

No. 5277

**UNITED STATES OF AMERICA
and
SWITZERLAND**

**Exchange of notes constituting an agreement relating to
reciprocal trade. Washington, 29 March 1960**

Official text: English.

Registered by the United States of America on 4 August 1960.

**ÉTATS-UNIS D'AMÉRIQUE
et
SUISSE**

**Échange de notes constituant un accord relatif aux échanges
commerciaux. Washington, 29 mars 1960**

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 4 août 1960.

No. 5277. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND SWITZERLAND RELATING TO RECIPROCAL TRADE. WASHINGTON, 29 MARCH 1960

I

The Secretary of State to the Swiss Ambassador

DEPARTMENT OF STATE
WASHINGTON

March 29, 1960

Excellency :

I have the honor to refer to conversations which have been held between representatives of the Government of the United States of America and of the Government of the Swiss Confederation with respect to the Declaration for Provisional Accession of the Swiss Confederation² to the General Agreement on Tariffs and Trade,³ done at Geneva November 22, 1958.²

It is the understanding of the United States Government that the Governments of the United States and of the Swiss Confederation agree, in accordance with paragraph 7 of the Declaration of November 22, 1958, that the trade relations between the United States and the Swiss Confederation should be governed by the terms of that Declaration.

¹ Came into force on 29 March 1960 by the exchange of the said notes.

² United Nations, *Treaty Series*, Vol. 350, p. 3 ; Vol. 351, p. 380 ; Vol. 355, p. 408 ; Vol. 358, and Vol. 362.

³ United Nations, *Treaty Series*, Vol. 55, p. 187 ; Vols. 56 to 64 ; Vol. 65, p. 335 ; Vol. 66, pp. 358 and 359 ; Vol. 68, p. 286 ; Vol. 70, p. 306 ; Vol. 71, p. 328 ; Vol. 76, p. 282 ; Vol. 77, p. 367 ; Vol. 81, pp. 344 to 377 ; Vol. 90, p. 324 ; Vol. 92, p. 405 ; Vol. 104, p. 351 ; Vol. 107, p. 83 ; Vol. 117, p. 387 ; Vol. 123, p. 303 ; Vol. 131, p. 316 ; Vol. 135, p. 336 ; Vol. 138, p. 334 ; Vol. 141, p. 382 ; Vols. 142 to 146 ; Vol. 147, p. 159 ; Vol. 161, p. 365 ; Vol. 163, p. 375 ; Vol. 167, p. 265 ; Vol. 172, p. 340 ; Vol. 173, p. 395 ; Vol. 176, p. 3 ; Vol. 180, p. 299 ; Vol. 183, p. 351 ; Vol. 186, p. 314 ; Vol. 188, p. 366 ; Vol. 189, p. 360 ; Vol. 191, p. 364 ; Vol. 220, p. 154 ; Vol. 225, p. 258 ; Vol. 226, p. 342 ; Vol. 228, p. 366 ; Vol. 230, p. 430 ; Vol. 234, p. 310 ; Vol. 243, p. 314 ; Vols. 244 to 246 ; Vol. 247, p. 386 ; Vol. 248, p. 359 ; Vol. 250, p. 290 ; Vol. 253, p. 316 ; Vol. 256, p. 338 ; Vol. 257, p. 363 ; Vol. 258, p. 384 ; Vol. 261, p. 390 ; Vol. 265, p. 328 ; Vol. 271, p. 386 ; Vol. 274, p. 322 ; Vol. 277, p. 346 ; Vol. 278, p. 168 ; Vol. 280, p. 350 ; Vol. 281, p. 394 ; Vol. 283, p. 308 ; Vol. 285, p. 372 ; Vol. 287, p. 343 ; Vol. 300, p. 371 ; Vol. 306, p. 332 ; Vol. 309, p. 362 ; Vol. 317, p. 317 ; Vol. 320, p. 326 ; Vol. 321, p. 244 ; Vol. 324, p. 300 ; Vol. 328, p. 290 ; Vol. 330, p. 352 ; Vol. 338, p. 334 ; Vol. 344, p. 304 ; Vol. 346, p. 312 ; Vol. 347, p. 362 ; Vol. 349, p. 314 ; Vol. 350, p. 3 ; Vol. 351, p. 380 ; Vol. 355, p. 406 ; Vol. 358, Vol. 362, Vol. 363, and Vol. 367.

It is also the understanding of my Government that, so long as the provisions of the General Agreement apply between the United States and the Swiss Confederation pursuant to the Declaration of November 22, 1958 or otherwise, the provisions of the Bilateral Trade Agreement between the United States and the Swiss Confederation, signed at Washington January 9, 1936,¹ as supplemented,² shall not prevent either country from taking action which it is permitted to take pursuant to an exception, reservation, or waiver under the General Agreement. One specific application of this understanding would be that, in the case of a product subject to a concession under the Trade Agreement of 1936 and also to a concession under the General Agreement providing for more favorable customs treatment, the continuance of obligations in the Bilateral Trade Agreement shall not preclude the application, as a result of action taken pursuant to the escape clause (Article XIX) in the General Agreement, of customs treatment less favorable than that provided for in the bilateral.

The Government of the United States would appreciate receiving confirmation that the understanding set forth above is also the understanding of the Government of the Swiss Confederation.

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

For the Secretary of State :

Edwin M. MARTIN

His Excellency Henry de Torrenté
Ambassador of Switzerland

II

The Swiss Ambassador to the Secretary of State

AMBASSADE DE SUISSE³

WASHINGTON, D. C.

March 29, 1960

Sir :

I have the honor to acknowledge receipt of your Note of today's date in which you set forth the understanding of the Government of the United States of America of the conversations which have been held between the representatives of the Government of the Swiss Confederation and the Government of the United States with respect to the Declaration for the Provisional Accession of the Swiss Confederation

¹ League of Nations, *Treaty Series*, Vol. CLXXI, p. 231.

² League of Nations, *Treaty Series*, Vol. CC, p. 532; and United Nations, *Treaty Series*, Vol. 133, p. 33; Vol. 239, p. 362, and Vol. 361.

³ Embassy of Switzerland.

to the General Agreement on Tariffs and Trade, done at Geneva November 22, 1958, and which reads as follows :

[*See note I*]

In reply, I am happy to inform you that the Government of the Swiss Confederation concurs in the understanding as set forth in your note.

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

H. DE TORRENTÉ

The Honorable Christian A. Herter
Secretary of State