

N° 3407.

LETTONIE ET LITHUANIE

Accord commercial, avec annexes
et protocole. Signés à Riga, le
1^{er} décembre 1933.

LATVIA AND LITHUANIA

Commercial Agreement, with An-
nexes and Protocol. Signed at
Riga, December 1st, 1933.

¹ TRADUCTION. — TRANSLATION.No. 3407. — COMMERCIAL AGREEMENT² BETWEEN LATVIA AND LITHUANIA. SIGNED AT RIGA, DECEMBER 1ST, 1933.

French official text communicated by the Latvian and Lithuanian Ministers for Foreign Affairs. The registration of this Agreement took place April 16th, 1934.

THE PRESIDENT OF THE REPUBLIC OF LATVIA, of the one part,
and

THE PRESIDENT OF THE REPUBLIC OF LITHUANIA, of the other part,

Being equally desirous of promoting and extending the economic relations between the two countries, have decided to conclude an Agreement, and for this purpose have appointed as their Plenipotentiaries :

THE PRESIDENT OF THE REPUBLIC OF LATVIA :

His Excellency M. Voldemārs SALNAIS, Minister for Foreign Affairs of Latvia ;

THE PRESIDENT OF THE REPUBLIC OF LITHUANIA :

His Excellency M. Juozas URBŠYS, Envoy Extraordinary and Minister Plenipotentiary of Lithuania at Riga ;

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

Article I.

Nationals of each of the High Contracting Parties, admitted into the territory of the other High Contracting Party, shall enjoy therein, provided they comply with the laws and regulations of that Party, the same rights to travel, sojourn, settle, choose their place of residence, and move from place to place, as nationals, without being subject to any conditions or regulations other than those to which nationals are subject with regard to each of the said rights, but without prejudice to the police regulations concerning foreigners and the measures relating to the home labour market.

The nationals of each of the High Contracting Parties shall be on an equal footing with the nationals of the other High Contracting Party as regards the conduct of all commercial and industrial activities, provided they comply with the laws and regulations of the country.

The nationals of each of the High Contracting Parties shall enjoy, in the territory of the other High Contracting Party, the same treatment as the nationals of this latter Party as regards the legal and judicial protection of their persons, property, rights and interests.

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.

² The exchange of ratifications took place at Riga, December 21st, 1933.

The nationals of each of the High Contracting Parties shall receive the same treatment as nationals as regards the right to own immovable property, and shall be entitled to dispose of such property on the same conditions as nationals of the country.

With regard to the right to acquire immovable property, the High Contracting Parties reciprocally guarantee most-favoured-nation treatment.

Article 2.

In the matter of taxes and duties of every kind, and any other charges of a fiscal nature, no matter on whose behalf they are levied, the nationals of each of the High Contracting Parties shall enjoy in every respect, in the territory of the other Contracting Party, the same treatment and the same protection by the fiscal authorities and courts dealing with fiscal matters as nationals of the country, both for their persons and their property, rights and interests, including their trade and industry.

Article 3.

The nationals of each of the High Contracting Parties shall enjoy, in the territory of the other High Contracting Party, the same treatment as nationals as regards the laws and regulations relating to the protection of labour and social insurance. The nationals of the High Contracting Parties, and their families when affected, shall be entitled to benefits, compensation for industrial accidents, and insurance in respect of disablement, old age and death, irrespective of the country to which the victim of the accident (the insured person) emigrated after having acquired the right to such benefit, and of the place of residence of his family.

Article 4.

Joint-stock companies and other commercial, industrial or financial companies properly constituted in conformity with the legislation of one of the High Contracting Parties and having their head offices in the territory of that Party shall be recognised by the other High Contracting Party as being properly constituted.

The recognition of such companies by one of the High Contracting Parties shall not imply the right for such companies to establish themselves and operate in the territory of the other High Contracting Party and in general to carry out the transactions provided for in their memorandum and articles.

After admission, such companies shall enjoy the same rights as are or may in future be accorded to similar companies of the most-favoured nation.

With regard to legal protection and taxes and other duties of whatever nature, national treatment shall be applied reciprocally to such companies.

Article 5.

The products originating in and coming from Latvia enumerated in List "A" annexed hereto shall, on their importation into Lithuania, enjoy the benefit of the percentage reductions, consolidated Customs duties and import quotas indicated in the said list.

The products originating in and coming from Lithuania enumerated in List "B" annexed hereto shall, on their importation into Latvia, enjoy the benefit of the percentage reductions, consolidated Customs duties and import quotas indicated in the said list.

Article 6.

Without prejudice to the provisions of Article 5, the High Contracting Parties agree to grant each other unconditional and unrestricted most-favoured-nation treatment in respect of all matters

relating to Customs duties and all accessory duties, and the method of collecting the duties, and also in respect of the rules, formalities and charges to which Customs clearing operations may be subjected.

Accordingly, natural or manufactured products originating in the territory of either High Contracting Party shall in no case be subject, in the above-mentioned respects, to other or higher duties, dues or charges, or to other or more burdensome rules and formalities, than those which are or may in future be applied to products of the same kind originating in any third country whatsoever.

Similarly, natural or manufactured products exported from the territory of either High Contracting Party to the territory of the other High Contracting Party shall in no case be subject, in the same respects, to other or higher duties, dues or charges, or to more burdensome rules and formalities, than those which are or may in future be applied to the same products consigned to the territory of any other country whatsoever.

Any advantages, favours, privileges and immunities, which either Contracting Party has granted or may in future grant in the aforesaid respects to natural or manufactured products originating in any other country or consigned to the territory of any other country, shall be extended immediately and without compensation to products of the same kind originating in the territory of the other High Contracting Party or consigned to the territory of that Party.

The following shall, however, be excepted from the engagements laid down in the present Article :

- (1) Privileges which are or may hereafter be granted to other contiguous States with the object of facilitating frontier traffic ;
- (2) Privileges in virtue of a Customs union already existing or concluded hereafter by one of the High Contracting Parties ;
- (3) Privileges which are or may hereafter be granted by Lithuania to Estonia ;
- (4) Privileges which are or may hereafter be granted by Latvia to Estonia, Finland and the Union of Soviet Socialist Republics.

Article 7.

Internal taxes which are levied or which may in future be levied on goods — no matter on whose behalf they are collected — in the territory of one of the High Contracting Parties may not on any grounds be so levied on the products of the other High Contracting Party as to involve fiscal charges more burdensome than those imposed on national products of the same nature.

Article 8.

The High Contracting Parties agree to grant each other unconditional and unrestricted most-favoured-nation treatment in respect of commercial travellers and samples.

Article 9.

The High Contracting Parties undertake not to hinder trade between the two countries by means of import or export prohibitions or restrictions.

The following prohibitions or restrictions shall be excepted from this rule, so far as they are applicable to all countries or to countries in an identical situation :

- (1) Prohibitions or restrictions relating to public security ;
- (2) Prohibitions or restrictions regarding traffic in arms, ammunition and implements of war, or, in exceptional circumstances, all other military supplies ;

(3) Prohibitions or restrictions imposed for the protection of public health or for the protection of animals or plants against disease, insects and harmful parasites ;

(4) Prohibitions or restrictions designed to extend to foreign products the regime established within the country in respect of the production of, trade in, and transport and consumption of, national products of the same kind ;

(5) Prohibitions and restrictions applied to products which, as regards production or trade, are or may in future be subject within the country to State monopolies or to monopolies exercised under State control.

Article 10.

Ships flying the flag of one of the High Contracting Parties and their cargoes shall in all respects enjoy the same treatment as national vessels and their cargoes in the territorial waters and in the territory of the other High Contracting Party, whatever their origin or destination.

Fishing, the coasting trade, pilotage and the internal services of ports, navigation on inland waterways, and facilities, rebates or reductions which the High Contracting Parties may grant to their nationals by way of a bounty for national shipbuilding, shall, however, be excepted from the provisions of the present Article.

Article 11.

Frontier traffic between Latvia and Lithuania shall be regulated by a special agreement.

Article 12.

The present Agreement shall be ratified and the ratifications shall be exchanged at Riga as soon as possible.

It shall come into force on the day of the exchange of ratifications.

The present Agreement is concluded for one year from the date on which it is put into force. It shall be prolonged by tacit consent for an indefinite period, unless it is denounced by one of the High Contracting Parties at least three months before the expiry of the yearly period. In the event of the Agreement's being prolonged by tacit consent, each of the High Contracting Parties reserves the right to denounce the present Agreement at any time, such denunciation to take effect three months from that date.

In faith whereof the Plenipotentiaries have signed the present Agreement.

Done at Riga, in duplicate, December 1st, 1933.

(L. S.) V. SALNAIS.

(L. S.) J. URBŠYS.

LIST " A ".

LATVIAN PRODUCTS.

Number of Lithuanian Customs tariff	Description of goods	Annual quota	Re-bates	Consolidated Customs duties
ex § 37 p. 4	Baltic herrings, salted and smoked . . . <i>Note</i> : The note on § 37 p. 4 of the Lithuanian Customs tariff remains in force.			Lt. 0.50
ex § 61	Chair seats made of veneer			Lt. 1.50
ex § 77 p. 6 (a)	Sheet glass up to 3.5 mm. in thickness	300 t.	50%	
ex § 77 p. 6 (b)	Sheet glass from 3.6 mm. up to 5 mm. in thickness		25%	
ex § 130 p. 1	Ultramarine blue		50%	
ex § 130 p. 2	Washing blue		50%	
ex § 131	White lead and zinc lead		50%	
ex § 132	Red oxide of lead (red lead)		50%	
ex § 160	Forks			exempt
ex § 167 p. 1	Water-pumps		50%	
ex § 169 p. 5 (a)	Incandescent lamps		50%	
ex § 173 p. 5 (c)	Patented axles		50%	
ex § 177 p. 2 (c)	Wallpapers	60 t.	50%	
ex § 183 p. 1 (a), (b)	Cotton yarn, not twisted, up to No. 36, English classification	288 t.	30%	
ex § 183 p. 2	Cotton yarn, twisted, up to No. 36, English classification			
ex § 173 p. 3 (a)	Bicycles	220	50%	
ex § 41	Superphosphate	3,000 t.		exempt
ex § 88 p. 3	Rubber footwear (galoshes)	100,000 pairs		Lt. 2.50
ex § 117 p. 4 (a)	Coconut, palm and other oils, not specially mentioned, pure vegetable fats, not refined, for mechanical purposes	150 t.		Lt. 0.28
§ 65	Cement	4,000 t.		
ex § 177 p. 1, 2	Paper and cardboard of various kinds not manufactured in Lithuania	500 t.		

LIST " B ".

LITHUANIAN PRODUCTS.

Number of Latvian Customs tariff	Description of goods	Annual quota	Re-bates	Consolidated Customs duties
ex § 5 p. 1	Onions	40 t.	75%	Ls. 30.— per head
ex § 40 p. 1	Horses, over 1 year old <i>Note</i> : It is understood that the duty of the general tariff in this case shall be fixed at not less than Ls. 60 a head.	5,000 head		

Number of Latvian Customs tariff	Description of goods	Annual quota	Re- bates	Consolidated Customs duties
ex 40 p. 8	Geese			exempt
ex 149	Screws		75 %	exempt
ex 151	Rivets		75 %	
ex 153 p. 3	Screws, bolts, nuts		75 %	
ex 154 p. 1	Buckets		75 %	
ex 156 p. 1	Rivets		75 %	
ex 156	Copper screws		75 %	
ex 153	Locks		75 %	
ex 161 p. 1, 2	Smoothing irons		75 %	
ex 151 and 153	Stoves		75 %	
ex 169	Bergmann stovepipes		75 %	
ex 6 p. 6	Fresh cultivated berries	40 t.		exempt Ls. 1.25
ex 43	Bone glue	1 t.		
ex 56	Raw sheep skins	50 t.		
ex 61 p. 1, 2	Oak flooring, friezes and cornices	150 t.		
ex 62	Linseed	3,000 t.		
ex 41	Superphosphate	3,000 t.		
ex 88	Rubber footwear (galoshes)	100,000 pairs		
ex 117	Coconut, palm and other oils, not specially mentioned, pure vegetable oils, not refined for mechanical purposes	150 t.		

PROTOCOL.

I.

It is understood that the present Agreement in no way affects the conventional obligations existing between the two States which may guarantee treatment more favourable than that provided in the Articles of this Agreement.

II.

The provisions of the present Agreement, which expressly provide for the granting of national treatment, imply the unconditional granting of most-favoured-nation treatment.

III.

The question of transit as well as that of transit rates shall be settled by a special agreement between the two High Contracting Parties.

IV.

The reciprocal Customs tariff reductions and consolidations in respect of the products enumerated in Lists "A" and "B" annexed to the present Agreement, being subject to fixed quotas, can only be applied within the limits of the said quotas.

V.

Ad Articles 5 and 6.

In order to reserve to the products originating in their respective countries the benefit of the provisions of Articles 5 and 6, the High Contracting Parties may require the products and goods imported into their territory to be accompanied by a certificate of origin.

VI.

Ad Articles 5 and 12.

The lists of goods "A" and "B" mentioned in Article 5 of the Agreement may be revised or denounced separately from the present Agreement, provided that the provisions of Article 12 are complied with.

VII.

Lithuania declares that for the duration of the present Agreement she has no intention of granting to any third State (including Estonia), in respect of the items of her Customs tariff enumerated in list "D" below, reductions on the tariff rates which would not be extended to Latvia.

List "D". Sections of the Lithuanian Tariff.

§ 55, 3. 4. 5. 6	§ 183
§ 57, I. 2 ;	§ 186
§ 61, 2	§ 187
§ 65, 3	§ 188
§ 109, 2	and
§ 177, 2	§ 199

Latvia declares that for the duration of the present Agreement she has no intention of granting to any third State (including Estonia, Finland and the Union of Soviet Socialist Republics), in respect of the items of her Customs tariff enumerated in list "C" below, reductions on the tariff rates which would not be extended to Lithuania.

List "C". Sections of the Latvian Tariff.

§ 1	§ 36, 5
§ 3	§ 37, 1
§ 4	40
§ 5, I, 4 ;	43
§ 6, I, 5, 6	62, 3
§ 13	153, 2, 3, 4
§ 14, I, 2 ;	161
§ 32	177, 1
§ 34	

(Signed) V. SALNAIS.

(Signed) J. URBSYS.