



Treaty Series No. 38 (1957)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of Morocco

concerning the Convention of Commerce
and Navigation between the United
Kingdom and the Shereefian Empire
signed on December 9, 1856

Rabat, March 1, 1957

*Presented by the Secretary of State for Foreign Affairs to Parliament
by Command of Her Majesty
May 1957*

LONDON

HER MAJESTY'S STATIONERY OFFICE

FOURPENCE NET

Cmnd. 144

EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF MOROCCO CONCERNING THE CONVENTION OF COMMERCE AND NAVIGATION BETWEEN THE UNITED KINGDOM AND THE SHEREEFIAN EMPIRE SIGNED ON DECEMBER 9, 1856

Rabat, March 1, 1957

No. 1

Her Majesty's Ambassador at Rabat to the Moroccan Minister for Foreign Affairs

British Embassy,

Rabat, March 1, 1957.

Monsieur le Ministre,

On the instructions of Her Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to inform your Excellency that Her Majesty's Government in the United Kingdom renounce their rights under Article 7 of the Convention of Commerce and Navigation signed on December 9, 1856,⁽¹⁾ since they recognise that the limitations imposed by this Article on the right of the Moroccan Government to determine rates of custom duties and other charges imposed on or in connexion with the importation of products of the United Kingdom and its dependent territories into the Shereefian Empire are inappropriate to existing political and economic conditions.

I have, &c.

C. B. DUKE.

No. 2

The Moroccan Minister for Foreign Affairs to Her Majesty's Ambassador at Rabat

Ministère des Affaires Etrangères,

Rabat, le 1^{er} Mars 1957.

Monsieur l'Ambassadeur,

J'ai l'honneur d'exprimer la satisfaction du Gouvernement de Sa Majesté le Sultan du Maroc de l'heureuse issue des discussions de Londres et de Rabat sur certaines dispositions de la Convention de Commerce et de Navigation signée le 9 Décembre 1856 entre le Royaume-Uni et l'Empire Chérifien.

Le Gouvernement de Sa Majesté le Sultan du Maroc constate avec plaisir dans la note de votre Excellence en date de ce jour que la déclaration formelle du Gouvernement de Sa Majesté du Royaume-Uni a pour effet que l'article 7 de la Convention de Commerce et de Navigation du 9 Décembre 1856 cesse de régir les relations des deux pays et de limiter le droit du Gouvernement Marocain de fixer les tarifs devant être imposés à l'importation au Maroc des marchandises originaires du Royaume-Uni et de tout territoire dépendant du Royaume-Uni.

Reconnaissant l'esprit d'amitié et de compréhension qui a conduit le Gouvernement de Sa Majesté du Royaume-Uni à renoncer à ses droits aux

(1) "Handbook of Commercial Treaties (1931)," page 433.

termes de l'article sus-mentionné, le Gouvernement de Sa Majesté le Sultan du Maroc propose :

- (I) que l'article 7 de la Convention de Commerce et de Navigation de 1856 doit être considéré comme abrogé;
- (II) d'entrer immédiatement en négociations avec le Gouvernement de Sa Majesté du Royaume-Uni en vue de la conclusion d'un nouveau traité de Commerce et de Navigation;
- (III) de stipuler aux termes de ce traité, que chaque partie accorde à l'autre le traitement de la nation la plus favorisée. En attendant la conclusion de ces négociations les produits originaires du Royaume-Uni et des territoires qui en dépendent bénéficieront, en tout ce qui concerne l'importation, d'un traitement non moins favorable que celui dont bénéficient les produits originaires de tout autre pays;
- (IV) d'accorder aux produits en provenance du Royaume-Uni et des territoires qui en dépendent le tarif maximum de 12½%, actuellement en vigueur aussi longtemps que ce tarif demeure applicable aux importations de produits de tout autre pays. En se prononçant sur les taux nouveaux du tarif d'importation, le Gouvernement de Sa Majesté le Sultan portera son attention sur les intérêts des deux pays.

J'ai l'honneur de prier votre Excellence qu'elle veuille confirmer que le Gouvernement de Sa Majesté du Royaume-Uni est d'accord sur les quatre propositions du Gouvernement de Sa Majesté le Sultan et qui sont formulées au paragraphe 3 de cette note.

Veillez croire, etc.

AHMED BALAFREJ.

(Translation)

*Ministry of Foreign Affairs,
Rabat, March 1, 1957.*

Monsieur l'Ambassadeur,

I have the honour to express the satisfaction of the Moroccan Government at the successful conclusion of the discussions held in London and in Rabat concerning certain provisions of the Convention of Commerce and Navigation between the United Kingdom and the Shereefian Empire signed on December 9, 1856.

The Moroccan Government note with pleasure the formal declaration by Her Majesty's Government in the United Kingdom in your Excellency's Note of to-day's date as the result of which Article 7 of the Convention of Commerce and Navigation of December 9, 1856, has ceased to govern the relations between their two countries and to limit the rights of the Moroccan Government to determine the tariffs to be imposed on goods originating in the United Kingdom or in any dependent territory of the United Kingdom and imported into Morocco.

Recognising the spirit of friendship and understanding which has led Her Majesty's Government in the United Kingdom to renounce their rights under the aforesaid article, the Moroccan Government propose:—

1. that Article 7 of the Convention of Commerce and Navigation, 1856, should be regarded as abrogated;
2. to enter immediately into negotiations with Her Majesty's Government in the United Kingdom for a new Treaty of Commerce and Navigation;
3. to provide under the treaty for each party to grant most-favoured-nation treatment to the other; pending the conclusion of these negotiations, products originating in the United Kingdom and its dependent territories will, in all matters connected with importation, be accorded treatment no less favourable than that accorded to products originating in any other country;

4. to accord products originating in the United Kingdom and its dependent territories the benefit of the maximum tariff of 12½ per cent. at present in force so long as this tariff continues to be applied to the imports from any other country. In deciding their new tariff rates the Moroccan Government intend to bear in mind the interests of the two countries.

I have the honour to request that your Excellency will confirm that Her Majesty's Government in the United Kingdom are in agreement with the four proposals of the Moroccan Government which are set out in paragraph 3 of this Note.

Please believe, &c.

AHMED BALAFREJ.

No. 3

*Her Majesty's Ambassador at Rabat to the Moroccan Minister for
Foreign Affairs*

British Embassy,

Rabat, March 1, 1957.

Monsieur le Ministre,

I have the honour to acknowledge your Excellency's Note of to-day's date which reads as follows:—

[As in No. 2.]

The four proposals contained in the third paragraph of your Excellency's Note are acceptable to Her Majesty's Government in the United Kingdom. As regards the third paragraph which refers to most-favoured-nation treatment I am instructed by Her Majesty's Government in the United Kingdom to record that they do not regard this undertaking as preventing the Government of His Majesty The Sultan from discriminating, in the matter of import prohibitions and restrictions in favour of any country of the monetary area to which the Shereefian Empire belongs, provided the discrimination is no more than is necessary to protect the monetary reserves of the aforesaid area, and that it is applied in such a way as to avoid unnecessary damage to the commercial interests of the United Kingdom.

I have &c.

C. B. DUKE.

Printed and published in Great Britain by
HER MAJESTY'S STATIONERY OFFICE