

No. 5839

**DENMARK
and
PERU**

Treaty of Commerce and Navigation (with exchange of notes). Signed at Lima, on 10 June 1957

Official texts of the Treaty: Danish and Spanish.

Official text of the notes: Spanish.

Registered by Denmark on 28 August 1961.

**DANEMARK
et
PÉROU**

**Traité de commerce et de navigation (avec échange de notes).
Signé à Lima, le 10 juin 1957**

Textes officiels du Traité: danois et espagnol.

Texte officiel des notes: espagnol.

Enregistré par le Danemark le 28 août 1961.

[TRANSLATION — TRADUCTION]

No. 5839. TREATY OF COMMERCE AND NAVIGATION¹
BETWEEN DENMARK AND PERU. SIGNED AT LIMA,
ON 10 JUNE 1957

His Majesty the King of Denmark and His Excellency the President of the Republic of Peru, being equally desirous of encouraging the development of commercial relations between Denmark and Peru, have resolved to conclude a Treaty of Commerce and Navigation to this end and have appointed as their respective plenipotentiaries :

His Majesty the King of Denmark : His Excellency Mr. Viggo Jensen, his Ambassador Extraordinary and Plenipotentiary in Peru;

His Excellency the President of the Republic of Peru : His Excellency Dr. Manuel Cisneros Sánchez, President of the Council of Ministers and Minister for Foreign Affairs,

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

Article I

Each High Contracting Party undertakes to apply, in respect of the other, the principle of the most-favoured-nation treatment in all matters relating to the rights of their nationals and the treatment of goods imported, exported and in transit, and in matters relating to navigation.

Article II

The nationals, products, ships and vessels of one High Contracting Party shall, in particular, enjoy the following facilities and advantages in the territory of the other :

(A) In all matters relating to the protection of their person and property, the conduct of commercial, shipping and industrial enterprises, the right to acquire and to own movable and immovable property and to dispose thereof, and as regards the obligation to pay taxes, duties and fees of any kind, the nationals of one country shall unconditionally be accorded the same treatment as the nationals of the most favoured nation.

(B) The agricultural and industrial products of one country shall in no circumstances be subject in the other country to any customs duties, taxes or

¹ Came into force on 11 March 1961, one month after the exchange of the instruments of ratification which took place at Lima on 11 February 1961, in accordance with article VI.

fees, or to any requirements or formalities more burdensome than those applied in respect of like articles from the most favoured nation.

(C) The ships and vessels and cargoes of one country shall unconditionally be entitled in the other country to the same treatment as is or may hereafter be accorded to the ships and vessels and cargoes of the most favoured nation 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.

(D) Tonnage measurement certificates and other ship's papers issued by the authorities of one country shall be recognized in the other country in accordance with such special agreements as may be concluded between the two Governments.

(E) The provisions of this Treaty shall not, however, apply to the right to engage in the coasting trade.

Article III

The Government of each country may appoint Consuls General, Consuls, Vice Consuls and other consular officers or agents in all ports, cities and places in the other country in which the right to appoint consular representatives has been granted to a third state. The aforesaid consular officers and agents shall, after receiving the exequatur or other necessary authorization, enjoy all the rights, privileges and immunities which have been granted or may in future be granted to the consular representatives of the most favoured nation, it being understood that such special rights, privileges and immunities as have been granted or may in future be granted by one Contracting Party to the career consular representatives of a third country in accordance with a reciprocal agreement, shall not be invoked by the other Contracting Party.

Article IV

With the exception of the provisions concerning navigation, the provisions of articles I and II of this Treaty, relating to most-favoured-nation treatment, shall not apply in the case of :

(a) Privileges which Denmark or Peru has accorded or may in future accord to a contiguous country in order to facilitate frontier traffic, or

(b) Privileges accorded exclusively to members of future customs unions or free-trade areas in which Denmark or Peru may take part;

(c) Privileges which Denmark has accorded or may in future accord to Finland, Iceland, Norway or Sweden;

(d) Privileges which Peru has accorded or may in future accord to Colombia, Brazil, Ecuador, Bolivia, Chile or Argentina.

Article V

The provisions of this Treaty shall not apply to any matters relating to the fisheries industry.

Article VI

This Treaty, which has been drawn up in the Danish and Spanish languages, shall be ratified and the instruments of ratification shall be exchanged as soon as possible. It shall enter into force one month after the exchange of the instruments of ratification and may be denounced by either of the High Contracting Parties subject to six months' notice, to become operative on the date of receipt of written denunciation by the other Contracting Party.

IN WITNESS WHEREOF the plenipotentiaries have signed this Treaty and have thereto affixed their seals at Lima on 10 June 1957.

(Signed) Viggo JENSEN
Ambassador Extraordinary and Plenipotentiary

(Signed) Manuel CISNEROS SÁNCHEZ
President of the Council of Ministers
and Minister for Foreign Affairs

EXCHANGE OF NOTES

I

ROYAL DANISH EMBASSY

Lima, 10 June 1957

Your Excellency,

Article II (D) of the Treaty of Commerce and Navigation which we are signing today¹ provides that tonnage measurement certificates and other ship's papers issued by the authorities of one country shall be recognized in the other country in accordance with such special agreements as may be concluded.

In application of that provision, it is mutually agreed by virtue of this exchange of notes that Denmark shall recognize the validity of tonnage measurement certificates and other ship's papers issued by the Peruvian authorities, except when the document occasions some doubt as to the information contained therein.

¹ See p. 72 of this volume.

This note and your note in reply shall be regarded as constituting the agreement provided in the aforesaid article II (D) of this Treaty.

I have the honour to be, etc.

(Signed) Viggo JENSEN

His Excellency Dr. Manuel Cisneros S.
President of the Council of Ministers
and Minister for Foreign Affairs

II

MINISTRY OF FOREIGN AFFAIRS

Lima, 10 June 1957

Your Excellency,

Article II (D) of the Treaty of Commerce and Navigation which we are signing today provides that tonnage measurement certificates and other ship's papers issued by the authorities of one country shall be recognized in the other country in accordance with such special agreements as may be concluded.

In application of that provision, it is mutually agreed by virtue of this exchange of notes that Peru shall recognize the validity of tonnage measurement certificates and other ship's papers issued by the Danish authorities, except when the document occasions some doubt as to the information contained therein.

This note and your note in reply shall be regarded as constituting the agreement provided in the aforesaid article II (D) of this Treaty.

I have the honour to be, etc.

(Signed) Manuel CISNEROS S.

His Excellency Mr. Viggo Jensen
Ambassador Extraordinary and Plenipotentiary of Denmark