

MOST-FAVORED-NATION TREATMENT IN CUSTOMS MATTERS

Exchange of notes at Port-au-Prince July 8, 1926

Entered into force October 1, 1926

*Supplanted June 3, 1935, by agreement of March 28, 1935*¹

Treaty Series 746

*The American Chargé d'Affaires ad interim to the Secretary of State
for Foreign Relations*

LEGATION OF THE UNITED STATES OF AMERICA

Port-au-Prince, Haiti

July 8, 1926

No. 172

EXCELLENCY:

I have the honor to make the following statement of my understanding of the agreement reached through recent conversations held at Port-au-Prince on behalf of the Government of the United States and the Government of Haiti with reference to the treatment which the United States shall accord to the commerce of Haiti and which Haiti shall accord to the commerce of the United States.

These conversations have disclosed a mutual understanding between the two Governments which is that in respect of import and export duties and other duties and charges affecting commerce, as well as in respect of transit, warehousing and other facilities, and the treatment of commercial travelers' samples, the United States will accord to Haiti, and Haiti will accord to the United States, its territories and possessions, unconditional most-favored-nation treatment; and that in the matter of licensing or prohibitions of imports and exports, each country, so far as it at any time maintains such a system, will accord to the commerce of the other treatment as favorable, with respect to commodities, valuations and quantities, as may be accorded to the commerce of any other country.

It is understood that

No higher or other duties shall be imposed on the importation into or disposition in the United States, its territories or possessions, of any articles

¹ EAS 78, *post*, p. 714.

the produce or manufacture of Haiti than are or shall be payable on like articles the produce or manufacture of any foreign country;

No higher or other duties shall be imposed on the importation into or disposition in Haiti of any articles the produce or manufacture of the United States, its territories or possessions; than are or shall be payable on like articles the produce or manufacture of any foreign country;

Similarly, no higher or other duties shall be imposed in the United States, its territories or possessions, or in Haiti, on the exportation of any articles to the other or to any territory or possession of the other, than are payable on the exportation of like articles to any foreign country;

Every concession with respect to any duty, charge or regulation affecting commerce now accorded or that may hereafter be accorded by the United States or by Haiti by law, proclamation, decree or commercial treaty or agreement, to any third country will become immediately applicable without request and without compensation to the commerce of Haiti and of the United States and its territories and possessions, respectively;

Provided that this understanding does not relate to

(1) Prohibitions or restrictions of a sanitary character or designed to protect human, animal or plant life or regulations for the enforcement of police or revenue laws.

(2) The treatment which the United States accords or may hereafter accord to the commerce of Cuba or any of the territories or possessions of the United States or the Panama Canal Zone, or to the treatment which is or may hereafter be accorded to the commerce of the United States with any of its territories or possessions or to the commerce of its territories or possessions with one another.

(3) The treatment which Haiti accords or may hereafter accord to the commerce of the Dominican Republic.

The present arrangement shall become operative on October 1, 1926 and, unless sooner terminated by mutual agreement, shall continue in force for six months and thereafter until thirty days after notice of its termination shall have been given by either party; but should either party be prevented by future action of its legislature from carrying out the terms of this arrangement, the obligation thereof shall thereupon lapse.

I shall be glad to have your confirmation of the accord thus reached.

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

GEORGE R. MERRELL, JR.
Chargé d'Affaires ad interim

His Excellency

MR. EDMOND MONTAS

Secretary of State

for Foreign Relations

*The Secretary of State for Foreign Relations to the American
Chargé d'Affaires ad interim*

[TRANSLATION]

REPUBLIC OF HAITI
Port-au-Prince, July 8, 1926

DEPARTMENT OF STATE FOR FOREIGN AFFAIRS

MR. CHARGÉ D'AFFAIRES,

I have the honor to inform you that the Haitian Government accepts the conditions of a Commercial MODUS VIVENDI between the Republic of Haiti and the United States of America as those conditions are indicated in your note No. 172 of this day.

The conversations that have taken place on the subject between the Legation of the United States and the Department of Foreign Relations have disclosed a mutual understanding between the two governments which is that in respect of import and export duties and other duties and charges affecting commerce, as well as in respect of transit, warehousing and other facilities, and the treatment of commercial travelers' samples, the United States will accord to Haiti, and Haiti will accord to the United States, its territories and possessions, unconditional most-favored-nation treatment; and that in the matter of licensing or prohibitions of imports and exports, each country, so far as it at any time maintains such a system, will accord to the commerce of the other treatment as favorable, with respect to commodities, valuations and quantities, as may be accorded to the commerce of any other country.

It is understood that

[For text of understanding, see U.S. note, above.]

I take this opportunity to renew to you, Mr. Chargé d'Affaires, the assurance of my very distinguished consideration.

EDMOND MONTAS

Mr. GEORGE R. MERRELL, Jr.,
*Chargé d'Affaires ad interim
of the United States of America
Port-au-Price*