

N° 662.

ALLEMAGNE ET ESPAGNE

Echange de notes établissant un
modus vivendi commercial. Ma-
drid, le 15 janvier 1923.

GERMANY AND SPAIN

Exchange of Notes establishing a
modus vivendi on commercial mat-
ters. Madrid, January 15, 1923.

No. 662. — ÉCHANGE DE NOTES¹
ENTRE LES GOUVERNEMENTS
ALLEMAND ET ESPAGNOL,
ÉTABLISSANT UN «MODUS VI-
VENDI» COMMERCIAL. MADRID,
LE 15 JANVIER 1923.

*Textes officiels espagnol et français communi-
qués par le Consul d'Allemagne à Genève².
L'enregistrement de cet échange de notes a eu
lieu le 18 juillet 1924.*

DEUTSCHE BOTSCHAFT
IN SPANIEN.
J. Nr. 193.

MADRID, le 15 janvier 1923.

MONSIEUR LE MINISTRE,

J'ai l'honneur de communiquer à Votre Excellence que, comme résultat de nos récentes conversations et afin d'éviter une interruption dans le régime en vigueur entre l'Allemagne et l'Espagne réglant les relations commerciales entre les deux pays, le Gouvernement allemand, inspiré du désir d'entamer immédiatement des négociations visant un accord commercial général et réciproque, est disposé à appliquer, à partir du 14 janvier 1923 inclus, le *modus vivendi* suivant :

I.

En ce qui concerne l'importation, l'exportation, le commerce et la consommation

¹ Cet échange de notes est entré en vigueur avec effet rétroactif au 14 janvier 1923. Il a été successivement prorogé jusqu'au 30 juin, 30 septembre, 30 novembre 1923 et 31 mai 1924.

² Voir renvoi, vol. II, page 60 de ce Recueil.

³ Le texte de la note espagnole avec Annexe et celui de la note française avec Annexe étant identiques, il paraît inutile de publier une traduction française de la note espagnole.

TEXTE ESPAGNOL. — SPANISH TEXT.

No. 662. — CANJE DE NOTAS¹
ENTRE LOS GOBIERNOS ALE-
MAN Y ESPAÑOL SOBRE LA
APLICACION DE UN MODUS
VIVENDI COMERCIAL. MADRID
15 DE ENERO DE 1923.

*Spanish and French official texts communicated
by the German Consul at Geneva². The regi-
stration of this exchange of Notes took place
July 18, 1924.*

MINISTERIO DE ESTADO³

5 a = Comercio Núm. 7.

MADRID, 15 de Enero de 1923.

EXCMO. SEÑOR :

Muy Señor mio : Tengo la honra de participar a V. E. que, como resultado de nuestras recientes conversaciones y a fin de evitar una solución de continuidad en el régimen concertado entre España y Alemania para regular las relaciones comerciales entre ambos países, el Gobierno de S. M. inspirado en el deseo de entablar inmediatamente negociaciones para un acuerdo commercial general y recíproco, está dispuesto a aplicar, a partir del 14 de Enero de 1923, inclusive, el siguiente « Modus vivendi » :

Primero

En lo que concierne a la importación, exportación, comercio y consumo de sus pro-

¹ This Exchange of Notes came into force with retrospective effect as from January 14, 1923. It has been renewed successively until June 30, September 30, November 30, 1923, and May 31, 1924.

² See footnote, vol. II, page 60 this Series.

³ The texts of the Spanish and French Notes and Annexes being identical, it appears superfluous to have the Spanish Note translated into French.

¹ TRADUCTION. — TRANSLATION.

No. 662. — EXCHANGE OF NOTES BETWEEN THE GERMAN AND SPANISH GOVERNMENTS, ESTABLISHING A MODUS VIVENDI ON COMMERCIAL MATTERS. MADRID, JANUARY 15, 1923.

GERMAN EMBASSY IN SPAIN.
J. No. 193.

MINISTERIO DE ESTADO
5a Comercio No. 7.

MADRID, *January* 15, 1923.

MONSIEUR LE MINISTRE,

MONSIEUR L'AMBASSADEUR,

I have the honour to inform Your Excellency that, as a result of our recent conversations, and with a view to obviating any interruption of the arrangement in force between Germany and Spain which governs the commercial relations between the two countries, the German Government, being desirous of entering immediately into negotiations for the conclusion of a general and reciprocal commercial agreement, is prepared to apply, as from January 14, 1923, the following *modus vivendi* :

I.

As regards the importation, exportation, consumption of and trade in their products, as well as customs duties and the treatment of their nationals in commercial and industrial dealings, the two contracting parties mutually confirm the actual *status quo* for the duration of the present *modus vivendi*. During this period and in the relations aforesaid, the German Government shall in no way prejudice the present state of affairs and shall not increase the customs duties in force in respect of the Spanish products enumerated in the Annex.

II.

For the duration of the present *modus vivendi* the German Government shall :

- (1) Abolish the import duties on bananas of Spanish origin ;
- (2) Reduce to 30 gold marks the import duties on corks of Spanish origin ;
- (3) Permit the importation of 70,000 hl. of Spanish wines ;
- (4) Allow all importers of wines domiciled in Germany and of Spanish nationality to share in the aforesaid quota, without regard to the date of their settlement in Germany.

III.

The present *modus vivendi* shall remain in force throughout the period of negotiations for a general commercial agreement, but not later than February 28, 1923.

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

IV.

The present *modus vivendi* shall be put into force by each of the contracting Parties at the earliest date at which the provisions of their respective legislations make it possible, but it shall be understood that such entry into force shall have retroactive effect as from January 14 of the present month, the German Government undertaking to refund all customs duties or differences of customs duties as modified by the present *modus vivendi* which may be collected previous to its ratification.

While informing Your Excellency that I regard the present *modus vivendi* as definitely concluded by the present note and by the analogous note which Your Excellency will be good enough to send me,

I have the honour to avail myself, etc.

(Signed) LANGWERTH.

(Signed) S. ALBA.

His Excellency M. ALBA,
Ministre Royal d'Etat.

His Excellency
Baron LANGWERTH VON SIMMERN,
Ambassador of Germany.

ANNEX

TO THE MODUS VIVENDI BETWEEN GERMANY AND SPAIN DATED JANUARY 15, 1923.

Iron, zinc, lead and copper, metal pigs of lead, olive oil, citric acid, crude tartar, greasy wool, scoured wool, fleeces, bananas, corks, walnuts, hazel nuts, green almonds, dried almonds, raisins, dried figs, oranges, dessert grapes, fruit-pulp, tartaric acid, cream of tartar, tartar emetic, sardines in oil preserved in hermetically-sealed boxes, and other fish preserved in the same manner.

MADRID, *January* 15, 1923.