

No. 536

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**UNITED STATES OF AMERICA  
and  
TURKEY**

**Exchange of notes constituting an agreement relating to the application of most-favoured-nation treatment to the merchandise trade of certain areas under occupation or control. Ankara, 4 July 1948**

*English and Turkish official texts communicated by the Permanent Representative of the United States of America at the seat of the United Nations. The registration took place on 26 August 1949.*

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**ETATS-UNIS D'AMERIQUE  
et  
TURQUIE**

**Echange de notes constituant un accord relatif à l'application de la clause de la nation la plus favorisée aux échanges commerciaux de certaines régions soumises à occupation ou contrôle. Ankara, 4 juillet 1948**

*Textes officiels anglais et turc communiqués par le représentant permanent des Etats-Unis d'Amérique au siège de l'Organisation des Nations Unies. L'enregistrement a eu lieu le 26 août 1949.*

No. 536. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND TURKEY RELATING TO THE APPLICATION OF MOST-FAVOURLED-NATION TREATMENT TO THE MERCHANDISE TRADE OF CERTAIN AREAS UNDER OCCUPATION OR CONTROL. ANKARA, 4 JULY 1948

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*The American Ambassador to the Turkish Minister of Foreign Affairs*

EMBASSY OF THE UNITED STATES OF AMERICA

Ankara, Turkey, July 4, 1948

Excellency:

I have the honor to refer to the conversations which have recently taken place between representatives of our two Governments relating to the territorial application of commercial arrangements between the United States of America and the Republic of Turkey and to confirm the understanding reached as a result of these conversations as follows:

1. For such time as the Government of the United States of America participates in the occupation or control of any areas in western Germany, the Free Territory of Trieste, Japan or southern Korea, the Government of the Republic of Turkey will apply to the merchandise trade of such area the provisions relating to the most-favored-nation treatment of the merchandise trade of the United States of America set forth in the Trade Agreement between the United States of America and Turkey, signed April 1, 1939,<sup>2</sup> or, for such time as the Governments of the United States of America and the Republic of Turkey may both be contracting parties to the General Agreement on Tariffs and Trade, dated October 30, 1947,<sup>3</sup> the provisions of that Agreement, as now or hereafter amended, relating to the most-favored-nation treatment of such trade. It is understood that the undertaking in this paragraph relating to the application of the most-favored-nation provisions of the Trade Agreement shall be subject to the exceptions recognized in the General Agreement on Tariffs

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<sup>1</sup> Came into force on 13 July 1948, by notice of ratification thereof given to the Government of the United States of America by the Government of Turkey.

<sup>2</sup> League of Nations, *Treaty Series*, Volume CCII, page 129.

<sup>3</sup> United Nations Publications, 1947.II.10.

and Trade permitting departures from the application of most-favored-nation treatment; provided that nothing in this sentence shall be construed to require compliance with the procedures specified in the General Agreement with regard to the application of such exceptions.

2. The undertaking in point 1, above, will apply to the merchandise trade of any area referred to therein only for such time and to such extent as such area accords reciprocal most-favored-nation treatment to the merchandise trade of the Republic of Turkey. In this connection, the Government of the United States of America will seek arrangements whereby such areas will accord most-favored-nation treatment (including most-favored-nation treatment in the application of quantitative restrictions in accordance with the principles of the General Agreement on Tariffs and Trade) to the merchandise trade of Turkey.

3. The undertakings in points 1 and 2, above, are entered into in the light of the absence at the present time of effective or significant tariff barriers to imports into the areas herein concerned. In the event that such tariff barriers are imposed, it is understood that such undertakings shall be without prejudice to the application of the principles set forth in the Havana Charter for an International Trade Organization<sup>1</sup> relating to the reduction of tariffs on a mutually advantageous basis.

4. It is recognized that the absence of a uniform rate of exchange for the currency of the areas in western Germany, Japan or southern Korea referred to in point 1, above, may have the effect of indirectly subsidizing the exports of such areas to an extent which it would be difficult to calculate exactly. So long as such a condition exists, and if consultation with the Government of the United States of America fails to reach any agreed solution to the problem, it is understood that it would not be inconsistent with the undertaking in point 1 for the Government of the Republic of Turkey to levy a countervailing duty on imports of such goods equivalent to the estimated amount of such subsidization, where the Government of the Republic of Turkey determines that the subsidization is such as to cause or threaten material injury to an established domestic industry or is such as to prevent or materially retard the establishment of a domestic industry.

5. The undertakings in this Note shall remain in force until January 1, 1951, and unless at least six months before January 1, 1951, either Government shall have given notice in writing to the other of intention to terminate these undertakings on that date, they shall remain in force thereafter until the expiration of six months from the date on which such notice shall have been given.

<sup>1</sup> United Nations Publications, 1948.II.D.4.

Please accept, Excellency, the renewed assurances of my highest consideration.

Edwin C. WILSON

His Excellency Necmeddin Sadak  
Minister of Foreign Affairs  
Ankara

## II

*The Turkish Minister of Foreign Affairs to the American Ambassador*

TURKISH TEXT — TEXTE TURC

TÜRKİYE CUMHURİYETİ  
DIŞİŞİLERİ BAKANLIĞI

Ankara, 4 Temmuz 1948

Ekselans,

Türkiye Cumhuriyeti ile Amerika Birleşik Devletleri arasındaki ticarî tertiplerin âtide mezkûr sahalarda dahilinde tatbikine müteallik olarak iki Hükûmetimiz Mümessilleri beyninde ahiren cereyan etmiş bulunan mükâlemelere atıf yapmak ve işbu mükâlemeler neticesinde varılmış olan anlaşmaya aşağıda teyid etmekle şerefyanım:

1 — Amerika Birleşik Devletleri Garbî Almanya, Triyeste Serbest Toprağı, Japonya yahud Cenubî Korédeki herhangi bir sahada işgale veya mürakabeye iştirak eylediği müddetçe Türkiye Cumhuriyeti Hükûmeti mezkûr sahaların emtia ticaretine, Türkiye ile Amerika Birleşik Devletleri arasında 1 Nisan 1939 da imza edilmiş olan Ticaret Anlaşmasında muharrer, Amerika Birleşik Devletleri emtia ticaretinin en fazla müsaadeye mazhar milletinki muamelesini görmesine müteallik hükümleri ve yahud, Türkiye Cumhuriyeti ve Amerika Birleşik Devletleri Hükûmetleri, 30 Ekim 1947 tarihli Gümrük Tarifeleri ve Ticaret hakkında Umumî Anlaşmaya âkid taraflar buldukları müddetçe, mevzuubahs anlaşmanın, mezkûr ticaretin en fazla müsaadeye mazhar milletinki muamelesini görmesine dair olan ve şimdiki veya bilâhara tadil edilecek anlaşmanın hükümlerini tatbik edilecektir. Ticaret Anlaşmasının en fazla müsaadeye mazhar millet muamelesi hükümlerinin tatbikine dair bu fıkrada mevcut teahhüdün Gümrük Tarifeleri ve Ticaret Umumî Anlaşmasında mu-

Yüksek saygılarımın lütfen kabulünü rica ederim, Ekselans.

N. SADAĞ

Ekselans Edwin C. Wilson  
Amerika Birleşik Devletleri  
Büyük Elçisi  
Ankara

TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>

REPUBLIC OF TURKEY  
MINISTRY OF FOREIGN AFFAIRS

Ankara, July 4, 1948

Excellency:

I have the honor to refer to the conversations which have recently taken place between representatives of our two Governments relating to the territorial application of commercial arrangements between the United States of America and the Republic of Turkey and to confirm the understanding reached as a result of these conversations as follows:

[See note I]

Please accept, Excellency, the renewed assurances of my highest consideration.

N. SADAĞ

His Excellency Edwin C. Wilson  
Ambassador of the United States of America  
Ankara

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<sup>1</sup> Translation by the Government of the United States of America.

<sup>2</sup> Traduction du Gouvernement des Etats-Unis d'Amérique.