

N° 1440.

GRÈCE ET PAYS-BAS

Convention commerciale, avec deux protocoles et protocole de signature. Signés à Athènes, le 12 mai 1926.

**GREECE
AND THE NETHERLANDS**

Commercial Convention, with two Protocols and Protocol of Signature. Signed at Athens, May 12, 1926.

¹ TRADUCTION. — TRANSLATION.No. 1440. — COMMERCIAL CONVENTION² BETWEEN GREECE AND THE NETHERLANDS. SIGNED AT ATHENS, MAY 12, 1926.

French official text communicated by the Netherlands Minister at Berne and the Chargé d'Affaires of the Hellenic Republic at Berne. The registration of this Convention took place April 13, 1927.

HER MAJESTY THE QUEEN OF THE NETHERLANDS, and THE PRESIDENT OF THE GREEK REPUBLIC, being desirous of promoting economic relations between the two countries, have resolved to conclude a Commercial Convention, and for this purpose have appointed as their Plenipotentiaries :

HER MAJESTY THE QUEEN OF THE NETHERLANDS :

His Excellency M. C. D. SCHULLER TOT PEURSUM, Envoy Extraordinary and Minister Plenipotentiary ;

THE PRESIDENT OF THE GREEK REPUBLIC :

His Excellency M. L. KANAKARIS ROUPHOS, Minister for Foreign Affairs ;

Who, being duly authorised for this purpose, have agreed upon the following provisions :

Article 1.

1. In all respects, and in particular as regards the establishment and exercise of commerce, industry and shipping, and the exercise of their trades and vocations, and in all that concerns their movable and immovable property, their legal position, their rights and interests, the nationals of each of the High Contracting Parties shall, in the territory of the other Party, enjoy treatment at least as favourable as that which is accorded to nationals of the most favoured nation.

2. They shall be free to conduct their affairs in the territory of the other Party, either personally or by agents of their own choosing, without being subjected in this respect to restrictions other than those provided by the laws and regulations in force in the territory concerned. Provided that they conform to the laws of the country, they shall have the right to appear before the Courts and shall have free access to all the authorities.

3. In respect of the exercise of their industry or shipping and of their trades or vocations within the territory of the other Party, they shall not be required to pay any duties, taxes or rates other or higher than those which are or may be levied on the said Party's own nationals, or on the nationals of the most favoured nation.

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

² The exchange of ratifications took place at Athens, March 3, 1927.

Article II.

1. Incorporated companies and other commercial, industrial, agricultural or financial companies, including shipping and insurance companies, which have their registered head offices in the territory of one of the High Contracting Parties and are legally constituted in conformity with that Party's laws, shall also be entitled within the territory of the other Party to defend all their rights and interests, and particularly to appear in Court, provided that they satisfy and observe the corresponding laws and regulations in force in the territory of that Party.

2. The admission to the territory of one of the High Contracting Parties of the companies referred to above, which have been legally constituted in the territory of the other Party, shall be governed by the laws and regulations in force in the State concerned.

3. All companies shall enjoy in respect of their admission and activities, and in every other respect the same treatment as is accorded to the most favoured nation.

Article III.

1. Each of the High Contracting Parties shall undertake to grant to the other the most favoured treatment which it has granted or may hereafter grant to any third State as regards exportation, importation, warehousing and the transit of goods, the payment of duties and taxes and the completion of Customs formalities.

2. Products of the soil and industry of Greece imported into the Netherlands, the Netherlands East Indies, Surinam and Curaçao, and the products of the soil and industry of the Netherlands, Netherlands East Indies, Surinam and Curaçao imported into Greek territory shall not be subjected to any duties, rates or surtaxes or consumption or supercharges of any kind other or higher than those imposed on similar products of the most favoured foreign nation.

3. The provisions of this Article shall not apply :

(a) To privileges granted or which may be granted by either of the Parties in frontier traffic with neighbouring countries ;

(b) To special facilities resulting from a Customs union.

Article IV.

If circumstances render it unavoidable, the two High Contracting Parties may require that produce and merchandise imported into their territories shall be accompanied by a certificate of origin issued by a competent authority. In case they should require the certificates in question to be authenticated by a consular official, the two Governments shall settle by agreement the fees which may be levied for such legislation.

Article V.

1. Articles liable to Customs duty and imported as samples — with the exception of goods the import of which is prohibited — shall temporarily be admitted by both Parties duty free, subject to the observance of the Customs formalities required to ensure that these articles will be re-exported exactly as they entered the country.

2. The recognition marks affixed to the samples by the authorities of one of the High Contracting Parties shall, for the purpose of establishing their identity, be recognised by the authorities of the other Party, though the latter authorities shall be entitled, whenever they think necessary, to add their own national recognition marks.

3. This privilege of exemption from Customs duties may be withdrawn in the case of commercial travellers and firms which do not conform to the established regulations.

Article VI.

Subject to the provision contained in paragraph 2 of this Article, each of the High Contracting Parties shall grant to the shipping of the other Party, in every respect, treatment at least as favourable as that granted to the shipping of nationals or of the most favoured nation.

Nevertheless, the High Contracting Parties reserve the right to regulate coasting trade.

Article VII.

Any dispute in regard to the interpretation, application or execution of the present Treaty which it has not been possible to settle between the High Contracting Parties through the diplomatic channel, shall be submitted to the Permanent Court of International Justice¹.

Article VIII.

The provisions of this Convention shall likewise apply to the Netherlands East Indies, Surinam and Curaçao.

Article IX.

The present Convention shall be ratified and the ratifications shall be exchanged at Athens as soon as possible. It shall come into force fifteen days after the exchange of ratifications and it shall remain binding for one year as from the date of its coming into force and shall be regarded as tacitly renewed for successive periods of one year unless it is denounced by one of the High Contracting Parties not later than six months before the expiration of this term.

In faith whereof the Plenipotentiaries have signed the present Convention.

Done in duplicate at Athens on May the twelfth, One thousand nine hundred and twenty-six.

(L. S.) C. D. SCHULLER TOT PEURSUM.

(L. S.) L. KANAKARIS ROUPHOS.

PROTOCOL.

It is agreed that in this Treaty, whenever it is provided that one of the High Contracting Parties shall grant to the other the same treatment as it grants to its own nationals or to nationals of the most favoured nation, the more favourable of these two treatments shall be granted.

It is likewise agreed that the most-favoured-nation clause cannot be invoked by either of the High Contracting Parties as a plea for obtaining rights or privileges arising out of Conventions on private international law.

Done in duplicate at Athens, May the twelfth, One thousand nine hundred and twenty-six.

(L. S.) C. D. SCHULLER TOT PEURSUM.

(L. S.) L. KANAKARIS ROUPHOS.

¹ Vol. VI, page 379; Vol. XI, page 404; Vol. XV, page 304; Vol. XXIV, page 152; Vol. XXVII, page 416; Vol. XXXIX, page 165; Vol. XLV, page 96; Vol. L, page 159 and Vol. LIV, page 387 of this Series.

PROTOCOL.

When proceeding on this day to sign the commercial Convention between The Netherlands and Greece, the Plenipotentiaries of the Netherlands and Greece, being duly authorised for this purpose, and having regard to Article IV of the aforesaid Convention, declare that their respective Governments undertake that at no time during the validity of the aforesaid Convention will they levy any fees for the consular authentication of certificates of origin, in cases where such authentication may be considered necessary.

Done in duplicate at Athens, May the twelfth, One thousand nine hundred and twenty-six.

For The Netherlands :

(L. S.) C. D. SCHULLER TOT PEURSUM.

For Greece :

(L. S.) L. KANAKARIS ROUPHOS.

PROTOCOL OF SIGNATURE.

When proceeding to sign the Commercial Convention between the Netherlands and Greece, the respective Plenipotentiaries, being duly authorised for this purpose, declare that their Governments undertake reciprocally to accord each other the rights and privileges granted to the most favoured nation, as from this day, the date of signing the aforesaid Commercial Convention until such time as the Convention shall come into force.

Done in duplicate at Athens, May the twelfth, One thousand nine hundred and twenty-six.

For The Netherlands :

(L. S.) C. D. SCHULLER TOT PEURSUM.

For Greece :

(L. S.) L. KANAKARIS ROUPHOS.