

N° 587.

LITUANIE ET SUÈDE

Échange de notes comportant un arrangement provisoire relatif au commerce et à la navigation entre les deux pays. Kaunas (Kovno), le 17 février 1924.

LITHUANIA AND SWEDEN

Exchange of Notes constituting a provisional Agreement relating to Commerce and Navigation between the two countries. Kaunas (Kovno), February 17, 1924.

¹ TRADUCTION. — TRANSLATION.

No. 587. — EXCHANGE OF NOTES BETWEEN THE LITHUANIAN AND SWEDISH GOVERNMENTS, CONSTITUTING A PROVISIONAL AGREEMENT RELATING TO COMMERCE AND NAVIGATION BETWEEN THEIR TWO COUNTRIES. KAUNAS (KOVNO), FEBRUARY 17, 1924.

Official French text communicated by the Swedish Minister for Foreign Affairs. The registration of this exchange of Notes took place March 11, 1924.

LIETUVOS RESPUBLIKA
UZSIENIU VEIKALU MINISTERIJA
LITHUANIAN REPUBLIC
MINISTRY FOR FOREIGN AFFAIRS
No. 2735.

KAUNAS (Kovno), February 17, 1924.

YOUR EXCELLENCY,

I have the honour to inform you that, having regard to the mutual desire of our two Governments to promote in every possible way the development of commercial relations between Lithuania and Sweden, the Lithuanian Government has decided, subject to reciprocity, to accord to Swedish subjects and to the agricultural and industrial products of Sweden the advantages and facilities enumerated below.

(1) Swedish nationals and the agricultural and industrial products of Sweden will unreservedly enjoy in Lithuania the same advantages, in regard to all commercial matters, as the nationals and merchandise of the most-favoured nation. This treatment shall extend to everything related to the carrying on of trade, navigation and industry, to the right to acquire or own movable or immovable property, or to dispose of such property, to taxes and other dues of any kind whatsoever, to requisitions for military or public purposes, to import, export and transit prohibitions and to the application of these prohibitions, to excise, consumption, import and export duties and to customs formalities.

The above provisions shall in no way restrict Lithuania's right to refuse leave in certain cases to Swedish subjects to remain in the country, as a result of a legal sentence, or in the interests of the internal or external security of the State or of public order, or for reasons of social welfare and in particular of public relief and the protection of health and public morals.

(2) Swedish vessels and their cargoes shall be treated in Lithuania on the same footing as the vessels of the most-favoured nation and their cargoes.

An exception shall be made to this provision in regard to the right to engage in coastal trading.

(3) Lithuania undertakes to grant free transit across her territory to merchandise, vessels, boats and waggons proceeding to or coming from Sweden.

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

Exceptions may be made to the above provisions in the following cases :

- (1) In exceptional circumstances in connection with military supplies.
- (2) For reasons of public safety.
- (3) For the protection of public health or of useful animals or plants.

Goods in transit shall not be subject to any transit dues whatsoever.

The said goods and waggons shall enjoy the same treatment on the railways, as regards freight charges and forwarding, as that applied to the nationals of the most-favoured nation.

(4) Sweden shall not be entitled, by virtue of the above provisions, to claim the special privileges which are accorded or which may subsequently be accorded by Lithuania to Finland, Esthonia and Latvia so long as the same privileges shall not have been accorded to another State.

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

(5) The present Agreement shall be applicable as from the date of the signature of the present note and it will remain in force for a period of three months as from the date on which it is denounced.

I have the honour, etc.,

(Signed) GALVANAUSKAS.

M. U. T. UNDÉN,

Envoy Extraordinary and Minister Plenipotentiary
of His Majesty the King of Sweden in Lithuania.
etc. etc. etc.

KOVNO, *February 17, 1924.*

YOUR EXCELLENCY,

I have the honour, in pursuance of instructions from my Government, to inform you that, having regard to the mutual desire of our two Governments to promote, in every possible way, the development of commercial relations between Sweden and Lithuania, the Swedish Government has decided, subject to reciprocity, to accord to Lithuanian subjects and to the agricultural and industrial products of Lithuania the advantages and facilities enumerated below.

(1) Lithuanian nationals and the agricultural and industrial products of Lithuania will unreservedly enjoy in Sweden the same advantages, in regard to all commercial matters, as the nationals and merchandise of the most-favoured nation. This treatment shall extend to everything related to the carrying on of trade, navigation and industry, to the right to acquire or own movable or immovable property, or to dispose of such property, to taxes and other dues of any kind whatsoever, to requisitions for military or public purposes, to import, export and transit prohibitions and to the application of these prohibitions, to excise, consumption, import and export duties and to customs formalities.

The above provisions shall in no way restrict Sweden's right to refuse leave in certain cases to Lithuanian subjects to remain in the country, as a result of a legal sentence, or in the interests of the internal or external security of the State or of public order, or for reasons of social welfare and in particular of public relief and the protection of health and public morals.

(2) Lithuanian vessels and their cargoes shall be treated in Sweden on the same footing as the vessels of the most-favoured nation and their cargoes.

An exception shall be made to this provision in regard to the right to engage in coastal trading.

(3) Sweden undertakes to grant free transit across her territory to merchandise, vessels, boats and waggons proceeding to or coming from Lithuania.

Exceptions may be made to the above provisions in the following cases :

- (1) In exceptional circumstances in connection with military supplies.
- (2) For reasons of public safety.
- (3) For the protection of public health or of useful animals or plants.

Goods in transit shall not be subject to any transit dues whatsoever.

The said goods and waggons shall enjoy the same treatment on the railways as regards freight charges and forwarding as that applied to the nationals of the most-favoured nation.

(4) Lithuania shall not be entitled, by virtue of the above provisions, to claim the special privileges which are accorded or which may subsequently be accorded by Sweden to Denmark or to Norway, or to both of these countries, so long as the same privileges shall not have been accorded to another State.

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

(5) The present Agreement shall be applicable as from the date of the signature of the present Note and it will remain in force for a period of three months as from the date on which it is denounced.

I have the honour, etc.,

(Signed) UNDÉN.

His Excellency

M. GALVANAUSKAS,

President of the Council, Minister for Foreign Affairs

etc., etc., etc...

Communicated by the Swedish Minister for Foreign Affairs, May 8, 1924.

SWEDISH LEGATION.

D. No. 7/1924.

KOVNO, p. t. RIGA, March 25, 1924.

YOUR EXCELLENCY,

I am instructed to inform you that the Royal Swedish Government is taking steps to ratify, in the immediate future, the Convention on Freedom of Transit and the Statute annexed thereto, signed at Barcelona on April 20, 1921. As Your Excellency will observe, the expression "on grounds of public health..." used in the first paragraph of Article 5 of the Statute is not identical with that employed in Paragraph 3c of the Notes exchanged on February 17, 1924, regarding the

regulation of the commercial relations between our two countries, viz, " par des motifs de police sanitaire " ¹.

I am accordingly instructed to inform Your Excellency that the Swedish Government regards the above-mentioned expression in the Commercial Agreement between Lithuania and Sweden as bearing exactly the same meaning as the term employed in Article 5 of the Statute annexed to the Convention on Freedom of Transit signed at Barcelona on April 20, 1921.

I would beg Your Excellency to inform me as soon as possible whether this interpretation is accepted by Lithuania, and have the honour to be, etc.

(Signed) UNDÉN.

His Excellency Monsieur GALVANAUSKAS,
Prime Minister and
Minister for Foreign Affairs,
etc., etc., etc.

REPUBLIC OF LITHUANIA
MINISTRY FOR FOREIGN AFFAIRS.

No. 4879.

KOVNO, March 29, 1924.

YOUR EXCELLENCY,

I have the honour to acknowledge receipt of Note No. 7/1924 dated March 25 of the present year, in which Your Excellency informs us of the interpretation attached by the Royal Swedish Government to Paragraph 3c of the Notes exchanged between the Governments of Sweden and Lithuania on February 17 last regarding the regulation of their commercial relations, namely, that Paragraph 3c is regarded as bearing the same meaning as the first paragraph of Article 5 of the Statute annexed to the Convention on Freedom of Transit, signed at Barcelona on April 20, 1921.

I have the honour to inform Your Excellency that the Lithuanian Government fully subscribes to this interpretation.

I have the honour to be, etc.

(Signed) GALVANAUSKAS,
*Prime Minister and Minister
for Foreign Affairs.*

His Excellency Monsieur U. T. UNDÉN,
Swedish Envoy Extraordinary and
Minister Plenipotentiary,
Riga.

¹ Translated " for protection of public health ".