

N° 529.

**ROYAUME-UNI ET
LETTONIE**

Traité de commerce et de navigation,
signé à Londres le 22 juin 1923.

**UNITED KINGDOM
AND LATVIA**

Treaty of Commerce and Navigation,
signed at London, June 22, 1923.

No. 529. — TREATY OF COMMERCE AND NAVIGATION¹ BETWEEN THE UNITED KINGDOM AND LATVIA, SIGNED AT LONDON, JUNE 22, 1923.

Texte officiel anglais communiqué par le Ministère des Affaires étrangères de Sa Majesté Britannique et le Ministre des Affaires étrangères de Lettonie. L'enregistrement de ce traité a eu lieu le 3 décembre 1923.

HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND and OF THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA, and THE PRESIDENT OF THE LATVIAN REPUBLIC, being desirous of further facilitating and extending the commercial relations already existing between their respective countries, have determined to conclude a Treaty of Commerce and Navigation with this object, and have appointed as their Plenipotentiaries, that is to say :

HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN and IRELAND and OF THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA :

the Most Honourable the Marquess CURZON OF KEDLESTON, K.G., His Majesty's Principal Secretary of State for Foreign Affairs ; and

THE PRESIDENT OF THE LATVIAN REPUBLIC :

M. George BISSENEEK, Envoy Extraordinary and Minister Plenipotentiary of the Latvian Republic in London,

who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles :

Article 1.

There shall be between the territories of the two Contracting Parties reciprocal freedom of commerce and navigation.

The subjects or citizens of each of the two Contracting Parties shall have liberty freely to come, with their ships and cargoes, to all places and ports in the territories of the other to which subjects or citizens of that Party are, or may be, permitted to come, and shall enjoy the same rights, privileges, liberties, favours, immunities and exemptions in matters of commerce and navigation as are or may be enjoyed by subjects or citizens of that Party.

The subjects or citizens of each of the Contracting Parties shall not be subject, in respect of their persons or property, or in respect of their commerce or industry, to any taxes, whether general or local, or to imposts or obligations of any kind whatever, other or greater than those which are

¹ L'échange des ratifications a eu lieu à Londres le 5 novembre 1923.

¹ TRADUCTION. — TRANSLATION.No. 529. — TRAITÉ DE COMMERCE ET DE NAVIGATION ² ENTRE LE ROYAUME-UNI ET LA LETTONIE, SIGNÉ A LONDRES LE 22 JUIN 1923.

English official text communicated by His Britannic Majesty's Foreign Office and by the Minister for Foreign Affairs of Latvia. The registration of this Treaty took place December 3, 1923.

Le PRÉSIDENT DE LA RÉPUBLIQUE DE LETTONIE, et SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE-BRETAGNE et d'IRLANDE et DES TERRITOIRES BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES, animés du désir de faciliter encore et de développer les relations commerciales qui existent déjà entre leurs pays respectifs, ont décidé de conclure à cet effet un traité de commerce et de navigation, et ont désigné comme leurs plénipotentiaires :

LE PRÉSIDENT DE LA RÉPUBLIQUE DE LETTONIE :

M. Georges BISSENEEK, Envoyé extraordinaire et Ministre plénipotentiaire de la République de Lettonie à Londres ;

SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE-BRETAGNE et d'IRLANDE et DES TERRITOIRES BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES :

Le Très Honorable Marquis CURZON OF KEDLESTON K.G., Principal Secrétaire d'Etat de Sa Majesté aux Affaires étrangères,

qui, après avoir échangé leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des dispositions suivantes :

Article I.

Le commerce et la navigation seront réciproquement libres entre les territoires respectifs des deux Parties contractantes.

Les sujets ou ressortissants de chacune des deux Parties contractantes pourront se rendre librement, avec leurs navires et leurs cargaisons, à tous les endroits et ports situés sur les territoires de l'autre Partie, dont l'accès est ouvert ou pourra être ouvert aux sujets ou ressortissants de cette Partie, et ils jouiront des mêmes droits, privilèges, franchises, avantages, immunités et exemptions en matière de commerce et de navigation que ceux qui sont accordés ou pourront être accordés aux sujets ou ressortissants de cette Partie.

Les sujets ou ressortissants de chacune des Parties contractantes ne seront soumis, quant à leurs personnes ou leurs biens ou quant à leur commerce ou leur industrie, à aucune taxe, soit générale, soit locale, ni à aucun impôt ou obligation, quelle que soit leur nature, autres ou plus éle-

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 London, November 5, 1923.

or may be imposed upon subjects or citizens of the other, or subjects or citizens of the most-favoured nation.

Article 2.

The Contracting Parties agree that, in all matters relating to commerce, navigation and industry, any privilege, favour or immunity which either Contracting Party has actually granted, or may hereafter grant, to the ships and subjects or citizens of any other foreign State, shall be extended simultaneously and unconditionally, without request and without compensation to the ships and subjects or citizens of the other, it being their intention that the commerce, navigation and industry of each Party shall be placed in all respects on the footing of the most-favoured nation.

Article 3.

The subjects or citizens of each of the Contracting Parties in the territories of the other shall be at full liberty to acquire and possess every description of property, movable and immovable, which the laws of that Party permit, or shall permit, the subjects or citizens of any other foreign country to acquire and possess. They may dispose of the same by sale, exchange, gift, marriage, testament, or in any other manner, or acquire the same by inheritance under the same conditions which are or shall be established with regard to the subjects or citizens of that Contracting Party. They shall not be subjected, in any of the cases mentioned, to any taxes, imposts, or charges of whatever denomination other or higher than those which are or shall be applicable to subjects or citizens of that Contracting Party.

The subjects or citizens of each of the Contracting Parties shall also be permitted, on compliance with the laws of the other Party, freely to export the proceeds of the sale of their property and goods in general without being subjected as foreigners to other or higher duties than those to which the subjects or citizens of that Party would be liable under similar circumstances.

Article 4.

The subjects or citizens of each of the Contracting Parties in the territories of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, national guard or militia. They shall similarly be exempted from all judicial, administrative and municipal functions whatever, other than those imposed by the laws relating to juries, as well as from all contributions, whether pecuniary or in kind, imposed as an equivalent for personal service, and finally from any military exactions or requisitions. The charges connected with the possession by any title of landed property are, however, excepted, as well as compulsory billeting and other special military exactions or requisitions, to which all subjects or citizens of that Party may be liable as owners or occupiers of buildings or land.

In the above respects the subjects or citizens of each of the Contracting Parties shall not be accorded in the territories of the other less favourable treatment than that which is, or may be, accorded to subjects or citizens of the most-favoured nation.

Article 5.

Articles, the produce or manufacture of the territories of one of the Contracting Parties imported into the territories of the other, from whatever place arriving, shall not be subject to other

or higher duties or charges than those paid on the like articles, the produce or manufacture of the territories of any other foreign country. Nor shall any prohibition or restriction be maintained or imposed on the importation of any article, the produce or manufacture of the territories of either of the Contracting Parties into the territories of the other, from whatever place arriving, which shall not equally extend to the importation of the like articles being the produce or manufacture of the territories of any other foreign country.

The only exceptions of this general rule shall be in the case of the sanitary or other prohibitions occasioned by the necessity of securing the safety of persons or of cattle or of plants useful to agriculture, and of the measures applicable in the territories of either of the Contracting Parties to articles enjoying a direct or indirect bounty in the territories of the other Contracting Party.

Article 6.

Articles, the produce or manufacture of the territories of either of the Contracting Parties, exported to the territories of the other, shall not be subjected to other or higher duties or charges than those paid on the like articles exported to any other foreign country. Nor shall any prohibition or restriction be imposed on the exportation of any article from the territories of either of the Contracting Parties to the territories of the other which shall not equally extend to the exportation of the like article to any other foreign country.

Article 7.

As an exception from the general undertaking given by the Latvian Government to accord most-favoured-nation treatment to the commerce of His Britannic Majesty's territories, it is understood that His Britannic Majesty will not claim the benefit of any Customs preferences or other facilities of whatever nature which are, or may be, granted by Latvia in favour of Russia, Finland, Esthonia or Lithuania in regard to Russian, Finnish, Esthonian or Lithuanian goods respectively so long as such preferences or facilities are not extended by Latvia to any other foreign country.

Article 8.

The stipulations of the present Treaty with regard to the mutual accord of the treatment of the most-favoured nation apply unconditionally to the treatment of commercial travellers and their samples. The Chambers of Commerce, as well as such other Trade Associations and other recognised Commercial Associations, in the territories of the Contracting Parties, as may be authorised in this behalf, shall be mutually accepted as competent authorities for issuing any certificates that may be required for commercial travellers.

Articles imported by commercial travellers as samples shall in the territories of each of the Contracting Parties be temporarily admitted free of duty on compliance with the Customs regulations and formalities established to assure their re-exportation or the payment of the prescribed Customs duties if not re-exported within the period allowed by law. But the foregoing privilege shall not extend to articles which, owing to their quantity or value, cannot be considered as samples, or which, owing to their nature, could not be identified upon re-exportation.

The marks, stamps or seals placed upon such samples by the Customs authorities of one Contracting Party at the time of exportation and the officially attested list of such samples, containing a full description thereof, issued by them shall be reciprocally accepted by the Customs officials of the other as establishing their character as samples and exempting them from inspection, except so far as may be necessary to establish that the samples produced are those enumerated in the list.

The Customs authorities of either Contracting Party may, however, affix a supplementary mark to such samples in special cases where they may think this precaution necessary.

Articles 9.

No internal duties levied for the benefit of the State, local authorities or corporations which affect, or may affect, the production, manufacture or consumption of any article in the territories of either of the Contracting Parties shall for any reason be a higher or more burdensome charge on articles, the produce or manufacture of the other than on similar articles of native origin.

The produce or manufacture of either of the Contracting Parties imported into the territories of the other, and intended for warehousing or transit, shall not be subjected to any internal duty. It is understood that ordinary charges for the handling of goods in the ports are not within the scope of this Article and may be levied.

Article 10.

The establishment and the activities of limited liability and other companies and associations, commercial, industrial, financial, forwarding, navigation and assurance, are based on the laws and regulations of the Contracting Party in the territories of which they may be situated.

It is understood that this Article does not give the right to impose by the enactment of laws or otherwise special conditions on companies of either of the Contracting Parties operating in the territories of the other involving treatment less favourable than that which is applied to national or foreign companies operating in those territories.

Article 11.

Limited liability and other companies and associations, commercial, industrial and financial, already or hereafter to be organised in accordance with the laws of either Contracting Party, and registered in the territories of such Party, are authorised, in the territories of the other, to exercise their rights and to appear in the Courts either as plaintiffs or defendants, subject to the laws of such other Party.

Article 12.

Each of the Contracting Parties undertakes to place no obstacle in the way of any company (duly organised in accordance with the laws of the other) which may desire to carry on in its territories, whether through the establishment of branches or otherwise, commercial, industrial, insurance, banking, or other description of business which the subjects or companies of any foreign country are or may be permitted to carry on ; and in framing and administering laws with regard to the taxation of such companies and branches, each Contracting Party will be guided by the principle embodied in Article 1 of this Treaty, that is to say, that the system of taxation shall be so framed and administered as to place national companies and the business in the territories of each Contracting Party of the companies organised in the territories of the other so far as possible on the same footing in this respect.

Article 13.

The measures taken by the Contracting Parties for regulating and forwarding traffic across their territories shall facilitate free transit by rail or waterway on routes in use convenient for international transit. No distinction shall be made which is based on the nationality of persons, the flag of vessels, the place of origin, departure, entry, exit or destination, or on any circumstances relating to the ownership of goods or of vessels, coaching or goods stock or other means of transport.

In order to ensure the application of the foregoing provisions, the Contracting Parties will allow transit in accordance with the customary conditions and reserves across their territorial waters.

Traffic in transit shall not be subject to any special dues in respect of transit (including entry and exit), except for such dues as are intended solely to defray expenses of supervision and administration entailed by such transit. It is understood that ordinary charges for the handling of the goods in the ports are not within the scope of this Article and may be levied.

Neither Contracting Party shall be bound by this Article to afford transit for passengers whose admission into its territories is forbidden, or for goods of a kind of which the importation is prohibited, either on grounds of public health or security, or as a precaution against diseases of animals and plants.

For the purpose of this Article, persons, baggage and goods, and also vessels, coaching and goods stock and other means of transport, shall be deemed to be in transit across the territories of the Contracting Parties when the passage across such territories, with or without transshipment, warehousing, breaking bulk, or change in the mode of transport, is only a portion of a complete journey, beginning and terminating beyond the frontier of the Party across whose territories the transit takes place.

Article 14.

Each of the Contracting Parties shall permit the importation or exportation of all merchandise which may be legally imported or exported, and also the carriage of passengers from or to their respective territories upon the vessels of the other ; and such vessels, their cargoes and passengers, shall enjoy the same privileges as, and shall not be subjected to any other or higher duties or charges than, national vessels and their cargoes and passengers or the vessels, cargoes and passengers of the most-favoured nation.

Article 15.

The provisions of this Treaty relating to the mutual concession of national treatment in matters of navigation do not apply to the coasting trade, in respect of which the subjects and vessels of the Contracting Parties shall enjoy most-favoured-nation treatment.

British and Latvian vessels may nevertheless proceed from one port to another, either for the purpose of landing the whole or part of their cargoes or passengers brought from abroad, or of taking on board the whole or part of their cargoes or passengers for a foreign destination.

It is also understood that, in the event of the coasting trade of either Party being exclusively reserved to national vessels, the vessels of the other Party, if engaged in trade to or from places not within the limits of the coasting trade so reserved, shall not be prohibited from the carriage

between two ports of the former Party of passengers holding through tickets or merchandise consigned on through bills-of-lading to or from places not within the above-mentioned limits, and while engaged in such carriage these vessels and their passengers and cargoes shall enjoy the full privileges of this Treaty.

Article 16.

In all that regards the stationing, loading and unloading of vessels in the ports, docks, roadsteads and harbours of the territories of the Contracting Parties, no privilege or facility shall be granted by either Party to vessels of any other foreign country or to national vessels which is not equally granted to vessels of the other Party.

Article 17.

In regard to duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other analogous duties or charges of whatever denomination, levied in the name or for the profit of the Government, public functionaries, private individuals, corporations or establishments of any kind, the vessels of either Contracting Party shall enjoy in the ports of the territories of the other treatment at least as favourable as that accorded to national vessels or the vessels of any other foreign country.

Article 18.

Any vessel of either of the Contracting Parties which may be compelled, by stress of weather or by accident, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to put to sea again, without paying any dues other than such as would be payable in a similar case by a national vessel. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his merchandise in order to defray his expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, such vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandise saved therefrom, including any which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked vessel, shall be given up to the owners of such vessel, goods, merchandise, etc., or to their agents when claimed by them. If there are no such owners or agents on the spot, then the vessel, goods, merchandise, etc., referred to shall, in so far as they are the property of a subject or citizen of the other Contracting Party, be delivered to the Consular Officer of that Contracting Party in whose district the wreck or stranding may have taken place, upon being claimed by him within the period fixed by the laws of that Contracting Party, and such Consular Officers, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck or stranding of a national vessel.

The Contracting Parties agree, moreover, that merchandise saved shall not be subjected to the payment of any Customs duty unless cleared for internal consumption.

In the case of a vessel either being driven in by stress of weather, run aground, or wrecked, the respective Consular Officers shall, if the owner or master or other agent of the owner is not

present, or is present and requires it, be authorised to interpose in order to afford the necessary assistance to their fellow-countrymen.

Article 19.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to Latvian law, are to be deemed Latvian vessels, shall for the purpose of this Treaty be deemed British and Latvian vessels respectively.

Article 20.

It shall be free to each of the Contracting Parties to appoint Consuls-General, Consuls, Vice-Consuls and Consular Agents to reside in the territories of the other. Such Consuls-General, Consuls, Vice-Consuls and Consular Agents, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent.

Article 21.

The Consular Officers of each of the Contracting Parties residing in the territories of the other shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

Provided that this stipulation shall not apply to subjects or citizens of the Contracting Party in whose territory the desertion takes place.

Article 22.

The subjects or citizens of each of the Contracting Parties shall have in the territories of the other the same rights in regard to patents for inventions, trade marks and designs, and copyright in literary and artistic works as their respective laws do now or may hereafter grant to their own subjects or citizens.

Article 23.

Latvia agrees on condition of reciprocity to recognise and protect all rights in any industrial, literary or artistic property belonging to British subjects in force, or which but for the war or revolution in Russia would have been in force in any part of her territories before transfer to Latvia, and for the purpose of renewal of such rights the proper extension of time will be accorded.

It is understood that for the purposes of the above provisions Latvia may require proof of title and also registration of such rights in Latvia.

It is further understood that patents and trade marks which have been registered in Latvia before the date of conclusion of this Treaty, and would be identical with those previously registered by British subjects in Russia, can be revoked in Latvia only by the decision of the Courts of Law. Latvia agrees to promulgate within six months from the date of the ratification of this Treaty a special law concerning revocation of patents and trade marks so registered.

Article 24.

All goods bearing marks or descriptions which state or manifestly suggest that the goods are the produce or manufacture of the territories of either of the Contracting Parties shall, if such statement or suggestion be false, be seized on importation into the territories of either of the two Parties. The seizure may also be effected in the State where the false indication of origin has been applied, or in that into which the goods bearing the false indication may have been imported.

The seizure shall be effected either at the request of the proper Government Department or of an interested party, whether an individual or a society, in conformity with the domestic legislation of each Contracting Party, but the authorities are not bound to effect the seizure of goods in transit.

The tribunals of each Contracting Party shall decide what descriptions, on account of their generic character, do not fall within the provisions of the present Article.

Article 25.

This Treaty shall not be deemed to confer any right or to impose any obligation in contravention of any general International Convention to which either His Britannic Majesty or the President of the Latvian Republic is or hereafter may be a party.

Article 26.

The stipulations of the present Treaty shall not be applicable to India or to any of His Britannic Majesty's self-governing Dominions, Colonies, Possessions, or Protectorates, unless notice is given by His Britannic Majesty's Representative at Riga of the desire of His Britannic Majesty that the said stipulations shall apply to any such territory.

Nevertheless, goods produced or manufactured in India or in any of His Britannic Majesty's self-governing Dominions, Colonies, Possessions, or Protectorates shall enjoy in Latvia complete and unconditional most-favoured-nation treatment so long as goods produced or manufactured in Latvia are accorded in India or such self-governing Dominion, Colony, Possession or Protectorate treatment as favourable as that accorded to goods produced or manufactured in any other foreign country.

Article 27.

The terms of the preceding Article relating to India and to His Britannic Majesty's self-governing Dominions, Colonies, Possessions and Protectorates shall apply also to any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty.

Article 28.

The present Treaty shall be ratified and the ratifications shall be exchanged at London as soon as possible. It shall come into force immediately upon ratification, and shall remain in force until the expiration of twelve months from the date on which either of the Contracting Parties shall have denounced it.

As regards, however, India or any of His Britannic Majesty's self-governing Dominions, Colonies, Possessions or Protectorates, or any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, to which the stipulations of the present Treaty shall have been made applicable under Articles 26 or 27, either of the Contracting Parties shall have the right to terminate it separately at any time on giving twelve months' notice to that effect.

In witness whereof, the respective Plenipotentiaries have signed the present Treaty and have affixed thereunto their seals.

Done in duplicate at London the 22nd of June, 1923.

(L. S.) CURZON OF KEDLESTON.

(L. S.) G. W. BISSENEEK.