

N° 4633.

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## ÉTATS-UNIS D'AMÉRIQUE ET VENEZUELA

Echange de notes comportant un accord relatif  
au maintien en vigueur de l'Accord commer-  
cial provisoire conclu le 12 mai 1938 entre  
les deux pays. Caracas, le 9 mai 1939.

*Textes officiels anglais et espagnol communiqués par l'envoyé extraordinaire et  
ministre plénipotentiaire des Etats-Unis d'Amérique à Berne. L'enregis-  
trement a eu lieu le 12 septembre 1939.*

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## UNITED STATES OF AMERICA AND VENEZUELA

Exchange of Notes constituting an Agreement  
continuing in Force the Provisional Com-  
mercial Agreement concluded on May 12th,  
1938, between the Two Countries. Caracas,  
May 9th, 1939.

*English and Spanish official texts communicated by the Envoy Extraordinary  
and Minister Plenipotentiary of the United States of America at Berne.  
The registration took place September 12th, 1939.*

No. 4633. — EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED STATES OF VENEZUELA CONSTITUTING AN AGREEMENT CONTINUING IN FORCE THE PROVISIONAL COMMERCIAL AGREEMENT CONCLUDED ON MAY 12TH, 1938, BETWEEN THE TWO COUNTRIES. CARACAS, MAY 9TH, 1939

Nº 4633. — CANJE DE NOTAS ENTRE EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMÉRICA Y EL GOBIERNO DE LOS ESTADOS UNIDOS DE VENEZUELA ESTABLECIENDO UN ACUERDO POR EL CUAL SE MANTIENE EN VIGOR EL ACUERDO PROVISIONAL DE COMERCIO CONCLUIDO EL 12 DE MAYO DE 1938 ENTRE LOS DOS PAÍSES. CARACAS, 9 DE MAYO DE 1939.

LEGATION  
OF THE UNITED STATES OF AMERICA.

I.

No. 140.

EXCELLENCY,

CARACAS, May 9th, 1939.

I have the honor to inform Your Excellency that I am authorized by my Government to confirm in the present note that, as a result of conversations with Your Excellency, it has been agreed to extend for the period of one year from the date of its expiration, or until the conclusion of a reciprocal trade agreement or treaty, or until denounced by one of the Parties by thirty days advance written notice, the *Modus Vivendi*<sup>1</sup> concluded between the United States of America and the United States of Venezuela on May 12th, 1938, which is inserted below :

“ Article I.

“ Both Governments agree to concede reciprocally unconditional and unlimited most-favored-nation treatment in all that concerns Customs duties and all accessory imposts, the manner of applying duties as well as the rules and formalities to which customs operations can be submitted.

“ Article II.

“ The provisions of the foregoing Article shall not apply :

“ 1. To the advantages now accorded or which may hereafter be accorded by the United States of America or by the United States of Venezuela to adjacent countries in order to facilitate frontier traffic ; nor shall it apply to advantages resulting from Customs unions to which the United States of America or the United States of Venezuela may become a party.

“ 2. To the advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another irrespective of any change in the political status of any territory or possession of the United States of America.

“ 3. To articles transhipped through Puerto Rico or the Virgin Islands and imported into Venezuela.

<sup>1</sup> Vol. CXCI, page 35, of this Series.

<sup>1</sup> Vol. CXCI, page 35, de ce recueil.

## Article III.

“ The present Agreement shall come into force on this date and shall remain in force for a period of one year or until superseded by a more comprehensive commercial agreement or until denounced by either country by advance written notice of not less than thirty days. ”

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

His Excellency Dr. E. Gil Borges,  
Minister for Foreign Affairs, Caracas.

Winthrop R. SCOTT,  
*Chargé d'Affaires* ad interim.

## II.

TEXTE ESPAGNOL. — SPANISH TEXT.

ESTADOS UNIDOS DE VENEZUELA.

MINISTERIO DE RELACIONES EXTERIORES.

DIRECCION DE POLÍTICA ECONOMICA.

Sección de Economía.

No. 2.417-E.

CARACAS, 9 de mayo de 1939.

SEÑOR ENCARGADO DE NEGOCIOS :

Tengo a honra informar a V. S. que estoy autorizado por mi Gobierno para confirmar por la presente nota que, como resultado de las conversaciones con V. S., hemos convenido en prorrogar por el período de un año, contado desde su expiración, o hasta la conclusión de un convenio o tratado de reciprocidad comercial, o hasta que sea denunciado por una de las Partes, dando aviso a la otra por escrito con treinta días de anticipación, el *modus vivendi* concluido entre los Estados Unidos de Venezuela y los Estados Unidos de América, el 12 de mayo de 1938, que se inserta a continuación :

## “ Artículo 1º.

“ Ambos Gobiernos convienen en concederse recíprocamente el tratamiento ilimitado e incondicional de la nación más favorecida en todo lo relativo a derechos de aduana y a todos los impuestos accesorios, a los métodos de percepción de tales derechos, lo mismo que a las reglas y formalidades a que pueden estar sometidas las operaciones aduaneras.

## “ Artículo 2º.

“ Las estipulaciones del artículo anterior no se aplicarán :

“ 1. A las ventajas acordadas o que se acordaren en lo futuro por los Estados

## II.

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

UNITED STATES OF VENEZUELA.

MINISTRY FOR FOREIGN AFFAIRS.

BUREAU OF ECONOMIC POLICY.

Economic Section.

No. 2.417-E.

CARACAS, May 9th, 1939.

MR. CHARGÉ D'AFFAIRES,

I have the honor to inform you that I am authorized by my Government to confirm in the present note that, as a result of our conversations, it has been agreed to extend for the period of one year from the date of its expiration, or until the conclusion of a reciprocal trade agreement or treaty, or until denounced by one of the Parties by thirty days advance written notice, the *modus vivendi* concluded between the United States of Venezuela and the United States of America on May 12th, 1938, which is inserted below :

## “ Article I.

“ Both Governments agree to concede reciprocally unconditional and unlimited most-favored-nation treatment in all that concerns Customs duties and all accessory imposts, the manner of applying duties as well as the rules and formalities to which Customs operations can be submitted.

## “ Article II.

“ The provisions of the foregoing Article shall not apply :

“ 1. To the advantages now accorded or which may hereafter be accorded by the

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

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

Unidos de Venezuela o por los Estados Unidos de América a países limítrofes a fin de facilitar el tráfico fronterizo; ni se aplicarán tampoco a las ventajas resultantes de uniones aduaneras de que puedan formar parte los Estados Unidos de Venezuela o los Estados Unidos de América.

" 2. A las ventajas acordadas o que se acordaren en lo futuro por los Estados Unidos de América, sus territorios o posesiones, o la Zona del Canal de Panamá, entre sí o a la República de Cuba. Las disposiciones de este párrafo continuarán aplicándose respecto de cualesquiera ventajas que ahora o después se acordaren entre sí los Estados Unidos de América, sus territorios o posesiones o la Zona del Canal de Panamá, con prescindencia de cualquier cambio en el estatuto político de cualquier territorio o posesión de los Estados Unidos de América.

" 3. A los artículos que se importen a Venezuela y que hayan sido trasbordados en Puerto Rico o en las Islas Vírgenes.

" *Artículo 3º.*

" El presente convenio entrará en vigor desde esta fecha, y permanecerá vigente por un período de un año, a menos que sea sustituido antes por un convenio comercial más extenso, o denunciado por uno de los países mediante notificación por escrito con treinta días de anticipación por lo menos."

Sírvase aceptar V. S. las seguridades de mi muy distinguida consideración.

E GIL BORGES.

Al Honorable Señor Winthrop P. Scott,  
Encargado de Negocios *ad interim*  
de los Estados Unidos de América.  
Presente.

United States of Venezuela or by the United States of America to adjacent countries in order to facilitate frontier traffic: nor shall it apply to advantages resulting from Customs unions to which the United States of Venezuela or the United States of America may become a party.

" 2. To the advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another irrespective of any change in the political status of any territory or possession of the United States of America.

" 3. To articles transhipped through Puerto Rico or the Virgin Islands and imported into Venezuela.

" *Article III.*

" The present Agreement shall come into force on this date and shall remain in force for a period of one year or until superseded by a more comprehensive commercial agreement or until denounced by either country by advance written notice of not less than thirty days. "

Accept, Sir, the assurances of my highest consideration.

E. GIL BORGES.

The Honorable Winthrop P. Scott,  
Chargé d'Affaires *ad interim*  
of the United States of America,  
City.

Certified to be a true and complete textual copy of the original Agreement in all the languages in which it was signed.

For the Secretary of State  
of the United States of America :

Edward Yardley,  
*Director of Personnel.*