

No. 12656

**BELGIUM, LUXEMBOURG and NETHERLANDS
(BENELUX),**

and

UNION OF SOVIET SOCIALIST REPUBLICS

Treaty of commerce. Signed at Brussels on 14 July 1971

Authentic texts: French, Dutch and Russian.

Registered by Belgium on 11 July 1973.

**BELGIQUE, LUXEMBOURG et PAYS-BAS
(BENELUX),**

et

**UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES**

Traité de commerce. Signé à Bruxelles le 14 juillet 1971

Textes authentiques: français, néerlandais et russe.

Enregistré par la Belgique le 11 juillet 1973.

[TRANSLATION—TRADUCTION]

TREATY¹ OF COMMERCE BETWEEN THE GOVERNMENTS OF THE KINGDOM OF BELGIUM, THE GRAND DUCHY OF LUXEMBOURG AND THE KINGDOM OF THE NETHERLANDS, MEMBERS OF THE BENELUX ECONOMIC UNION, AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS

The Governments of the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands, acting jointly by virtue of the Treaty instituting the Benelux Economic Union, signed at The Hague, on 3 February 1958,² on the one hand, and

The Government of the Union of Soviet Socialist Republics, on the other, Desiring to strengthen their traditional economic ties, Have agreed as follows:

Article 1. The Contracting Parties shall grant each other most-favoured-nation treatment in all matters relating to trade.

Article 2. Products originating in the territory of either Contracting Party shall in no case be subject, when imported into the territory of the other Contracting Party, to other or higher duties and charges or to stricter or more onerous customs regulations and formalities than those imposed at present or to be imposed in the future on similar products originating in any third country.

Similarly, products originating in the territory of either Contracting Party and exported to the territory of the other Contracting Party shall in no case be subject to other or higher duties and charges or to stricter or more onerous customs regulations and formalities than those imposed at present or to be imposed in the future on similar products destined for any third country.

Article 3. Products originating in the territory of either Contracting Party shall, after being imported into the territory of the other Contracting Party, not be subject to other or higher internal duties and charges nor to stricter or more onerous regulations and formalities than those imposed at present or to be imposed in the future on similar products originating in any third country.

Similarly, products originating in the territory of either Contracting Party and intended for export to the territory of the other Contracting Party shall, in the exporting country, not be subject to other or higher internal duties and charges nor to stricter or more onerous regulations and formalities than those

¹ Came into force on 1 June 1973, i.e. the first day of the first month that followed the date of deposit of the last instrument of ratification with the Government of Belgium, in accordance with article 13. The instruments were deposited as follows:

Belgium	29 August 1972
Luxembourg	29 August 1972
Netherlands	25 October 1972
Union of Soviet Socialist Republics	3 May 1973

² United Nations, *Treaty Series*, vol. 381, p. 165.

imposed at present or to be imposed in the future on similar products destined for any third country.

Article 4. The provisions of this Treaty shall not apply to:

- (a) advantages granted at present or which may be granted in the future by either of the Contracting States for the purpose of facilitating frontier relations with contiguous States;
- (b) advantages resulting from a customs union and a free trade area which have been or may be established by either Contracting Party.

Article 5. Neither Contracting Party shall establish or maintain restrictions or prohibitions relating to imports from, or exports to, the territory of the other Contracting Party, unless they are applied on the same basis and under similar conditions to all other countries.

The provisions of this Treaty shall not apply to restrictions or prohibitions relating to:

- (a) law and order and the security of the State;
- (b) the protection of the health and life of persons, animals or plants;
- (c) the protection of the national, artistic, historical and archaeological heritage;
- (d) the protection of industrial property and trademarks.

Article 6. In respect of the internal transport of goods, passengers and luggage by rail and by inland waterways, the Contracting Parties shall grant each other most-favoured-nation treatment in all matters relating to participation in transport, the media and cost of transport, and the charges pertaining thereto.

Article 7. Without prejudice to agreements to be concluded between them in the future, each Contracting Party shall grant the other Contracting Party freedom of transit through its territory under the conditions granted to any third country. However, the privileges granted under special transit agreements by either Contracting Party to any country which is not a party to this Treaty may not be claimed by the other Contracting Party.

Article 8. In view of the fact that under the laws of the Union of Soviet Socialist Republics, foreign trade is a State monopoly, the Union of Soviet Socialist Republics shall maintain trade missions in Belgium and the Netherlands; the legal status of those trade missions shall be determined by the Protocols signed on this date.¹

The diplomatic officials responsible for economic and commercial affairs in the Belgian and Netherlands diplomatic missions in Moscow shall enjoy the same rights and facilities as are granted to the corresponding categories of officials of the trade missions of the Union of Soviet Socialist Republics in Belgium and the Netherlands.

Article 9. Belgian, Luxembourg and Netherlands nationals engaged in trade and manufacturing, and physical or juridical persons established in accordance with the legislation of their countries, including non-profitmaking

¹ See p. 83 of this volume.

organizations responsible for promoting trade between the Union of Soviet Socialist Republics and the Economic Union of Belgium and Luxembourg or the Netherlands, shall, in respect of their persons and their property, enjoy the same favourable treatment as nationals and juridical persons of a most favoured nation when engaged, either directly or through agents designated by them, in economic activities in the territory of the Union of Soviet Socialist Republics, under the conditions authorized for such activities by the legislation of the Union of Soviet Socialist Republics.

The State economic organizations of the Soviet Union and other juridical persons established in accordance with Soviet legislation, and also nationals of the Soviet Union, shall, in respect of their persons and their property, enjoy the same favourable treatment as nationals and juridical persons of a most favoured nation when engaged, either directly or through agents designated by them, in economic activities in the territory of Belgium, the Grand Duchy of Luxembourg and the Netherlands, under the conditions authorized for such activities by the legislation of those countries.

Nationals and juridical persons of each Contracting State may institute legal proceedings and shall enjoy free and easy access to the courts of the other Contracting Party.

Article 10. Any dispute arising from the execution of contracts relating to trade between the Contracting Parties may be settled by means of arbitration.

Article 11. Any dispute between the Government of the Union of Soviet Socialist Republics and any of the Governments of the Benelux countries concerning the interpretation or application of this Treaty, which cannot be solved satisfactorily through the diplomatic channel, may, by agreement between the parties to the dispute, be referred to the International Court of Justice.

If the dispute is not referred to the International Court of Justice, it may be submitted to arbitration by agreement between the parties to the dispute. It is understood that only persons designated by agreement between the parties to the dispute may serve as arbitrators.

Article 12. With effect from the date of the entry into force of this Treaty, the exchange of notes between the Embassy of the Union of Soviet Socialist Republics to the Netherlands and the Ministry for Foreign Affairs of the Netherlands, dated 1 and 24 October 1945, and the Provisional Commercial Convention between the Union of Soviet Socialist Republics and the Economic Union of Belgium and Luxembourg, signed at Paris on 5 September 1935,¹ shall cease to have effect, with the exception of article 5 of the said Provisional Commercial Convention, which in the event of a treaty concerning commercial shipping being concluded between the Union of Soviet Socialist Republics and the Economic Union of Belgium and Luxembourg, shall cease to apply from the date of the entry into force of such a treaty.

Article 13. This Treaty shall be ratified by the Contracting States as soon as possible.

¹ League of Nations, *Treaty Series*, vol. CLXXIII, p. 169.

The instruments of ratification shall be deposited with the Government of the Kingdom of Belgium, which shall notify the other Contracting States of the deposit thereof.

This Treaty shall enter into force on the first day of the first month following the date of the deposit of the last instrument of ratification.

Article 14. This Treaty is concluded for an indefinite period.

It may be terminated on 12 months' notice; notice of termination of the Treaty by the Union of Soviet Socialist Republics should be given simultaneously by the Government of the Union of Soviet Socialist Republics to the Belgian, Luxembourg and Netherlands Governments. Notice of termination of the Treaty by the States members of the Benelux Economic Union should be given simultaneously by the Belgian, Luxembourg and Netherlands Governments to the Government of the Union of Soviet Socialist Republics.

IN WITNESS WHEREOF, the undersigned representatives, duly authorized thereto, have signed this Treaty.

DONE at Brussels on 14 July 1971, in four original copies, each in the French, Dutch and Russian languages, the three texts being equally authentic.

For the Government
of the Kingdom of Belgium:

[Signed]

H. FAYAT

For the Government
of the Grand Duchy of Luxembourg:

[Signed]

L. SCHAUS

For the Government
of the Kingdom of the Netherlands:

[Signed]

C. J. VAN SCHELLE

For the Government
of the Union of Soviet
Socialist Republics:

[Signed]

N. S. PATOLICHEV