

N° 1710.

ALLEMAGNE ET BOLIVIE

Arrangement relatif à la remise en vigueur du Traité d'amitié et de commerce du 22 juillet 1908. Signé à La Paz, le 12 mars 1924.

GERMANY AND BOLIVIA

Agreement regarding the Re-entry into force of the Treaty of Friendship and Commerce of July 22, 1908. Signed at La Paz, March 12, 1924.

TEXTE ESPAGNOL. — SPANISH TEXT.

Nº 1710. — ACUERDO¹ RELATIVO AL RESTABLECIMIENTO DE LA VIGENCIA DEL TRATADO DE AMISTAD Y COMERCIO² ENTRE EL REICH ALEMÁN Y LA REPÚBLICA DE BOLIVIA DE 22 DE JULIO DE 1908. FIRMADO EN LA PAZ EL 12 DE MARZO DE 1924.

German and Spanish official texts communicated by the German Consul General at Geneva. The registration of this Agreement took place May 18, 1928.

En la ciudad de La Paz, a los doce días del mes de marzo de mil novecientos veinticuatro años, reunidos en el Despacho del Ministerio de Relaciones Exteriores el Enviado Extraordinario y Ministro Plenipotenciario del Reich Alemán, Barón DE STENGEL, y el Excmo. señor doctor don Román PAZ, Ministro de Relaciones Exteriores de la República de Bolivia, después de un cambio de ideas acerca de la conveniencia de poner de nuevo en vigencia el Tratado de Amistad y Comercio entre sus respectivos países, suscrito el veintidos de julio de mil novecientos ocho, resolvieron formular, de común acuerdo, la presente Declaración.

El Gobierno Alemán y el Gobierno Boliviano han convenido en poner de nuevo en vigencia el Tratado de Amistad y Comercio entre el Imperio Alemán y la República de Bolivia, del veintidos de julio de mil novecientos ocho, con las siguientes modificaciones :

1.º El artículo 2º tendrá el texto siguiente :

Habrá libertad completa y recíproca de comercio entre los dominios de las dos Altas Partes Contratantes. Los ciudadanos de cada una de las dos Partes tendrán, en los dominios de la otra Parte, los derechos de los súbditos o ciudadanos de la nación más favorecida en cuanto a la admisión en todos los lugares y en cuanto a los derechos, privilegios, libertades, favores, inmunidades y excepciones en materia de comercio, sin que tengan que pagar tasas o impuestos mayores que los pagados por los ciudadanos naturales, así como también en cuanto a las garantías referentes a la protección individual, a la adquisición de propiedad y al libre ejercicio de industrias, sin otra condición que la de estar sujetos a las leyes y reglamentos del país de su residencia.

2.º El artículo 3º, acápite 3, tendrá el texto siguiente :

Las facilidades de cualquiera clase que una de las dos Partes Contratantes ha consentido o consintiere a Estados colindantes, para favorecer el tráfico fronterizo o a base de una unión aduanera, no pueden ni podrán ser reclamadas con derecho por la otra Parte, mientras que no sean otorgadas tales facilidades a alguno de los demás países no colindantes.

¹ The ratification was notified by Exchange of Notes of August 31, 1927.

² *British and Foreign State Papers*, Vol. 101, page 911.

¹ TRANSLATION.

No. 1710. — AGREEMENT BETWEEN GERMANY AND BOLIVIA REGARDING THE RE-ENTRY INTO FORCE OF THE TREATY OF FRIENDSHIP AND COMMERCE OF JULY 22, 1908. SIGNED AT LA PAZ, MARCH 12, 1924.

On March the twelfth, one thousand nine hundred and twenty-four, a meeting took place at the Ministry of Foreign Affairs in the city of La Paz, between Baron VON STENGEL, Envoy Extraordinary and Minister Plenipotentiary of the German Reich, and His Excellency Dr. Román PAZ, Minister for Foreign Affairs of the Republic of Bolivia, who, considering it expedient that the Treaty of Friendship and Commerce concluded on July the twenty-second, one thousand nine hundred and eight between their respective countries should again be put into force, resolved to make the following joint Declaration.

The German and Bolivian Governments have agreed that the Treaty of Friendship and Commerce between the German Reich and the Republic of Bolivia concluded on July the twenty-second, one thousand nine hundred and eight, shall again be put into force, with the following modifications :

1. Article 2 shall read as follows :

There shall be between the territories of the High Contracting Parties reciprocal and complete freedom of trade. The nationals of either Party shall enjoy within the territories of the other Party the rights of the most favoured nation in regard to access to all places, in regard to rights, privileges, liberties, favours, immunities and exemptions in commercial matters, without being liable to pay higher imposts or taxes than nationals of the country, and, finally, in regard to personal protection, the acquisition of property, and the free pursuit of industries. They shall, however, be subject to the laws and regulations of the country in which they reside.

2. Article 3, paragraph 3, shall read as follows :

Facilities of any kind which either of the two Contracting Parties has granted or may hereafter grant to directly contiguous States in order to facilitate frontier traffic or in virtue of a Customs union may not be invoked by the other Party so long as such favours are withheld from all other non-contiguous States.

3. Articles 6 and 7 shall be replaced by a new Article 6, which shall read as follows :

The laws on nationality of each of the Contracting States shall be applied in order to determine whether a person is to be regarded as a German or Bolivian national, no regard being paid to any laws of the other State which such person may invoke in his favour.

4. Article 9, paragraph 1, shall read as follows :

The nationals of the High Contracting Parties shall be exempt from all exceptional military contributions in the event of a civil war. In the event of an international war, they shall be exempt from such contributions, and from forced loans and all military requisitions and services, provided that such exemption is stipulated in the treaties with the most favoured nations. In no case, however, shall the said nationals be subjected to

¹ Translated by the Secretariat of the League of Nations, for information

such requisitions, contributions, loans and services, without being previously compensated on a just and equitable basis.

5. In view of the fact that the period of ten years stipulated in Article 11, paragraph 2, of the Treaty of July the twenty-second, one thousand nine hundred and eight, for the validity of the Treaty has expired, the two High Contracting Parties agree that the Treaty may, after its re-entry into force, be denounced at any time by either of the Parties, subject to one year's notice.

6. The two High Contracting Parties reserve to themselves the right to conclude as soon as possible a Treaty concerning the prevention of double taxation, mutual legal assistance in fiscal matters (procedure of investigation for purposes of assessment, assessment proper, and collection of taxes), and prosecutions of a fiscal character.

7. The present Declaration shall come into force on the day on which the German and Bolivian Governments shall have been notified that the present Treaty has been ratified in Bolivia and in Germany, respectively.

The present Declaration is drawn up in two originals, each in German and Spanish.

LA PAZ, *March the twelfth, one thousand nine hundred and twenty-four.*

(L. S.) Baron VON STENGEL.

(L. S.) Román PAZ.