

UNITED STATES OF AMERICA  
and  
DOMINICAN REPUBLIC

**Exchange of Notes constituting an agreement relating to waiver in respect of tariff preferences accorded Haiti by the Dominican Republic under a treaty of commerce between the Dominican Republic and Haiti signed on 26 August 1941, as modified by an Exchange of Notes of 24 March 1942. Ciudad Trujillo, 14 November 1942**

*English and Spanish official texts communicated by the Secretary-General of the United States Mission to the United Nations. The filing and recording took place on 6 January 1949.*

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ETATS-UNIS D'AMERIQUE  
et  
REPUBLIQUE DOMINICAINE

**Echange de notes constituant un accord relatif à la renonciation au bénéfice de droits de douane préférentiels accordés à Haïti par la République Dominicaine en vertu d'un traité de commerce entre la République Dominicaine et Haïti signé le 26 août 1941 et modifié par un échange de notes en date du 24 mars 1942. Ciudad-Trujillo, 14 novembre 1942**

*Textes officiels anglais et espagnol communiqués par le secrétaire général de la Mission des Etats-Unis auprès de l'Organisation des Nations Unies. Le classement et l'inscription au répertoire ont eu lieu le 6 janvier 1949.*

No. 148. EXCHANGE OF NOTES<sup>1</sup> CONSTITUTING AN AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE DOMINICAN REPUBLIC RELATING TO WAIVER IN RESPECT OF TARIFF PREFERENCES ACCORDED HAITI BY THE DOMINICAN REPUBLIC UNDER A TREATY OF COMMERCE BETWEEN THE DOMINICAN REPUBLIC AND HAITI SIGNED ON 26 AUGUST 1941, AS MODIFIED BY AN EXCHANGE OF NOTES OF 24 MARCH 1942. CIUDAD TRUJILLO, 14 NOVEMBER 1942

## I

*The Dominican Secretary of State of Foreign Affairs to the American Minister*

SPANISH TEXT — TEXTE ESPAGNOL  
 REPÚBLICA DOMINICANA  
 SECRETARÍA DE ESTADO  
 DE RELACIONES EXTERIORES

21430

Ciudad Trujillo  
 Distrito de Santo Domingo  
 noviembre 14 de 1942

Señor Ministro:—

Tengo el honor de informar a Vuestra Excelencia que en fecha 26 de agosto de 1941 fué suscrito en la ciudad de Puerto Príncipe, un Acuerdo Comercial, mediante el cual, la República Dominicana y la de Haití, en su condición de países limítrofes, establecieron un tratamiento de excepción en las relaciones comerciales existentes entre ambos pueblos. El canje de las ratificaciones de este Acuerdo Comercial efectuóse en esta capital en fecha 23 de marzo del presente año.

TRANSLATION<sup>2</sup> — TRADUCTION<sup>3</sup>  
 DOMINICAN REPUBLIC  
 DEPARTMENT OF STATE  
 OF FOREIGN AFFAIRS

21430

Ciudad Trujillo  
 District of Santo Domingo  
 November 14, 1942

Mr. Minister:

I have the honor to inform Your Excellency that under date of August 26, 1941 a commercial agreement was signed in the city of Port-au-Prince by means of which the Dominican Republic and that of Haiti, in their status of contiguous countries, established a special treatment in the commercial relations existing between the two nations. The exchange of ratifications of this commercial agreement was effected in this capital on March 23 of the present year.

<sup>1</sup> Came into force on 14 November 1942, by the exchange of the said notes.

<sup>2</sup> Translation by the Government of the United States of America.

<sup>3</sup> Traduction du Gouvernement des Etats-Unis d'Amérique.

Este acuerdo, entre otras estipulaciones, establece la reducción de los derechos aduaneros de importación dominicanos, según lista, en la cual se especifican los productos que al ser importados de Haití deben ser introducidos en nuestro país con las reducciones de los aranceles de importación dominicanos previstas en dicha lista.

El Gobierno de la República Dominicana ha sustentado siempre el desarrollo multilateral del comercio internacional sobre la base de que las naciones tengan acceso a dicho comercio en igualdad de condiciones, y de que puedan obtener, por medio de esas condiciones, las materias primas requeridas para un satisfactorio y próspero desarrollo de sus respectivas economías.

Con este motivo, tengo el honor de referirme a la fórmula de preferencias arancelarias contractuales entre países limítrofes, que ha recomendado el Comité Consultivo Económico Financiero Interamericano. De acuerdo con el espíritu de esa recomendación del aludido organismo interamericano, fué concluído entre la República Dominicana y la de Haïti el referido Acuerdo Comercial.

En fecha 24 de marzo de 1942 se canjearon notas entre ambos Gobiernos, por las cuales se agregan algunos productos a las listas originalmente concertadas.

Como el Modus Vivendi concertado entre la República Dominicana y los Estados Unidos de América en fecha

This agreement establishes, among other stipulations, the reduction of Dominican import customs duties according to a list specifying the products which, upon being imported from Haiti, are to be introduced to our country with the reductions in the Dominican import tariff provided in that list.

The Government of the Dominican Republic has always supported the multilateral development of international commerce on the basis that nations may have access to the said commerce on equal conditions and that they may be able to obtain, through such conditions, the raw materials required for a satisfactory and prosperous development of their respective economies.

In this connection I have the honor to refer to the formula of contractual tariff preferences between contiguous countries which was recommended by the Inter-American Economic and Financial Advisory Committee. It is in conformity with the spirit of that recommendation of the aforesaid inter-American body that the above-mentioned commercial agreement between the Dominican Republic and that of Haiti was concluded.

Notes were exchanged between the two Governments on March 24, 1942 by means of which certain products are added to the lists originally agreed upon.

As the *modus vivendi* concluded between the Dominican Republic and the United States of America on Sep-

25 de septiembre de 1924 prevé que las reducciones arancelarias que nuestro país conceda a otros países, deben beneficiar, en la medida señalada por los principios relativos a la cláusula de nación más favorecida, a los productos similares de fabricación y procedencia estadounidense, ruego a Vuestra Excelencia se sirva informar a esta Cancillería si el Gobierno de los Estados Unidos de América, en vista de todas las antedichas consideraciones, consentirá en no invocar las cláusulas del Convenio del 25 de septiembre de 1924 ya indicado, con el propósito de reclamar el beneficio de las preferencias arancelarias concedidas al Estado limítrofe de Haití, las cuales considera mi Gobierno como ajustadas a las condiciones de la forma recomendada por el Comité Consultivo Económico Financiero Interamericano.

Válgame de esta oportunidad para renovar a Vuestra Excelencia las seguridades de mi más alta consideración,

A. DESPRADEL

A Su Excelencia  
 Avra M. Warren  
 E.E. y Ministro Plenipotenciario  
 de los Estados Unidos de América  
 Su Legación

tember 25, 1924<sup>1</sup> provided that tariff reductions which our country may grant to other countries must benefit, to the measure indicated by the principles relative to the most-favored-nation clause, like products of United States manufacture and origin, I request Your Excellency to be good enough to inform this chancellery whether the Government of the United States of America, in view of the above-stated considerations, will agree not to invoke the clauses of the agreement of September 25, 1924 mentioned above for the purpose of claiming the benefit of the tariff preferences granted to the contiguous State of Haiti, which my Government considers to be in harmony with the conditions of the form recommended by the Inter-American Economic and Financial Advisory Committee.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

A. DESPRADEL

His Excellency  
 Avra M. Warren  
 E.E. and Minister Plenipotentiary  
 of the United States of America  
 Legation

## II

*The American Minister to the Dominican Secretary of State of Foreign Affairs*

LEGATION OF THE UNITED STATES OF AMERICA

No. 21

Ciudad Trujillo, D.R., November 14, 1942

Excellency:

I have the honor to acknowledge the receipt of Your Excellency's note of today's date in which you reiterate the adherence of your Government to the principle of promoting the multilateral development of international trade on the unconditional most-favored-nation basis and refer to the exclusive tariff reduction to the Republic of Haiti specifically provided for in the Commercial Agreement between the Dominican Republic and that country signed on August 26, 1941, as modified by an exchange of notes on March 24, 1942 by which certain products were added to the list specified in the Commercial Agreement. In this connection you mention the contractual formula for tariff preferences to contiguous countries recommended on September 18, 1941 by the Inter-American Financial and Economic Advisory Committee, and inquire whether, in view of the Committee's recommendation and considering the special and unusual conditions affecting the trade between the Dominican Republic and Haiti, my Government would be willing to refrain from claiming, under the provisions of the *modus vivendi* between our two countries of September 25, 1924, the benefit of the tariff preferences to the Republic of Haiti specifically provided for in the Commercial Agreement of August 26, 1941 as modified by the exchange of notes of March 24, 1942.

I have the honor to inform Your Excellency that my Government, in view of the considerations set forth, agrees not to invoke the pertinent provisions of the *modus vivendi* for the purpose of claiming the benefit of such tariff preferences.

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

A. M. WARREN

His Excellency Arturo Despradel  
Secretary of State for Foreign Affairs  
Ciudad Trujillo, D.R.