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AND  
SOCIAL COUNCIL**

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PREPARATORY COMMITTEE OF THE INTERNATIONAL CONFERENCE  
ON TRADE AND EMPLOYMENT

COMMITTEE V

NOTE BY THE NETHERLANDS DELEGATION  
ON ENTRY INTO FORCE

1. Article 2, paragraph 1 of the Draft Charter refers to Article 78, paragraph 1 where two possibilities of the entry into force of the Charter are suggested.

2. The first possibility will materialize if and when twenty instruments of acceptance of the Charter will have been deposited with the Secretariat-General of the United Nations before a given date.

An alternative method of entry into force has been foreseen in the case that twenty acceptances will not have been deposited before that given date. In that case those governments which will have concluded the tariff agreement together with any other governments which have deposited their acceptances, may agree to bring the Charter into force between themselves.

3. The situation may arise when one or more governments which have deposited their acceptance before the given date, do not feel inclined to bring the Charter into force among a small number of countries and therefore will refrain from taking part in the agreement which aims at bringing the Charter into force along the lines of the alternative method. As soon however as the number of members of the Charter - after it has entered into force according to the alternative method - will have reached twenty, the reasons for the hesitation of the governments mentioned in the first sentence of

this paragraph, seem to have lost their strength. It may be assumed therefore that such governments will then want to become members of the organization.

4. The question may now be asked if those governments will have to deposit the instrument of their acceptance of the Charter with the Secretariat-General of the United Nations once again and if their membership will be subject to the approval of the Conference according to Article 2, paragraph 2.

5. As those governments are among those which originally accepted the Charter - although they do not belong to those which made the Charter effective among themselves according to the alternative method of entry into force of the Charter - it is felt that their original acceptance should not be considered to have lost its validity and that their membership should automatically become effective without the approval of the Conference as soon as the number of members reaches twenty.

6. In drawing the attention of Committee V to the above-mentioned question it is suggested that this point be further considered in the Drafting Sub-Committee.

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