



Treaty Series No. 9 (1928)

NOTES EXCHANGED BETWEEN
HIS MAJESTY'S GOVERNMENT IN
GREAT BRITAIN AND THE
GOVERNMENT OF SAN SALVADOR

for the establishment of a

Commercial "Modus Vivendi"

San Salvador, January 4 and 7, 1928

Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty

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1928

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Notes exchanged between His Majesty's Government in
Great Britain and the Government of San Salvador
for the establishment of a Commercial "Modus
Vivendi."

San Salvador, January 4 and 7, 1928.

No. 1.

Don Gustavo Guerrero to Mr. Clark Kerr.

Ministerio de Relaciones Exteriores,
República de El Salvador C. A.,

Señor Ministro, San Salvador, 4 de Enero de 1928.

TENGO el honor de referirme a las comunicaciones que la Legación al digno cargo de Vuestra Excelencia ha dirigido a esta Secretaría referentes a un tratado de comercio entre la República de El Salvador y el Gobierno de Su Majestad Británica.

Este Ministerio tiene en estudio los tratados de comercio vigentes entre El Salvador y otros países, a fin de denunciarlos en el caso de que no puedan ser reemplazados conforme a otro modelo de tratado que está igualmente en estudio.

Mientras tanto no será posible a este Gobierno entrar en negociaciones encaminadas a celebrar nuevos tratados.

Sin embargo, queriendo dar satisfacción a los deseos expresados por Vuestra Excelencia, mi Gobierno está dispuesto a establecer por el término de un año el *modus vivendi* siguiente: el Gobierno de El Salvador dará a los productos ingleses especificados en la Tabla "B" del tratado Zaldívar-Delcassé el mismo tratamiento que se dá a los productos originarios de Francia, a condición de que se llenen los requisitos establecidos en el mismo tratado.

En cambio, los productos salvadoreños que sean importados en la Gran Bretaña y sus Dominios y Colonias, gozarán de la cláusula de la nación más favorecida en el caso de que dicha cláusula llegue a existir en favor de alguna nación.

El presente *modus vivendi* expirará dentro de un año, o antes si la Asamblea Legislativa de El Salvador rehusa aprobar el arreglo que por esta nota se hace, y que entrará en vigor en la fecha en que Vuestra Excelencia notifique su conformidad.

Ruego, &c.

J. GUSTAVO GUERRERO.

(Translation.)

Ministry for Foreign Affairs,
Republic of El Salvador,

Sir, San Salvador, January 4, 1928.

I HAVE the honour to refer to the communications which your Excellency's Legation has addressed to this Ministry concerning a

treaty of commerce between the Republic of El Salvador and His Britannic Majesty's Government.

This Ministry is engaged in considering the treaties of commerce now in force between El Salvador and other countries with a view to denounce them if it is not possible to replace them in accordance with another model treaty which is likewise under consideration.

In the meanwhile, this Government are unable to enter into negotiations for the conclusion of new treaties.

Nevertheless, in order to satisfy the wishes expressed by your Excellency, my Government are disposed to establish for the term of one year, the following *modus vivendi*: the Government of El Salvador will grant to English goods specified in Table "B" of the Zaldívar-Deleassé Treaty the same treatment as that granted to goods of French origin, provided that the conditions laid down in that treaty be fulfilled.

In exchange, Salvadorean goods imported into Great Britain and her Dominions and Colonies shall enjoy most-favoured-nation treatment if such treatment exist in favour of any country.

The present *modus vivendi* will come to an end in one year, or before that if the Legislative Assembly of El Salvador refuses to approve the agreement made by this note, and will come into force on the date on which your Excellency notifies your concurrence.

I avail, &c.

J. GUSTAVO GUERRERO.

No. 2.

Mr. Clark Kerr to Don Gustavo Guerrero.

British Legation,

San Salvador, January 4, 1928.

Sir,

I HAVE the honour to acknowledge the receipt of your Excellency's note of to-day's date, in which you are so good as to inform me that, as the Government of El Salvador are unable for the present to enter into the negotiation of a treaty of commerce with Great Britain, they are willing to arrange a *modus vivendi*, for a term of one year, in virtue of which British goods such as those specified in Table "B" of the Zaldívar-Deleassé Treaty shall be granted the same treatment as that accorded to products of French origin, provided that the conditions laid down in that treaty be fulfilled, and on the understanding that, in their turn, products of El Salvador imported into Great Britain, His Majesty's Dominions and Colonies enjoy most-favoured-nation treatment, if such treatment be afforded to any country.

Being duly authorised thereto, I have the honour to accept this *modus vivendi* on behalf of Great Britain and Northern Ireland, and to inform your Excellency that His Majesty's Government undertake to grant, during the term of this *modus vivendi*, to Salvadorean goods imported into Great Britain and Northern Ireland treatment at least as favourable as that accorded to the goods of any other foreign country.

It is understood that, so far as His Majesty's self-governing Dominions, India, British Colonies, Protectorates and mandated areas are concerned, the application of the present *modus vivendi* will depend upon a subsequent exchange of notes in respect of each Dominion, Colony, Protectorate or mandated area, and that therefore the present *modus vivendi* applies only to El Salvador, Great Britain and Northern Ireland.

I avail, &c.

ARCHIBALD CLARK KERR.

No. 3.

Don Max Olano to Mr. Clark Kerr.

*Ministerio de Relaciones Exteriores,
República de El Salvador C. A.,*

Señor Ministro,

San Salvador, 7 de Enero de 1928.

TENGO el honor de acusar recibo de la nota de Su Excelencia, fechada 5 del corriente,* referente al *modus vivendi* entre el Gobierno de El Salvador y el de Su Excelencia, y el de informar a Usted que el Gobierno de El Salvador concuerda en el entendimiento de que el presente *modus vivendi* se aplique sólo a El Salvador, la Gran Bretaña e Irlanda de el Norte, y que su aplicación a los Dominios Británicos gobernados por símismos, a la India y a las Colonias, Protectorados y Territorios Mandatados Británicos, dependerá de un subsecuente cambio de notas.

Aprovecho, &c.

J. MAX OLANO,

*Subsecretario de Instrucción Pública,
Encargado del Despacho de
Relaciones Exteriores.*

(Translation.)

Ministry for Foreign Affairs,

San Salvador, January 7, 1928.

Sir,

I HAVE the honour to acknowledge the receipt of your Excellency's note, dated the 5th instant,* concerning the *modus vivendi* between the Government of El Salvador and that of your Excellency and to inform you that the Government of El Salvador concur in the understanding that the present *modus vivendi* applies only to El Salvador, Great Britain and Northern Ireland, and that its application to the British self-governing Dominions, to India, to the British Colonies, Protectorates and mandated areas will depend upon a subsequent exchange of notes.

I avail, &c.

J. MAX OLANO,

*Under-Secretary of Education,
in charge of the Ministry
for Foreign Affairs.*

* Sic (No. 2).

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No. 4.

Mr. Clark Kerr to Don Max Olano.

British Legation,

San Salvador, January 7, 1928.

Sir,

I HAVE the honour to acknowledge the receipt of your Excellency's note of this date, regarding the *modus vivendi* between His Britannic Majesty's Government and the Government of El Salvador, and to state that, as an agreement on all points has now been reached, I am informing my Government that the *modus vivendi* is in force as from to-day's date.

I avail, &c.

ARCHIBALD CLARK KERR.
