

No. 1676

**UNITED STATES OF AMERICA
and
FRANCE**

**Agreement (with exchange of letters) supplementary to the
General Agreement on Tariffs and Trade. Signed at
Geneva, on 30 October 1947**

Official texts: English and French.

Registered by the United States of America on 26 March 1952.

**ÉTATS-UNIS D'AMÉRIQUE
et
FRANCE**

**Accord (avec échange de lettres) complétant l'Accord
général sur les tarifs douaniers et le commerce. Signé
à Genève, le 30 octobre 1947**

Textes officiels anglais et français.

Enregistré par les États-Unis d'Amérique le 26 mars 1952.

No. 1676. AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE FRENCH REPUBLIC SUPPLEMENTARY TO THE GENERAL AGREEMENT² ON TARIFFS AND TRADE. SIGNED AT GENEVA, ON 30 OCTOBER 1947

The Governments of the United States of America and the French Republic,

Having participated in the framing of a General Agreement² on Tariffs and Trade and a Protocol of Provisional Application,² the texts of which have been authenticated by the Final Act² adopted at the conclusion of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment, signed this day,

Hereby agree that the Trade Agreement and Protocol of Signature between the United States of America and the French Republic, signed May 6, 1936,³ and related notes, shall be inoperative for such time as the United States of America and the French Republic are both contracting parties to the General Agreement on Tariffs and Trade as defined in Article XXXII thereof.

IN WITNESS WHEREOF the representatives of the Governments of the United States of America and the French Republic, after having exchanged their full powers, found to be in good and due form, have signed this Supplementary Agreement.

DONE in duplicate, in the English and French languages, both texts authentic, at Geneva, this thirtieth day of October, one thousand nine hundred and forty-seven.

For the Government of the United States of America :
Winthrop G. BROWN

For the Government of the French Republic :
Pierre BARADUC

¹ Came into force on 30 October 1947 by signature.

² United Nations, *Treaty Series*, Vol. 55, p. 187.

³ League of Nations, *Treaty Series*, Vol. CXCIX, p. 259.

EXCHANGE OF LETTERS

I

*The Acting Chairman of the United States Delegation to a Member of
the French Delegation*

October 30, 1947

Dear Mr. Baraduc :

A point of legal detail has been brought to my attention in connection with the Agreement Supplementary to the General Agreement on Tariffs and Trade which we propose to sign on behalf of our two Governments on October 30 making the Reciprocal Trade Agreement of 1936 between the United States and France inoperative so long as both the United States and France are parties to the General Agreement on Tariffs and Trade.

As you know, Article XVII of the 1936 Agreement provides that it may be terminated by either party after three years on six months' notice. The inclusion of such a provision in all our trade agreements is required by the Trade Agreements Act. Our lawyers have suggested that the very general terms of the proposed Supplementary Agreement might possibly be interpreted as making it impossible for either party to the 1936 Agreement to exercise this right of termination.

It is, of course, improbable that either of our Governments would wish to exercise this right of termination, but under our law we must, nevertheless, retain it in force. To suggest a formal amendment to the proposed Supplementary Agreement expressly excepting Article XVII of the 1936 Agreement at this late date would cause considerable inconvenience and would give greater emphasis to this point than it deserves. I am therefore writing to make it clear that we would be signing the Supplementary Agreement with the understanding that its general language would not prevent notice of termination of the 1936 Agreement given by either party while we were both parties to the General Agreement on Tariffs and Trade from effecting termination of the 1936 Agreement in six months.

I would appreciate it if you could give me the assurance that your Government has the same understanding.

Sincerely yours,

Winthrop G. BROWN
Acting Chairman

Mr. Pierre Baraduc
The Delegation of France
Palais des Nations

II

[TRANSLATION¹ — TRADUCTION²]

A Member of the French Delegation to the Acting Chairman of the United States Delegation

LIBERTY-EQUALITY-FRATERNITY

FRENCH REPUBLIC

MINISTRY OF FOREIGN AFFAIRS

FRENCH DELEGATION
TO THE PREPARATORY COMMITTEE OF THE
CONFERENCE ON TRADE AND EMPLOYMENT

Paris, October 30, 1947

Dear Mr. Brown :

I hasten to acknowledge the receipt of your letter of October 30 and to confirm to you that I am in complete agreement with you in considering that the text of the Supplementary Agreement would not prevent notification of the denunciation of the Agreement of 1936 during the period in which our two Governments will be parties to the General Agreement on Tariffs and Trade.

Sincerely yours,

Pierre BARADUC

Mr. Winthrop G. Brown
President of the United States Delegation
to the Preparatory Committee
of the Conference on
Trade and Employment
Geneva

¹ Translation by the Government of the United States of America.

² Traduction du Gouvernement des États-Unis d'Amérique.