

N° 2507.

PAYS-BAS ET ROUMANIE

Arrangement commercial provisoire,
signé à La Haye, le 29 août 1930,
et échange de notes y relatif, de
la même date.

**THE NETHERLANDS
AND ROUMANIA**

Provisional Commercial Agreement,
signed at The Hague, August
29, 1930, and Exchange of Notes
relating thereto of the same date.

¹ TRADUCTION. — TRANSLATION.

No. 2507. — PROVISIONAL COMMERCIAL AGREEMENT BETWEEN
THE NETHERLANDS AND ROUMANIA. SIGNED AT THE HAGUE,
AUGUST, 29, 1930.

French official text communicated by the Netherlands Minister at Berne and the Roumanian Envoy Extraordinary and Minister Plenipotentiary accredited to the League of Nations. The registration of this Agreement took place October 30, 1930.

THE ROYAL GOVERNMENT OF THE NETHERLANDS and THE ROYAL GOVERNMENT OF ROUMANIA, desirous of promoting the development of commercial relations between the Netherlands and Roumania pending the conclusion of a permanent treaty of commerce, have decided to conclude a provisional commercial agreement, and have designated for that purpose as their Plenipotentiaries :

THE ROYAL GOVERNMENT OF THE NETHERLANDS :

Jonkheer Frans BEELAERTS VAN BLOKLAND, Minister for Foreign Affairs of the Netherlands ;

THE ROYAL GOVERNMENT OF ROUMANIA :

M. Alexandre DUILIUS ZAMFIRESCO, Chargé d'Affaires of Roumania at The Hague ;

Who have agreed on the following provisions :

Article I.

Nationals and commercial, industrial, financial and insurance companies, transport and communication undertakings, and in general, all legally-incorporated undertakings of either of the High Contracting Parties, shall enjoy in the territory of the other Party in respect of their persons and their property, rights and interests, most-favoured-nation treatment as regards admission on, residence, establishment, the conduct of trade and industry or any other professional activity, the acquisition and ownership of movable and immovable property, and as regards all taxes, charges or dues of any kind whatsoever, provided always that they comply with the laws and regulations concerning the same. The products of the soil and industry of either High Contracting Party shall likewise enjoy most-favoured-nation treatment in the territory of the other Party so far as concerns import and export, warehousing, re-export, transit, and in general all measures applicable to the said products. The shipping of either High Contracting Party shall also enjoy most-favoured-nation treatment in the territory of the other Party so far as concerns all measures applicable to navigation in the waters and ports of the said other Party.

In consequence, each High Contracting Party undertakes immediately to extend to the other Party, without conditions or compensation, all favours, concessions, and reductions of duties which it has granted or may hereafter grant to any third Power.

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

¹ Translated by the Secretariat of the League of Nations, for information.

Article 2.

Most-favoured-nation treatment shall also apply to the amount of, security required for, and levying of Customs duties and other taxes, and to Customs formalities and their application, to the procedure and conditions laid down for the payment of Customs duties and other taxes, to the delivery of goods, to the application, classification and interpretation of the Customs tariff, and to the procedure for the analysis of goods.

Article 3.

The High Contracting Parties undertake not to impede traffic between their territories by any import or export prohibition or restriction.

Exceptions may, however, be made to this rule — provided that they are applicable to all States or to States in which similar conditions prevail — in the following cases :

- (a) On grounds of public safety ;
- (b) On moral or humanitarian grounds or for the protection of public health or for the purpose of ensuring the protection of animals or plants from diseases, insects or harmful parasites and the protection of plants from extinction and degeneration ;
- (c) In respect of the traffic in arms, ammunition and implements of war, and, in exceptional circumstances, also in respect of other war supplies ;
- (d) In respect of products which constitute or may hereafter constitute a State monopoly in the territory of one of the High Contracting Parties, and for the purpose of extending to foreign goods all other prohibitions or restrictions which are imposed by internal legislation upon the production of, trade in, transport or consumption of similar national goods within the country ;
- (e) For the protection of the artistic, historical or archaeological heritage of the nation ;
- (f) In respect of prohibitions or restrictions concerning gold, silver, specie, paper money or securities.

The present Agreement shall not affect the right of the High Contracting Parties to take measures of prohibition or restriction concerning imports or exports in order to safeguard the vital interests of the country in exceptional and abnormal circumstances.

Should measures of such a nature be taken, they must be applied in such a manner as not to lead to any arbitrary discrimination against the other Party. Their duration must be limited to the duration of the causes or circumstances giving rise to them.

Article 4.

So far as the provisions of the present Agreement concern the reciprocal concession of most-favoured-nation treatment, they shall not be applicable to :

- (a) Special privileges which are or may hereafter be granted by one of the High Contracting Parties to adjoining States to facilitate frontier traffic in a zone not exceeding 15 kilometres on either side of the frontier ;
- (b) Obligations resulting from a Customs union which has already been entered into or which may hereafter be entered into by one of the High Contracting Parties ;
- (c) Privileges granted by one of the High Contracting Parties to a third State by a convention for the adjustment of taxation at home and abroad, and more especially for the prevention of double taxation, or for the purpose of providing legal safeguards and judicial assistance in matters of taxation ;

(d) Privileges granted by one of the High Contracting Parties to a third Power exclusively under multilateral conventions of general import which are open for accession to all countries and which are concluded subsequent to March 1, 1930, under the auspices of the League of Nations, unless the other High Contracting Party also in practice grants the same privileges.

Article 5.

The present Agreement shall come into force on the expiry of the prolongation of the *modus vivendi* of December 18 and 19, 1922, between the Netherlands and Roumania, that is to say on September 1, 1930, and shall remain binding until the coming into force of the permanent treaty of commerce at present being negotiated.

Nevertheless each of the High Contracting Parties shall have the right to denounce it after February 1, 1931, at one month's notice.

In faith whereof the respective Plenipotentiaries have signed the present Agreement and have thereto affixed their seals.

Done in duplicate at The Hague, August 29, 1930.

(L. S.) BEELAERTS VAN BLOKLAND.

(L. S.) Alexandre DUILIUS ZAMFIRESCO.

EXCHANGE OF NOTES.

French official text communicated by Netherlands Minister at Berne.

MINISTRY
OF FOREIGN AFFAIRS.

DIRECTORATE
OF ECONOMIC AFFAIRS.

No. 27790.

THE HAGUE, August 29, 1930.

SIR,

At the moment of proceeding to sign the provisional commercial agreement concluded on to-day's date between the Netherlands and Roumania, I have the honour to make the following declaration. It is fully understood that the present agreement shall also apply to the Dutch Indies, Surinam and Curaçao, except Article 3 and except, in the case of the Dutch Indies, so far as concerns the coasting trade on the coasts of the Dutch Indies, which matter shall be exclusively dealt with by the laws and regulations in force in that territory. It is furthermore fully understood that this is entirely without prejudice to the point of view of the Roumanian Government regarding the settlement of these matters in the permanent treaty of commerce at present under negotiation.

I have the honour, etc.

BEELAERTS VAN BLOKLAND.

Monsieur Alexandre Duilius Zamfiresco,
Chargé d'Affaires of Roumania,
The Hague.

No. 2507

ROYAL ROUMANIAN LEGATION
IN THE NETHERLANDS.

THE HAGUE, *August 29, 1930.*

SIR,

At the moment of proceeding to sign the provisional commercial agreement concluded on to-day's date between the Netherlands and Roumania, I have the honour to make the following declaration. It is fully understood that the present agreement shall also apply to the Dutch Indies, Surinam and Curaçao, except Article 3 and except, in the case of the Dutch Indies, so far as concerns the coasting trade on the coasts of the Dutch Indies, which matter shall be exclusively dealt with by the laws and regulations in force in that territory. It is furthermore quite understood that this is entirely without prejudice to the point of view of the Roumanian Government regarding the settlement of these matters in the permanent Treaty of Commerce at present under negotiation.

I have the honour, etc.

Alex. DUILIUS ZAMFIRESCO.

To His Excellency
Jonkheer F. Beelaerts van Blokland,
Minister for Foreign Affairs,
The Hague.
