

N° 1974.

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## ESTONIE ET ITALIE

Echange de notes comportant un accord pour le règlement provisoire des relations économiques entre les deux pays. Rome, le 1<sup>er</sup> juillet 1928.

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## ESTONIA AND ITALY

Exchange of Notes constituting an Agreement for the Provisional Settlement of Economic Relations between the two Countries. Rome, July 1, 1928.

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<sup>1</sup> TRADUCTION. — TRANSLATION.

No. 1974. — EXCHANGE<sup>2</sup> OF NOTES BETWEEN THE ESTONIAN AND ITALIAN GOVERNMENTS CONSTITUTING AN AGREEMENT FOR THE PROVISIONAL SETTLEMENT OF ECONOMIC RELATIONS BETWEEN THE TWO COUNTRIES. ROME, JULY 1, 1928.

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*French official text communicated by the Italian and Estonian Ministers for Foreign Affairs. The registration of this Exchange of Notes took place March 12, 1929.*

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THE ITALIAN MINISTER FOR FOREIGN AFFAIRS TO THE ESTONIAN MINISTER IN ROME.

ROME, July 1, 1928. VI.

MONSIEUR LE MINISTRE,

I have the honour to inform you that the Italian Government accepts the proposal made by the Estonian Government for the provisional regulations of the economic relations between the two countries, pending the conclusion of the definitive commercial treaty, in regard to which negotiations have already been begun, and suggests that the following clauses should be adopted :

1. The two Contracting Parties agree that in all matters relating to temporary residence, establishment, the enjoyment of civil rights, the right to appear in the Courts either as plaintiff or defendant, and the exercise of commerce, industry, trades and professions, any privilege, favour or immunity whatsoever which have already been accorded or may hereafter be accorded by either Party to the nationals and companies of every kind of any other State, shall be immediately and unconditionally extended to the nationals and companies of every kind of the other Contracting Party.

Fiscal matters (taxes, charges and contributions of every kind) and navigation shall be governed by paragraphs 4 and 5.

2. The two Contracting Parties shall grant each other most-favoured-nation treatment as regards the amount, the guaranteeing and the levying of import and export duties, and in all matters that concern transit, temporary importation and exportation, re-exportation, the warehousing and transshipment of goods, railway transport and Customs formalities.

3. Italy may not make use of the most-favoured-nation clause in order to support a claim to the Customs treatment which Estonia has granted or may hereafter grant to products originating in and coming from Latvia, Lithuania, Finland or the Union of Soviet Socialist Republics. Nevertheless, it is understood that Italy shall be entitled to claim the same advantages immediately if they have been or are in future accorded by Estonia to a third State not mentioned above. Estonia, for her part, shall not be entitled to claim the preferential treatment which Italy has granted or may hereafter grant to her colonies, protectorates or possessions.

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<sup>1</sup> Traduit par le Secrétariat de la Société des Nations, à titre d'information.

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

<sup>2</sup> The Exchange of ratifications took place at Rome, February 27, 1929.

The following are likewise excepted : benefits which are already granted or may hereafter be granted by either Contracting Party to contiguous countries in order to facilitate frontier traffic, and benefits resulting from a Customs union which has already been concluded or may hereafter be concluded by either Contracting Party.

4. Provided they conform to the laws of the country, the nationals and companies of every kind of either Contracting Party shall, in the territory of the other, enjoy, as regards their person, property, rights and interests, the same treatment in every respect as that granted to the nationals and companies of the latter Party in regard to taxes, duties, charges or licence fees of any denomination whatsoever levied in the name and for the profit of the State, local authorities or corporations.

5. The vessels of either Contracting Party, their crews and cargoes and their passengers and baggage, shall be treated in the ports of the other on terms of complete equality, both as regards, general or special charges, the stationing of the vessels, facilities for mooring, loading or unloading and, in general, as regards all formalities or regulations whatsoever to which merchant vessels, their cargoes and crews, passengers and baggage may be subject.

Similarly, any other privilege in regard to navigation which has been or may hereafter be granted by either Contracting Party to a third Power shall immediately and unconditionally be extended to the other.

The above-mentioned privileges and rights shall not extend :

- (a) To special laws for the protection of the national mercantile marine ;
- (b) To special concessions granted to nautical sporting societies and to pleasure vessels ;
- (c) To the services of the ports and to the coasting trade ;
- (d) To fishing in the territorial waters of the Contracting Parties.

Tonnage measurement certificates and other tonnage measurement documents issued by either Contracting Party shall be recognised as valid by the other Party, the respective laws of the two countries in regard to tonnage measurement having been found to be in complete agreement.

6. The present provisional arrangement shall be ratified and the ratifications shall be exchanged at Rome as soon as possible.

It shall come into force as from the date of the exchange of ratifications and shall remain in force until it is replaced by a definitive commercial treaty, which the two Parties undertake to conclude as soon as possible. Nevertheless, the Parties reserve the right at any time to denounce the present arrangement ; in such case, it shall cease to have effect one month after denunciation.

On behalf of the Italian Government, I have the honour to request you to inform me whether your Government agrees to these proposals and I am, etc.

MUSSOLINI.

## THE ESTONIAN MINISTER IN ROME TO THE ITALIAN MINISTER FOR FOREIGN AFFAIRS.

ROME, July 1, 1928.

MONSIEUR LE MINISTRE,

In your note of even date Your Excellency was good enough to inform me that the Italian Government accepts the proposal made by the Estonian Government for the provisional regulation of the economic relations between the two countries, pending the conclusion of a definitive commercial treaty in regard to which negotiations have already been begun, and suggests that the following clauses should be adopted :

1. The two Contracting Parties agree that, in all matters relating to temporary residence, establishment, the enjoyment of civil rights, the right to appear in the Courts either as plaintiff or defendant, and the exercise of commerce, industry, trades and professions, any privilege, favour or immunity whatsoever which has already been accorded or may hereafter be accorded by either Party to the nationals and companies of every kind of any other State, shall be immediately and unconditionally extended to the nationals and companies of every kind of the other Contracting Party.

Fiscal matters (taxes, charges and contributions of every kind) and navigation shall be governed by paragraphs 4 and 5.

2. The two Contracting Parties shall grant each other most-favoured-nation treatment as regards the amount, the guaranteeing and the levying of import and export duties, and in all matters that concern transit, temporary importation and exportation, re-exportation, the warehousing and transshipment of goods, railway transport and Customs formalities.

3. Italy may not make use of the most-favoured-nation clause in order to support a claim for the Customs treatment which Estonia has granted or may hereafter grant to products originating in and coming from Latvia, Lithuania, Finland or the Union of Soviet Socialist Republics. Nevertheless, it is understood that Italy shall be entitled to claim the same advantages immediately if they have been or are in future accorded by Estonia to a third State not mentioned above. Estonia, for her part, shall not be entitled to claim the preferential treatment which Italy has granted or may hereafter grant to her colonies, protectorates or possessions.

The following are likewise excepted : benefits which are already granted or may hereafter be granted by either Contracting Party to contiguous countries in order to facilitate frontier traffic, and benefits resulting from a Customs union which has already been concluded or may hereafter be concluded by either Contracting Party.

4. Provided they conform to the laws of the country, the nationals and companies of every kind of either Contracting Party shall, in the territory of the other, enjoy, as regards their person, property, rights and interests, the same treatment in every respect as that granted to the nationals and companies of the latter Party in regard to taxes, duties, charges or licence fees of any denomination whatsoever, levied in the name and for the profit of the State, local authorities or corporations.

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6. The present provisional arrangement shall be ratified and the ratifications shall be exchanged at Rome as soon as possible.

It shall come into force as from the date of the exchange of ratifications and shall remain in force until it is replaced by a definitive commercial treaty, which the two Parties undertake to conclude as soon as possible. Nevertheless, the Parties reserve the right at any time to denounce the present arrangement ; in such case, it shall cease to have effect one month after denunciation.

I have the honour to inform Your Excellency that the Estonian Government agrees to the above-mentioned proposals of the Italian Government for the provisional regulation of the economic relations between our two countries, pending the conclusion of a definitive commercial treaty, in regard to which negotiations have already been begun.

I have the honour, etc.,

K. TOFER.