No. 204

UNITED STATES OF AMERICA
and
DENMARK

Exchange of Notes constituting an agreement relating to the waiver by the Danish Government of most-favoured-nation provisions of the Treaty of Friendship, Commerce and Navigation between the United States of America and the Kingdom of Denmark, signed on 26 April 1826, with respect to advantages accorded by the United States of America to the Philippines. Washington, 4 May and 10 September 1946

English official text communicated by the Permanent Representative of the United States of America at the seat of the United Nations. The registration took place on 3 March 1948.

ETATS-UNIS D'AMERIQUE
et
DANEMARK

Echange de notes constituant un accord relatif à la renonciation par le Gouvernement danois à la clause de la nation la plus favorisée contenue dans le traité d'amitié, de commerce et de navigation intervenu entre les Etats-Unis d'Amérique et le Danemark, signé le 26 avril 1826, en ce qui concerne les avantages accordés par les Etats-Unis d'Amérique aux Philippines. Washington, 4 mai et 10 septembre 1946

Texte officiel anglais communiqué par le représentant permanent des Etats-Unis d'Amérique au siège de l'Organisation des Nations Unies. L'enregistrement a eu lieu le 3 mars 1948.

No. 204. EXCHANGE OF NOTES[1] CONSTITUTING AN AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND DENMARK RELATING TO THE WAIVER BY THE DANISH GOVERNMENT OF MOST-FAVOURED-NATION PROVISIONS OF THE TREATY OF FRIENDSHIP, COMMERCE AND NAVIGATION BETWEEN THE UNITED STATES OF AMERICA AND THE KINGDOM OF DENMARK, SIGNED ON 26 APRIL 1826, WITH RESPECT TO ADVANTAGES ACCORDED BY THE UNITED STATES OF AMERICA TO THE PHILIPPINES. WASHINGTON, 4 MAY AND 10 SEPTEMBER 1946

I

The Acting Secretary of State to the Danish Chargé d'Affaires ad interim

DEPARTMENT OF STATE
WASHINGTON

May 4 1946

Sir:

With reference to the forthcoming independence of the Philippines on July 4, 1946, my Government considers that provision for a transitional period for dealing with the special tariff position which Philippine products have occupied for many years in the United States is an essential accompaniment to Philippine Independence. Accordingly, under the Philippine Trade Act approved April 30, 1946, goods the growth, produce or manufacture of the Philippines will enter the United States free of duty until 1954, after which they will be subject to gradually and regularly increasing rates of duty or decreasing duty-free quotas until 1974 when general rates will become applicable and all preferences will be completely eliminated.

[1] Came into force on 10 September 1946, by the exchange of the said notes.

Since the enactment of the Philippine Independence Act approved March 24, 1934, my Government has foreseen the probable necessity of providing for such a transitional period and has since then consistently excepted from most-favored-nation obligations which it has undertaken toward foreign governments advantages which it might continue to accord to Philippine products after the proclamation of Philippine independence. Some thirty instruments in force with other governments, for example, permit the continuation of the exceptional tariff treatment now accorded by my Government to Philippine products, irrespective of the forthcoming change in the Commonwealth's political status.

With a view, therefore, to placing the relations between the United States and Denmark upon the same basis, with respect to the matters involved, as the relations existing under the treaties and agreements referred to in the preceding paragraph, my Government proposes that the most-favored-nation provisions of the Treaty of Friendship, Commerce and Navigation between the United States and the Kingdom of Denmark signed April 26, 1826,[1] shall not be understood to require the extension to Denmark of advantages accorded by the United States to the Philippines.

In view of the imminence of the inauguration of an independent Philippine Government, I should be glad to have the reply of your Government to this proposal at an early date.

Accept, Sir, the renewed assurances of my high consideration.

Dean ACHESON
Acting Secretary of State

Mr. Carl A. C. Brun
Chargé d'Affaires *ad interim* of Denmark

[1] United States, *Treaty Series* 65; 8 Stat. 340.

II

The Danish Minister to the Acting Secretary of State

ROYAL DANISH LEGATION
WASHINGTON, D.C.

September 10, 1946

Sir:

I have the honor to acknowledge receipt of the Department of State's note of May 4th, according to which the Government of the United States of America considers that provision for a transitional period for dealing with the special tariff position which the Philippines products have occupied for many years in the United States, is an essential accompaniment to Philippine independence.

Accordingly, under the Philippine Trade Act approved April 30, 1946, goods the growth, produce or manufacture of the Philippines, will enter the United States free of duty until 1954, after which they will be subject to gradually and regularly increasing rates of duty or decreasing duty-free quotas until 1974 when general rates will become applicable and all preferences will be completely eliminated.

Upon instructions received, I have the honor to inform you that the Danish Government agree that the most-favored-nation provisions of the Treaty of Friendship, Commerce and Navigation between the United States and the Kingdom of Denmark signed on April 26, 1826, shall not be understood to require during the said period the extension to Denmark of the above-mentioned advantages accorded by the United States of America to the Republic of the Philippines.

I avail myself of this opportunity to renew to you, Sir, the assurances of my highest consideration.

Povl BANG-JENSEN

The Honorable William L. Clayton
Acting Secretary of State
Department of State
Washington, D.C.

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