

N° 577.

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## DANEMARK ET ESTHONIE

Echange de notes comportant un arrangement provisoire relatif au commerce et à la navigation entre les deux pays. Reval (Tallinn), le 7 septembre 1923.

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## DENMARK AND ESTHONIA

Exchange of Notes constituting a provisional Agreement relating to Commerce and Navigation between the two countries. Reval (Tallinn), September 7, 1923.

<sup>1</sup> TRADUCTION. — TRANSLATION.

No. 577. — EXCHANGE OF NOTES<sup>2</sup> BETWEEN THE DANISH AND ESTHONIAN GOVERNMENTS CONSTITUTING A PROVISIONAL AGREEMENT WITH REGARD TO COMMERCE AND NAVIGATION BETWEEN THEIR TWO COUNTRIES. REVAL (TALLINN), SEPTEMBER 7, 1923.

*French Official text, communicated by the Danish Minister at Berne. The registration of this exchange of Notes took place February 27, 1924.*

DANISH LEGATION.

YOUR EXCELLENCY,

I. As our respective Governments propose to establish close commercial relations between Denmark and Esthonia, I have the honour to inform you that, subject to reciprocity, Esthonian nationals, and goods produced or manufactured in Esthonia, will enjoy unconditionally, on Danish territory, treatment at least as favourable in all respects as that accorded to the nationals and products or manufactured articles of the most-favoured foreign country. This treatment will be granted in all matters of commerce and navigation connected with importation, exportation and transit, and in general in all matters connected with Customs duties and formalities and the commercial operations of Esthonian nationals, access to, and permission to settle on Danish territory, to acquire and possess property of all kinds in Denmark, to carry on trade or industry or to exercise professions, and also in regard to requisitions for military and public purposes and taxes and other duties or charges of any kind whatever.

(2) Esthonian vessels will enjoy, in Danish ports and on the waterways and in the territorial waters of Denmark, treatment not less favourable than that accorded to Danish vessels or to vessels belonging to the most favoured nation. Exceptions to this provision are admitted in the following cases :

- (a) In respect of rights and privileges which either of the Contracting Parties applies or may apply in the case of national fisheries and their products ;
- (b) In respect of facilities, rebates or reductions which either of the Contracting Parties may grant to its nationals by way of a bounty for national naval construction ;
- (c) In respect of the right to engage in the coasting trade.

Nevertheless, it is understood that all privileges and all facilities which may have been or which may be accorded by one of the Contracting Parties to another Power in respect of the foregoing cases shall apply also to the other Contracting Party.

<sup>1</sup> Traduit par le Secrétariat de la Société des Nations.

<sup>1</sup> Translated by the Secretariat of the League of Nations.

<sup>2</sup> The notification to the Danish Government of the ratification by the Esthonian Parliament entailing the entry into force of this provisional agreement, took place February 5, 1924.

(3) The Danish Government further undertakes, subject to reciprocity, to grant freedom of transit for persons, goods, vessels and boats, carriages and wagons which, coming from or proceeding to Esthonia, pass in transit through Danish territory, including Danish territorial waters, and to grant them treatment at least as favourable as that accorded to Danish nationals, goods, vessels and boats, carriages and wagons, and to grant them, in respect of facilities, rights, restrictions and any other provisions, treatment as favourable as that granted to Danish nationals, goods, boats, vessels, carriages and wagons or to those belonging to another more favoured country.

Goods in transit shall not be subject to any Customs or transit charge, without prejudice, however, to charges intended exclusively to cover the cost of supervision and administration in respect of such transit, nor to penalties laid down for breaches of the Customs regulations.

On railways the said goods shall enjoy, as regards carriage and the cost of transport, the treatment applied to the most-favoured nation.

(4) Esthonia may not, in virtue of the above provisions, claim the same privileges as those granted or to be granted by Denmark to Norway or Sweden or both countries, so long as such advantages are not granted to a third State.

Further, Esthonia may not claim such privileges with regard to frontier commerce, traffic and communications as may be granted to neighbouring States for local reasons.

The provisions of the present Note shall not be applied on the territory of Greenland, where, according to the existing regulations, no foreign citizen may settle or carry on commerce or navigation without special authorisation from the Danish Government.

Denmark shall not be entitled, by virtue of the above provisions, to claim the privileges which are accorded or which may subsequently be accorded by Esthonia to Finland, Latvia, Lithuania or Russia or to countries which are bound to Esthonia by customs-union or economic-union, or to all the above countries so long as the same privileges shall not have been accorded to a third State.

The above provisional Arrangement shall come into force as from the date on which the ratification of the present Note by the Esthonian Parliament has been notified to the Danish Government and shall remain in force until it is denounced by one of the Parties at three months' notice, or until it is superseded by a commercial treaty.

I have the honour to be, etc.,

TALLINN, *September 7, 1923.*

(Signed) F. LERCHE.

To His Excellency M. FR. AKEL,  
Minister for Foreign Affairs of the Esthonian Republic,  
Reval.

YOUR EXCELLENCY,

(1) As our respective Governments propose to establish close commercial relations between Esthonia and Denmark, I have the honour to inform you that, subject to reciprocity, Danish nationals, and goods produced or manufactured in Denmark, will enjoy unconditionally, on Esthonian territory, treatment at least as favourable in all respects as that accorded to the nationals and products or manufactured articles of the most-favoured foreign country. This treatment will be granted in all matters of commerce and navigation connected with importation, exportation and transit, and in general in all matters connected with Customs duties and formalities and the commercial operations of Danish nationals, access to, and permission to settle on Esthonian territory, to acquire and possess property of all kinds in Esthonia, to carry on trade or industry or to exercise professions, and also in regard to requisitions for military and public purposes and taxes and other duties or charges of any kind whatever.

(2) Danish vessels will enjoy, in Esthonian ports and on the waterways and in the territorial waters of Esthonia, treatment which shall be not less favourable than that accorded to Esthonian vessels or to vessels belonging to the most-favoured nation. Exceptions to this provision are admitted in the following cases :

- (a) In respect of rights and privileges which either of the Contracting Parties applies or may apply in the case of national fisheries and their products ;
- (b) In respect of facilities, rebates or reductions which either of the Contracting Parties may grant to its nationals by way of a bounty for national naval construction ;
- (c) In respect of the right to engage in the coasting trade.

Nevertheless, it is understood that all privileges and all facilities which may have been or which may be accorded by one of the Contracting Parties to another Power in respect of the foregoing cases shall apply also to the other Contracting Party.

(3) The Esthonian Government further undertakes, subject to reciprocity, to grant freedom of transit for persons, goods, vessels and boats, carriages and waggons which, coming from or proceeding to Denmark, pass in transit through Esthonian territory, including Esthonian territorial waters, and to grant them treatment at least as favourable as that accorded to Esthonian nationals, goods, vessels and boats, carriages and wagons, and to grant them, in respect of facilities, rights, restrictions and any other provisions, treatment as favourable as that granted to Esthonian nationals, goods, boats, vessels, carriages and wagons or to those belonging to another more favoured country.

Goods in transit shall not be subject to any Customs or transit charge, without prejudice, however, to charges intended exclusively to cover the cost of supervision and administration in respect of such transit, nor to penalties laid down for breaches of the Customs regulations.

On railways the said goods shall enjoy, as regards carriage and the cost of transport, the treatment applied to the most-favoured nation.

(4) Denmark shall not be entitled, by virtue of the above provisions, to claim the privileges which are accorded or may subsequently be accorded by Esthonia to Finland, Latvia, Lithuania, or Russia or countries which are bound to Esthonia by Customs union or economic union, or to all the above countries so long as the same privileges shall not have been accorded to a third State.

Esthonia, on her part, may not, in virtue of the above provisions, claim the same privileges as those granted or to be granted by Denmark to Norway or Sweden or to both these countries, so long as these advantages are not granted to a third State.

Further, Denmark may not claim such privileges with regard to frontier commerce, traffic and communications as may be granted to neighbouring States for local reasons.

The provisions of the present Note shall not be applied on the territory of Greenland, where, according to the existing regulations, no foreign citizen may settle or carry on commerce or navigation without a special authorisation from the Danish Government.

The above provisional Arrangement shall come into force as from the date on which the ratification of the present Note by the Esthonian Parliament has been notified to the Danish Government and shall remain in force until it is denounced by one of the parties at three months' notice, or until it is superseded by a commercial treaty.

I have the honour to be, etc.,

TALLINN, *September 7, 1923.*

(Signed) FR. AKEL.

To His Excellency

M. F. de LERCHE,

Minister for Denmark in Esthonia.