

N° 1679.

**SUÈDE ET
UNION DES RÉPUBLIQUES
SOVIÉTISTES SOCIALISTES**

Convention concernant les droits et les obligations de la représentation commerciale de l'Union à Stockholm, et protocole final y relatif. Signés à Moscou, le 8 octobre 1927.

**SWEDEN AND
UNION OF SOCIALIST
SOVIET REPUBLICS**

Convention concerning the Rights and Obligations of the Commercial Delegation of the Union at Stockholm, and Final Protocol relating thereto. Signed at Moscow, October 8, 1927.

¹ TRADUCTION. — TRANSLATION.

No. 1679. — CONVENTION² BETWEEN SWEDEN AND THE UNION OF SOCIALIST SOVIET REPUBLICS CONCERNING THE RIGHTS AND OBLIGATIONS OF THE COMMERCIAL DELEGATION OF THE UNION AT STOCKHOLM. SIGNED AT MOSCOW, OCTOBER 8, 1927.

French official text communicated by the Swedish Minister for Foreign Affairs. The registration of this Convention took place April 10, 1928.

THE GOVERNMENT OF HIS MAJESTY THE KING OF SWEDEN and THE GOVERNMENT OF THE UNION OF SOCIALIST SOVIET REPUBLICS, having signed, on March 15, 1924, an Agreement³ regulating the commercial relations between the two countries, and being desirous of establishing, for the duration of that Agreement, the rights and obligations of the organisation known as the "Commercial Delegation" set up by the Government of the Union for the purpose of carrying on foreign trade with Sweden, have resolved to conclude a Convention for this purpose, and have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF SWEDEN :

M. Carl Gerhard VON HEIDENSTAM, His Envoy Extraordinary and Minister Plenipotentiary at Moscow, and

THE CENTRAL EXECUTIVE COMMITTEE OF THE UNION OF SOCIALIST SOVIET REPUBLICS :

M. Maxim LITVINOFF, Deputy People's Commissary for Foreign Affairs,

Who, having exchanged their full powers, found in good and due form, have agreed upon the following provisions :

Article I.

Whereas the monopoly of foreign trade in the Union of Socialist Soviet Republics belongs to the State, the Swedish Government shall allow the Commercial Delegation of the Union to exercise in Swedish territory the functions entrusted to that Delegation by the Government of the Union, namely :

(a) To defend the interests of the Union and of its citizens in the matter of foreign trade, and to assist in developing commercial and economic relations between Sweden and the Union ;

(b) To regulate and conduct foreign trade and the exchange of commodities between the Union and Sweden, under conditions which shall not be contrary to the provisions of Swedish law.

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 Stockholm, March 31, 1928.

³ Vol. XXV, page 251, of this series.

The Commercial Delegation shall enjoy in Sweden the rights accorded to corporations (juridical persons) under paragraph 2 of Article II of the Commercial Agreement concluded between Sweden and the Union of Socialist Soviet Republics on March 15, 1924.

Article II.

The Commercial Delegation, which is attached to the Legation of the Union of Socialist Soviet Republics in Sweden, shall have its headquarters at Stockholm, the head of the Delegation being at present known by the title of Commercial Delegate.

The Commercial Delegate and his deputy shall belong to the diplomatic staff of the Union of Socialist Soviet Republics' Legation.

Article III.

In addition to the persons mentioned in Article II, all the members of the Commercial Delegation shall be exempt from Swedish income-tax in respect of the emoluments of their offices under the Government of the Union of Socialist Soviet Republics. It is understood that members of the Commercial Delegation shall be nationals of the Union of Socialist Soviet Republics, appointed and sent to Stockholm by the People's Commissariat for Foreign and Home Trade of the Union. They shall not exceed forty in number.

The offices of the Commercial Delegation at Stockholm shall enjoy extraterritoriality.

The Commercial Delegation shall also be entitled to use cipher.

Article IV.

Since all the acts of the Commercial Delegation are performed on behalf of the Government of the Union of Socialist Soviet Republics, the latter shall accept responsibility for all transactions concluded by its Commercial Delegate, or by the members of the Delegation duly authorised for that purpose.

The registration of the Commercial Delegation in the commercial register of the city of Stockholm shall not be required. The names of members entitled to represent the Delegation must, however, be announced by the latter in the *Official Journal (Post- och Inrikes Tidningar)* as occasion arises. Such persons shall be regarded as official representatives in connection with any transaction, until an announcement is made in the *Official Journal (Post- och Inrikes Tidningar)* by the Commercial Delegation to the effect that their powers have been withdrawn.

Article V.

Any legal disputes arising in regard to commercial transactions effected by the Commercial Delegation shall be settled in accordance with Swedish substantive law and law of procedure, it being understood, however, that, should the parties to the contract so agree, Soviet jurisdiction shall be recognised in the case of transactions concluded in Sweden but taking effect in the Union of Socialist Soviet Republics.

Article VI.

Property belonging to the Union of Socialist Soviet Republics in Sweden shall — unless, according to international law, it is used for the official business of the diplomatic and consular representatives of the Union — be liable to attachment or other measures of execution.

Article VII.

The obligation to pay income-tax to the State and Commune, to which, in accordance with Swedish fiscal legislation, the Commercial Delegation is liable as a commercial organisation shall be regulated as follows :

The taxable income shall be a lump sum, representing 0.4 % of the total turnover on the transactions effected by the Commercial Delegation.

The Commercial Delegation, while it is required, in conformity with Swedish fiscal regulations, to make a declaration of its income, shall not be obliged to furnish the competent authorities with information other than that which is necessary to determine the lump sum mentioned above.

Article VIII.

The present Convention shall be ratified by His Majesty the King of Sweden, with the approval of the Riksdag, and by the Central Executive Committee of the Union of Socialist Soviet Republics. It shall come into force on the day of the exchange of ratifications, which shall take place at Stockholm as soon as possible.

The Convention shall remain in force until the expiration of six months after the date of its denunciation by either of the Contracting Parties. It shall not, however, remain in operation longer than the Commercial Agreement concluded on March 15, 1924, between Sweden and the Union of Socialist Soviet Republics.

In faith whereof, the Plenipotentiaries have signed the present Convention, and have thereto affixed their seals.

Done in duplicate at Moscow on October 8, 1927.

(Signed) Carl G. v. HEIDENSTAM.

[(Signed) Maxim LITVINOFF.

FINAL PROTOCOL.

The stipulation contained in Article II, to the effect that the Commercial Delegate and his deputy shall belong to the diplomatic staff of the Union of Socialist Soviet Republics' Legation at Stockholm, and the stipulation in Article III, to the effect that the offices of the Commercial Delegation at Stockholm shall enjoy extraterritoriality, shall not prevent documents being served on the Delegation.

It is understood that the limitation of the number of members of the Commercial Delegation to forty, as stipulated in Article III, shall not preclude the admittance into Sweden of other persons whose services may be required in connection with the activities of the Commercial Delegation as contemplated in the Convention, but such persons shall not be entitled to the special privileges reserved for the forty members in virtue of the provisions of the above-mentioned Article.

Done in duplicate at Moscow on October 8, 1927.

(Signed) Carl G. v. HEIDENSTAM.

(Signed) Maxim LITVINOFF.