

N° 929.

**SUÈDE
ET TCHÉCOSLOVAQUIE**

Convention de commerce et de navigation avec Protocole final, signée à Stockholm, le 18 avril 1925.

**SWEDEN
AND CZECHOSLOVAKIA**

Convention of Commerce and Navigation with Final Protocol, signed at Stockholm, April 18, 1925.

¹ TRADUCTION. — TRANSLATION.929. — CONVENTION ² OF COMMERCE AND NAVIGATION BETWEEN SWEDEN AND CZECHOSLOVAKIA, SIGNED AT STOCKHOLM, APRIL 18, 1925.

French official text communicated by the Swedish Minister for Foreign Affairs. The registration of this Convention took place July 18, 1925.

H. M. THE KING OF SWEDEN and THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC being desirous of strengthening commercial relations between the two States have determined to conclude a Convention of Commerce and Navigation and have with this object appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF SWEDEN :

Mr. Östen UNDÉN, His Minister for Foreign Affairs,

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC :

Mr. Vladimír RADIMSKÝ, Envoy Extraordinary and Minister Plenipotentiary of the Czechoslovak Republic, accredited to His Majesty the King of Sweden, and
Mr. Jan DVOŘÁČEK, Minister Plenipotentiary and Head of the Economic Section of the Czechoslovak Ministry for Foreign Affairs,

Who, having communicated to each other their full powers, found in good and due form, have agreed upon the following articles :

Article 1.

The nationals of each of the High Contracting Parties shall enjoy in the territory of the other Party, in every respect, and particularly as regards the establishment and carrying on of trade, industry and navigation, and the right to acquire and possess movable and immovable property and to dispose of the same, the same treatment in every respect as is enjoyed by the nationals of the most favoured nation.

This provision shall not in any way limit the right of each of the High Contracting Parties to refuse permission to remain in the country to the nationals of the other Party, in certain definite circumstances, either as a result of a judicial sentence or for reasons of public safety and social welfare, and particularly in connection with health regulations and matters affecting public morals.

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

² The respective Governments have agreed, until such time as circumstances allow of the exchange of the ratifications of this Convention, to put this Convention in force provisionally as from June 27, 1925.

The nationals of each of the High Contracting Parties shall be exempt in the territory of the other Party from all compulsory military service in the army, navy, or air force, as well as in all other military organisations, or organisations of a military nature intended for national defence or for the maintenance of public order and the internal security of the State. They shall further be exempt from all taxation in lieu of such service.

As regards other military obligations or requisitions, they shall not, either in time of peace or in time of war, be subjected to treatment in any way less favourable than that which is accorded to the nationals of the most favoured nation.

Article 2.

Limited liability companies and other companies of a commercial character which have their headquarters in the territory of one of the High Contracting Parties and which are legally constituted in conformity with the laws of that Party, shall enjoy within the territory of the other Party, and in every respect, the same treatment as that which is accorded to similar companies of the most favoured nation, it being understood that authorisation for such companies to carry on their trade or industry in the territory of the other Party shall be subject to the laws and regulations in force therein.

Article 3.

Products of the soil and industry originating in and coming from Sweden shall enjoy in the Czechoslovak Republic, and products of the soil and industry originating in and coming from the Czechoslovak Republic shall enjoy in Sweden, the most favourable scale of Customs duties which the respective High Contracting Parties grant or may hereafter grant to any third State, both as regards all the duties and taxes and as regards any coefficients, surcharges and increases which are, or may hereafter be, applied to these duties and taxes.

Products exported from the territory of one of the High Contracting Parties to the territory of the other Party shall not be subjected to duties or taxes other or higher than those which are or may hereafter be applied to similar products coming from the most favoured nation.

Similarly the High Contracting Parties shall grant each other most-favoured-nation treatment as regards the carrying out of Customs formalities and also as regards any internal duties which are, or may hereafter be, levied on the production, manufacture or consumption of any article within the territory of either Contracting Party.

Article 4.

No prohibition or restriction shall be maintained or imposed, whether on importation or on exportation, on any article coming from or consigned to the territory of the other Contracting Party unless such prohibition or restriction is also applied to articles consigned to or coming from any other country.

In the case of all products which are subject to the regime of import or export licences, the scale of fees and the other conditions which govern the issue of such licences shall in no case be less favourable than the conditions to which the products of any other country are subjected.

Prohibitions or restrictions which are maintained or imposed for reasons of public health or as a protection against diseases of animals or useful plants, in conformity with the universally recognised international regulations, or which are maintained or imposed in respect of goods forming the subject of a State monopoly in one of the Contracting States or for reasons of public security, shall not be deemed to constitute a derogation from the principle of most-favoured-nation treatment.

Article 5.

As regards transit, the two Contracting Parties shall reciprocally apply, in their relations with one another, the provisions laid down by the Convention¹ and Statute on the Freedom of Transit signed at Barcelona, on April 20, 1921.

Article 6.

As regards railway traffic, neither Contracting Party shall apply to passenger traffic or to goods and waggons imported exported or conveyed in transit on their way to or from the territory of the other Contracting Party, transport rates or additional charges other or higher than those which are or may hereafter be applied to the passengers, goods or other traffic referred to above, on its way to or from the most favoured country.

As regards the transit of postal packets, the Acts of the Universal Postal Union shall be applicable.

Article 7.

Swedish vessels and their cargoes in the Czechoslovak Republic, and Czechoslovak vessels and their cargoes in Sweden, shall in every respect enjoy the same treatment as is accorded to the vessels of the most favoured nation and their cargoes.

This provision shall not, however, extend to the right to engage in coasting trade (*cabotage*).

Article 8.

The provisions of the present Convention regarding most-favoured-nation treatment shall not apply :

to special privileges which are or may hereafter be granted to conterminous States with a view of facilitating the frontier traffic ;

to special privileges which may hereafter be granted to a third Power in virtue of a Customs union.

The Czechoslovak Republic shall not be entitled, in virtue of the stipulations of the present Convention, to claim the benefit of the special privileges which are, or may hereafter be granted by Sweden to Denmark or Norway or to both of these States, unless such privileges shall have been granted to some other State.

Sweden shall not be entitled, in virtue of the stipulations of the present Convention, to share in the advantages granted under any special agreements which may be concluded by the Czechoslovak Republic with Austria or with Hungary in conformity with the economic clauses of the Treaties of Peace of St. Germain and Trianon providing for the introduction of a special Customs régime in favour of certain natural or manufactured products originating in or coming from the said countries, so long as these advantages have not been granted to some other State.

Article 9.

As the present Convention requires, in the case of Sweden, the consent of the Riksdag and, in the case of the Czechoslovak Republic, the consent of the Národní Shromáždění, it shall be ratified by H. M. the King of Sweden and by the President of the Czechoslovak Republic.

It shall come into force fifteen days after the exchange of the instruments of ratification, which shall take place at Stockholm.

The two Governments may, however, agree that it shall come into force before this date, if their respective laws so permit.

¹ Vol. VII, page 11; vol. XI, page 406; vol. XV, page 304; vol. XIX, page 278; vol. XXIV, page 154; vol. XXXI, page 244 and vol. XXXV, page 298 of this Series.

The present Convention shall continue to be valid for a period of one year reckoned from the date of its coming into force and thereafter until the expiration of a period of three months reckoned from the date of its denunciation by one of the Contracting Parties.

In faith whereof, the Plenipotentiaries have signed the present Convention.

Done in duplicate at Stockholm, April 18, 1925.

(Signed) ÖSTEN UNDÉN (L. S.)

(Signed) V. RADIMSKÝ (L. S.)

(Signed) J. DVOŘÁČEK.

FINAL PROTOCOL.

At the moment of signing the Convention of Commerce and Navigation which has been concluded this day between Sweden and the Czechoslovak Republic, the undersigned Plenipotentiaries have made the following declarations which shall form an integral part of the Convention :

Ad Article 1.

(1) It is understood that the provisions of Article 1 shall also be applicable to the treatment of commercial travellers. Consequently, commercial travellers travelling in Sweden on behalf of a firm established in the Czechoslovak Republic, and commercial travellers travelling in the Czechoslovak Republic on behalf of a firm established in Sweden, shall not pay any trade-license fees (special tax) higher than those which are imposed upon commercial travellers of other nations.

If commercial travellers of Czechoslovak firms should hereafter be exempted in Sweden from the payment of any trade license fee (special tax), commercial travellers of Swedish firms shall as a measure of reciprocity, be exempted in the same manner in the Czechoslovak Republic.

(2) The High Contracting Parties will favourably consider the question of the treatment to be accorded to workmen of one of the High Contracting Parties in the territory of the other Party, with a view to securing the most favourable treatment possible for these workmen in the matter of social insurance and the protection of workmen, by means of special agreements on a basis of reciprocity.

Ad Article 4.

As regards the systems of import and export licences which exist, or may hereafter be introduced, in the two countries, the Contracting Parties will deal with requests by the nationals of the other Party for exemption from existing restrictions, in a manner as favourable as circumstances may allow.

Done in duplicate at Stockholm, April 18, 1925.

(Signed) ÖSTEN UNDÉN.

(Signed) V. RADIMSKÝ.

(Signed) J. DVOŘÁČEK.