

N° 2029.

ESTONIE ET FRANCE

Convention de commerce, avec protocole de signature, signés à Paris, le 15 mars 1929, et échange de notes et déclaration de la même date.

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Commercial Agreement, with Protocol of Signature, signed at Paris, March 15, 1929, and Exchange of Notes and Declaration of the same date.

¹ TRADUCTION. — TRANSLATION.No. 2029. — COMMERCIAL AGREEMENT² BETWEEN ESTONIA AND FRANCE. SIGNED AT PARIS, MARCH 15, 1929.

French official text communicated by the Estonian Minister for Foreign Affairs. The registration of this Agreement took place June 3, 1929.

THE GOVERNMENT OF THE ESTONIAN REPUBLIC and THE PRESIDENT OF THE FRENCH REPUBLIC, having recognised the desirability, for the purpose of developing trade and economic co-operation between the two countries, of superseding the Convention concluded on January 7, 1922³, by a new Commercial Agreement, have appointed as their respective Plenipotentiaries :

THE GOVERNMENT OF THE ESTONIAN REPUBLIC :

M. Charles Robert PUSTA, Estonian Minister in France ;

THE PRESIDENT OF THE FRENCH REPUBLIC :

M. Aristide BRIAND, Minister for Foreign Affairs ;

M. Henry CHÉRON, Minister of Finance, Acting Head of the Ministry of Commerce and Industry ;

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

Article 1.

Natural or manufactured products originating in and coming from the Customs territory of either of the High Contracting Parties shall, on their importation into the Customs territory of the other, be admitted at the lowest rates which are or may hereafter be granted by that Party to any third Power.

Article 2.

Without prejudice to the provisions of Article 1 :

Natural or manufactured products originating in and coming from French Customs territory, as enumerated in the annexed List A, shall, on their importation into Estonian Customs territory, be entitled to the duties stipulated in the said List.

Natural or manufactured products originating in and coming from Estonia, as enumerated in the annexed List B, shall, on their importation into French Customs territory, be entitled to the minimum tariff rates indicated in the said List.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

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

² The present Agreement was put into effect on May 29, 1929, eight days after notification to the French Government of the approval of the Estonian Parliament. The exchange of ratifications took place, at Paris, December 7, 1929.

³ Vol. LXII, page 9, of this Series.

Article 3.

The products or goods exported from the Customs territory of either of the High Contracting Parties to the Customs territory of the other shall be accorded, in respect of export duties and charges, the most favourable treatment which either of the High Contracting Parties accords, or may hereafter accord, to any third Power.

Article 4.

Each of the High Contracting Parties shall grant to products of the Customs territory of the other the benefit of any alterations in Customs nomenclature or in the methods of computing duty which may be made in the Customs tariffs by administrative action, legislation or treaties concluded with other Powers.

Article 5.

The High Contracting Parties agree to confine import and export prohibitions to the following cases : war-time measures, measures imposed for reasons of health or public security, the protection of animals or plants, the protection of industrial, literary and artistic property, goods constituting a State monopoly. These prohibitions shall apply indiscriminately to all foreign countries in which the same conditions prevail ; in no case may they be used by the Parties as a pretext for imposing Customs measures or have a purely economic aim.

The High Contracting Parties declare that it is not their intention to impose any further import or export prohibitions.

Nevertheless, nothing in the present Agreement shall affect the rights of either of the High Contracting Parties to adopt, in respect of importation or exportation, any measures which may be necessary to meet extraordinary and abnormal circumstances or to protect the vital economic or financial interests of the country ; their duration, however, must be limited to that of the causes or circumstances from which they arise.

Moreover, any removal of an existing import prohibition granted even as a temporary measure or by means of the fixing of a quota by either of the High Contracting Parties in favour of the products of a third Power shall apply immediately and unconditionally to the same or like products originating in or coming from the territory of the other.

Article 6.

The High Contracting Parties shall grant each other most-favoured-nation treatment as regards the determination of the origin of the goods imported by either Party into the territory of the other.

Article 7.

The High Contracting Parties agree to limit, as far as is considered possible by the importing country, the cases in which certificates of origin will be required.

Certificates of origin shall be issued either by the Customs authorities or by the competent Chambers of Commerce of each of the High Contracting Parties. They shall be drawn up in accordance with the forms adopted by the Customs Administration or officially recognised Chambers of Commerce in the exporting country ; they shall be made out in the language either of the country of origin or of the country of destination. In the former case, the two countries reserve the right to require a translation.

Certificates of origin issued by the Customs authorities shall not require a consular visa.

Certificates issued by officially recognised Chambers of Commerce shall be *visés* free of charge by the consular authorities of the country of destination when the value of the consignment for which they are made out does not exceed 500 French francs or 75 Estonian crowns. When the value of the consignment exceeds this sum, the charge for the consular visa shall not be more than 25 French francs or 3.75 Estonian crowns.

When the certificate of origin *visé* by the consular authority mentions the value of the goods, it may take the place of a consular invoice. In such a case, no supplementary charge shall be made by the consular authority for attesting the value of the goods. The provisions of the previous paragraph shall apply to consular invoices themselves.

In particular, certificates of origin shall be dispensed with in the case of postal parcels and packages sent by post and also of commercial travellers' samples.

Article 8.

The High Contracting Parties guarantee each other most-favoured-nation treatment in the matter of the fulfilment of Customs formalities relating to the transit, warehousing, re-exportation and transhipment of goods and all other operations which goods may undergo on importation or exportation or during transit, as well as in the matter of charges connected therewith.

Article 9.

The internal duties levied in the territory of either of the High Contracting Parties no matter on whose behalf, in respect of the production, movement, making-up or consumption of a natural or manufactured product, must under no pretext constitute a heavier charge on the products of the other Party or be imposed under more onerous conditions than the internal duties on like native products.

Article 10.

As regards the regulation of unrestricted trade and particularly the sale, offering for sale movement and consumption of goods, no distinction shall be made between native products and the products of the other Contracting Party.

Article 11.

Each of the High Contracting Parties undertakes to adopt all the necessary measures for the effective protection of natural or manufactured products originating in the other Contracting Party from unfair competition in commercial transactions, and in particular to punish and prohibit by seizure or other appropriate penalties, in conformity with its own law, the importation, exportation, manufacture, distribution, warehousing, sale and offering for sale of all products bearing upon themselves or their immediate make up or outer wrappings, or on the invoices, waybills and commercial documents, any marks, names, descriptions or devices whatsoever which are calculated to convey directly or indirectly a false indication of the origin, type nature or special characteristics of such products or goods.

Article 12.

Each of the High Contracting Parties agrees to take all necessary steps to make the improper use in its territory of geographical appellations of origin belonging to products of the other Party, including wines which derive their specific qualities from the soil and climate, a punishable offence, provided that such appellations are duly protected in the country of origin and have been notified by its Government.

The appellations of origin of either country shall be regarded as improperly used when they are applied to products which are not entitled to them under that country's laws or regulations.

The notification in question must specify the documents issued by the competent authority of the country of origin certifying that the products are entitled to the appellations of origin.

In particular, the use of a geographical appellation of origin to designate products other than those justly entitled thereto, even when the true origin of the products is mentioned or when the false appellation is accompanied by the expression "kind", "style", "type" or any other similar expression, shall be prohibited.

Similarly, no geographical appellation of origin of the products of either of the High Contracting Parties, provided that it is duly patented in the country of production and has been properly notified to the other Party, may be regarded as a generic name.

The measures which each of the High Contracting Parties agrees to take shall prescribe confiscation, prohibition or any other appropriate penalty for the importation, exportation, warehousing, manufacture, distribution, sale or offering for sale of the products, if the casks, bottles, wrappings or cases containing them, or the invoices, commercial documents and waybills bear any marks, names, descriptions, illustrations or devices whatsoever constituting false appellations of origin.

The foregoing provisions, however, shall not debar a seller from placing his name and address on the make-up of the product ; in the absence of any regional or local appellation he shall, however, be required to add to his address the country of origin of the product in conspicuous lettering, whenever the name and address might lead to confusion with a district or locality situated in another country.

Goods contravening this provision shall be seized or the other penalties applied, either at the instance of the Administration or on the application of the Public Prosecutor's Department or of an interested party, whether person, association or syndicate, in conformity with the respective laws of the High Contracting Parties.

Article 13.

As regards the treatment of commercial travellers and their samples the High Contracting Parties shall apply the following provisions :

- (1) An identity card shall be compulsory ;
- (2) The period allowed for re-exportation shall be six months ;
- (3) Traders, manufacturers and producers who, being nationals of either of the High Contracting Parties, are domiciled and carry on their trade or industry in the territory or possession of that Party, and who prove by the production of an identity card drawn up in accordance with the attached model that they are authorised to carry on their trade or industry in the said country and that they pay therein the charges and taxes imposed by law may, either personally or through commercial travellers or representatives, purchase goods from traders or producers or in the open market in the territory or possessions of the other Party ; they may take orders by means of samples or otherwise from traders or other persons who use in their trade or industry goods of the same nature as the samples. They may take with them samples or patterns but not goods ;

(4) French commercial travellers in Estonia shall be accorded in every respect the most favourable treatment granted to commercial travellers of any other nationality. A tax equivalent to the licence duty payable by them in Estonia shall be levied in France on Estonian commercial travellers ;

(5) The provisions of the present Article shall not be applicable to itinerant trading, hawking or the soliciting of orders from persons not engaged in any trade or industry.

Article 14.

The nationals of each of the High Contracting Parties shall, in the territory of the other, enjoy most-favoured-nation treatment in respect of travelling, residence, establishment, the carrying-on of commerce, industry, trades and other occupations, and of requests and contributions other than those specified in Articles 17 and 18.

Article 15.

The nationals of each of the High Contracting Parties shall enjoy, under the same conditions as the nationals of the most favoured nation, the right to own movable and immovable property in the territory of the other Party and to acquire the ownerships of such property by purchase, gift, inheritance, bequest or otherwise. They shall have the right to dispose of such property on the same conditions as the latter.

Article 16.

The nationals of each of the High Contracting Parties shall, in the territory of the other, enjoy constant and complete protection and security for their persons and property. They shall have free access, for the purpose of enforcing and defending their rights, to the courts of justice of all degrees established by law ; they shall be allowed to substantiate their claims against the State and its organs before the courts and other competent authorities.

The two High Contracting Parties undertake to conclude, in the shortest possible time, conventions concerning exemption from the *cautio judicatum solvi*, legal protection and free legal assistance.

Article 17.

The nationals of each of the High Contracting Parties in the territory of the other shall be exempt from all personal military service, all personal military requisitions or contributions and all charges imposed in lieu of such service, requisitions or contributions.

Article 18.

The nationals of each of the High Contracting Parties in the territory of the other may not be treated less favourably than the nationals or subjects of the most favoured nation as regards :

- Expropriation on grounds of public utility ;
- Measures of transfer, limitation or restriction of legally-owned property, rights and interests ;
- Military requisitions of property.

Article 19.

Civil, commercial, industrial, financial and insurance companies, transport companies, shipping companies and others of an economic character which are properly constituted in either of the two countries in accordance with the laws of that country and which have their seat therein, shall be recognised by the other Party as being properly constituted and shall enjoy in judicial matters the rights accorded to nationals under Article 16.

Provided they observe the laws and regulations of the other Party, they may, in the latter's territory, engage in any activities permitted to companies of the most favoured nation.

Article 20.

Should either of the High Contracting Parties require a company of the other Party to obtain a revocable licence before it is allowed to do business in its territory, this latter Party shall have the right to subject the companies of the former to the same treatment.

The Contracting Parties agree :

(1) That they will not refuse a licence to carry on any activities permitted to the companies of any other country ;

(2) That they will not withdraw the licence once it has been given, except on account of infringements of the laws and regulations of the country.

The present Article shall not apply to industries which constitute a State monopoly.

Article 21.

Fiscal matters concerning nationals shall be governed by the present Article, all others being excluded.

Nationals of the respective Contracting Parties shall not be subject, in the territory of the other, to duties, charges and taxes or contributions of whatsoever description, no matter on whose behalf they are levied, other or higher than those imposed on nationals in a like situation.

This provision shall not preclude the collection, if necessary, either of so-called residence taxes or of charges connected with police formalities, provided that, as regards the rate of such charges, the nationals of either country shall enjoy the treatment granted to nationals of the most favoured nation.

Article 22.

Fiscal matters concerning companies fulfilling the conditions laid down in Article 19 shall be governed by the present Article, to the exclusion of all others.

Companies and their branches and agencies shall not be subject, in the territory of the High Contracting Parties, to duties, charges, taxes and contributions of any description whatsoever, no matter on whose behalf they are levied, other or higher than those imposed on national companies.

As regards taxes on capital, income or profits, the two High Contracting Parties agree that each will tax companies of the other according to the nature of the tax, only on the amount of the company's capital invested in its own territory or the property which the company owns, its securities which circulate, its profits made or its business done in that territory.

It is understood, however, that, should a tax not actually be applicable to a foreign company, each Government shall retain the right to assess such tax on a conventional basis, and to have recourse to the method of composition.

By fiscal charge shall be understood the tax alone, exclusive of securities for payment.

It is also understood that the foregoing provisions shall not apply to the exemptions granted to French companies under Articles 27, 28, 29 and 30 of the French Law of July 31, 1920, and Article 25 of the Law of March 19, 1928, (special exemptions accorded to French companies with French subsidiary companies affiliated to them, to certain French banking companies granting loans to French industrialists, to French companies holding foreign securities and exemptions concerning French amalgamated companies).

The said provisions shall not exempt French companies from the application of Article 6 of the French Law of August 12, 1919, (regarding the taking into account of property insured abroad for the purpose of assessing the rate of the additional tax on capital assets insured against fire).

Article 23.

The present Convention shall not regulate the treatment of workers.

Article 24.

On all questions concerning international transit, the High Contracting Parties shall refer to the Convention and Statute¹ of Barcelona of April 20, 1921, on Freedom of Transit, to which both are Parties.

Article 25.

The High Contracting Parties agree that, as regards relations between the two countries, they will immediately apply the provisions of the Convention and Statute on the International Régime of Railways² drawn up at Geneva on December 9, 1923.

Article 26.

Unless otherwise stipulated in the present Agreement, each of the High Contracting Parties shall, subject to reciprocity and with the reservation laid down in the second paragraph of Article 35, apply to the maritime shipping concerns of the other Party and to their vessels in its territory and in the sea ports placed under its sovereignty or authority, the same treatment in every respect as that granted to national maritime shipping concerns and their vessels.

Article 27.

The vessels of each of the two countries may enter any port or ports of the other country, either to land the whole or part of their cargo, goods and passengers coming from abroad or to take on board the whole or part of their cargo, goods and passengers for conveyance abroad.

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 ; Vol. XXXV, page 298 ; Vol. XXXIX, page 166 ; Vol. LIX, page 344 ; Vol. LXIX, page 70 ; and Vol. LXXXIII, page 373, of this Series

² Vol. XLVII, page 55 ; Vol. L, page 180 ; Vol. LIX, page 383 ; Vol. LXIII, page 417 ; Vol. LXIX, page 92 ; Vol. LXXVIII, page 472 ; Vol. LXXXIII, page 403 ; and Vol. LXXXVIII, page 336, of this Series.

Article 28.

The two High Contracting Parties agree that coasting, towage, hunting and fishing in territorial waters shall be exclusively subject to the special laws of the two States.

The same provision shall apply to pilotage ; but each of the High Contracting Parties may exempt those of its nationals who fulfil certain technical conditions from the obligation to employ a pilot.

The stipulations of the present Agreement shall not apply to :

(1) The advantages already enjoyed or which may hereafter be enjoyed by national fishery products ;

(2) The favours, rebates or reimbursements which each of the High Contracting Parties may grant to its nationals as bounties for shipbuilding or the purchase of vessels.

In all matters covered by the present Article, the High Contracting Parties shall grant each other most-favoured-nation treatment.

Article 29.

The provisions of the present Agreement shall apply to all vessels, whether they belong to either of the two Contracting States, to private individuals, companies or public bodies.

Nevertheless, they shall in no case apply to warships or police or inspection vessels, or, in general, vessels in the service of any public authorities, or any other vessels when used exclusively for the purposes of the naval, military or air forces of either of the Contracting States.

Similarly, the present Agreement shall in no wise apply to fishing vessels.

Article 30.

Vessels which, according to French laws and regulations, are entitled to claim French nationality and vessels which, according to the laws and regulations of the Estonian State, are entitled to claim Estonian nationality shall, for the purpose of the application of the present Agreement, be deemed to possess French or Estonian nationality, respectively.

Article 31.

The tonnage certificates issued by either of the High Contracting Parties shall be accepted by the other Party, provided that the tonnage measurement has been carried out by the Moorsom system.

The High Contracting Parties undertake to conclude, within a period of three months, an Agreement as to the methods of calculating the deductions to be made from the gross tonnage.

Article 32.

In the ports of either of the High Contracting Parties, the masters of merchant vessels of the other Party whose crews are incomplete as the result of illness or other causes, may, provided they observe the laws and local police regulations, engage such seamen as are required to enable them to continue the voyage, it being understood that the engagement, which shall in every case be entered into by the seamen of their own free will, shall be concluded in accordance with the law of the country whose flag is flown by the vessel.

Article 33.

Vessels flying the flag of either of the High Contracting Parties may, when compelled to do so through stress of weather or other *force majeure*, take shelter in any waters, ports or roadsteads of the other High Contracting Party ; they shall have full freedom therein, under the same conditions as vessels of the country itself, to procure any stores which they may consider necessary, effect any repairs and make ready to continue their voyage.

In such cases, the following shall not be deemed to be trading operations ; the unloading and reloading of goods to enable the ship to be repaired, or to be disinfected if it has been put in quarantine ; transhipment to another vessel should the original vessel have become unseaworthy ; the operations necessary for obtaining supplies for the ship and crew ; the sale of damaged goods, if permitted by the Customs Administration, and also the sale of other goods or any loans which the captain may be compelled to raise to defray his expenses or to obtain the funds required to enable him to continue the voyage. The captain shall, however, under the same conditions as the captains of vessels of the country itself, comply with the local regulations and pay the duties and charges on the operations effected at the local rates.

Article 34.

If a vessel flying the flag of either country should run aground or be wrecked on the coasts of the other country, the local authorities shall see that it receives assistance and relief and shall take all the necessary steps to provide shelter for the shipwrecked persons and to preserve such articles as can be salvaged.

No charges of any kind shall be imposed in respect of the intervention of the local authorities, other than the cost of salvage operations, the preservation of the articles salvaged and charges to which national vessels would be subject in a like case.

The vessel or its wreckage, including the machinery, tackle, gear, fittings, accessories of every description and documents salvaged from the wreck shall be restored to the owner or his duly authorised representative if claimed by him within the time allowed by the local laws.

The same provision shall apply to salvaged goods. In the case of sale, the proceeds shall be paid to the said owner, after deducting expenses.

In the absence of the owner, the salvaged articles or the proceeds of the sale of such articles may be claimed by the consular authority of the High Contracting Party of which the said owner is a national.

Goods and articles of any kind salvaged from a wreck shall not be subject to Customs duty unless they are introduced for consumption within the country.

Article 35.

If, as the result of changes in the laws and regulations of either of the High Contracting Parties made after the signature of the present Agreement, the treatment resulting from the stipulation laid down in Articles 14 to 22 and 26 to 34 of this Agreement should become, as a whole, less favourable in one country than in the other, negotiations shall be opened with a view to deciding upon the measures best calculated to ensure genuine reciprocity. Once these measures have been concerted, they shall be applied, in conformity with their respective laws, by the Governments of the High Contracting Parties in the territory of each State.

Should the measures indicated above not be applied within the time fixed by mutual agreement, or should either of the High Contracting Parties fail to apply the provisions of the present Agreement effectively, in its territory and in any maritime port placed under its sovereignty or authority, to shipping concerns of the other Contracting Party, its vessels, their goods and passengers, or if, at the end of three months from the date on which either of the High Contracting Parties has notified the other of its intention to open them, the negotiations mentioned in the previous paragraph

have not been productive of any result, the Governments of the two Contracting States shall have the right to suspend completely or in part the application of Articles 14 to 22 and 26 to 34. Notification of such suspension shall be given, the exact reasons for the decision being stated. The suspension shall take effect two months after notification.

Article 36.

The provisions of the present Agreement shall be applicable to Algeria.

Article 37.

Natural or manufactured products originating in and coming from Estonia, when imported into the so-called "assimilated" French colonies, i.e. those having substantially the same Customs system as the mother-country, shall be accorded the minimum tariff, whether such tariff is the tariff of the mother-country or a special tariff.

On importation into the Estonian Customs territory, natural or manufactured products originating in and coming from the "assimilated" French colonies shall, if included in List A, be accorded the rates of duty and advantages set forth in the said List and, whether they are included in List A or not, shall enjoy most-favoured-nation treatment.

In the so-called "non-assimilated" colonies, i.e. those having a special Customs system, and in Tunis, products originating in and coming from Estonia shall be accorded the lowest rates of duty which are or may hereafter be granted to any other Power in virtue of tariff measures or commercial agreements.

Products of the "non-assimilated" French colonies, protectorates and territories under French mandate shall be accorded most-favoured-nation treatment on importation into Estonia.

Article 38.

The provisions of Articles 3, 4, 6, 7, 8, 9, 40, 41 and 42 shall apply to the French colonies and to Tunis.

Article 39.

Estonian merchant ships in French colonial ports shall, provided they observe the regulations dealing with public order and safety and the local laws and regulations, be granted most-favoured-nation treatment.

Article 40.

Most-favoured-nation treatment shall not apply to :

(a) Any advantages which have been or may hereafter be granted by one of the High Contracting Parties to neighbouring countries with the object of facilitating frontier traffic within a zone which, as a general rule, may not exceed fifteen kilometres in breadth on either side of the common frontier ;

(b) The preferential treatment which Estonia has granted or may hereafter grant to Latvia, Finland, Lithuania and the Union of Soviet Socialist Republics ;

(c) The preferential treatment which France has granted or may hereafter grant in her Customs territory to her colonies or protectorates or to countries under French mandate, or which French colonies or protectorates grant or may hereafter grant to France, her colonies and protectorates or to countries under French mandate ;

(d) The special tariff régime which France may institute in regard to imports intended to facilitate financial settlements with the countries with which she was at war during the years 1914 to 1918.

Article 41.

Any disputes which may arise between the High Contracting Parties concerning the interpretation or application of the present Agreement and which it has not been possible to settle through the diplomatic channel within a reasonable time shall by common consent be submitted by way of a special agreement (*compromis*), either to the Permanent Court of International Justice according to the procedure prescribed by its Statute, or to a court of arbitration, according to the procedure laid down by the Hague Convention¹ of October 12, 1907, for the Pacific Settlement of International Disputes.

Failing agreement between the Parties regarding the special agreement (*compromis*), and after one month's notice, either Party shall be entitled to bring the dispute direct, by making application, before the Permanent Court of International Justice.

Further, the two High Contracting Parties shall have the right, by notifying the Registrar, to submit the matters which have led to the suspension of the provisions mentioned in Article 35 to the Permanent Court of International Justice at The Hague, which shall settle the question as rapidly as possible by summary procedure.

Article 42.

The present Convention shall be ratified and the ratifications shall be exchanged at Paris.

The French Government agrees to apply the Agreement under the powers accorded it by French law eight days after it has been notified of the Estonian Parliament's approval of the Agreement, from which date it shall supersede the Agreement of January 7, 1922.

The present Convention shall be concluded for one year as from the date of its entry into force; it shall be renewed by tacit consent for three-monthly periods; it may be denounced by either of the High Contracting Parties after six months notice during the first year and at any time thereafter, such notice to take effect three months later.

In faith whereof the respective Plenipotentiaries, duly authorised for that purpose, have signed the present Agreement and have thereto affixed their seals.

Done in duplicate at Paris on March 15, 1929.

C. R. PUSTA.

A. BRIAND.

Henry CHÉRON.

PROTOCOL OF SIGNATURE.

On signing the Agreement of this day's date, the two High Contracting Parties have decided to define certain of its stipulations and their conditions of application, as follows:

Ad Article 2.

Should Estonia be induced to do so by the application of the joint Estonian-Latvian tariff provided for under Article 6 of the treaty giving effect to the Customs Union² between Estonia and Latvia, signed at Riga on February 5, 1927, it may, subject to two months' notice, be free to withdraw in respect of one or more products the consolidated rates of duty established by the present Agreement.

¹ *British and Foreign State Papers*, Vol. 100, page 298.

² Vol. LXII, page 319, of this Series.

It is understood that French products affected by such modifications shall continue to benefit by the most-favoured-nation clause.

Further, if as a result of the measures in question the average percentage of the duties on French products commonly exported to Estonia is modified to France's prejudice, France shall have the right to require within two months the opening of further negotiations. Should these negotiations prove unsuccessful, the present Convention may be denounced, such denunciation to take effect two months later.

Ad Article 7.

The High Contracting Parties declare that any advantage granted by either of them to a third country with regard to certificates of origin shall immediately apply to the other.

Certificates of origin issued by the Estonian Ministry of Trade shall be assimilated in every respect to those issued by the Customs authorities.

The High Contracting Parties mutually agree that in the case of packages of five kilogrammes and under sent by air, certificates of origin shall be dispensed with.

Ad Article 10.

The French Government agrees that the provisions of Article 10 shall not affect the application of the special provisions governing the activities of the various classes of Estonian traders.

Ad Article 26.

§1. Within three months of the entry into force of the Agreement, the High Contracting Parties shall jointly examine their respective laws dealing with the protection of shipping and health conditions on board merchant vessels, for the purpose of ascertaining whether they are equivalent and, if so, of arranging for the reciprocal recognition of the equivalence of those laws.

§2. Each of the High Contracting Parties shall have the right to take the necessary measures in regard to the transport of dangerous goods or goods assimilated thereto and also measures of general supervision, including the supervision of emigrants entering or leaving its territory, it being understood that such measures shall not have the effect of establishing discrimination contrary to the principles of the present Convention.

Ad Article 38.

1. Although Article 5 shall not apply to French colonies or protectorates or to countries under French mandate, the French Government declares that it has no intention of imposing in those territories any prohibitions or restrictions calculated to establish differential treatment to the prejudice of the Estonian State.

Similarly, the Estonian Government declares that it has no intention of imposing in Estonian territory any prohibitions or restrictions calculated to establish differential treatment to the prejudice of French colonies or protectorates or countries under French mandate.

2. As regards the application of Article 8 which, in virtue of Article 38, extends to the French colonies, the Estonian Government may not avail itself of the tariff provisions and regulations regarding transit applicable in Indo-Chinese territory to the countries adjacent to that colony.

C. R. PUSTA.

A. BRIAND.

Henry CHÉRON.

LIST A.

Number in the Estonian Customs Tariff	Designation of Goods	Unit	Gold Francs
ex 15	Spices :		
	ex (1) Vanilla	kg. net	10.00
	ex (3) Pepper	»	0.40
ex 19	Cocoa in the bean and cocoa husks :		
	(1) Raw	»	0.10
ex 27	Spirits and alcoholic beverages :		
	ex (1) (a) Cognac and Armagnac in casks and barrels :		
	(aa) Cognac and Armagnac	kg. gross	6.00
	ex (2) In bottles :		
	(a) Cognac and Armagnac :		
	(aa) Up to 50° Gay Lussac	»	8.00
	(bb) Over 50° Gay Lussac	»	12.00
	<i>Note</i> : The importation of goods specified under this number (ex 27) is allowed only by permit from the Ministry of Finance ; moreover, the products mentioned under (1) cannot be admitted unless intended for liqueur and brandy manufactories, or the beverages mentioned under (2) unless imported in the original receptacles not exceeding 1 litre in capacity and without having been transferred.		
ex 28	Grape wine :		
	ex (1) In casks :		
	(a) Containing not more than 16° of alcohol	»	2.00
	<i>Note</i> : Sweet wines containing at least 50 gr. of sugar per litre and up to 16° of alcohol are admitted at the rate of 1.50 per gross kg.		
	(2) In bottles :		
	x (a) Non-sparkling	»	2.50
	(b) Sparkling	»	5.00
	<i>Note</i> : Wines containing more than 25° of alcohol pay duty according to No. 27.		
	<i>General note</i> to Nos. 27 and 28 : Only alcoholic beverages and wines accompanied by certificates issued by official French laboratories attesting their purity and certifying their right to a regional appellation of origin are entitled to benefit by the reduced rates of duty. In the case of Cognac and Armagnac (in bottles), the certificate of purity must also specify their alcoholic content.		
ex 35	Soft cheese similar to Rochefort, made solely from ewe's milk	kg. net	1.00
ex 37	Fish :		
	ex (2) Sardines in oil	kg. gross	3.00
54	Hides and skins undressed : bull, ox, cow, calf, camel, buffalo, horse, ass, pig ; skins of fish, amphibians and reptiles :		
	(1) Dry and dry-salted	x	free
	(2) Wet-salted	»	»

Number in the Estonian Customs Tariff	Designation of Goods	Unit	Gold Francs
ex 78	Plate-glass and mirrors : (1) Plate-glass wrought ; dull, polished ; sheet glass, not moulded, polished, measuring : (a) Not more than 125 cm., taking the sum of the length and width (b) Over 125 cm. and up to 250 cm., taking the sum of the length and width (c) Over 250 cm., taking the sum of the length and width Note : Should Estonia modify the system of computing the duty on glass, the Customs duties mentioned above shall be superseded by the following duties :	kg. net " "	0.35 0.65 0.95
ex 78	Plate glass and mirrors : (1) Plate glass wrought ; dull, polished ; sheet glass, not moulded, polished, of the following dimensions : (a) Up to 1,000 sq. cm. (b) Over 1,000 sq. cm., but not exceeding 3,000 sq. cm. (c) Over 3,000 sq. cm., but not exceeding 6,000 sq. cm. (d) Over 6,000 sq. cm., but not exceeding 10,000 sq. cm. (e) Over 10,000 sq. cm., but not exceeding 20,000 sq. cm. (f) Over 20,000 sq. cm. but not exceeding 70,000 sq. cm. (g) Over 70,000 sq. cm.	" sq. cm. " " " "	0.39 0.0011 0.0013 0.0020 0.0026 0.0029 0.0034
ex 86	Turpentine (refined)	kg. net	0.20
ex 88	India-rubber (caoutchouc and gutta-percha), prepared and made up : ex (1) Soft rubber : (a) Articles not specially mentioned in the Customs tariff, without admixture of fibrous materials ex (a) and (b) Pneumatic tyres and air tubes for motor-cars and motor-bicycles, bicycles and solid tyres for all other vehicles, except motor lorries	" "	1.50 1.00
ex 113	Compound medicines and medicinal preparations in dose : ex (1) Compound medicines (except plasters spread on silk or half-silk tissues) included in the special list as authorised for importation	kg. gross	4.00
ex 117	Vegetable oils :		
ex 119	ex (1) (a) Olive oil Cosmetic preparations and aromatic substances : (1) Toilet powder or rouge, hair dyes not containing spirit, scented pastilles for fumigating, all kinds of cosmetic preparations not specially designated (2) All kinds of perfumery such as scents, aromatic waters, elixirs, etc., containing spirit	kg. net kg. gross "	0.15 12.00 40.—
120	Soap : (1) Toilet and medicinal, whether liquid or in cakes or powder (2) Of all kinds other than toilet and medicinal soap, whether liquid or in cakes or powder	" kg. net	5.00 0.50

Number in the Estonian Customs Tariff	Designation of Goods	Unit	Gold Francs
	<i>Note</i> : The term "toilet soap" includes not only scented soaps but all soap in small pieces which are easily handled and in bars consisting of several pieces, packed in parchment, printed paper or cardboard boxes or in some other similar form.		
ex 124	Tanning materials : (3) Tanning extracts of all kinds, even if artificial . . .	kg. net	0.02
ex 125	Natural tanning materials :		
	(2) (a) Ochres	"	0.02
ex 167	Machines or apparatus, complete or not, fitted together or in parts :		
	(4) Agricultural machinery not specially mentioned and tractors of all kinds	"	0.02
	(5) Locomobiles with threshers which wholly clean the grain	"	0.02
	(6) 1-2-horse ploughs, winnowing and sorting machines, and broadcast sowing-machines	"	0.06
ex 169	Physical, astronomical, mathematical and similar instruments and apparatus, also electrical accessories :		
	(1) Cinematograph films, exposed, intended for schools, and educational films	"	2.00
ex 173	Vehicles of all kinds not specially mentioned :		
	(4) (a) Bicycles	Each	15.00
	(6) Motor-cars and motor-car chassis :		
	(a) Light passenger cars :		
	(aa) Open and with collapsible hood, removable or not	H. P.	30.00
	(bb) With rigid hood, shaped or half-shaped, including those with removable hood	H. P.	40.00
	(b) Omnibuses, i.e., motor vehicles for passengers with more than eight seats, including the driver's seat, and lorries of all kinds. Road cleaning vehicles, vehicles for collecting refuse, etc., fire-engines and other similar motor vehicles	H. P.	8.00
	(c) Motor-car chassis, i.e. frames with wheels and engines :		
	(aa) For vehicles specified under (a)	H. P.	15.00
	(bb) For vehicles specified under (b)	H. P.	4.00
	<i>Note 1</i> : The actual horse-power of engines shall be calculated for petrol engines according to the following formula : $N = 0.3 \times i \times d^2 \times S$, in which N indicates the actual horse-power ; "i" the number of cylinders ; "d" the diameter of the cylinders (equal) in centimetres ; S : piston stroke in m.		
	<i>Note 2</i> : Complete sets of tools imported with finished motor vehicles shall be exempt from Customs duty — one complete set being allowed for each vehicle ; similarly, one spare wheel (or two wheels if the front and back wheels are not of the same size) with tyre (outer cover and inner tube) is allowed free for each vehicle.		
	(8) Aircraft of all kinds	Each	200.00

Number in the Estonian Customs Tariff	Designation of Goods	Unit	Gold Francs
177	Paper wares : ex 2 (f) Cigarette paper	kg. net	0.40
ex 195	ex (1) Natural silk material, woven, not specially mentioned	»	50.00
	ex (2) Natural silk ribbons, woven, up to 20 cm. in width	»	60.00
ex 197	ex (1) Stuffs of natural half-silk, woven, not specially mentioned	»	25.00
	ex (2) Natural half-silk ribbon, woven, up to 20 cm. in width	»	30.00
ex 199	Woollen fabrics, woven, not specially mentioned in the Customs tariff :		
	(2) Containing not more than 5 sq. metres to the kg.	»	10.00
207	Lace and manufactures of lace		
	(1) Of silk or containing silk	»	90.00
	(2) All other	»	30.00
209	Linen and clothing completely or partly made up :		
	ex (4) Clothing for women and children and other articles of clothing not specially mentioned, of any kind of fabric except silk or half-silk fabrics :		
	(a) Made up without trimming	»	15.00
	ex (7) Women's hats trimmed with ribbons, flowers, feathers, etc.	»	125.00
ex 210	Hats and caps :		
	(1) Hats of down (soft hair), felt and various fabrics, also of plaited or knitted bands, not specially mentioned, finished or half-finished	Each	1.20
	(2) Hat shapes made of fulled down of wool, dyed or undyed, not yet blocked	»	0.75
	(4) Straw hats and hats made of various kinds of sewn vegetable plaits in imitation of straw hats, with or without combination of silk and tinsel	kg. net	8.00
	<i>Note</i> : Ladies' hats of all kinds trimmed with ribbon, feathers, flowers, lace and other hat-trimming materials are taxed according to paragraph 7 of No. 209 of the tariff. Nevertheless, ordinary ribbons round the base of the crown and at the edge of the brim which are also used on men's hats are not regarded as trimming. Ladies' hat shapes of starched open-work cotton fabrics with wire frames are taxed according to paragraph 1 of No. 210 of the tariff.		
ex 213	Ornamental feathers and artificial flowers :		
	(1) Dressed feathers and bird skins of all kinds (of rare or common birds) with their feathers, plumage and tissues of feathers, including the weight of the inside packing	kg. gross	200.00
	(2) Artificial flowers and parts thereof, composed of yarn or stuff combined or not with other materials ; artificial decorative plants combined with precious materials, including the weight of the inside packing	»	100.00

Number in the Estonian Customs Tariff	Designation of Goods	Unit	Gold Francs
ex 215	Fancy and toilet articles not specially mentioned, complete or in parts : ex (2) Common articles with parts, setting or embellishments of non-precious metals or metallic composition (not gilt or silvered) of horn, bone, wood, porcelain, non-precious stones, glass, meerschaum, whalebone, jet, celluloid, lava and similar cheap materials ; all kinds of manufactures of horn, bone, meerschaum, whalebone, jet, celluloid, lava or wax, not specially mentioned	kg. net	10.00

LIST B.

Number in the French Customs Tariff	Designation of Goods	Unit	Gold Francs
21	Hides, raw, green or dried large or small	100 kg. gross	Free
ex 47	Fish, cured, soured, or wholly preserved, including anchovies of the kind called "Killo"	"	42.50
128 b	Common woods, squared or sawn : Railway sleepers of soft or hard wood, thickness :		
	80 mm. and over	"	1.90
	Under 80 mm.	"	2.25
	Other :		
	80 mm. and over in thickness	"	3.25
	From 35 mm. to 80 mm. exclusive	"	3.50
	From 2 mm. exclusive to 35 mm. inclusive, not including veneers (large & small sheets).	"	4.50
142	Flax, raw, hackled, combed or as tow	"	Free
168	Cellulose pulp :		
	Treated by mechanical pressure :		
	Dry	"	6.50
	Moist	"	3.25
	Treated chemically :		
	Dry	"	13.—
	Moist	"	6.50
197	Petroleum, schist and other mineral oils, crude :		
	Entering controlled factories	100 kg. net	Free
	Other	"	62.50
197 b	Refined and essences :		
	On importation	Per hl.	44.—
	On leaving controlled factories	"	35.50
198	Heavy oils and residue of petroleum and other mineral oils other than those specified below :		
	On importation	100 kg. net	77.—
	On leaving controlled factories	"	44.—

Number in the French Customs Tariff	Designation of Goods	Unit	Gold Francs
198 b	Heavy mineral oils, purified, known as vaseline or paraffin (water white type) :		
	On importation	100 kg. net	172.50
	On leaving controlled factories	»	95.—
198 c	Liquid fuels known as gas oils, imported for the special purposes fixed by decree and which distil before they reach 275° C		
	From 0 to 20 % inclusive	»	1.50
	From 20 to 30 % inclusive	»	3.—
198 d	Residue known as fuel oils imported for the special purposes fixed by decree	»	1.50
198 e	Thick oils known as road oils and soft resin imported for the special purposes fixed by decree	»	1.50
318	Starch (raw or imperfect and other, liquid, in paste or otherwise), not scented :		
	Of wheat, spelt or meslin.	»	180.—
	Of other grain	100 kg. gross	150.—
ex 319	Potato fecula.	»	70.—
590 b	Furniture :		
	Bottoms or backs of chairs, ornaments, mouldings, etc. veneered :		
	Varnished, printed, waxed, pyrograved, carved, moulded or thermoplastic	»	130.—
	Other	»	85.—
ex 602	Small wooden wares :		
	Bobbins for spinning and weaving, not exceeding 10 cm. in length	»	120.—
	Over 10 cm. in length	»	80.—
	Small reels of common wood for sewing thread, not varnished or painted	»	36.—
603 d. A.	Veneers (large and small sheets) of common wood, sawn, 2 mm. or under in thickness, also wood of the same kinds, unrolled or cut to any thickness, not put together, whether planed or not :		
	Not cut up for any special purpose :		
	Alder, poplar, pitch-pine, plane, fir or aspen	»	20.—
	Other kinds	»	30.—
	Painted, varnished or waxed of any thickness, cut up for a special purpose.		
603 d. B	Veneers and plywood	100 kg. net	106.—
603 d. C	Other wooden wares.	»	56.—

Duties as above according to kind, increased by 50 %

EXCHANGE OF NOTES.

I.

PARIS, *March 15, 1929.*

YOUR EXCELLENCY,

I have the honour to confirm the declarations made to you in the course of the negotiations. It is the intention of the French Government to propose to Parliament the following amendments to the tariff :

603 d. A. — Veneers (large and small sheets) of common wood.

To add birch wood to the list of woods subject to the duty of 20 francs.

603 d. B. This article to be modified as follows :

Veneers and plywood	{ of common wood (including birch)	96
	{ other	106

I have the honour to be, etc.

A. BRIAND.

To His Excellency
M. Charles Robert Pusta,
Estonian Minister in France.

II.

PARIS, *March 15, 1929.*

YOUR EXCELLENCY,

You have been good enough to confirm the declarations made in the course of the negotiations and to inform me of the intention of the French Government to propose to Parliament the following amendments to the tariff :

603 d. A. — Veneers (large and small sheets) of common wood.

To add birch wood to the list of woods subject to the duty of 20 francs.

603 d. B. This article to be modified as follows :

Veneers and plywood	{ of common wood (including birch)	96
	{ other	106

I have the honour to be, etc.

C. R. PUSTA.

To His Excellency,
M. Aristide Briand,
Minister for Foreign Affairs,
Paris.

III.

PARIS, *March 15, 1929.*

YOUR EXCELLENCY,

I have the honour to inform you that the French Government intends :

- (1) To allow the temporary admission of hams to be re-exported after treatment ;
- (2) To authorise the storage and cutting up of chilled or frozen pigs.

I have the honour to be, etc.

A. BRIAND.

To His Excellency
M. Charles Robert Pusta,
Estonian Minister in France.

IV.

PARIS, *March 15, 1929.*

YOUR EXCELLENCY,

The Estonian Government has taken note of the declarations of the French Government transmitted by Your Excellency this day, to the effect that the French Government intends :

- (1) To allow the temporary admission of hams to be re-exported after treatment ;
- (2) To authorise the storage and cutting up of chilled or frozen pigs.

I have the honour to be, etc.

C. R. PUSTA.

To His Excellency
M. A. Briand,
Minister for Foreign Affairs.

ANNEXED DECLARATION.

The Estonian Government declares that during the validity of the present Agreement tobacco exported by French or Estonian firms established in France and entered in the French commercial register or imported by Estonian or French firms established in Estonia and entered in the Estonian commercial register shall be admitted into Estonia at the minimum tariff rates.

The French Government declares that during the validity of the present Convention certificates of origin shall not be required for the following goods imported from Estonia : butter, eggs, pork, raw skins (salted, dried, smoked or tanned), resinous wood for the manufacture of paper pulp, flax, linseed for sowing, cellulose pulp.

C. R. PUSTA.
A. BRIAND.
Henry CHÉRON.

(Name of State)
(Issuing Authority)

IDENTITY CARD FOR COMMERCIAL TRAVELLERS, VALID FOR TWELVE MONTHS FROM THE DATE OF ISSUE.

Valid for Number of card.....

It is hereby certified that the holder of this card, M.....
born at
resident in
street number
owns¹ at
under the trade name of (or) is a commercial traveller
in the service of the firm (s) at
which own (s)
under the trade name of

Whereas the holder of this card intends to solicit orders in the above-named countries and to make purchases for the firm (s) in question, it is certified that the said firms (s) is (are) authorised to carry on its (their) industry and trade at and pay (pays) there the charges imposed by law on that account.

(Date) 19...

Signature (s) of head of firm (s)
.....

Description of holder :

Age
Height.....
Hair.....
Distinctive marks



Signature of holder :
.....

¹ Description of factory or business.

N. B.— Part I of this form only should be filled up in the case of the head of a commercial or industrial undertaking.

PARIS, *March 15, 1929.*

MONSIEUR LE MINISTRE,

In the course of the negotiations which led to the Agreement of this day's date, you were good enough to draw the French Delegation's attention to the fact that your Government was desirous that the duty on schist oils of Estonian origin imported into France should be such as to encourage their importation.

I have the honour to inform you that I do not think the time has yet come to propose to Parliament a general alteration of the present import duties on these products. I have, however, requested the competent Departments to consider the possibility of amending the Decree of July 29, 1928, so as to add the impregnation of timber to the list of uses entitling oils to benefit by the reduced duties specified in Nos. 198(c) and 198(e) of the tariff. This would enable schist oils which, by their composition, can be assimilated either to gas oils, fuel oils or road oils, to benefit, subject to proof being furnished of the purpose for which they are intended, by the lowest rates applicable to those products.

In any case, the desire communicated by you has been duly noted, and the French Government, when examining at some later date the duties on mineral oils, will not fail to give favourable consideration to your desire that readier access to the French market should be afforded for all grades of schist oils intended for the impregnation of timber.

I have the honour, etc.

A. BRIAND.

To

The Minister for Foreign Affairs
His Excellency M. Pusta,
Estonian Minister in Paris.
