parties do not expect reciprocity for commitments made by them in trade negotiations to reduce or remove tariffs and other barriers to the trade of less-developed contracting parties” (art. 36 para 8). This query probably sought to ascertain to what extent Romania expected to benefit from the advantages that developing countries enjoyed within the GATT. The answer of the Romanian delegation was that the country wished to enjoy certain customs preferences because it was facing difficulties that other developing nations also faced on the export of manufactured and semi-manufactured goods⁶⁴.

The next meeting of the committee for the accession of Romania took place on 15 October 1969⁶⁵. Romania was represented by Nicolae Dinu, 2nd Secretary at the Permanent Mission of Romania to the United Nations Office, and Șerban Modoran, from the Ministry of Foreign Affairs⁶⁶. On this occasion, a Draft protocol was produced, which was circulated to be discussed at the third meeting of the committee, on 24 November 1969⁶⁷. An important point, keeping in mind previous negotiations, was the introduction of the obligation of Romania to use its export gains from GATT countries for imports from those countries, or, alternatively, the undertaking, on behalf of the Romanian government, to increase the total volume of its imports from the territories of the contracting parties either by a certain percentage every year or depending on Romanian exports earnings from contracting parties⁶⁸. A revision of the Draft

⁶² Ibid., 5.

⁶³ Ibid., 11.

⁶⁴ Ibid.

⁶⁵ GATT Archive, *Meeting of the working party on the accession of Romania*, document no. AIR/731 of 9 July 1969, <https://docs.wto.org/gattdocs/q/GG/GATTAIR/731.pdf>, 1.

⁶⁶ GATT Archive, *List of representatives*, document no. Spec(69)123 of 15 October 1969, <https://docs.wto.org/gattdocs/q/GG/SPEC/69-123.PDF>.

⁶⁷ GATT Archive, *Draft Protocol for the Accession of Romania*, document no. Spec(69)127 of 22 October 1969, <https://docs.wto.org/gattdocs/q/GG/SPEC/69-127.pdf>, 1.

⁶⁸ Ibid., 9.

protocol was reissued to the contracting parties following the meeting of the working party on 24-26 November 1969, so that it could be consulted by 26 January 1970, when the next meeting was planned⁶⁹. New alternative formulations were added to the schedule of Romania's obligations following its GATT accession, suggesting that the contracting parties were interested in opening the Romanian market for their consumer goods (“the structural diversification in Romanian imports”⁷⁰). Regarding Romania's objective of achieving the reduction of the quantitative restrictions or tariffs, one option that was taken into consideration was that, in exchange for this benefit, the country should “establish a higher target rate of growth for Romanian imports equivalent to the advantage obtained by Romania from contracting parties participating in negotiations”⁷¹. Indeed, taking into consideration the provisions under Section IV of the GATT where its commitment towards reducing the development gap between trading countries was detailed, it would seem that most members of the working party did not consider Romania a developing country or were not ready to award it the benefit of non-reciprocity belonging to that category of states due to economic reasons.

The fourth meeting of the working party was rescheduled from 26-27 January 1970⁷² to 20 May 1970⁷³, this time, 21 participants were attending, including the European Communities and their member states, under the chairmanship of Charles H. Archibald (Trinidad and Tobago)⁷⁴. In the newly negotiated version of the accession protocol several issues stand out. The requirement that Romania increased its imports from GATT members states was introduced either as an obligation in case the country benefited from tariffs reductions (alternatively with granting “advantages taking into account its own economic development requirements”⁷⁵) or as a *sine qua non* condition subject to the earnings the country gained from exports to contracting parties. These

⁶⁹ GATT Archive, *Draft Protocol for the accession of Romania. Revision*, document no. Spec(69)127/Rev.1 of 8 December 1969, <https://docs.wto.org/gattdocs/q/GG/SPEC/69-127R1.pdf>, 1.

⁷⁰ *Ibid.*, 10.

⁷¹ *Ibid.*

⁷² GATT Archive, *Working Party on the Accession of Romania*, document no. LET/614 of 01.01.1970, <https://docs.wto.org/gattdocs/q/GG/LET/614.PDF>, 1.

⁷³ GATT Archive, *Working Party on the Accession of Romania*, document no. AIR/799 of 11.05.1970, <https://docs.wto.org/gattdocs/q/GG/GATTAIR/799.pdf>, 1.

⁷⁴ GATT Archive, *Working Party on the Accession of Romania. Revision*, document no. L/3129/Rev.2 of 12 May 1970, <https://docs.wto.org/gattdocs/q/GG/L3799/3129R2.PDF>, 1.

⁷⁵ GATT Archive, *Draft Protocol for the Accession of Romania. Revision*, document no. Spec(70)56* from 28 May 1970, <https://docs.wto.org/gattdocs/q/GG/SPEC/70-56.pdf>, 8.

stipulations were amenable to adjustment two years from the moment of the expected accession⁷⁶. Regarding the quantitative restrictions on imports from Romania, two alternative solutions were offered. In the first one, contracting parties not complying with Article XIII of GATT (on the non-discriminatory administration of quantitative restrictions) obliged themselves to not increase these restrictions and to eliminate them within a period of five years, while in the second solution, the contracting parties undertook “not to increase the discriminatory element in these restrictions and... progressively relax that element”⁷⁷ up to a to-be-decided date when it would be eliminated. Another pressing issue, related to the increase of Romanian imports from GATT member states, was the implementation of consultations with the contracting parties, where the country’s imports, exports, and balance of payments were presented and discussed. Alternatively, these consultations could take place early in the second year after Romania’s accession and every two years afterwards, or every other year after the entry into force of the accession protocol⁷⁸. The second alternative was that the consultations took place nine months after the accession and, afterwards, annually or, if so decided at a later stage, biennially⁷⁹.

The Romanian authorities provided a summary of the GATT accession negotiations in a *Note of proposals regarding the continuation of the negotiations for Romania’s accession to GATT* of the Ministry of Foreign Trade, Ministry of Foreign Affairs, of the Central State Planning Committee, and the Ministry of Finances, from 15 July 1970⁸⁰. According to the note, the working group had met four times in order to elaborate an accession protocol, which, by the fourth meeting (20-21 May 1970), had been given an almost final structure. The report presented the main issues raised by various states during the negotiations. Thus, it was reiterated that the EEC members as well as Great Britain and Sweden had advanced a proposal regarding Romania’s concern about quantitative trade restrictions and Art. XIII of the General Agreement, whereby such restrictions would be gradually eliminated over a five-year period. Australia and Canada considered the EEC’s proposal unsatisfactory and proposed that all discriminatory trade restrictions against Romania should be fully removed over a

⁷⁶ Ibid.

⁷⁷ Ibid., 3.

⁷⁸ Ibid., 4.

⁷⁹ Ibid.

⁸⁰ ANR, *Nota de propuneri privind continuarea negocierilor de aderare a României la GATT din 15 iulie 1970* [Note of proposals regarding the continuation of the negotiations for Romania’s accession to GATT of 15 July 1970] file no. 96/1970, Fund CC al PCR, Secția Cancelarie [CC of the RCP, Chancellery Department], 52-62.

well-defined shorter period. However, the USA agreed, in general terms, with the EEC's proposal, adding that it should be phrased in clearer terms. The request of the Romanian side on the elimination of restrictions in the text of the EEC's proposal was not accepted on the grounds that it would have to be applied to other socialist states as well.

Furthermore, the Western states considered themselves entitled to impose certain restrictions on socialist states, which, due to their planned economic system, involved import quotas⁸¹. This argument could hardly apply in the case of Romania, whose Five Year Plan at that time only vaguely specified that “The multilateral development of our economy will lead to the increase, over the next five years, of our foreign trade by 40% in comparison to 1965” and that “The Ministries and manufacturing companies are tasked with assuring the volume of goods provided for export at the quality level requested by the foreign market”⁸². More so, in the clarifications submitted to the GATT, Romanian authorities underlined that “Romania's foreign trade activities are based on its import and export plan, an integral part of the general plan for the economic development of the country. In the State planning of the development of the economy, the role of imports and exports is determined according to the requirements and possibilities of the national economy”⁸³ and that “the Plan includes provisions only for a restricted number of individual products. When the Plan lays down gross values, the competent ministries break them down by individual products, without determining the geographical distribution of imports”⁸⁴. Another issue was the introduction of a safeguard clause in case Romanian imports would disrupt member states' markets. Japan initially opposed the reciprocal character of the safeguard clause but eventually it was approved⁸⁵.

The discussion of Romania's import commitment was the most debated part of the negotiations. The Romanian proposal that all its export earnings from GATT member states be spent on imports from these countries was accepted

⁸¹ Ibid., 53-54.

⁸² *Raportul Tovarășului Nicolae Ceausescu* [Report of Comrade Nicolae Ceaușescu] in *Congresul al IX-lea al Partidului Comunist Român 19-24 iulie 1965* [Ninth Congress of the Romanian Communist Party 19-24 July 1965] (Bucharest: Editura Politică, 1965), 55-56.

⁸³ GATT Archive, *Accession of Romania. Replies to questionnaire*, document no. L/3211 of 28 May 1969, <https://docs.wto.org/gattdocs/q/GG/L3799/3211.PDF>, 6.

⁸⁴ Ibid., 16.

⁸⁵ ANR, *Nota de propuneri privind continuarea negocierilor de aderare a României la GATT din 15 iulie 1970* [Note of proposals regarding the continuation of the negotiations for Romania's accession to GATT of 15 July 1970] file no. 96/1970, Fund CC al PCR, Secția Cancelarie [CC of the RCP, Chancellery Department], 54.

by the EEC countries, Great Britain, and Sweden. An issue here was whether by imports the text referred to physical imports or payment for imports. The Romanian side interpreted it as payment for imports and insisted that this be included in the minutes of the negotiations, as this meant the export revenue could be used for the payment of overdue loans. The Common Market countries and Japan had not accepted this interpretation up to that stage in the negotiations⁸⁶. Another difficulty was posed by Switzerland's insistence that Romania import the whole range of goods exported by GATT countries, counting here consumer goods, but this would be settled through a compromise where Switzerland would issue a statement to be included in the working group report, as in the case of the United Arab Republic's accession⁸⁷. Romania also agreed that, in exchange for the advantages it would obtain in a future round of negotiations, it would increase its imports from GATT member states, but the country did not agree to the specification that the increase should be based on a specified percentage⁸⁸. An additional issue that was raised was the possible introduction of a customs tariff by Romania in the future. The EEC countries suggested that, in this case, measures should be taken so that the principle of mutual advantages be maintained. Canada suggested that a list of trade advantages offered by Romania should be compiled as a reference point in case the country would impose tariffs in the future, but Romanian representatives did not accept this solution, so the issue remained unsettled⁸⁹. Australia, Canada, and the USA insisted that Romania, just like Poland (7%), should annually increase the percentage of its imports from GATT countries. Canada and the USA maintained that it was a question of principle that GATT members' obligations should be expressed in percentages, and that they would have a "graceful" attitude towards the specified percentage, taking into consideration Romania's trade balance as well⁹⁰. Regarding the implementation of annual consultations between Romania and the GATT, the first consultation could be scheduled one year after the country's accession with follow-ups at two-year intervals. The USA, Great Britain, and the EEC requested that the consultations' schedule ought to include forecasts of Romania's overall imports and exports⁹¹.

⁸⁶ Ibid., 54-55.

⁸⁷ Ibid., 55.

⁸⁸ Ibid.

⁸⁹ Ibid., 56.

⁹⁰ Ibid., 57.

⁹¹ Ibid., 57.

Romania's advantages and obligations following its GATT accession were also reiterated in the *Note* from 15 July 1970. The advantages included: greater predictability for Romanian exports owed to the fact that, according to the provision of the General Agreement, approved tariffs reductions could not be withdrawn without adequate compensations; regarding the quantitative restrictions imposed on Romania, a framework for their elimination over a 5 year period was created; taking into account the fact that the GATT oversaw 90% of global trade, Romania would have a voice in global negotiations, which could benefit its exports, and GATT mechanisms could be used in order to limit any infringement on its trade interests; finally, it was shown that the country would benefit from being better informed on different countries' trade policies⁹². The obligations mentioned in the *Note* covered: the mandatory awarding of any commercial advantage negotiated with a GATT member state to all the members of the international organization; companies' conducting foreign trade according to market principles with regard to price, quality, supplies, transportation; transparent legislative activity as regards foreign trade (tariffs, taxes on imported goods, subsidies, quantitative restrictions, etc.); the consultation of any member state in the event Romania's foreign trade policy or actions would infringe on that of other members' commercial interests; making a commitment to increase imports from GATT member states; publishing detailed statistics on foreign trade and information on the country's trade balance, which were necessary for conducive consultations; taking part in regular consultations with GATT members; and finally, the payment of a yearly fee of \$20.000-\$25.000⁹³.

The final section of the *Notes* presented the possible outcome of Romania's accession negotiations. When the *Notes* were presented in the Permanent Presidium of the CC of the RCP on 29 September 1970, Romania's commitment to boost the volume of its imports from GATT member states was reiterated so that the GATT accession negotiations could continue⁹⁴. This was reflected in the fifth and final meeting of the working party on the accession of Romania, which was held on 14 June 1971⁹⁵. The new draft protocol that

⁹² Ibid., 57-58.

⁹³ Ibid., 58-59.

⁹⁴ ANR, *Protocol nr. 39 al ședinței Prezidiului Permanent din ziua de 29 septembrie 1970* [Protocol no. 39 of the Permanent Presidium of the CC of the RCP of 29 September 1970], file no. 96/1970, Fund CC al PCR, Secția Cancelarie [CC of the RCP, Chancellery Department], 4.

⁹⁵ GATT Archive, *Working Party on the Accession of Romania*, document no. AIR/861 of 26 May 1971, <https://docs.wto.org/gattdocs/q/GG/GATTAIR/861.pdf>, 1.

resulted from this meeting relaxed the issue regarding the requirement that the country increased its imports from GATT members states by introducing a simplified schedule where it was specified that:

“on the basis of mutual advantage... [Romania] will develop and diversify its trade with the contracting parties as a whole, and firmly intends to increase its imports...at a rate no lesser than the growth of total Romanian imports provided for in its Five-Year Plans”⁹⁶.

Contrarily, the issue of the quantitative restrictions and the provisions of Article XIII of the GATT were further complicated by the introduction of four other possible versions of these provisions. In the first version, the contracting parties agreed not to increase the discriminatory element and to gradually diminish it until 1974, mentioning that the discussion of any exceptional discrimination after that date would be done during the annual consultations. The second version eliminated the possibility that any discriminatory restriction could be discussed after 31 December 1974, while the third and fourth versions provided for the same effects as the first two, but used a different choice of words, emphasizing the temporary character of the discriminatory restriction⁹⁷.

On 21 July 1971, in a Draft Report of the working party, the decision was made that Romania should be officially invited to accede to the General Agreement under Article XXXIII⁹⁸. The same Report also mentioned that the Romanian representatives at the negotiations stated that “Romania was prepared to examine the evolution of trade on a multilateral basis within the context of periodic consultations” and that an increase in Romanian imports from GATT members states should be based on exports to those countries⁹⁹. Once again:

“The representative of Romania declared that his country, which belonged among those countries the development of which was to be supported according to Part IV of the General Agreement, expected to take advantage of all facilities offered to countries with a similar level of economic development”¹⁰⁰.

⁹⁶ GATT Archive, *Draft Protocol for the Accession of Romania. Revision*, document no. Spec (71)59* of 23 June 1971, <https://docs.wto.org/gattdocs/q/GG/SPEC/71-59.pdf>, 8.

⁹⁷ *Ibid.*, 3.

⁹⁸ GATT Archive, *Accession of Romania. Draft Report of the Working Party*, document no. Spec (71)74 of 21 July 1971, <https://docs.wto.org/gattdocs/q/GG/SPEC/71-74.pdf>, 4.

GATT archive, *Accession of Romania. Draft Report of the Working Party*, document no. Spec (71)75 of 22 July 1971, <https://docs.wto.org/gattdocs/q/GG/SPEC/71-75.pdf>, 4.

⁹⁹ *Ibid.*

¹⁰⁰ *Ibid.*, 3.

The report also included the observation made by Switzerland that the increase of Romanian imports from GATT members states must include consumer goods as well¹⁰¹. It seems unlikely that this provision was fully acquiesced by Romania, taking into consideration the profile of its external trade as outlined in the introduction of this study. Regarding the elimination of discriminatory quantitative restrictions on imports from Romania, the working group agreed that “not only the abolition of such quantitative restrictions but also increases in the amounts of individual quotas should be taken into account when considering progress towards the elimination of the restrictions”¹⁰². This must have seemed like a very promising statement when considering that the elimination of export restrictions was one of Romania’s main objectives when applying to join the GATT.

The final Report of the working party on the Accession of Romania was completed on 5 August 1971, and included the final draft of the accession Protocol¹⁰³. As mentioned earlier, the Report maintained the recommendation that increases in trade quotas should be taken into account “when considering progress towards the elimination of the restrictions”¹⁰⁴, but this was not included in the Draft Protocol of Accession, which maintained that restrictions should be gradually reduced by 1 January 1975¹⁰⁵. The GATT Council of Representatives met on 6 October 1971 and all members were invited to submit their vote for the accession of Romania¹⁰⁶. The Protocol of Accession was signed by Romania on 15 October 1971¹⁰⁷ and took effect on 14 November 1971¹⁰⁸.

¹⁰¹ GATT Archive, *Accession de la Roumanie. Proiect de raport du Groupe de travail. Addendum*, document no. Spec(71)74/Add.1 of 21 July 1971, <https://docs.wto.org/gattdocs/q/GG/SPEC/71-74A1.PDF>, 1.

¹⁰² GATT Archive, *Accession of Romania. Draft report of the Working Party. Addendum*, document no. Spec (71)75/Add.1 of 23 July 1971, <https://docs.wto.org/gattdocs/q/GG/SPEC/71-75A1.PDF>, 1.

¹⁰³ GATT Archive, *Accession of Romania. Report of the Working Party on the Accession of Romania*, document no. L/3557 of 5 August 1971, <https://docs.wto.org/gattdocs/q/GG/L3799/3557.PDF>, 4-10.

¹⁰⁴ *Ibid.*, 1.

¹⁰⁵ *Ibid.*, 4.

¹⁰⁶ GATT Archive, *Accession of Romania*, document no. AIR/Unnumbered of 7 October 1971, <https://docs.wto.org/gattdocs/q/GG/GATTAIR/UNNUMBERED1971-10-01.pdf>, 1.

¹⁰⁷ GATT Archive, *Notification of Acceptance*, document no. Let/723 of 27 October 1971, <https://docs.wto.org/gattdocs/q/GG/LET/723.PDF>, 1.

¹⁰⁸ GATT Archive, *Romania accedes to GATT*, document no. 1091 of 18 October 1971, <https://docs.wto.org/gattdocs/q/GG/GATT/1091.PDF>, 1.

IV. Conclusion. An Assessment of Romania’s GATT Accession

As we have seen, Romania’s accession to the GATT was pursued with the expectation on the Romanian side that it would lead to the elimination of trade quotas and tariffs which were affecting its imports and foreign trade balance. A hypothesis in my approach was that, owing to the weak negotiating position of the country, the final protocol¹⁰⁹ signed with the GATT would not provide Romania with as much room for maneuver in terms of bilateral negotiations as the country’s political decision-makers might have hoped for. As such, the country was forced into an asymmetric position¹¹⁰.

In spite of the Romanian decision-makers’ expectation that the tariffs and quantitative restrictions would eventually be removed, in reality, the European states continued to apply them, fact demonstrated by the GATT agenda in the period after 1971. On 8 March 1972, the contracting parties were invited to submit notifications concerning any discriminatory prohibitions and quantitative restrictions that applied to imports from Romania¹¹¹, in view of implementing the terms of the Accession Protocol where provisions for their gradual elimination had been made. Similar documents were further issued by the GATT in September 1972¹¹², October 1972¹¹³, March 1973¹¹⁴, May 1973¹¹⁵, June

¹⁰⁹ Protocolul de aderare a României la Acordul general pentru tarife și comerț G.A.T.T. din 15.10.1971 [Protocol of accession of Romania to the General Agreement on Tariffs and Trade GATT from 15 October 1971], *Buletinul Oficial*, nr. 9, 27 ianuarie 1972, available on-line at <https://lege5.ro/Gratuit/gyydgojv/protocolul-de-aderare-a-romaniei-la-acordul-general-pentru-tarife-si-comert-gatt-din-15101971>.

¹¹⁰ A classic definition in international relations theory states that “an asymmetric relationship is one in which the smaller side is significantly more exposed to interactions than the bigger side because of the disparity of capabilities, and yet the latter is not able to dictate unilaterally the terms of the relationship” (see: Brantly Womack, *Asymmetry and International Relationships* (New York: Cambridge University Press, 2016), 10).

¹¹¹ GATT Archive, *Restrictions on Imports from Romania*, document no. AIR/913 of 8 March 1972, <https://docs.wto.org/gattdocs/q/GG/GATTAIR/913.pdf>, 1.

¹¹² GATT Archive, *Restrictions on Imports from Romania - Notifications by Contracting Parties – Addendum*, document no. L/3704/Add.1 of 27 September 1972, <https://docs.wto.org/gattdocs/q/GG/L3799/3704A1.PDF>.

¹¹³ GATT Archive, *Restrictions on Imports from Romania - Notifications by Contracting Parties – Addendum*, document no. L/3704/Add.2 of 25 October 1972, <https://docs.wto.org/gattdocs/q/GG/L3799/3704A2.PDF>.

¹¹⁴ GATT Archive, *Restrictions on Imports from Romania*, document no. GATT/AIR/991 of 13 March 1973, <https://docs.wto.org/gattdocs/q/GG/GATTAIR/991.pdf>.

1973¹¹⁶, July 1973¹¹⁷, August 1973¹¹⁸, February 1975¹¹⁹, March 1975¹²⁰, April 1975¹²¹, June 1975¹²², and July 1975¹²³. The states which continued to apply quantitative restrictions or tariffs to imports from Romania were members of the Common Market. Prior to Romania's GATT accession, EEC officials acknowledged that even though Romania officially ignored the Common Market, "*plusieurs démarches tant auprès des représentation diplomatiques à Bucarest que dans les capitales des pays membres ont été effectuées au cours des derniers mois pour protester contre certaines mesures prises par la Communauté et qui sont jugées ici comme discriminatoires à l'égard de la Roumanie*"¹²⁴.

In 1975, almost a decade after initiating the process of joining the GATT, the official position of Romania at the 4th conference of the GATT committee was very similar to its initial, pre-accession aims. The Romanian delegates, who

¹¹⁵ GATT Archive, *Restrictions on Imports from Romania - Notifications by Contracting Parties*, document no. L/3858 of 18 May 1973, <https://docs.wto.org/gattdocs/q/GG/L3999/3858.PDF>.

¹¹⁶ GATT Archive, *Restrictions on Imports from Romania – Notifications by Contracting Parties – Addendum*, document no. L/3858/Add.1 of 4 June 1973 and document no. L/3858/Add.2 of 18 June 1973, <https://docs.wto.org/gattdocs/q/GG/L3999/3858A1.PDF> and <https://docs.wto.org/gattdocs/q/GG/L3999/3858A2.PDF>.

¹¹⁷ GATT Archive, *Restrictions on Imports from Romania - Notifications by Contracting Parties – Addendum*, document no. L/3858/Add.3, <https://docs.wto.org/gattdocs/q/GG/L3999/3858A3.PDF>.

¹¹⁸ GATT Archive, *Restrictions on Imports from Romania - Notifications by Contracting Parties – Addendum*, document no. L/3858/Add.4 of 14 August 1973, <https://docs.wto.org/gattdocs/q/GG/L3999/3858A4.PDF>.

¹¹⁹ GATT Archive, *Restrictions on Imports from Romania*, document no. GATT/AIR/1142 of 7 February 1975, <https://docs.wto.org/gattdocs/q/GG/GATTAIR/1142.pdf>.

¹²⁰ GATT Archive, *Multilateral Trade Negotiations - Group 3(e) - Basic Documentation - Inventory of Quantitative Import Restrictions Applied by Countries other than Those Covered by the Joint Working Group - Addendum - Romania - Explanatory Notes*, document no. MTN/3E/DOC/8/Add.25 of 13 March 1975, <https://docs.wto.org/gattdocs/q/TR/MTN3E/DOC8A25.PDF>.

¹²¹ GATT Archive, *Restrictions on Imports from Romania - Notifications by Contracting Parties*, document no. L/4170 of 11 April 1975, <https://docs.wto.org/gattdocs/q/GG/L4199/4170.PDF> and *Addendum*, document no. L/4170/Add.1 of 23 April 1975, <https://docs.wto.org/gattdocs/q/GG/L4199/4170A1.PDF>.

¹²² GATT Archive, *Restrictions on Imports from Romania - Notifications by Contracting Parties – Addendum*, document no. L/4170/Add.2 of 3 June 1975, <https://docs.wto.org/gattdocs/q/GG/L4199/4170A2.PDF>.

¹²³ GATT Archive, *Restrictions on Imports from Romania - Notifications by Contracting Parties – Addendum*, document no. L/4170/Add.3 of 24 July 1975, <https://docs.wto.org/gattdocs/q/GG/L4199/4170A3.PDF>.

¹²⁴ HAEU, *5ème Rapport des conseillers commerciaux des pays de la Communauté Economique Européenne en Roumanie* de 28 mai 1968, document no. 8/460/68 (RCC 38) fund Communauté Européennes, Le Conseil, 2. [Eng. trans: "Several inquiries, both to diplomatic representations in Bucharest and in the capitals of member countries have been made in recent months to protest against certain measures taken by the Community which are considered here to be discriminatory against Romania"].

described their state as a “developing socialist country” asked for the inclusion on the GATT negotiations agenda of certain:

“issues of priority, on which the assurance of favorable access conditions for Romanian products on external markets depended on: the substantial diminution, within maximum limits, of the mandates of developed countries; the reduction of tariff barriers for products that developing countries, including Romania, intend to export, especially the ones not mentioned in the generalized system of customs preferences; the notable improvement of the preferential regime awarded to developing countries, with the clear specification of the measures to be adopted in this respect; the elimination with urgency of quantitative limits in terms of non-tariff obstacles; and the regulation of agricultural products trade with the inclusion on the agenda of the products which Romania is interested in exporting”¹²⁵.

A slight difference was the fact that the requests were made in light of “the instauration of a new world order, in such a manner that foreign trade becomes a factor for the abolition of underdevelopment and world economic disparities”¹²⁶. The representatives of Bulgaria, Hungary, Czechoslovakia, and Poland issued a common statement which was similar to the observations made by the Romanian delegates¹²⁷. The fact that the mentioned goals were almost the same as the ones expressed before joining the GATT proves that, in spite of the accession, Romania’s foreign trade situation did not improve. The fact that Romania was still actively looking for ways of improving its exports with Western countries is also reflected in the recommendation made within the CMEA preparatory talks in Moscow, on 9 October 1975, which stated that the for the “agreement on concrete ways for trade development, CMEA member states will maintain direct contact with the institutions of the Common Market, as well as with the EEC member states, concluding, in this sense, appropriate agreements”¹²⁸. Not surprisingly, the response from CMEA official K.F. Katiuşev was a sharp reminder of the fact that the members of the Council

¹²⁵ ANR, *Notă cu privire la rezultatele celei de-a IV-a sesiuni a comitetului GATT de negocieri multilaterale din 28 martie 1975* [Note on the outcome of the 4th session of the GATT Multilateral Negotiations Committee of 28 March 1975], Fund CC al PCR Relații Externe, file no. 260/29.03.1975, 7.

¹²⁶ *Ibid.*

¹²⁷ *Ibid.*, 24.

¹²⁸ ANR, *Sinteză cu privire la lucrările Comisiei multilaterale de redactare pentru pregătirea proiectelor de documente ale Consfătuirii la nivel înalt în problemele colaborării economice, Moscova, 9 octombrie 1974* [Summary of the work of the Multilateral Drafting Commission for the preparation of draft documents of the High-Level Conference on Economic Cooperation, Moscow, 9 October 1974], fund CC al PCR Relații Externe file no. 6001 of 31.12.1975, p. 41.

should limit themselves to technical relations with the EEC as it was carrying out a “dirty political game around Romania, which could put you in an unpleasant political situation as regards the other CMEA members”¹²⁹. These trade difficulties and the lack of results in negotiations could also be owed to the impact of the economic crisis and the crisis of raw materials. Nevertheless, by collaborating with the GATT, socialist states demonstrated they could act by virtue of their own initiative for the benefit of their economies.

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¹²⁹ Ibid., 42.

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