

N° 1478.

GRÈCE ET SUISSE

Convention provisoire de commerce,
avec protocole additionnel. Signés
à Athènes, le 29 novembre 1926.

**GREECE
AND SWITZERLAND**

Provisional Commercial Convention,
with Additional Protocol. Signed
at Athens, November 29, 1926.

¹ TRADUCTION. — TRANSLATION.

No. 1478. — PROVISIONAL COMMERCIAL CONVENTION² BETWEEN GREECE AND SWITZERLAND. SIGNED AT ATHENS, NOVEMBER 29, 1926.

French official text communicated by the Chargé d'Affaires of the Hellenic Republic at Berne and the Swiss Federal Council. The registration of this Convention took place June 4, 1927.

THE PRESIDENT OF THE HELLENIC REPUBLIC and THE SWISS FEDERAL COUNCIL, being desirous of encouraging commercial relations between the two countries, have decided to conclude a provisional commercial convention and have for this purpose appointed as their Plenipotentiaries :

THE PRESIDENT OF THE HELLENIC REPUBLIC :

His Excellency M. P. A. ARGYROPOULO, Minister for Foreign Affairs ; and

THE SWISS FEDERAL COUNCIL :

M. Eugène BROYE, Swiss Chargé d'Affaires *ad interim* at Athens ;

Who, being duly empowered for the purpose, have agreed upon the following Articles :

Article 1.

The Contracting Parties guarantee to each other as regards importation, exportation and transit, the rights and treatment of the most-favoured-nation.

Each of the Contracting Parties undertakes in consequence to accord to the other, unconditionally and immediately, all privileges and facilities which, in the above-mentioned matters, it has granted or may grant to a third State, particularly as regards the amount of security required for, and manner of levying Customs duties, co-efficients of increase, bonded warehousing, (including the regulations connected with the entry, exit and maintenance of goods in free ports, free zones and general warehouses) internal taxes, the formalities and manipulation of goods within, the Customs-house and excise and consumption taxes.

These provisions, however, shall not apply to the facilities at present granted or which may be granted in the future to neighbouring States in the case of the inhabitants of certain districts in these States, with a view to facilitating frontier traffic, or the benefits accruing from a Customs union already concluded or which may be concluded in the future by one of the Parties.

Article 2.

Without prejudice to the foregoing provisions, the import duties shown in List A shall be applied to the natural or manufactured products originating in and coming directly or indirectly from Greece as indicated in List A on their importation into Swiss Customs territory.

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

² The exchange of ratifications took place at Athens, May 23, 1927.

Article 3.

The two Contracting Parties undertake not to establish or maintain in the case of their respective imports or exports any prohibitions or restrictions which do not apply to similar products coming from or consigned to any other country.

Exceptions shall, however, be allowed in regard to prohibitions or restrictions imposed :

- (a) For reasons of public security ;
- (b) For reasons of public health, or for the protection of animals and plants against diseases, harmful insects and parasites.

Article 4.

Should one of the Contracting Parties levy on the products of a third country rates higher than those applicable to the same products originating in the territory of the other Party, or should it apply to the products of a third country import prohibitions or restrictions which it does not apply to the same products of the other Party, it may, if circumstances so require, make the granting of the reduced duties applicable to the products of the other Party or the admission of such products conditional upon the production of certificates of origin issued by officials or chambers of commerce to be designated for this purpose by the country of exportation.

Should the country of importation require a consular visa on certificates of origin, the fee for this visa shall not exceed one gold franc or gold drachma per certificate.

Article 5.

Each of the Contracting Parties reserves the right to levy taxes on products on which a manufacturing or other tax is levied in the country itself, or on goods manufactured with materials subject to such taxes.

Taxes on imported articles may not, however, be higher or more burdensome than those levied on native products.

Article 6.

Products which form a State monopoly and materials used for manufacturing such products may, for the protection of the monopoly concerned, be subjected to an additional import tax even if similar native products or materials are not liable to such taxation.

This tax shall be refunded if within the prescribed period it is proved that the taxed materials have been employed in a way precluding their use in the manufacture of monopoly products.

Article 7.

Provided they be re-exported or re-imported within twelve months, and subject to supervisory measures, the following goods may, as between the two countries, enter Customs free :

- (1) Articles to be repaired ;
- (2) Samples liable to Customs duties, including those brought by commercial travellers, in conformity with the provisions of Article 10 of the International Convention¹ relating to the Simplification of Customs Formalities, concluded at Geneva on November 3, 1923 ;
- (3) Natural or manufactured products intended for exhibitions, fairs or international competitions.

¹ Vol. XXX, page 371 ; Vol. XXXV, page 324 ; Vol. XXXIX, page 208 ; Vol. XLV, page 140 ; Vol. L, page 161 ; Vol. LIV, page 398 ; and Vol. LIX, page 365, of this Series.

Article 8.

Traders, manufacturers and other producers of either of the two countries, and their commercial travellers, shall be entitled, on production of an identity card issued by the authorities of their country, and provided they comply with the regulations in force in the territory of the other country, to make purchases in the latter for their trade, industry or other undertakings, and may solicit orders from persons or firms who re-sell the goods offered or use them for business or industrial purposes, without being subjected, on this account, to the payment of any duty or tax, provided they do not remain in the country for more than six months. They may take with them samples or patterns, but not merchandise, except in cases in which commercial travellers of the country itself are authorised to do so.

The identity card mentioned in the first paragraph shall be in conformity with the specimen annexed to Article 10 of the International Convention relating to the Simplification of Customs Formalities, concluded at Geneva on November 3rd, 1923.

The above provisions shall not apply to itinerant trading, to peddling, or to the soliciting of orders from persons not regularly engaged in industry or commerce, with regard to which the Contracting Parties reserve entire freedom to legislate as they think fit.

Article 9.

Any disputes arising between the Contracting Parties concerning the interpretation or application of the present Convention, including the additional Protocol, which cannot be settled through the diplomatic channel within a reasonable time, shall, at the request of either of the Parties, be referred to an arbitral tribunal consisting as a rule of three members, the Contracting Parties each appointing one member and jointly nominating the chief arbitrator. If, however, one of the Parties so requests, the arbitral tribunal may be composed of five members, the Contracting Parties each appointing one arbitrator and jointly nominating three others, including the chief arbitrator.

The chief arbitrator, the jointly nominated arbitrators if any, may not be nationals of the Contracting States, nor be domiciled in their territory nor be engaged in their service.

Should the nomination of the chief arbitrator of the arbitrators to be nominated jointly or by one of the Contracting Parties if any not take place within four months following the notification of a request for arbitration, they shall be nominated, if one of the Parties so requests, by the President of the Permanent Court of International Justice, or, if the latter is a national of one of the Contracting Parties, by the Vice-President, or should the Vice-President be in a similarly position, by the senior member of the Court.

The tribunal shall meet at the place designated by the chief arbitrator. It shall establish its own rules of procedure and its decisions shall be binding.

Should there be any difference of opinion whether a dispute is concerned with the interpretation or application of this Convention, this prior question shall be submitted to arbitration in the same way as the other questions mentioned in paragraph 1 of the present Article.

Article 10.

The present Convention shall be ratified and the exchange of ratifications shall take place at Athens as soon as possible.

The Convention shall come into force on the day after its signature and shall remain operative for one year as from the date of its coming into force. Unless denounced three months before the expiration of this period, it shall be renewed by tacit agreement for an indefinite period and may then be denounced at any time, but shall remain in force for three months after the date of the denunciation.

In faith whereof, the Plenipotentiaries of the two Contracting Parties have signed the present Convention and thereto affixed their seals.

Done in duplicate at Athens on November 29, 1926.

(L. S.) P. A. ARGYROPOULO.

(L. S.) Eugène BROYE.

LIST A.

GREEK PRODUCTS ADMITTED TO SWITZERLAND AT REDUCED CUSTOMS RATES.

| Nos. in the Swiss Tariff | Description of Goods | Import duties per quintal |
|--------------------------------|---|------------------------------|
| ex 33 | Dried Corinth raisins | 10 |
| 37 b) | Figs | 10 |
| 72 | Oils (for table use) in any kind of receptacle weighing over 10 kilos : | |
| 160 | Olive oils | 10 |
| | Sponges | 35 |
| 436 | Silk and floss silk (chappe) for weaving : unbleached and unmilled : | |
| ex 482 b) | Raw silk | 2 |
| 629 a) | Knotted point wool carpets | 150 |
| ex 632 a) | Raw emery | 0.30 |
| | Powdered emery | 6 |
| 989 | Resins of every kind for industrial use, in solid form : | |
| 995 | Colophony | 30 |
| | Essence of turpentine | 50 |

(Signed) P. ARGYROPOULO.

(Signed) Eugène BROYE.

ADDITIONAL PROTOCOL.

On proceeding to sign the Provisional Commercial Convention concluded this day between Greece and Switzerland the undersigned, being duly empowered for the purpose, have agreed that the provisions of this Convention shall, as soon as they come into force, apply integrally to the Principality of Liechtenstein as long as the latter remains bound to the Swiss Confederation by the Customs Union Treaty¹ of March 29, 1923.

Done in duplicate at Athens on November 29, 1926.

(Signed) P. ARGYROPOULO.

(Signed) Eugène BROYE.

¹ Vol. XXI, page 231, of this Series.