ÉTATS-UNIS D'AMÉRIQUE ET VENEZUELA

Echange de notes comportant un accord relatif au maintien en vigueur de l'Accord commercial provisoire conclu le 12 mai 1938 entre les deux pays. Caracas, le 9 mai 1939.

Textes officiels anglais et espagnol communiqués par l'envoyé extraordinaire et ministre plénipotentiaire des États-Unis d'Amérique à Berne. L'enregistrement a eu lieu le 12 septembre 1939.

UNIVERS STATES OF AMERICA AND VENEZUELA

Exchange of Notes constituting an Agreement continuing in Force the Provisional Commercial Agreement concluded on May 12th, 1938, between the Two Countries. Caracas, May 9th, 1939.

English and Spanish official texts communicated by the Envoy Extraordinary and Minister Plenipotentiary of the United States of America at Berne. The registration took place September 12th, 1939.
No. 4633. — EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT
OF THE UNITED STATES OF
AMERICA AND THE GOVERN-
MENT OF THE UNITED STATES
OF VENEZUELA CONSTITUTING
AN AGREEMENT CONTINUING
IN FORCE THE PROVISIONAL
COMMERCIAL AGREEMENT
CONCLUDED ON MAY 12TH, 1938,
BETWEEN THE TWO COUN-
TRIES. CARACAS, MAY 9TH, 1939

LEGATION
OF THE UNITED STATES OF AMERICA.
No. 140.

I.

EXCELLENCY,

I have the honor to inform Your Excellency that I am authorized by my Government to confirm in the present note that, as a result of conversations with Your Excellency, it has been agreed to extend for the period of one year from the date of its expiration, or until the conclusion of a reciprocal trade agreement or treaty, or until denounced by one of the Parties by thirty days advance written notice, the *Modus Vivendi* \(^1\) concluded between the United States of America and the United States of Venezuela on May 12th, 1938, which is inserted below:

"Article I.

" Both Governments agree to concede reciprocally unconditional and unlimited most-favored-nation treatment in all that concerns Customs duties and all accessory imposts, the manner of applying duties as well as the rules and formalities to which customs operations can be submitted.

"Article II.

" The provisions of the foregoing Article shall not apply:

" 1. To the advantages now accorded or which may hereafter be accorded by the United States of America or by the United States of Venezuela to adjacent countries in order to facilitate frontier traffic; nor shall it apply to advantages resulting from Customs unions to which the United States of America or the United States of Venezuela may become a party.

" 2. To the advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another irrespective of any change in the political status of any territory or possession of the United States of America.

" 3. To articles transshipped through Puerto Rico or the Virgin Islands and imported into Venezuela.

\(^1\) Vol. CXCI, page 35, of this Series.
**Article III.**

"The present Agreement shall come into force on this date and shall remain in force for a period of one year or until superseded by a more comprehensive commercial agreement or until denounced by either country by advance written notice of not less than thirty days."

Accept, Excellency, the renewed assurances of my highest consideration.

His Excellency Dr. E. Gil Borges,
Minister for Foreign Affairs, Caracas.

II.

Texte espagnol. — Spanish Text.

Estados Unidos de Venezuela.

Ministerio de Relaciones exteriores.

Dirección de Política Económica.

Sección de Economía.

No. 2.417-E.

Caracas, 9 de mayo de 1939.

Señor Encargado de Negocios:

Tengo el honor de informar a V. S. que estoy autorizado por mi Gobierno para confirmar por la presente nota que, como resultado de las conversaciones con V. S., hemos convenido en prorrogar por el período de un año, contado desde su expiración, o hasta la conclusión de un convenio o tratado de reciprocidad comercial, o hasta que sea denunciado por una de las Partes, dando aviso a la otra por escrito con treinta días de anticipación, el modus vivendi concluido entre los Estados Unidos de Venezuela y los Estados Unidos de América, el 12 de mayo de 1938, que se inserta a continuación:

"Artículo 1°.

"Ambos Gobiernos convienen en concederse recíprocamente el tratamiento ilimitado e incondicional de la nación más favorecida en todo lo relativo a derechos de aduana y a todos los impuestos accesorios, a los métodos de percepción de tales derechos, lo mismo que a las reglas y formalidades a que pueden estar sometidas las operaciones aduaneras.

"Artículo 2°.

"Las estipulaciones del artículo anterior no se aplicarán:

"1. A las ventajas acordadas o que se acordaren en lo futuro por los Estados

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1 Traductión du Gouvernement des Etats-Unis d'Amérique.

No. 4633

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MR. Chargé d'Affaires,

I have the honor to inform you that I am authorized by my Government to confirm in the present note that, as a result of our conversations, it has been agreed to extend for the period of one year from the date of its expiration, or until the conclusion of a reciprocal trade agreement or treaty, or until denounced by one of the Parties by thirty days advance written notice, the modus vivendi concluded between the United States of Venezuela and the United States of America on May 12th, 1938, which is inserted below:

"Article I.

"Both Governments agree to concede reciprocally unconditional and unlimited most-favored-nation treatment in all that concerns Customs duties and all accessory imposts, the manner of applying duties as well as the rules and formalities to which Customs operations can be submitted.

"Article II.

"The provisions of the foregoing Article shall not apply:

"1. To the advantages now accorded or which may hereafter be accorded by the

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1 Translation of the Government of the United States of America.
United States of Venezuela or by the United States of America to adjacent countries in order to facilitate frontier traffic; nor shall it apply to advantages resulting from Customs unions to which the United States of Venezuela or the United States of America may become a party.

3. To articles transshipped through Puerto Rico or the Virgin Islands and imported into Venezuela.

"Article III.

"The present Agreement shall come into force on this date and shall remain in force for a period of one year or until superseded by a more comprehensive commercial agreement or until denounced by either country by advance written notice of not less than thirty days."

Accept, Sir, the assurances of my highest consideration.

E. GIL BORGES.

Al Honorable Señor Winthrop P. Scott, 
Encargado de Negocios ad interim 
de los Estados Unidos de América. 
Presente.

Certified to be a true and complete textual copy of the original Agreement in all the languages in which it was signed.

For the Secretary of State 
of the United States of America:

Edward Yardley, 
Director of Personnel.

Nº 4633