

GENERAL AGREEMENT ACCORD GENERAL SUR
ON TARIFFS AND LES TARIFS DOUANIERS
TRADE ET LE COMMERCE

RESTRICTED
LIMITED B
GATT/CP.4/11
23 February 1950
ORIGINAL:
ENGLISH

CONTRACTING PARTIES
Fourth Session

UNITED STATES OF INDONESIA

Declaration of the Government of the Netherlands
under Article XXVI, paragraph 4

Article XXVI paragraph 4 (c) provides that "If any of the customs territories, in respect of which a contracting party has accepted this Agreement possesses or acquires full autonomy in the conduct of its external commercial relations and of the other matters provided for in this Agreement, such territory shall, upon sponsorship through a declaration by the responsible contracting party establishing the above-mentioned fact, be deemed to be a contracting party."

The Government of the Netherlands notified the Secretary General of the United Nations of the application of the General Agreement under the Protocol of Provisional Application in respect of its overseas territories including Indonesia on 10 February, 1948.

The Netherlands Government has now communicated to the Contracting Parties a declaration regarding Indonesia in accordance with Article XXVI, paragraph 4, second proviso, and the Indonesian Government has notified that it accepts the obligations of the General Agreement.

Consequently, it is proposed that the Contracting Parties rule that the United States of Indonesia be deemed to be a contracting party.

The texts of the two telegrams are attached as an Annex to this paper.

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ANNEX

1) Telegram of 22 February from the Netherlands Minister of Foreign Affairs:

"Netherlands Government herewith declares that connected with transfer full sovereignty over whole of territory of former Netherlands Indonesia with exception of New Guinea said republic acquired full autonomy in all external relations over said territory and in consequence thereof also possesses full autonomy in conduct of external commercial relations and other matters provided for in GATT Agreement stop Netherlands Government in full concurrence with Indonesian Government therefore would highly appreciate recognition by Contracting Parties of Republic United States of Indonesia as contracting party in accordance with provisions Article XXVI paragraph 4 stop request notify all contracting parties membership Republic United States Indonesia as contracting party in consequence declaration made by Netherlands Government fullstop"

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2) Telegram of 22 February from the High Commissioner of the United States of Indonesia:

"Referring cable Netherlands Government in respect of recognition Republic United States of Indonesia sovereign state and therefore as contracting party GATT I confirm behalf of my Government that declaration is made in full agreement and concurrence with my government stop I declare herewith Indonesian Government will fulfil for its territory all duties inherent to GATT including Geneva and Annecy schedules on basis provisional application stop Indonesian delegation will be present at session February 23 fullstop"