

No. 8786

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**UNITED STATES OF AMERICA  
and  
ARGENTINA**

**Exchange of notes constituting an agreement relating to the status of the Agreements of 14 October 1941 and 24 July 1963, concerning tariffs and trade. Buenos Aires, 3 and 8 August 1966**

*Official texts: English and Spanish.*

*Registered by the United States of America on 3 October 1967.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
ARGENTINE**

**Échange de notes constituant un accord relatif à l'état des Accords des 14 octobre 1941 et 24 juillet 1963, concernant les tarifs douaniers et le commerce. Buenos Aires 3 et 8 août 1966**

*Textes officiels anglais et espagnol.*

*Enregistré par les États-Unis d'Amérique le 3 octobre 1967.*

No. 8786. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND ARGENTINA RELATING TO THE STATUS OF THE AGREEMENTS OF 14 OCTOBER 1941<sup>2</sup> AND 24 JULY 1963<sup>3</sup> CONCERNING TARIFFS AND TRADE. BUENOS AIRES, 3 AND 8 AUGUST 1966

I

*The Argentine Minister of Foreign Affairs to the American Chargé  
d'affaires ad interim*

[SPANISH TEXT — TEXTE ESPAGNOL]

PODER EJECUTIVO NACIONAL  
MINISTERIO DE RELACIONES EXTERIORES Y CULTO

Buenos Aires, 3 de agosto de 1966

Señor Encargado de Negocios :

Tengo el agrado de dirigirme a Vuestra Excelencia con el fin de hacer referencia a las recientes conversaciones realizadas entre los representantes de nuestros dos Gobiernos, concernientes a la promulgación de un nuevo arancel provisional por parte del Gobierno argentino, y sus efectos sobre la futura vigencia legal del Convenio Comercial firmado el 14 de octubre de 1941 entre los Gobiernos de Estados Unidos de América y de la República Argentina.

Durante estas conversaciones se reconoció que como consecuencia de la puesta en vigor de la nueva nomenclatura aduanera y recargos de importación de la República Argentina y de la promulgación de las nuevas listas arancelarias de Estados Unidos de América, los compromisos contraídos por ambos Gobiernos en las listas originarias I, II y III, anexas al Convenio Comercial de 1941, no son totalmente operativos.

Además, se reconoció que el Gobierno argentino necesitará un tiempo adicional para preparar la revisión de su arancel provisional y que durante la serie de negociaciones comerciales de la « Rueda Kennedy » en el marco del Acuerdo General sobre Aranceles Aduaneros y Comercio (GATT) en las que participa la República Argentina con miras a su ingreso al mismo como miembro pleno y de las cuales espera resulte un cambio de concesiones aceptables para Argentina y las partes contratantes del GATT, no se requerirá de la República Argentina ni de los Estados Unidos de América que basen sus ofertas de concesiones aran-

<sup>1</sup> Came into force on 8 August 1966 by the exchange of the said notes.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 119, p. 193.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 487, p. 183.

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

NATIONAL EXECUTIVE BRANCH  
MINISTRY OF FOREIGN AFFAIRS AND WORSHIP

Buenos Aires, August 3, 1966

Mr. Chargé d'Affaires :

[See note II]

I have the honor to propose that if these understandings are shared by Your Excellency's Government, this note and Your Excellency's note of reply confirming the understandings shall constitute an agreement between our two Governments, which shall enter into force on the date of Your Excellency's reply.

Accept, Mr. Chargé d'Affaires, the assurances of my most distinguished consideration.

N. COSTA MÉNDEZ

His Excellency Leonard Saccio  
Minister Counselor and Chargé d'Affaires ad interim  
Embassy of the United States of America  
Buenos Aires

II

*The American Chargé d'Affaires ad interim  
to the Argentine Minister of Foreign Affairs*

No. 23

Buenos Aires, August 8, 1966

Excellency :

I have the honor to refer to Your Excellency's note of August 3, 1966, which reads in translation as follows :

"I have the honor to address Your Excellency for the purpose of referring to the recent conversations held between the representatives of our two Governments concerning the promulgation of a new provisional tariff by the Argentine Government, and its effect on the future legal status of the Trade Agreement, signed on October 14, 1941,<sup>3</sup> between the Governments of the United States of America and the Argentine Republic.

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

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

<sup>3</sup> United Nations, *Treaty Series*, Vol. 119, p. 193.

“During these conversations it was recognized that, as a consequence of the entry into force of the new tariff nomenclature and import surcharges of the Argentine Republic and of the promulgation of the new Tariff Schedules of the United States of America, the commitments undertaken by both Governments in the original Schedules I, II and III, annexed to the Trade Agreement of 1941, are not fully operative.

“Moreover, it was recognized that the Argentine Government will require additional time to prepare the revision of its provisional tariff and that, during the Kennedy Round of trade negotiations, within the framework of the General Agreement on Tariffs and Trade (GATT),<sup>1</sup> in which the Republic of Argentina participates with a view to its accession to the same as a full member and from which it expects there would result an exchange of concessions acceptable to Argentina and the contracting parties to the GATT, neither Argentina nor the United States will be required to base its offers of tariff concessions on rates bound in the Trade Agreement of 1941.

“Accordingly, it is the understanding of my Government that, from the date of entry into force of the agreement envisaged in the last paragraph of this note, and until the full accession of the Argentine Government to the General Agreement on Tariffs and Trade, neither of the two Governments will object to the situation arising from the entry into force of the new tariff nomenclature and import duties of the United States of America (Tariff Classification Act of 1962) or from the entry into force of the law approving the new tariff nomenclature and import surcharges of the Argentine Republic, maintaining in their entirety the general provisions of the Trade Agreement of 1941 which do not contravene the terms of the present agreement. During this period, notwithstanding, either Government may request consultations for the purpose of cooperating in the search for mutually acceptable solutions for such problems as may arise, or it may terminate the Trade Agreement according to the applicable provisions of the same.

“Finally, it is the understanding of my Government that, without prejudice to the exercise of the existing right of either of the two parties to terminate the Trade Agreement in the interim, such agreement and the agreement relating to the Tariff Schedules of the United States of America which entered into force by exchange of notes on July 24, 1963,<sup>2</sup> shall in any event terminate upon the accession of the Argentine Republic to the General Agreement on Tariffs and Trade, as a full member, and the coming into effect of the results of the negotiations conducted in connection with such accession.”

<sup>1</sup> United Nations, *Treaty Series*, Vol. 55, p. 187; for subsequent actions relating to this Agreement, see references in Cumulative Indexes Nos. 1 to 7, as well as Annex A in volumes 551, 557, 567, 570, 572, 590, 591, 595 and 596.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 487, p. 183.

I have the honor to inform Your Excellency that the Government of the United States of America shares the understandings set forth in Your Excellency's note and will consider that the aforesaid note and this reply shall constitute an agreement between our two Governments which shall enter into force on this date.

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

L. SACCIO

His Excellency Doctor Nicanor Costa Méndez  
Minister of Foreign Affairs  
Buenos Aires