

UNITED STATES OF AMERICA  
and  
COSTA RICA

**Exchange of notes constituting an agreement relating to the temporary waiver, with respect to multiple exchange surcharges, of Article I of the Trade Agreement of 28 November 1936 between the two Governments. Washington, 4 April 1950**

*Official texts: English and Spanish.*

**Exchange of notes constituting an agreement extending the Agreement of 4 April 1950 and terminating the Trade Agreement of 28 November 1936. Washington, 3 April 1951**

*Official text: English.*

*Registered by the United States of America on 14 June 1952.*

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ÉTATS-UNIS D'AMÉRIQUE  
et  
COSTA-RICA

**Échange de notes constituant un accord portant renonciation provisoire, en ce qui concerne les surtaxes de change multiples, à l'application des dispositions de l'article 1<sup>er</sup> de l'Accord commercial conclu entre les deux Gouvernements le 28 novembre 1936. Washington, 4 avril 1950**

*Textes officiels anglais et espagnol.*

**Échange de notes constituant un accord prorogeant l'Accord du 4 avril 1950 et mettant fin à l'Accord commercial du 28 novembre 1936. Washington, 3 avril 1951**

*Texte officiel anglais.*

*Enregistrés par les États-Unis d'Amérique le 14 juin 1952.*

No. 1759. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND COSTA RICA RELATING TO THE TEMPORARY WAIVER, WITH RESPECT TO MULTIPLE EXCHANGE SURCHARGES, OF ARTICLE I OF THE TRADE AGREEMENT OF 28 NOVEMBER 1936<sup>2</sup> BETWEEN THE TWO GOVERNMENTS. WASHINGTON, 4 APRIL 1950

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I

*The Secretary of State to the Costa Rican Ambassador*

DEPARTMENT OF STATE  
WASHINGTON

April 4, 1950

Excellency :

I have the honor to refer to conversations which have taken place between representatives of the Governments of the United States of America and the Republic of Costa Rica with regard to the fact that the Government of Costa Rica has been impelled by its present foreign exchange position to enact a "Law for the Control of International Transactions" which, as promulgated on April 1, 1950, includes provisions for the imposition of multiple exchange surcharges. In the course of the conversations, reference was made to the respect of the Government of Costa Rica for its international obligations, resulting in a desire on its part to maintain the existing trade agreement with the United States of America which was signed at San José on November 28, 1936, and entered into force on August 2, 1937.<sup>1</sup>

In view of the fact that, as applied to imports from the United States of America of products listed in Schedule I of the trade agreement, the multiple exchange surcharges are in conflict with Article I of the trade agreement, the Government of Costa Rica has requested the Government of the United States of America to agree to a waiver of Article I during the emergency period for which the measure is intended to provide.

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<sup>1</sup> Came into force on 4 April 1950 by the exchange of the said notes and, according to their terms, became operative retroactively as from 1 April 1950.

<sup>2</sup> League of Nations, *Treaty Series*, Vol. CLXXXI, p. 183.

Recognizing the problem confronting the Government of Costa Rica, the Government of the United States of America agrees that, for a period of one year, beginning April 1, 1950, it will waive the provisions of Article I of the above-mentioned trade agreement in respect of the application of the multiple exchange surcharges in question to imports from the United States of America of articles included in Schedule I of the trade agreement.

The Government of the United States of America considers that its agreement to the waiver of Article I is a temporary expedient to permit the maintenance of the trade agreement while the Government of Costa Rica seeks a solution of its financial difficulties which will not be in conflict with Article I.

The Government of the United States of America reserves the right to revoke the waiver of Article I upon 30 days' written notice to the Government of Costa Rica if the multiple exchange surcharges are used for purposes other than those referred to in the preceding paragraph.

If the Government of Costa Rica concurs in the foregoing, this note, and Your Excellency's reply thereto, will constitute an agreement between our two Governments, effective upon receipt of Your Excellency's note.

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

For the Secretary of State :  
Edward G. MILLER, Jr.

His Excellency Señor Don Mario Echandi  
Ambassador of Costa Rica

## II

### *The Costa Rican Ambassador to the Secretary of State*

[SPANISH TEXT — TEXTE ESPAGNOL]

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

EMBAJADA DE COSTA RICA  
WASHINGTON

EMBASSY OF COSTA RICA  
WASHINGTON

4 de abril de 1950

April 4, 1950

Excelencia :

Excellency :

Tengo el honor de acusar recibo de la nota del 4 de abril de 1950 en que

I have the honor to acknowledge receipt of Your Excellency's note of

<sup>1</sup> Traduction du Gouvernement des États-Unis d'Amérique.

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

Vuestra Excelencia hace referencia a las conversaciones efectuadas entre representantes de los Gobiernos de la República de Costa Rica y de los Estados Unidos de América con respecto al hecho de que el Gobierno de Costa Rica se ha visto obligado, por su situación actual de divisas, a dictar una "Ley para el Control de las Transacciones Internacionales" en la que figuran, según el texto promulgado el primero de abril de 1950, disposiciones para la imposición de recargos cambiarios múltiples.

Me es grato comunicar a Vuestra Excelencia que el Gobierno de Costa Rica confirma que los términos del entendimiento a que ha llegado con el Gobierno de los Estados Unidos de América son aquéllos expresados en vuestra nota del 4 de abril de 1950, y que esa nota, junto con esta respuesta, constituyen un acuerdo entre los dos Gobiernos.

El Gobierno de Costa Rica tiene el firme convencimiento de que la aplicación de la nueva legislación cambiaria le permitirá llegar más pronto a una solución satisfactoria de sus dificultades financieras, poder con mayor eficacia hacer frente a las fuerzas inflacionarias, tomar medidas para la eliminación oportuna de la presa en sus pagos internacionales, y reforzar sus reservas de divisas extranjeras.

Mi Gobierno ha visto con satisfacción la buena voluntad y la comprensión de sus problemas que han puesto de manifiesto los representantes del Gobierno de los Estados Unidos de América con quienes se han tratado estos problemas.

April 4, 1950, in which you refer to conversations that have taken place between representatives of the Governments of the Republic of Costa Rica and the United States of America with regard to the fact that the Government of Costa Rica has been impelled by its present foreign exchange position to enact a "Law for the Control of International Transactions" which, as promulgated on April 1, 1950, includes provisions for the imposition of multiple exchange surcharges.

I take pleasure in informing Your Excellency that the Government of Costa Rica confirms the fact that the terms of the understanding which it has reached with the Government of the United States of America are those set forth in your note of April 4, 1950, and that the said note and this reply constitute an agreement between the two Governments.

The Government of Costa Rica is firmly convinced that the application of the new exchange law will enable it to arrive more quickly at a satisfactory solution of its financial difficulties, to combat inflationary forces more effectively, to take measures for the timely removal of the barrier in its international payments, and to strengthen its foreign exchange reserves.

My Government has viewed with pleasure the good will and understanding of its problems shown by the representatives of the Government of the United States of America with whom these problems have been discussed.

Aprovecho la oportunidad para reiterar a Vuestra Excelencia los sentimientos de mi más alta consideración.

Mario ECHANDI

Su Excelencia Dean Acheson  
Secretario de Estado

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

Mario ECHANDI

His Excellency Dean Acheson  
Secretary of State

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND COSTA RICA EXTENDING THE AGREEMENT OF 4 APRIL 1950<sup>2</sup> AND TERMINATING THE TRADE AGREEMENT OF 28 NOVEMBER 1936<sup>3</sup>. WASHINGTON, 3 APRIL 1951

## I

*The Secretary of State to the Costa Rican Ambassador*

DEPARTMENT OF STATE

WASHINGTON

April 3, 1951

Excellency :

I have the honor to refer to conversations between representatives of the Government of the United States of America and the Government of the Republic of Costa Rica regarding the termination by mutual consent of the trade agreement signed November 28, 1936.<sup>3</sup> I also have the honor to refer to the agreement effected by an exchange of notes on April 4, 1950<sup>2</sup> whereby the Government of the United States, at the request of the Government of Costa Rica, agreed to waive, for a period of one year, beginning April 1, 1950, the provisions of Article I of the above-mentioned trade agreement to permit the application of multiple exchange surcharges to imports from the United States of America of articles listed in Schedule I of the trade agreement.

The Government of Costa Rica has made it clear that special conditions exist, and will continue to exist for the foreseeable future, which will make it impossible for Costa Rica to apply the terms of the trade agreement. In view of these conditions, and in accordance with the conversations to which I have referred, I have the honor to confirm the agreement reached today in a friendly and understanding spirit that the Trade Agreement between the United States of America and the Republic of Costa Rica, signed at San José on November 28, 1936, shall cease to be in force on and after June 1, 1951.

Pursuant to the request of the Government of Costa Rica during the course of the above-mentioned conversations and recognizing the problems confronting the Government of Costa Rica, I further confirm that the Government of the United States of America agrees to extend from April 1, 1951 through May 31,

<sup>1</sup> Came into force on 3 April 1951 by the exchange of the said notes and, in accordance with their terms, became operative, insofar as the termination of the agreement of 28 November 1936 is concerned, on 1 June 1951.

<sup>2</sup> See p. 178 of this volume.

<sup>3</sup> League of Nations, *Treaty Series*, Vol. CLXXXI, p. 183.

1951 the waiver of Article I of the trade agreement as granted in the agreement effected by the exchange of notes dated April 4, 1950.

If the Government of Costa Rica concurs in the foregoing, this note and Your Excellency's reply thereto will constitute an agreement between our two Governments, which shall enter into force on the date of Your Excellency's note.

It is understood that the Government of Costa Rica is desirous of exploring the possibility of negotiating a comprehensive treaty of friendship, commerce and navigation between our two countries. My Government is equally desirous of undertaking discussions concerning such a treaty and is prepared to begin them at an early date.

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

For the Secretary of State :  
Thomas C. MANN

His Excellency Señor Don J. Rafael Oreamuno  
Ambassador of Costa Rica

## II

### *The Costa Rican Ambassador to the Secretary of State*

EMBAJADA DE COSTA RICA

WASHINGTON

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April 3, 1951

Excellency :

I have the honor to refer to your Excellency's note dated April 3, 1951, relating to the termination by mutual consent of the trade agreement signed November 28, 1936, and relating to the extension of the agreement effected by exchange of notes on April 4, 1950.

I have the honor to confirm the agreement arrived at in the course of conversations between representatives of our two Governments, which agreement is set forth in your note of April 3, 1951, above mentioned.

As proposed in that note, it is agreed that your note and this reply shall constitute an agreement between our two Governments which shall enter into force today.

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

Rafael OREAMUNO

His Excellency Dean Acheson  
The Secretary of State  
Washington, D.C.