

N° 963.

FRANCE ET LETTONIE

Convention de Commerce, signée à
Riga, le 30 octobre 1924.

FRANCE AND LATVIA

Commercial Convention, signed at
Riga, October 30, 1924.

¹ TRADUCTION. — TRANSLATION.

No. 963. — COMMERCIAL CONVENTION² BETWEEN FRANCE AND LATVIA, SIGNED AT RIGA, OCTOBER 30, 1924.

French official text communicated by the Prime Minister, Minister for Foreign Affairs of the French Republic and the Latvian Minister for Foreign Affairs. The registration of this Convention took place October 9, 1925.

THE GOVERNMENT OF THE LATVIAN REPUBLIC and THE GOVERNMENT OF THE FRENCH REPUBLIC, being desirous, as far as present conditions allow, of promoting commercial relations between their countries, have decided to apply the following provisions for the period hereinafter fixed:

Article 1.

Natural products or manufactured articles originating in and coming from France or French colonies, possessions and protectorates shall be admitted into Latvia at rates as low as those that are or may be granted by Latvia to any other Power, both as regards all import duties and taxes and all additional charges, coefficients or increases to which such duties may be subject.

The benefits of the above régime shall, as an exceptional measure and irrespective of the country of origin or export of the goods, be extended also to certain foodstuffs or colonial goods, such as coffee, tea, spices, cotton, wool, silks, india-rubber and tobacco, for which goods France has created special markets, provided that the goods in question are imported into Latvia by French or Latvian firms established and registered in France.

Article 2.

Natural products or manufactured articles originating in and coming from Latvia enumerated in the annexed List A, shall, when imported into France or into French colonies, possessions and protectorates having the same Customs régime as France, enjoy the benefits of the minimum tariff, both as regards import duties at present levied in France or those which may later be substituted for them, and also as regards the additional charges, coefficients or other temporary increases which France has established or may establish.

Natural products or manufactured articles originating in and coming from Latvia, as enumerated in the annexed List B, shall, when imported into France or French colonies, possessions and protectorates having the same Customs régime as France, enjoy the percentage reduction shown in that list, which reduction shall be based on the difference between the general tariff rate and the minimum tariff rate.

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

² Came into force February 26, 1925.

The percentage shall remain the same whatever increases or abatements of tariff duties, additional charges or coefficients may be introduced by France in the future.

Natural products or manufactured articles originating in and coming from Latvia shall be subject in the French colonies, possessions or protectorates not having the same Customs régime as France to the same duties as are or may be applied therein to the products of the most favoured nation, with the exception of any benefits in this respect which may be reserved for the products of the home country.

Article 3.

Any removal of existing import prohibitions granted by either of the High Contracting Parties in favour of the products of a third Power, even temporarily or in respect of the quota fixed, shall be extended, immediately and unconditionally, to the same or similar goods originating in and coming from the other country.

As regards export prohibitions, each of the High Contracting Parties shall grant most-favoured-nation treatment, but may not claim exemptions, which may be conceded to other Powers, only in return for some equivalent or as part of a commercial agreement.

Should either of the High Contracting Parties establish fresh prohibitions as regards either imports or exports, exemptions shall be granted or quotas fixed at the request of either of the two Contracting Parties in such a way as to cause the least possible prejudice to commercial relations between the two countries.

Article 4.

Natural products or manufactured articles exported from the territories of one of the High Contracting Parties to the territories of the other shall enjoy, as regards export duties or charges at present in force or subsequently established, as favourable treatment as that which is or may be subsequently granted by either of the High Contracting Parties to any third Power.

Article 5.

Goods prohibited or rationed for import or export shall be subject to no limitation or restriction, and shall be exempted from all import or export duties, whenever such goods originate in and come from France or French colonies and possessions and are imported into Latvia to be warehoused there with a view to re-exportation to adjacent countries.

The Latvian Government undertakes to authorise the warehousing of the goods referred to in the foregoing paragraph outside Customs premises on payment of a charge for supervision which shall not exceed one-third of the duties levied on goods warehoused in the Customs. Goods thus warehoused shall be subject to no special charges other than those to which goods warehoused for subsequent release for national consumption are or may become subject in accordance with Latvian legislation.

Nevertheless, import or export prohibitions shall be applicable to goods imported or exported under the conditions defined above, when such prohibitions are dictated :

- (1) By considerations of national security ;
- (2) By considerations of public health or as protection against epizooties and epiphyties.

Article 6.

If one of the High Contracting Parties subjects the importation or exportation of certain products or goods to price conditions controlled by the Government or by any other body set up

by it, the conditions applicable to the other Party shall not be less favourable than those which are or may be applied to any third Power or to the nationals of any third Power.

Article 7.

As regards the importation and exportation of the goods referred to in the foregoing articles, the scale of charges for transit by rail, and all supplementary charges applied by either of the two Contracting Parties, shall not be higher than those which it applies or may apply to its own products or to the products of the most favoured nation.

Article 8.

The products of the soil or manufactured articles of one of the two countries, when imported into the territory of the other for the purpose of warehousing or of transit to any destination whatever, shall be subject to no Customs duty or internal duty other than the charge for sealing in France and the charge for weighing in Latvia, and the statistical duty or other similar duties and charges intended solely to cover the expenses of supervision and administration which such transit may involve, without prejudice, however, to the fiscal taxes imposed upon any transactions of which these goods may be the subject during their warehousing or conveyance.

Article 9.

Each of the High Contracting Parties undertakes to accord to the other immediately and without compensation the benefit of all advantages, privileges or reductions in octroi and excise duties and in all subsidiary and local duties on the importation, exportation, re-exportation, transit and warehousing of all goods, whether mentioned in the present Convention or not, which it has granted or may grant to any other Power.

Most-favoured-nation treatment shall also be guaranteed to each of the High Contracting Parties as regards the transshipment of goods and the completion of Customs formalities ; national treatment shall be reciprocal as regards duties on consumption.

Article 10.

In order to reserve the benefits of the above stipulations for products originating in their respective countries and in order to prevent fraud as a result of goods being sent by circuitous routes, the High Contracting Parties may require that the products and goods imported into their territory shall be accompanied by a certificate of origin attesting, in the case of natural products, that they originate in the other country and, in the case of a manufactured product, that at least half its value is represented by the value of the materials originating in the other country, and in addition the cost of transformation.

Certificates of origin shall be issued either by the Chambers of Commerce to which the consignor belongs, or by any other organ or group approved by the country of destination. They shall be authenticated by a diplomatic or consular representative of the country of destination.

Should the consignor have reason to fear that, in spite of the certificate of origin accompanying the goods, the latter may give rise to dispute, he may have the certificate of origin confirmed by a certificate of verification, made out and signed both by the authority issuing the certificate of origin and by a technical agent appointed by the diplomatic or consular representative of the country of destination. For the purposes of verification this agent may demand such evidence or documents as he thinks fit. If the goods are accompanied by a certificate of verification, they shall only be subject to the legal Customs examination should there be reason to suspect fraud or substitution of goods.

Postal packages shall be exempt from the certificate of origin when the imported goods are not of a commercial nature.

Article 11.

The provisions of the foregoing articles, in so far as they concede most-favoured-nation treatment, particularly in respect of duties and charges and Customs or transport facilities, shall not exclude the preferential treatment which each of the High Contracting Parties may accord in respect of frontier traffic over a zone which may in no case exceed 15 kilometres in breadth.

The following exemptions, immunities and privileges shall not be deemed to infringe the principle of most-favoured-nation treatment on which the present Treaty is based :

- (a) Privileges which have been or may hereafter be granted to neighbouring States with a view to facilitating local traffic within either frontier zone ;
- (b) Privileges which may be granted by one of the Contracting Parties to a third State with a view to a Customs union ;
- (c) Exemptions, immunities and privileges which Latvia may grant to one of the Baltic States (Finland, Esthonia and Lithuania) in accordance with special agreements. The same shall apply to privileges which Latvia may grant to Russia in virtue of special Customs conventions or agreements.

It is understood, however, that France may immediately claim the advantages accorded by Latvia to any third State not mentioned above.

Latvia, moreover, undertakes, as regards the products enumerated in List A, not to claim the benefit of any tariff reductions or Customs facilities which France, in virtue of economic unions, may grant to neighbouring countries or, with a view to the discharge of their obligations, to countries which were at war with France between the years 1914 and 1918.

Article 12.

Each of the High Contracting Parties undertakes to adopt all necessary measures to guarantee natural or manufactured products originating in the territory of the other Contracting Party against all forms of unfair competition in commercial transactions, and to repress and prohibit by seizure and by other appropriate remedies the importation, warehousing and exportation and the manufacture, sale or offering for sale in its territory of all goods bearing upon themselves or their usual get-up or wrappings any marks, names, devices or descriptions whatsoever which are calculated to convey, directly or indirectly, a false indication of the origin, type, nature or special characteristics of such goods.

Article 13.

With a view to the protection of appellations of origin, each of the High Contracting Parties undertakes to conform to all the provisions in the Act¹ of Madrid, dated April 14, 1891, and further to comply with any laws and any administrative decisions given in conformity with such laws and any judgments rendered in execution of such laws which are communicated to it by the other Contracting Party and which define or regulate the right to any regional appellation in respect of any products which derive their special qualities from the soil or the climate, or the conditions under which the use of a regional appellation may be permitted. Each Party shall prohibit the importation, warehousing and exportation, and manufacture, distribution, sale, or offering for sale of products or goods bearing regional appellations inconsistent with the laws and decisions duly communicated to it by the other Contracting Party.

¹ British and Foreign State Papers, Vol. 96, page 837.

The communication may refer in particular :

- (1) To regional appellations of origin belonging to all products which derive their special qualities from the soil or climate ;
- (2) To the limits of the districts to which these appellations apply ;
- (3) To the procedure in connection with the issue of the certificate of origin.

The products complained of shall be seized either at the instance of the Customs administration or on the application of the Public Prosecutor or of an interested party, whether an individual or a company, in conformity with the laws of France and Latvia respectively.

The provisions of the present article shall apply even when the regional appellation is accompanied by an indication of the name of the true place of origin or by the expression " type ", " class ", " style ", " stock " or any other similar expression.

Article 14.

The High Contracting Parties undertake to give effective application to the International Convention¹ of Paris, dated March 20, 1883, for the protection of industrial property, which was revised² at Washington on June 2, 1911, as well as to any international convention dealing especially with patents for inventions to which they may have acceded.

The High Contracting Parties further undertake to give effective application to the International Convention³ of Berne, dated September 9, 1886, for the protection of literary and artistic works, revised⁴ at Berlin on November 13th, 1908, and supplemented by the Additional Protocol⁵ signed at Berne on March 20, 1914.

Article 15.

Traders, manufacturers and other persons engaged in industry who belong to either of the two countries and who prove by producing their trading licence issued by the competent authorities in their own country that they are entitled to carry on their trade or industry in the said country and that they pay therein the charges and taxes imposed by law, shall have the right to purchase goods from traders or producers or in the open market in the territory of the other Contracting Party, either personally or through commercial travellers in their employ. They may also accept orders, even by means of samples, from merchants or other persons who make use in their trade or business of goods of the same nature as these samples. In making these purchases and accepting orders, such traders, manufacturers or persons engaged in industry, and their commercial travellers, shall enjoy in all respects most-favoured-nation treatment.

Articles imported as samples for the above-mentioned object shall be temporarily admitted in each of the two countries free of duty in conformity with the Customs regulations and formalities laid down to ensure their re-exportation or the payment of the prescribed Customs duties if they are not re-exported within the period fixed by law. Nevertheless, this privilege shall not apply to articles which, by reason of their quantity or value, cannot be regarded as samples or which on account of their nature cannot be identified on re-exportation. The right of deciding whether a sample shall be admitted free of duty belongs in all cases exclusively to the competent authorities at the place of import.

It is understood that as soon as the Latvian Parliament has voted a law regulating the introduction into Latvia of samples and the exercise of their trade in that country by commercial travellers, the above stipulations may be supplemented by an additional Act established on the basis of the most-favoured-nation clause.

¹ British and Foreign State Papers, Vol. 74, page 44.

² British and Foreign State Papers, Vol. 104, page 116.

³ British and Foreign State Papers, Vol. 77, page 22.

⁴ British and Foreign State Papers, Vol. 102, page 619.

⁵ British and Foreign State Papers, Vol. 107, page 353.

Article 16.

The nationals of each of the High Contracting Parties shall receive within the territory of the other the treatment granted to the nationals of the most favoured nation. They shall not be subject in each other's country to any duties, charges or taxes of any description whatsoever other or higher than those which are or may be levied upon the nationals of the most favoured nation.

Article 17.

The High Contracting Parties declare that they agree to accord reciprocally to all companies and other commercial, industrial, financial and insurance associations, constituted and authorised in accordance with the special laws of either of the two countries, the right to free and unhindered access to the Courts of the other country, provided only that they comply with the laws of that country.

Such companies and associations of each of the High Contracting Parties may, unless forbidden to do so by the laws and regulations of the other country and provided that they comply with all formalities required by these laws and regulations, carry on their affairs in the territory of the latter country and establish themselves therein. As regards establishment, they shall enjoy the treatment accorded to the companies and associations of the most favoured nation, it being understood that the above provisions shall not prejudice the question as to the right of any company or association established in one of the two countries to carry on trade or industry in the other; this right shall always be determined in accordance with the laws and regulations in force in the country concerned.

In every case the companies and associations of each of the two countries shall not be subject in the other country to any duties, charges or taxes of any description whatsoever other or higher than those which are or may be imposed upon the companies and associations of the latter country, it being understood that French companies and associations which are permitted to carry on their affairs in Latvia shall receive most-favoured-nation treatment.

Article 18.

Apart from the Customs duties imposed in accordance with the present Treaty, literary, musical and artistic works of either of the two countries shall not be subject in the other country to any duties, charges or taxes of any description whatsoever other or higher than those levied upon works of the latter country.

Article 19.

French and Latvian vessels, together with their crews, passengers and cargoes, shall be treated in the ports of both countries on terms of perfect equality, both as regards general or special charges and as regards the classification of vessels, facilities for their loading or unloading, and, generally speaking, as regards all formalities or regulations of every kind to which trading vessels and their crews, passengers and cargoes may be subject.

Exception shall be made as regards the coasting trade, which shall remain subject to the respective laws of the two countries. Navigation between France and Algeria shall be assimilated to the coasting trade between one French port and another. It is further agreed that the vessels of both countries engaged in the coasting trade shall reciprocally be treated on the same footing as vessels of the most-favoured-nation.

French shipping companies shall be given every facility for the transport of emigrants.

Article 20.

The present Convention shall be ratified and the ratifications shall be exchanged at Riga. The French Government, in virtue of the powers conferred upon it by French law, consents to the Convention being put into force eight days after notification of the approval of the Saeima has been received in Paris.

The present Convention is concluded for one year reckoned from the date of its coming into force. It shall be prolonged by tacit agreement if not denounced by one of the High Contracting Parties at least three months before the expiration of the year in question. In the case of prolongation by tacit agreement, each of the High Contracting Parties reserves to itself the right to denounce the present Convention at any time, such denunciation to take effect two months later.

Articles 1 and 2 of the present Convention shall be subject to revision at the request of either of the High Contracting Parties at the end of the first period of eight months. Should the Latvian Government proceed to revise its Customs tariff before the expiration of this period, it undertakes to notify the fact to the French Government at least two months before the putting into force of the said tariff, and immediately to open the necessary negotiations with a view to adapt Articles 1 and 2 of the present Agreement to Latvia's new tariff régime.

In faith whereof, the respective Plenipotentiaries, duly authorised for this purpose, have signed the present Convention, which is done in duplicate, and have affixed their seals thereto.

Done at Riga on the thirtieth day of October, one thousand nine hundred and twenty-four.

(Signed) L. SĒJA,

Latvian Minister for Foreign Affairs.

(Signed) D. DE MARTEL,

French Minister in Latvia.

ANNEX

TO THE LATVIAN-FRENCH COMMERCIAL CONVENTION.

LIST A.

French Tariff No.	Description of Goods.
ANIMAL PRODUCTS :	
Ex 17 . . .	Ham, boned and rolled ; cooked hams.
	Meat, salted, pork (ham, bacon, etc.).
Ex 17 b . . .	Pork butchers' products.
21 . . .	Hides, raw, green or dry, large or small.
Ex 34 . . .	Eggs of poultry or game.
Ex 36 . . .	Cheese : hard, known as Dutch and Gruyère.
37 . . .	Butter, fresh, melted or salted.

FISHERIES :

Ex 47 . . .	Preserved by pickling or otherwise prepared. Anchovies of the kind called killo.
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FARINACEOUS FOOD :

83 . . .	Potatoes.
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FRUITS AND SEEDS :

Ex 89 . . .	Seeds for sowing : flax.
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French Tariff No.	Description of Goods.
WOODS :	
128 . . .	Common woods : Log wood, rough, not squared, with or without the bark, of any length, but with a circumference at the thick end of more than 60 cm. Wood, sawn or squared, 80 mm. in thickness or above. Wood, sawn or squared, with a thickness of above 35 but less than 80 cm. Wood, sawn, 35 mm. in thickness or less.
129 . . .	Paving blocks.
130 . . .	Stave wood (merrains).
131 . . .	Splints (éclisses).
132 . . .	Hoop wood and poles (échalas), manufactured.
133 . . .	Perches, poles and staffs, rough, of more than 1 metre 10 cm. in length and with a circumference at the thick end of not more than 60 cm.
135 b . . .	Wood, resinous, in logs, with or without bark, of no matter what diameter, with a maximum length of 2 metres 50 cm.
137 . . .	All other common woods.
FIBRES, STEMS AND FRUITS FOR MANUFACTURING PURPOSES :	
142 . . .	Flax, raw, hackled, combed, or as tow.
142 b . . .	Hemp : in the stem, dressed, hackled, or as tow, combed.
VARIOUS PRODUCTS AND WASTE SUBSTANCES.	
168 . . .	Cellulose pulp : Treated by mechanical pressure, dry, Treated by mechanical pressure, moist. Treated chemically.
BEVERAGES.	
Distilled Beverages :	
174 . . .	Spirits. Brandy (in bottles). Brandy (not in bottles). Other spirits : Imported for the account of the State. Imported by manufacturers of wine, liqueur, vinegar, chemical or pharmaceutical products, varnish, or perfumery, or by their syndicates.
174 b . . .	Liqueurs.
PAPER AND ARTICLES MADE OF PAPER :	
Ex 461 . . .	Paper of all kinds, other than so-called fancy paper : Machine made, weighing more than 30 gr. per sq. metre.
WOODEN WARES :	
595 . . .	Casks, empty, serviceable ; fitted together or not ; hooped with wood or metal.
Ex 597 . . .	Builders' and cartwrights' wood, shaped ; of soft wood, including birch.
600 . . .	Wood, planed, grooved and (or) tongued, planks, strips and veneers for floors, planed, grooved and (or) tongued.

French Tariff No.	Description of Goods.	
Ex 601 . . .	Doors, windows, Venetian blinds or shutters, roll shutters, roller blinds, wood paneling and joiners' work, put together or not, of soft wood including birch.	
Ex 602 . . .	Small wooden wares, except bobbins of all kinds. Boxes of white wood, wood shaped for brushes and handles for tools, small and less than 10 cm. in length. Other articles, varnished. Other articles, not varnished.	(Signed) D. DE MARTEL. (Signed) L. SÉJA.

ANNEX TO THE LATVIAN-FRENCH COMMERCIAL CONVENTION

LIST B.

No. in French Tariff	Description of Goods.	Abatement
COMMON WOODS :		
136 b . . .	Straw or wool of wood (not dyed or dyed)	30 %
MATERIALS :		
Marble, stones, combustible materials, minerals, etc.		
185 . . .	Cement, quick setting	25 %
	Cement, slow setting	25 %
CHEMICAL PRODUCTS :		
Acetate of lead.		
0150 . . .	Carbonate of lead (white lead)	30 %
VARIOUS COMPOUNDS :		
318 . . .	Starch	30 %
GLASS AND CRYSTAL :		
349 e . . .	Articles for electric light without fittings of metal	25 %
351 . . .	Window glass:	
	Ordinary	20 %
	Glass, coloured or slightly tinted, also undulated glass	20 %
359 . . .	Bottles, phials and flasks, common, full or empty	20 %
TISSUES :		
Tissues of linen, hemp and ramie, pure, plain or figured.		
Ex 382 . . .	Unbleached, showing in warp and woof in a square of 5 mm. side, after division of the aggregate by 2, such tissues weighing above 40 kgs. per 100 sq. metres, whatever the number of threads	20 %
404 . . .	Tissues of cotton, pure, plain, twilled, and drills, unbleached, no matter what their weight or the number of threads	30 %
TISSUES OF PURE WOOL :		
Cloths, casimirs, and other fullled tissues, and short-napped tissues not fullled.		
440-441 b . .	Muslin delaine, printed	30 %
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No. in French Tariff	Description of Goods.	Abatement
440-441 <i>b</i>	Tissues for clothing, drapery, etc., weighing per square metre, lists included :	
	250 grs. or less	} 30 %
	from 251-400 grs. inclusive	
	" 401-550 "	
	" 551-700 "	
441 <i>c</i>	Above 700 grs	
	Cloth style, plain, dyed in the piece called " Amazone ", combed and carded, or wholly carded, weighing per square metre selvaige included :	
	400 grs at most	} 30 %
	401 grs or more	
590 <i>b</i>	Furniture :	
	Bottoms or backs of chairs, veneered on one or both sides (in soft wood, includ- ing birch) varnished, printed, pyrograved, carved, moulded or thermo- plastic	80 %
	Others	80 %
591	Chairs other than of bent wood : with a uniform carved design or moulded	60 %
	Waxed or varnished	60 %
	Others	60 %
591 <i>b</i>	Pieces and separate parts of chairs, other than those obtained by turning	60 %
592	Furniture, other than of bent wood, other than chairs, veneered on one or both sides, in all woods, pieces and separate parts :	
	Moulded	50 %
	Varnished, waxed or others	50 %
592 <i>b</i>	Massive and pieces and separate parts	
	Moulded	50 %
	Varnished or waxed	50 %
	Others	50 %
594	Beadings, and mouldings of wood, rough, plastered or distempred	50 %
WOODEN WARES :		
599	Sabots, common	50 %
	Painted, varnished or trimmed	50 %
601 <i>b</i>	Wood cut for roller blinds	40 %
602 <i>b</i>	Wood-turners' wares, other	50 %
603 <i>c</i>	Handles for agricultural instruments, made of wood, less than 2.40 metres in length and less than 55 mm. in diameter :	
	Of ash : Not varnished, waxed or coated with any matter	50 %
	Other	50 %
	Other : Varnished, waxed or coated with any matter	50 %
	Other	50 %
603 <i>d</i>	All other wooden wares (including panels), veneer and plywood	60 %
	Others	60 %
MANUFACTURES OF VARIOUS MATERIALS :		
Wooden vessels in a fit state for use :		
615	Seagoing ships of wood, sailing or steam, rigged and fitted	15 %
616	Hulls of seagoing ships of wood	15 %
617	River boats of all sizes	15 %
618 <i>b</i>	Yachts and pleasure boats for the river, of wood	15 %

(Signed) L. SÉJA.

(Signed) D. DE MARTEL.

At the moment of signing the Convention which is to regulate commercial relations between their countries, the Latvian and French Governments have agreed upon the following provisions :

(1) For the purposes of identifying and verifying goods on importation, the Latvian Government undertakes to adopt measures agreed upon between the competent administrations of the two countries so as not to expose goods to such deterioration as might affect their outward appearance or diminish their market value.

(2) As regards the samples granted the benefits of the provisions laid down in Article 15 of the present Convention, the additional Act contemplated in the said article shall settle the details of the question by defining in particular what is to be understood by samples. It is agreed that, pending the adoption of the law at present being prepared by the Latvian Government, French samples shall receive most-favoured-nation treatment.

(3) For as long as the regulation prohibiting the entry into France of brandies and liqueurs of foreign origin shall remain in force, exceptions to this prohibition shall be granted to Latvian products up to an amount of 300 hectolitres annually.

Riga, October thirty, one thousand nine hundred and twenty four.

(Signed) L. SĒJA,
Latvian Minister for Foreign Affairs.

(Signed) D. DE MARTEL,
French Minister at Riga.
