

N° 4716.

LETTONIE ET TURQUIE

Convention de commerce. Signée à Riga, le
12 janvier 1938.

*Texte officiel français communiqué par le ministre des Affaires étrangères de
Lettonie. L'enregistrement a eu lieu le 15 avril 1940.*

LATVIA AND TURKEY

Commercial Convention. Signed at Riga,
January 12th, 1938.

*French official text communicated by the Latvian Minister for Foreign Affairs.
The registration took place April 15th, 1940.*

TRADUCTION. — TRANSLATION.

No. 4716. — COMMERCIAL CONVENTION¹ BETWEEN LATVIA AND TURKEY. SIGNED AT RIGA, JANUARY 12TH, 1938.

THE PRESIDENT OF THE REPUBLIC OF LATVIA and THE PRESIDENT OF THE REPUBLIC OF TURKEY, being desirous of promoting the development of the commercial relations between the two countries, have decided to conclude a Convention for that purpose and have appointed as their respective Plenipotentiaries :

THE PRESIDENT OF THE REPUBLIC OF LATVIA :

His Excellency Monsieur Ludvigs ĒKIS, Minister for Finance of Latvia ;

THE PRESIDENT OF THE REPUBLIC OF TURKEY :

His Excellency Monsieur Nuri BATU, Envoy Extraordinary and Minister Plenipotentiary of Turkey in Latvia ;

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

Article 1.

The nationals of either High Contracting Party shall have the right to settle and reside, to come and go and to move about freely in the territory of the other Party, subject to compliance with the laws and regulations in force therein.

Each of the High Contracting Parties shall retain complete freedom of action with regard to immigration, and also the right of prohibition of entry and the right of expulsion, in individual cases, for reasons relating to sanitary regulations, security or public order.

In regard to any charges or dues payable in respect of residence or establishment, the nationals of the two Parties shall enjoy most-favoured-nation treatment.

Article 2.

Provided they comply with the laws and regulations of the country, the nationals of either High Contracting Party shall, in the territory of the other Party, have the right, on the same conditions as nationals of the most favoured nation, to acquire possess and alienate any kind of movable or immovable property, except in the cases specified in the laws of the respective countries. They may, on the same conditions, dispose of such property freely by purchase, sale, gift, transfer, marriage settlement, will, succession *ab intestato* or by any other means.

They shall not in any of the above-mentioned cases be liable to any dues, charges or taxes of any kind whatsoever other or higher than those which are or may hereafter be levied on nationals of the country.

Article 3.

Provided they comply with the laws and regulations of the country, the nationals of either High Contracting Party shall, in the territory of the other Party, have the right, on the same conditions as nationals of the most favoured nation, to carry on any kind of industry or commerce and to engage in any trade or profession the exercise of which is not now or in the future reserved for nationals of the country.

Article 4.

The nationals of either High Contracting Party shall not be liable in the territory of the other Party, in respect of their persons, property, rights or interests, or in respect of the exercise of

¹ The exchange of ratifications took place at Riga, April 9th, 1940.

any kind of commerce, industry, trade or profession, to any dues, charges or taxes, direct or indirect, other or higher than those which may be levied on nationals of the most favoured nation.

They shall, in particular, be authorised, subject to compliance with the laws in force in the country, freely to export the proceeds of the sale of their property or their property itself, and they shall not in that respect be subjected as foreigners to any taxes, duties or charges higher than those which nationals of the most favoured nation would have to pay.

Article 5.

The nationals of either High Contracting Party shall not be liable in the territory of the other Party to any military service, whether in the land, naval or air forces, or in the national guard or militia, nor to any obligation or charge in lieu of military service.

They shall be liable only to such military contributions and requisitions as may be lawfully imposed on nationals of the country.

Article 6.

The nationals of either High Contracting Party may not, in the territory of the other Party, be expropriated, except on legally recognised grounds of public utility and on payment of fair compensation, in accordance with the procedure prescribed in the laws of the country concerned.

Article 7.

In all matters relating to the legal and judicial protection of their persons and their property, the nationals of either High Contracting Party shall, in the territory of the other Party, enjoy the same treatment as nationals of the country.

They shall accordingly have free and unhindered access to the courts, and may sue or be sued on the same conditions as nationals of the country. Subject to reciprocity, they shall, in the territory of the other High Contracting Party, have the benefit of legal aid and shall not be required to furnish security for costs.

Article 8.

Joint-stock companies, co-operative societies and other commercial companies, including industrial, financial and insurance companies and companies concerned with communications and transport, which have their seat in the territory of one of the High Contracting Parties and have been constituted therein in accordance with the laws of that country, shall, in the territory of the other Party, be recognised as being legally constituted and may therein appear before the courts either as plaintiffs or as defendants.

The admission of the said companies to the exercise of their trade or industry in the territory of the other High Contracting Party shall be subject to their being governed by the laws and regulations which are or may hereafter be in force in that territory in respect also of fees and other admission charges.

No taxes, dues or contributions of any description or kind may be levied in a more burdensome manner on such companies than on similar national companies.

Such companies may, on the same conditions as companies of the most favoured nation and subject to compliance with the laws of the country, acquire movable property of any kind and also such immovable property as may be necessary for the operations of the company concerned, it being understood in such cases that the acquisition of such property does not, of itself, constitute the object of the company's existence.

Article 9.

It is agreed that neither High Contracting Party may invoke the benefit of the most-favoured-nation clause embodied in the present Convention as a reason for claiming, on behalf of his nationals, companies or co-operative societies, rights other or more extensive than those which he himself grants to the nationals, companies or co-operative societies of the other Contracting Party.

Article 10.

Natural or manufactured products originating in the territory of either High Contracting Party shall, on importation into the territory of the other Party, receive the benefit of most-favoured-nation treatment in respect of all or any duties, coefficients, charges, surcharges or dues, Customs nomenclature and the methods employed for fixing tariff rates.

Article 11.

The assurance of most-favoured-nation treatment shall extend to the guaranteeing and the collection of import and export duties, the depositing of goods in warehouses and in bond, Customs charges and formalities and the treatment and handling by the Customs of goods imported, exported or passing through in transit, the methods employed for verifying and analysing goods, tariff classification and interpretation, temporary importation and exportation and re-exportation.

Article 12.

Natural or manufactured products of either High Contracting Party imported into the territory of the other Party after passing in transit through the territory of one or more third countries shall not be subject, on importation, to any Customs duties, charges or dues other or higher than would be applied if they had been imported direct from their country of origin. The present provision shall apply both to goods in direct transit and to goods passing in transit after being transhipped, repacked or warehoused.

Article 13.

Each High Contracting Party reserves the right to require that products and goods to be imported into its territory should be accompanied by a certificate of origin drawn up in French and issued by the competent authorities of the other Party, in conformity with the model annexed to the present Convention, attesting that the article imported originated in the territory of that Party or that, in view of the transformation it has undergone, it should be considered as having originated in that territory.

The issue of visas in respect of the above-mentioned certificates of origin and the legalisation thereof shall be effected by the competent organs of the respective Parties, in accordance with the regulations in force in the territory into which the products and goods specified in such certificates are imported.

In all matters relating to the issue and the legalisation of certificates of origin, the High Contracting Parties agree to apply the most-favoured-nation clause.

Article 14.

The High Contracting Parties undertake reciprocally to grant each other most-favoured-nation treatment in regard to shipping, the tourist traffic and commercial travellers.

Article 15.

The undertakings embodied in the preceding Articles shall not prevent the application of any measures of prohibition or restriction which either High Contracting Party may, for any of the reasons specified hereunder, be led to take, provided that such prohibitions or restrictions are at the same time applicable to all countries in the same circumstances :

- (a) Prohibitions or restrictions imposed for reasons of public safety,
- (b) Prohibitions or restrictions imposed in connection with sanitary regulations with a view to ensuring the protection of persons, animals or plants against diseases and parasites, without prejudice, however, to any provisions in any special Conventions that might be concluded in regard to such matters,
- (c) Prohibitions or restrictions concerning the traffic in arms, ammunition and war material and, in exceptional circumstances, any other war supplies,
- (d) Prohibitions or restrictions imposed for the purpose of extending to foreign goods provisions of the national laws concerning the production of and traffic in and

the transport or consumption within the country of national goods of the same kind ; this provision shall apply also to goods that are or may hereafter be the subject of a State monopoly or of a monopoly granted by the State,

(e) Prohibitions or restrictions necessary for the discharge of certain international undertakings to which also the High Contracting Parties have acceded,

(f) Prohibitions or restrictions imposed in view of extraordinary and abnormal circumstances and for the purpose of safeguarding the vital interests of an economic or financial character of the country.

Article 16.

The most-favoured-nation clause in regard to relations with a third State embodied in the preceding Articles shall not apply to :

(1) Any exemptions, immunities or privileges that are or may hereafter be granted by either High Contracting Party to adjacent countries for the purpose of facilitating frontier traffic within a zone extending for not more than 15 kilometres on either side of the frontier ;

(2) Any exemptions, immunities or privileges granted in virtue of a Customs Union which has already been or may hereafter be concluded by either High Contracting Party ;

(3) Any exemptions, immunities or privileges which Turkey has granted or may hereafter grant to territories which were detached from the Ottoman Empire in 1923 ;

(4) Any exemptions, immunities or privileges which Latvia accords or may hereafter accord to Estonia, Finland, Lithuania or the Union of Soviet Socialist Republics.

Article 17.

The present Convention is concluded for a period of one year. It shall come into force on the date of the exchange of ratifications, which shall take place at Riga as soon as possible.

It shall be renewed by tacit agreement, each time for a further period of one year, unless it is denounced by either High Contracting Party three months before the expiration of such period.

In faith whereof the above-named Plenipotentiaries have signed the present Convention and have thereto affixed their seals.

Done in duplicate at Riga, this 12th day of January, 1938.

L. EKİS.

Nuri BATU.

CERTIFICATE OF ORIGIN.

Consignor	Consignee
Name	Name
Residing at	Residing at
Street	Street
Nature of goods	
Method of packing	
Number of packages	
Mark No.	
Weight { Gross	kg.
Net	kg.
Value : f. o. b.	
Method of forwarding :	

It is certified that the goods specified above originated in and came from and that this certificate of origin is issued in accordance with the provisions of the Commercial Convention of January 12th, 1938, between Latvia and Turkey.