

No. 1339

**DENMARK
and
GUATEMALA**

**Treaty of Commerce and Navigation (with Final Protocol).
Signed at Guatemala City, on 4 March 1948**

Official texts: Danish and Spanish.

Registered by Denmark on 24 July 1951.

**DANEMARK
et
GUATEMALA**

**Traité de commerce et de navigation (avec Protocole final).
Signé à Guatemala, le 4 mars 1948**

Textes officiels danois et espagnol.

Enregistré par le Danemark le 24 juillet 1951.

TRANSLATION — TRADUCTION

No. 1339. TREATY¹ OF COMMERCE AND NAVIGATION
BETWEEN DENMARK AND GUATEMALA. SIGNED
AT GUATEMALA CITY, ON 4 MARCH 1948

HIS MAJESTY THE KING OF DENMARK AND HIS EXCELLENCY THE PRESIDENT OF THE REPUBLIC OF GUATEMALA, desiring alike to encourage the development of commercial relations between Denmark and Guatemala, have resolved to conclude a Treaty of Commerce and Navigation to this end and have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF DENMARK: Mr Georg Lyngbye Høst, His Envoy Extraordinary and Minister Plenipotentiary in Guatemala;

HIS EXCELLENCY THE PRESIDENT OF THE REPUBLIC OF GUATEMALA: Mr. Enrique Muñoz Meany, Minister for Foreign Affairs;

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

Article I

Each of the High Contracting Parties undertakes to apply to the other Party the principle of most-favoured-nation treatment in respect of all matters relating to the rights of citizens, to the treatment of imports or exports and goods in transit, and to navigation.

Article II

The nationals, products and vessels of each of the High Contracting Parties shall in particular be entitled, in the territory of the other Party, to the following facilities and privileges :

- (a) The nationals of each of the two countries shall be treated in the other country, unconditionally, in the same manner as the nationals of the most favoured nation as regards the protection of their persons and property, the carrying-on of trade, navigation and industry, the right to acquire, possess and dispose of movable and immovable property, and in respect of the obligation to pay taxes, charges or contributions of any kind.

¹ Came into force on 1 July 1951, the instruments of ratification having been exchanged on 1 June 1951, in accordance with article V.

- b) The products of the soil and of the industry of each of the two countries shall, unconditionally and in every respect, be entitled in the other country to the same facilities and favours as similar products of the most favoured nation. This treatment shall apply more particularly to all matters relating to Customs duties and other taxes or charges, and to import prohibitions, the enforcement of the said prohibitions, and all conditions and regulations concerning the importation of goods, including the production of certificates of origin and of consular invoices, the fees to be paid for the legalization of such documents and all regulations and formalities connected therewith.
- (c) The vessels of each of the two countries and their cargoes shall, unconditionally, be entitled in the other country to the same treatment as the vessels of the most favoured nation and their cargoes, in respect of all matters relating to navigation and Customs duties, loading and unloading, and in general as regards all formalities, regulations and fees of any kind whatsoever, to which vessels and their cargoes are or may hereafter be subject.

The provisions of the present Treaty shall not, however, apply to the right to engage in the coasting trade.

Tonnage measurement certificates and other tonnage documents issued by the authorities in one of the two countries shall be recognized by the other country in accordance with such special agreements as may be concluded between the two Governments.

Article III

The Government of each of the two countries shall be entitled to appoint consuls-general, consuls, vice-consuls and other consular officials or agents in all the ports, towns and localities of the other country in which the right to appoint consular representatives has been granted to any other State.

The said consular officials and agents shall, after having received the *exequatur* or any other authorization that may be required, enjoy all rights, privileges and immunities which are at present possessed by, or may hereafter be granted to, the consular representatives of the nation most favoured in this respect.

Article IV

The provisions of the present Treaty relating to most-favoured-nation treatment shall not support a claim for privileges which are or may in the future be granted to contiguous States with a view to facilitating local frontier traffic.

It is further agreed that Guatemala shall not be entitled under the provisions of the present Treaty to claim privileges which are or may in future be granted by Denmark to Sweden, Norway or Iceland.

It is likewise agreed that Denmark shall not be entitled under the provisions of the present Treaty to claim any privileges which are or may in future be granted by Guatemala to Mexico or any privileges respecting Customs tariffs, or a Customs union or commercial navigation which under the "Central-American clause" are or may in future be granted by Guatemala to Costa Rica, El Salvador, Honduras or Nicaragua.

The provisions of the present Treaty shall not apply to Greenland, where trade and navigation are reserved to the Danish State.

Article V

The present Treaty, which is drawn up in the Danish and Spanish languages, shall be ratified and the ratifications shall be exchanged as soon as possible. It shall come into force one month after the exchange of ratifications, and may be denounced by either of the High Contracting Parties subject to three months' notice.

IN FAITH WHEREOF the plenipotentiaries have signed the present Treaty and have thereto affixed their seals at Guatemala City on 4 March 1948.

(Signed) Georg L. HøST
[L. S.]

(Signed) E. MUÑOZ MEANY
[L. S.]

FINAL PROTOCOL

The undersigned, having met together on today's date to sign the Treaty of Commerce and Navigation attached hereto, have agreed as follows:

Notwithstanding the provisions of the fourth paragraph of article IV of the present Treaty, the most-favoured-nation treatment provided for in article II, paragraph (b), shall apply, in matters relating to import duties and Customs formalities, to products originating in Greenland upon importation into Guatemala and to products originating in Guatemala upon importation into Greenland.

IN FAITH WHEREOF the plenipotentiaries have signed the present Final Protocol and have affixed their seals thereto at Guatemala City on 4 March 1948.

(Signed) Georg L. HøST
[L. S.]

(Signed) E. MUÑOZ MEANY
[L. S.]