

N° 924.

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**LETTONIE ET NORVÈGE**

Traité de Commerce et de Navigation,  
signé à Christiania, le 14 août  
1924.

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**LATVIA AND NORWAY**

Treaty of Commerce and Navigation,  
signed at Christiania, August 14,  
1924.

<sup>1</sup> TRADUCTION. — TRANSLATION.No. 924. — TREATY<sup>2</sup> OF COMMERCE AND NAVIGATION BETWEEN  
LATVIA AND NORWAY, SIGNED AT CHRISTIANIA, AUGUST 14,  
1924.

*French official text communicated by the Latvian and Norwegian Ministers for Foreign Affairs. The registration of this Treaty took place July 11, 1925.*

HIS MAJESTY THE KING OF NORWAY and HIS EXCELLENCY THE PRESIDENT OF THE REPUBLIC, OF LATVIA being desirous of encouraging the development of commercial and maritime relations between the two States have resolved to conclude for this purpose a Treaty of Commerce and Navigation and have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF NORWAY :

M. Johan Ludwig MOWINCKEL, His Minister of State and Minister for Foreign Affairs ;

THE PRESIDENT OF THE REPUBLIC OF LATVIA :

M. Germain ALBAT, Minister Plenipotentiary, Secretary General at the Ministry for Foreign Affairs :

Who, having communicated their respective full powers, found to be in good and due form, have agreed upon the following provisions :

## CHAPTER I.

## GENERAL PROVISIONS AND RIGHTS OF NATIONALS.

*Article I.*

The nationals of one of the Contracting Parties permanently or temporarily resident in the territory of the other Party, shall enjoy, in all that concerns the establishment and exercise of commerce and industry in the territory of the other Contracting Party, the same rights, privileges, immunities, favours and exemptions as the nationals of the most favoured nation.

*Article II.*

The nationals of each of the High Contracting Parties may, on the same footing as nationals of the most favoured nation, provided they comply with the laws of the country, acquire, possess

<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 exchange of ratifications took place at Riga, June 10, 1925.

or rent and occupy the houses, factories, stores, shops, and buildings which may be necessary to them, and lease lands for lawful purposes.

As regards the transfer of movable property by testamentary succession or otherwise, and the right to dispose in any manner whatsoever of property of any kind which they may legally acquire, they shall enjoy in the territories of the other Contracting Party, provided they comply with the laws of the country, the same privileges, liberties and rights as nationals, and shall not be subjected in this respect to duties, taxes, imposts or charges of any description whatsoever other or higher than those which are, or may be imposed on nationals of the most favoured nation.

#### *Article III.*

The nationals of each of the High Contracting Parties may likewise freely export the proceeds of the sale of their property or goods in general, always on a basis of reciprocity, without being subjected to the payment, on account of such exports, of duties other or higher than those to which the nationals of the most favoured nation would be subject in like circumstances.

#### *Article IV.*

Provided they comply with the laws of the country, nationals of each of the High Contracting Parties shall not be obliged, to sustain charges or pay duties, imposts, taxes or contributions of any kind whatsoever other or higher than those which are or may be imposed on nationals of the most favoured nation.

#### *Article V.*

Limited liability or other companies and commercial, industrial and financial associations which are or may be constituted in conformity with the laws of one of the High Contracting Parties and which have their domicile in the territories or possessions of that Party shall be authorised within the territories or possessions of the other Party, provided they comply with the laws of the latter, to exercise their rights and to appear in courts of justice, for the purpose either of bringing or of defending an action.

The above provision shall not be applicable in deciding whether a company or association of the kind established in one of the two countries shall or shall not have the right to engage in commerce or to carry on an industry in the other, such right being always subject to the laws and regulations in force in the respective countries.

The companies and associations above-mentioned shall enjoy in this connection the same rights and advantages as are or may be accorded to similar organisations of any third Power.

### CHAPTER II.

#### CONSULAR PROVISIONS.

#### *Article VI.*

(1) The two Contracting Parties reciprocally recognise the right to appoint consular representatives in all the ports or commercial centres of the other Party in which the right to appoint consular representatives has been accorded to any third Power.

(2) The consular representatives of the two Contracting Parties shall after having obtained the necessary exequatur from the Government of the country within whose territory they have

to carry out their duties, enjoy the same prerogatives, exemptions and privileges as those already accorded, or which may in future be accorded, to the consular representatives of any third Power. The said prerogatives, exemptions and privileges will not, however, be accorded to a greater extent to the consular representatives of one of the countries discharging their duties in the other country, than to the consular representatives of the latter country discharging their duties in the first country.

#### *Article VII.*

Should the decease of a national of one of the High Contracting Parties occur in the territories or possessions of the other, and should the deceased person not have left any heir or testamentary executor in the country of his decease, the competent Consular Officer of the country of which the deceased was a national shall have the right, after fulfilling the necessary formalities, either personally or through an agent, to undertake the full representation of the heirs or testamentary executors, and shall be officially recognised as holding the latter's power of attorney without being called upon to justify his representative quality by the production of any special document. He may consequently, either in person or by means of agents chosen from among those who are authorised to undertake such duties by the legislation of the country, appear, before the competent authorities in order to represent, in all that appertains to the succession which has been opened, the interests of the heirs, by upholding their rights or dealing with claims against them. It is further understood that the said consular officer, while being considered as holding a power of attorney for his nationals, may never be personally sued in any matter concerning the succession. The competent consular officer shall have the right, provided he complies with the laws of the country in regard to the deceased's movable or immovable estate, to take all the conservatory measures which he may consider advisable in the interests of the heirs. He may administer the estate either personally or through agents chosen by him and acting in his name, and he shall have the right to cause all the securities belonging to the deceased which may have been deposited either in banks or with private persons to be handed over to him. Nothing, however, in this article shall be regarded as authorising the removal of any matters which are properly within their competence, from the jurisdiction of the Courts of the country in which the property is situated.

The foregoing provisions shall also be applicable to cases in which a national of one of the Contracting Parties, who owns movable or immovable property within the territories or possessions of the other, dies outside the said territories or possessions without having left any heir or testamentary executor in the country where his property is situated.

### CHAPTER III.

#### COMMERCE AND NAVIGATION.

#### *Article VIII.*

There shall be between the territories of the two High Contracting Parties, reciprocal freedom of commerce and navigation. The nationals of each of the Contracting Parties shall have full liberty, on the same footing as the nationals of the most favoured nation, to proceed with their vessels and cargoes to all places, ports and rivers in the territories and possessions of the other which are or may be open to foreign trade; they must, however, comply with the laws of the country to which they proceed.

Commercial vessels belonging to the nationals or to companies of each of the contracting countries, their crews and cargoes shall, on arrival in the territories or possessions of the other country, either direct from the country of origin or from another country, and whatever may be the place of origin or destination of the cargo, enjoy, in all matters a treatment at least as favourable as that accorded to the vessels, crews and cargoes of the most favoured nation.

*Article IX.*

The Customs duties levied on the articles, natural products or manufactured products of the territories or possessions of one of the High Contracting Parties shall, on their importation into the territories or possessions of the other, be henceforth regulated either by special agreements between the two countries or by the internal legislation of each of them.

Neither of the Contracting Parties shall impose on the exportation of any article to a destination in the territories or possessions of the other, any duties or charges other or higher than those which are or may be imposed on the exportation of similar articles to a destination in any other foreign country.

Goods or other products of the soil and industry of Norway imported into Latvia, and the products of the soil and industry of Latvia imported into Norway, and intended either for consumption or for warehousing, for re-export or transit, shall not, in so far as the import, export, re-export or transit is concerned, be subjected to Customs duties, taxes, supertaxes, imposts, contributions, restrictions or obligations, either general or local, other or higher, than those imposed on the most favoured nation, or to export or import formalities other than those imposed on the most favoured nation.

Similarly, no prohibition or restriction shall be maintained or imposed by one of the Contracting Parties on the import or export of any article coming from or consigned to the territories or possessions of the other which is not also extended to similar articles coming from or consigned to any other country. The last provision shall not, however, be applicable to prohibitions or restrictions maintained or imposed either as sanitary measures or with the object of protecting useful animals or plants, or in matters connected with contraband of war.

*Article X.*

Each of the High Contracting Parties undertakes to accord freedom of transit through its territories and possessions to the products, vessels, wagons and postal traffic to or from the other country, and to subject them to treatment at least as favourable as that accorded to the most favoured nation.

The above-mentioned objects shall enjoy, on the railways and navigable waterways, so far as forwarding and cost of transport are concerned, the treatment accorded to the most favoured nation.

Transit traffic shall not be subjected to any special duties in connection with transit (including entry and exit), with the exception of the duties exclusively intended to cover the expenses of supervision and administration entailed by the transit. This shall not, however, restrict the right to levy fiscal taxes on transactions which may take place in regard to such goods during their warehousing or transport.

Neither of the High Contracting Parties shall be bound, under this or the preceding article, to grant passage to travellers whose admission into its territories or possessions is prohibited, or to goods of which the importation is prohibited, either for the purpose of protecting public health or safety, or as a precaution against diseases of animals or plants.

Persons, baggage and goods, and also vessels, coaching and goods stock, and other means of transport, shall be deemed to be in transit across the territories or possessions under the sovereignty or authority of one of the Contracting Parties, when the passage across such territories or possessions with or without transshipment, warehousing, breaking bulk, or change in the mode of transport, is only a portion of a complete journey, beginning and terminating beyond the frontier of the State across whose territories or possessions transit takes place.

*Article XI.*

Merchants, manufacturers or industrialists, nationals of one of the High Contracting Parties, who are domiciled and carry on their commerce or industry in the territories or possessions of that

Party, and who prove by showing a trading identity card, issued by the authorities of their country, that they are authorised to carry on their trade or industry in that country and that they duly pay the legally established taxes and imposts, may, in the territories or possessions of the other either in person or through commercial travellers, make purchases or solicit orders, on sample or otherwise. Such merchants, manufacturers and industrialists, and their commercial travellers, shall, when making purchases or soliciting orders in this manner, enjoy as far as taxation and facilities are concerned, most-favoured-nation treatment.

The articles imported as samples for the above-mentioned purpose shall, in each of the two countries, be temporarily admitted free of duty, in conformity with the Customs regulations and formalities laid down for assuring their re-exportation or the payment of the prescribed Customs duties in the case of their not being re-exported within the period fixed by law. The said privilege shall not, however, apply to articles which, by reason of their quantity or value, cannot be considered as samples or which, on account of their nature, could not be identified on re-export. The competent authorities of the place where importation has been effected shall have the sole right in all cases to decide whether a sample may be admitted free of duty.

#### Article XII.

All articles which are or may be legally imported into the ports of one of the High Contracting Parties by vessels sailing under the flag of the most favoured nation may likewise be imported into these ports by the vessels of the other Contracting Party, without being subjected to any duty or charge of any kind other or higher than those to which the same articles would have been subjected if they had been imported by vessels sailing under the flag of the most favoured nation. This treatment shall be applied without distinction, whether such articles come direct from the place of origin or from any other foreign country.

There shall also be perfect equality of treatment as regards exportation, so that the same export duties shall be paid and the same premiums and rebates accorded, in the territories or possessions of each of the Contracting Parties, on the export of any article which may now or in the future be legally exported therefrom, whether export is effected in vessels sailing under the flag of the most favoured nation or in Norwegian } vessels, and whatever may be the destination,  
Latvian }

whether a port of the other Party or a port of a third Power.

#### Article XIII.

In all that regards the stationing, loading and unloading of vessels, in the territorial waters of the High Contracting Parties, no privilege or facility shall be accorded by one of the Parties to vessels sailing under the flag of a third Power which is not also accorded, in similar circumstances to the vessels of the other Party, it being the wish of the High Contracting Parties that their respective vessels shall reciprocally enjoy in this respect within their territories and possessions the treatment accorded to the most favoured nation.

#### Article XIV.

Norwegian vessels entering a port in the territories or possessions of Latvia, and Latvian vessels entering a Norwegian port, which come for the purpose of unloading a portion of their cargo may, provided they comply with the laws and regulations of the respective States, retain on board that portion of their cargo which is destined for another port either in the same country or in another country, and re-export the same without being compelled to pay, so far as that latter portion of their cargo is concerned, any Customs duties except those for supervision, which naturally, may be levied only at the rates fixed for vessels belonging to nationals of the most favoured nation. When they continue their voyage to the other port or ports of destination, the vessels in question may there unload the rest of their cargo, always provided they comply with the laws, tariffs and

customs regulations of the country of destination. In the same manner and subject to the same restriction any vessel of one of the Contracting Parties may load in the various ports of the other Party, in the course of one and the same voyage abroad.

*Article XV.*

No tonnage, transit, canal, harbour, pilotage, lighthouse, quarantine or other similar or analogous duties or charges of any kind whatever levied in the name or for the profit of the Government, public officials, private persons, corporations, or any establishments whatsoever, shall be levied in the territorial waters of one of the two Parties on the vessels of the other unless they are also levied under the same conditions on the vessels of the most favoured nation. This equality of treatment shall be reciprocally applied to the respective vessels, from whatever place they may arrive and whatever may be their place of destination.

*Article XVI.*

Vessels engaged in a regular postal service of one of the High Contracting Parties, whether they belong to the State or are subsidised for that purpose, shall enjoy in the territorial waters of the other the same facilities, privileges and immunities as those which are accorded to similar vessels of the most favoured nation.

*Article XVII.*

The provisions of the present Treaty shall not apply to coastal navigation or coasting trade (*cabotage*) and participation in national fisheries, which are exclusively reserved in each of the two countries for national vessels, and the regime for which continues to be subject to the laws of Norway and Latvia respectively.

*Article XVIII.*

The competent consular officers of each of the High Contracting Parties shall, within the territories and possessions of the other, be exclusively entrusted with the maintenance of internal order on board the merchant vessels of their nation and shall alone be competent to deal with disputes which may arise, either at sea or in the territorial waters of the other Party, between the masters, the officers and the crews, more particularly in matters relating to the payment of wages and the carrying out of contracts. The territorial authorities shall, however, have jurisdiction should disorders arise on board a merchant vessel belonging to one of the High Contracting Parties in the territorial waters of the other which the competent authorities of the place might consider to be likely to disturb peace or order in these waters or on shore.

In all cases in which, according to the provisions of this article, the territorial authorities intervene, the Consular representative of the other country must be informed as soon as possible.

*Article XIX.*

Should a seaman desert from a ship belonging to one of the High Contracting Parties in the territorial waters of the other, the local authorities must, within the limits of the law, afford all the assistance in their power to secure the arrest or surrender of the deserter, if the competent Consular officer of the country to which the vessel belongs so requests and if he states that all expenses connected therewith will be refunded.

It is understood that seamen and other members of the crew who are nationals of the country in which desertion takes place shall be exempt from the provisions of this article.

*Article XX.*

In the case of shipwreck, damage at sea, or forced putting into port, each of the High Contracting Parties shall in so far as the duties of neutrality may permit, accord to the vessels of the other, whether belonging to the State or to private persons, the same assistance and protection and the same immunities as those which would be granted in similar circumstances to vessels sailing under the flag of the most favoured nation. Articles salvaged from such shipwrecked or damaged vessels shall be exempt from all Customs duties, except when disposed of for internal consumption, in which case they must pay the prescribed duties.

Should a vessel of one of the High Contracting Parties run aground or be shipwrecked on the coasts of the other, the local authorities shall inform the nearest competent Consular officer.

The respective Consular officers shall be authorised to afford all necessary assistance to their nationals.

*Article XXI.*

Merchant vessels under the Norwegian or Latvian flag, which have on board the papers necessary to establish their nationality according to their national laws and regulations, shall be considered in Latvia and Norway respectively as Norwegian or Latvian vessels.

*Article XXII.*

Unless otherwise expressly provided in the present Treaty, the High Contracting Parties agree that in all matters concerning commerce, navigation and industry, every privilege, favour, facility or immunity whatsoever which one of them has already accorded or may accord in the future to the nationals and to the products of the soil or industry of any other State, shall be extended, at once and unconditionally, to the nationals and to the products of the other Contracting Party, it being the wish of the High Contracting Parties that in all matters respecting the carrying on of commerce, navigation and industry, Norwegian nationals shall enjoy within the territories and possessions of Latvia, and Latvian nationals within the territories and possessions of Norway, most-favoured-nation treatment on a reciprocal basis.

CHAPTER IV.

CONCERNING THE APPLICATION OF THE PROVISIONS OF THE TREATY.

*Article XXIII.*

The provisions of the present Treaty shall be applicable to all the territories and possessions belonging to or administered by each of the High Contracting Parties.

An exception is, however, made on behalf of Norway with respect to Spitzbergen.

*Article XXIV.*

Disputes and differences of opinion between the two Contracting Parties concerning the application and interpretation of the present Treaty shall be decided by a mixed court of arbitration. The court of arbitration shall be constituted *ad hoc* and shall comprise an equal number of representatives of the two Parties. Should these representatives be unable to reach an agreement, they shall have recourse to a third arbitrator, whom the President of the Permanent Court of International Justice may, if necessary, be requested to appoint.



*Article XXV.*

The liberties, immunities and privileges hereafter mentioned shall not be held to derogate from the principle of most-favoured-nation treatment :

- (a) Privileges which have been or may be accorded to neighbouring States with a view facilitating local traffic within the frontier zone of either nation (to a maximum breadth of 15 kilometres on either side of the frontier).
- (b) Privileges which have been or may be conceded by one of the High Contracting Parties to a third State in virtue of a Customs Convention already in force or which may in the future be concluded.
- (c) The liberties, immunities and privileges which Norway accords or may accord to conterminous countries, to Denmark and to Iceland.
- (d) The liberties, immunities and privileges which Latvia accords or may accord to one of the Baltic States (Finland, Esthonia and Lithuania) in virtue of special agreements. The same shall apply to any privileges which Latvia may accord to the Union of Socialist Soviet Republics in virtue of special Customs conventions or agreements.

## CHAPTER V.

## VARIOUS PROVISIONS.

*Article XXVI.*

The High Contracting Parties reserve the right to conclude a special agreement on a basis of reciprocity regarding legal assistance.

## CHAPTER VI.

## FINAL PROVISIONS.

*Article XXVII.*

The present Treaty shall be ratified and the ratifications shall be exchanged at Riga as soon as possible.

*Article XXVIII.*

The Treaty shall come into force on the date of the exchange of ratifications, and shall remain operative for a period of one year. On the expiration of the year it shall continue in force by tacit agreement until denounced by either of the High Contracting Parties giving three months' notice to that effect to the other Contracting Party. The present Treaty shall cease to have effect three months after it has been denounced in the above manner.

In faith whereof the Plenipotentiaries of the two Contracting Parties have signed the present Treaty and have thereto affixed their seal.

Done in duplicate at Christiania, August 14, 1924.

(Signed) JOH. LUDW. MOWINCKEL.

(Signed) G. ALBAT.