

THE GAIMUSHO

Tokyo, April 14, 1952.

Sir,

Having in view the desirability to continue cordial trade relations between Japan and the Republic of Peru after the coming into force of a peace treaty between the Allied Powers, or any of them, and Japan, I have the honour to forward to you the following proposal:

Pending conclusion of a new trade and financial agreement or agreements, trade between Japan and the Republic of Peru as from the date of the coming into force of a peace treaty between the Allied Powers, or any of them, and Japan, shall be conducted in accordance with the terms and provisions mutatis mutandis of the Trade and Financial Arrangement between the Republic of Peru and Occupied Japan, established and amended by the following documents, texts of which are annexed hereto:

- a) Trade and Financial Arrangement between the Republic of Peru and Occupied Japan, signed 15 June, 1949.  
(English text) (Annex I)

Miguel Grau Price, Esq.,

Peruvian Diplomatic Representative

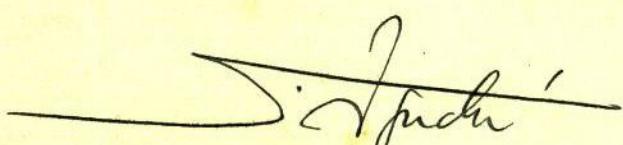
in Japan.

- b) Trade and Financial Arrangement between the Republic of Peru and Occupied Japan, signed 15 June, 1949.  
(Spanish text) (Annex II)
- c) Message from the Chief, Economic and Scientific Section, General Headquarters, Supreme Commander for the Allied Powers, to the Minister of Foreign Relations, Lima, Peru, dispatched 22 June 1950, proposing an extension of the Trade and Financial Arrangement between the Republic of Peru and Occupied Japan. (Annex III)
- d) Message from the Director General Hacienda, Lima, Peru, to the Foreign Trade and Commerce Division, Economic and Scientific Section, General Headquarters, Supreme Commander for the Allied Powers (SCAPTRADE), dated Lima 26 June 1950, accepting the proposal for the extension of the Trade and Financial Arrangement between the Republic of Peru and Occupied Japan. (Annex IV)

I have the honour to request that you be good enough to confirm the foregoing for the Government of the Republic of Peru.

I beg you, Sir, to accept the assurance of my high consideration.

FOR THE MINISTER:



Vice-Minister for Foreign Affairs  
of Japan.

ANNEX I

TRADE AND FINANCIAL ARRANGEMENT

BETWEEN THE

REPUBLIC OF PERU

AND

OCCUPIED JAPAN

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The Representatives of the Republic of Peru, on one side, and the Representative of the Supreme Commander for the Allied Powers acting in respect of Occupied Japan, on the other; after considering the measures which might usefully be adopted to the end of increasing trade between the Republic of Peru and Occupied Japan and to expand it to the highest possible level, have agreed:-

I. The present Arrangement shall cover all goods purchased and services procured from the Republic of Peru, including those purchased through the Government of the United States of America or any of its Agencies, or through nationals of third countries for delivery to Occupied Japan.

II. Trade transactions may be carried out either through official or private agencies of both countries.

III. Occupied Japan will express her willingness to sell to Peru available goods of her exportable surpluses when such surpluses have been determined and their export authorized. Peru may acquire such goods only and when they are offered under conditions of price, quality, specifications, terms of delivery and form of payment, identical or better than the most favorable that can be obtained from other countries.

IV. Peru will express her willingness to sell to Occupied Japan available goods of her exportable surpluses, when such surpluses have been determined and their export authorized. Occupied Japan may acquire such goods only and when they are offered under conditions of price, quality, specifications, terms of delivery and form of payment, identical or better than the most favorable that can be obtained from other countries.

V. Payment of all transactions referred to in articles III and IV must be liquidated in the currency of the United States of America

and

and the payments shall be made on a strictly cash basis through banking institutions and by the usual means accepted in international trade practice. The respective balances shall remain for the free disposal of each Party.

VI. Both Parties undertake to give facilities, compatible with their respective laws and regulations, to the natural or manufactured products from the territories of one of the countries whose products are imported by the other, as regards tariffs, custom duties, taxes, fiscal duties or charges and administrative steps and procedures which govern importation, circulation, transportation and distribution of the same.

VII. Both Parties undertake to promote reciprocal imports and exports so as to bring about the highest possible interchange, thus endeavouring to obtain permanent markets in accordance with their respective national requirements. To this end both countries agree, in the interest of developing trade, that transactions shall be accomplished through normal commercial channels, utilizing free trade practices and declaring thereby that the fundamental purpose of the Arrangement is to aim at the establishment of a balanced trade in accordance with the actual requirements and possibilities of both countries.

VIII. Both Parties will supply reciprocal current information with regard to the operations under this Arrangement.

IX. In order to facilitate trade among the Republic of Peru, Occupied Japan and third countries, the Governments of the contracting Parties will consult, as circumstances may require, with respect to the possibility of transferring among themselves credits arising from trade of each Party with third countries.

X. The present Arrangement shall become effective fifteen days after its signature and shall continue in force for a period of one year, unless it shall be superseded by another Arrangement, prior to expiration of such period.

However, this Arrangement can be cancelled at any time by either Party by means of ninety days' notice in writing.

XI. This Arrangement shall be considered as expired, unless otherwise provided by the Parties hereto, after the proclamation of a Peace Treaty between the Allied Powers, or any of them, and Japan. Any amendment or cancellation of this Arrangement shall be without prejudice to any right or obligation arising from the same, prior to the date of such amendment or cancellation.

XII. The Representatives of the Government of Peru and the Representative of the Supreme Commander for the Allied Powers, or his successor, are

authorized

authorized to carry out all technical details pertaining to this Arrangement.

In Witness Whereof, two copies of the same tenor, in the Spanish and English language, both of equal validity, are signed in the City of Lima on the fifteenth day of June, 1949.

For the Chief Economic and  
Scientific Section, General  
Headquarters, Supreme Commander  
for the Allied Powers.

For the Government of Peru.

/s/ Frank E. Pickelle

FRANK E. PCKELLE  
Chief of Mission.

/s/ Augusto Roca Zela

For MINISTER OF HACIENDA

MINISTERIO DE HACIENDA

ACUERDO COMERCIAL Y FINANCIERO

ENTRE LA REPUBLICA DEL PERU Y EL JAPON OCUPADO

Los Representantes de la República del Perú, por una parte, y el Representante del Comandante Supremo de las Potencias Aliadas actuando en nombre del Japón Ocupado, por otra parte, después de considerar las medidas que podrían adoptarse utilmente con el fin de aumentar el comercio entre la República del Perú y el Japón Ocupado y llevarlo al más alto nivel posible, han convenido:

I.- El presente Acuerdo comprenderá todas las mercaderías adquiridas y los servicios procurados en el Perú, incluyendo las adquiridas por intermedio del Gobierno de los Estados Unidos de América o de cualquiera de sus Agencias, o por conductor de nacionales de terceros países para su entrega al Japón Ocupado.

II.- Las transacciones comerciales podrán realizarse tanto por intermedio de organismos oficiales como privados, de ambos países.

III.- Japón Ocupado manifestará su conformidad en vender al Perú mercancías disponibles de sus excedentes exportables, cuando éstos queden precisados y autorizada su exportación. Perú podrá adquirir esas mercancías siempre y cuando le sean ofrecidas en condiciones de precio, calidad, especificación, plazos de entrega y forma de pago idénticas o mejores a las más favorables que pueda obtener en otros países.

IV.- El Perú manifestará su conformidad en vender al Japón Ocupado mercancías disponibles de sus excedentes exportables, cuando éstos queden precisados y autorizada su exportación. Japón Ocupado podrá adquirir esas mercancías siempre y cuando le sean ofrecidas en condiciones de precio, calidad, especificación, plazos de entrega y formas de pago idénticas o mayores a las más favorables que pueda obtener en otros países.

V.- El pago de todas las transacciones a que se refieren las Bases III y IV deberán ser liquidadas en dólares de los Estados Unidos de América y los pagos deberán ser efectuados estrictamente al contado por conductos y medios bancarios aceptados en la práctica del comercio internaiconal. Los respectivos saldos quedarán a la libre disposición de cada una de las partes.

VI.- Ambas Partes se comprometen a dispensar las facilidades compatibles con sus respectivas leyes y reglamentos, a los productos naturales o manufacturados originarios del territorio de uno de los países cuyos productos se importen en el otro, en materia de aranceles y derechos de aduana, tasas, impuestos o cargas fiscales y a los trámites y procedimientos administrativos a que se halle sujeta la importación, circulación, transporte y distribución de los mismos.

VII.- Ambas Partes se comprometen a estimular las importaciones y exportaciones recíprocas para lograr el intercambio más alto posible, procurando así mercados permanentes de acuerdo con las respectivas necesidades nacionales. Con este objeto ambas Partes convienen que para el buen desarrollo del comercio, todas las operaciones serán efectuadas por intermedio de los cauces comerciales normales, utilizando la libre práctica comercial; declarando, desde luego, que el fin fundamental del Acuerdo es propender a establecer un intercambio balanceado de acuerdo con las actuales necesidades y posibilidades de ambos países.

VIII.- Ambas Partes se facilitarán recíprocamente informaciones actualizadas sobre la aplicación del presente Acuerdo.

IX.- Con el fin de facilitar el comercio entre la República del Perú, el Japón Ocupado y terceros países, los Gobiernos de las Partes Contratantes efectuarán las consultas que correspondan, cuando las circunstancias así lo aconsejen, con respecto a la posibilidad de transferir entre sí créditos originados por el comercio de cada una de las Partes con terceros países.

X.- El presente Acuerdo entrará en vigor a los quince días de su firma y continuará en vigencia por un período de un año, a menos que fuera reemplazado con otro Acuerdo, con anterioridad a la expiración de ese período.

No obstante, este Acuerdo puede ser cancelado en cualquier momento por cualquiera de las Partes mediante denuncia expresa por escrito formulada con noventa días de anticipación.

XI.- Este Convenio se considerará extinguido, salvo estipulación en contrario de las Partes, después de la proclamación de un Tratado de Paz entre las Potencias Aliadas o cualquiera de ellas y el Japón. Cualquier modificación o extinción del presente Convenio no afectará los derechos u obligaciones emanadas del mismo, con anterioridad a la fecha de dicha modificación o extinción.

XII.- Los Representantes del Gobierno del Perú y el Representante del Comandante Supremo de las Potencias Aliadas o sus sucesores, estarán autorizados para poner en práctica todas las medidas técnicas relativas a este Convenio.

En fé de lo cual se firman dos ejemplares del mismo tenor en los idiomas castellano e inglés, igualmente válidos en la ciudad de Lima, a los quince días del mes de Junio del año un mil novecientos cuarenta y nueve.

Por el Gobierno del Perú

/s/

Augusto Roca Zela  
Director General de Hacienda.

Por el Jefe de la Sección  
Económica y Técnica, Cuartel General  
Supremo Comandante de las Potencias  
Aliadas

/s/

Frank E. Pickelle  
Jefe de la Misión.

ANNEX III

MESSAGE ADDRESSED TO THE MINISTER OF FOREIGN  
RELATIONS, LIMA, PERU, DISPATCHED 22 JUNE  
1950 THROUGH THE AMERICAN EMBASSY  
AT LIMA, PERU

"Minister of Foreign Relations of the Republic of Peru, Lima.  
Reference is made to our cable dated 29 May. The Supreme Commander  
for the Allied Powers, acting in respect of Occupied Japan, considers  
it desirable, in the interest of expanded trade, to extend the present  
Trade and Financial Arrangement Between the Republic of Peru and  
Occupied Japan, signed in Lima 15 June 1949, by the Minister of  
Hacienda of the Republic of Peru and the Chief, SCAP Trade Mission,  
until such time as new trade and financial agreements may be negotiated.

"If the Government of the Republic of Peru is favorably disposed  
to consider extension of the present Trade and Financial Arrangement,  
we would appreciate a cable reply to this effect. The present message  
together with your favorable reply will be considered as an agreement  
between the High Contracting Parties. A formal exchange of notes  
confirming this understanding will be made at a later date. Under the  
circumstances your cable reply before 30 June would be most appreciated.

"I avail myself of this opportunity to express to Your Excellency  
the renewed assurances of my highest consideration. W. F. Marquat,  
Major General, U. S. Army, Chief, Economic and Scientific Section,  
GHQ, SCAP."

ANNEX IV

MESSAGE ADDRESSED TO THE FOREIGN TRADE AND  
COMMERCE DIVISION, ECONOMIC AND SCIENTIFIC  
SECTION, GENERAL HEADQUARTERS,  
SUPREME COMMANDER FOR THE ALLIED  
POWERS (SCAPTRADE), DATED  
LIMA 26 JUNE 1950

Dated : Lima 26 June 1950  
Received: Tokyo 27 June 1950

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SCAPTRADE TOKYO

GOBIERNO PERUANO ACEPTE PRORROGA ACUERDO COMERCIAL FINANCIERO  
HASTA FECHA PUEDAN NEGOCIARSE NUEVAS BASES COMERCIO CON JAPON STOP  
INFORMACIONES SOLICITADAS SOBRE INTERCAMBIO COMMERCIAL SERAN ENVIADAS  
PROXIMAMENTE STOP ATENTOS SALUDOS MAX CRESPO DIRECTOR GENERAL  
HACIENDA

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