

N° 2567.

**PERSE
ET TCHÉCOSLOVAQUIE**

**Convention de commerce, de douanes
et de navigation, avec protocole
final. Signés à Téhéran, le 30 avril
1929.**

**PERSIA
AND CZECHOSLOVAKIA**

**Convention of Commerce, Customs
and Navigation, with Final Proto-
col. Signed at Teheran, April 30,
1929.**

¹ TRADUCTION. — TRANSLATION.

No. 2567. — CONVENTION² OF COMMERCE, CUSTOMS AND NAVIGATION BETWEEN THE PERSIAN EMPIRE AND THE REPUBLIC OF CZECHOSLOVAKIA. SIGNED AT TEHERAN, APRIL 30, 1929.

French official text communicated by the Permanent Delegates of Persia and of the Czechoslovak Republic accredited to the League of Nations. The registration of this Convention took place December 22, 1930.

HIS IMPERIAL MAJESTY, THE SHAH OF PERSIA, and THE PRESIDENT OF THE REPUBLIC OF CZECHOSLOVAKIA, being equally desirous of strengthening the economic relations between the two States, have decided to conclude a Convention of Commerce, Customs and Navigation and for this purpose have appointed as their Plenipotentiaries :

HIS IMPERIAL MAJESTY, THE SHAH OF PERSIA :

His Excellency Mirza Mohamed Ali Kahn FARZINE, Acting Head of His Ministry of Foreign Affairs ;

THE PRESIDENT OF THE REPUBLIC OF CZECHOSLOVAKIA :

Monsieur Miroslav SCHUBERT, Consul of the Republic of Czechoslovakia at Teheran ;

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

Article 1.

Products of the soil or industry of Czechoslovakia shall not on entering Persia be subject to Customs duties, coefficients, surcharges or entry dues of any kind, other or higher than those which are or may subsequently be levied on like products of the most favoured nation.

Products of the soil or industry of Czechoslovakia, exported from Czechoslovakia to Persia, shall not be subject to Customs duties or export dues, other or higher than the Customs duties and export dues which are or may subsequently be levied on like products intended for exportation to any country enjoying the most-favoured-nation treatment.

Article 2.

Products of the soil or industry of Persia shall not on entering Czechoslovakia, be subject to Customs duties, coefficients, surcharges or entry dues of any kind, other or higher than those which are or may subsequently be levied on like products of the most favoured nation.

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 exchange of ratifications took place at Teheran, November 24, 1930.

Products of the soil or industry of Persia, exported from Persia to Czechoslovakia, shall not be subject to Customs duties or export dues, other or higher than the Customs duties and export dues which are or may subsequently be levied on like products intended for exportation to any country enjoying the most-favoured-nation treatment.

Article 3.

The products of one of the Contracting Parties regularly entering the territory of the other Party after acquitting the entry duties and taxes prescribed by the laws and regulations for foreign products shall thereafter in no respect be subject to less favourable treatment than that accorded to like products of the soil or industry of any third country.

Article 4.

As regards the manner of levying Customs duties, and all matters relating to security and any other import and export formalities, each of the Contracting Parties shall undertake to accord to the other Party the same treatment as that granted to the most-favoured nation.

Article 5.

As regards certificates of origin of goods, the Contracting Parties shall apply the provisions of the International Convention¹ for the Simplification of Customs Formalities, signed at Geneva, November 3, 1923.

Article 6.

The Contracting Parties shall not hamper the exchange of goods between themselves by any import or export prohibitions or restrictions, with the exception of the following categories of prohibitions and restrictions, so far as these are not applied so as to constitute a means of arbitrary discrimination against or disguised restriction on such goods :

- (1) Prohibitions or restrictions relative to public security ;
- (2) Prohibitions or restrictions enacted for moral and humanitarian reasons ;
- (3) Prohibitions or restrictions concerning traffic in arms, munitions and war material, or in exceptional cases, any other war supplies ;
- (4) Prohibitions or restrictions enacted with a view to protecting public health or ensuring the protection of animals or plants against diseases and noxious insects or parasites ;
- (5) Export prohibitions or restrictions for the purpose of safeguarding the country's artistic, historical or archæological heritage ;
- (6) Prohibitions or restrictions applicable to gold, silver, specie, notes and bonds ;
- (7) Prohibitions or restrictions intended to extend to foreign products the régime applied within the country to the production, trade, transport and consumption of like national products ;

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 ; Vol. LIX, page 365 ; Vol. LXIX, page 79 ; Vol. LXXXIII, page 394 ; Vol. LXXXVIII, page 319 ; and Vol. XCII, page 370, of this Series.

(8) Prohibitions or restrictions applicable to products which, as regards production or commerce, are or may hereafter be subject within the country to State monopolies or monopolies controlled by the State.

(9) Prohibitions or restrictions to safeguard the vital interests of the country in exceptional and abnormal circumstances.

In the event of such measures being adopted, they shall be applied in such a way as not to lead to any arbitrary discrimination to the detriment of the other Contracting Party. Their duration shall be confined to the duration of the events or circumstances that gave rise to them.

Article 7

The Contracting Parties shall grant each other freedom of transit in their territories in respect of persons, luggage, goods and articles of every kind, and also for consignments, materials and means of transport of every kind by rail or by any other method appropriate to international traffic, guaranteeing each other most-favoured-nation treatment in this respect.

However, exceptions may be made in the following cases, so long as these exceptions are applicable simultaneously to all other countries and to countries in like circumstances :

- (a) Exceptions for reasons of public security ;
- (b) Exceptions for reasons of public health or in order to protect animals or plants against diseases and noxious insects and parasites ;
- (c) Exceptions concerning traffic in arms, munitions and war material and, in exceptional circumstances, any other war supplies.

The Contracting Parties undertake not to levy taxes on transit except such taxes as are exclusively intended to cover the expenses of supervision entailed by transit.

These provisions shall apply both to goods in direct transit and to goods that are transhipped, repacked or warehoused during transit.

Article 8.

The provisions of the present Convention shall not extend :

- (1) To the special favours which one of the Contracting Parties grants or may subsequently grant to contiguous States with a view to facilitating frontier traffic over a certain strip of territory extending on both sides of the frontier ;
- (2) To the obligations that one of the Parties has contracted or may subsequently contract in virtue of a Customs Union.

Article 9.

The Contracting Parties shall apply the provisions of the International Convention for the Simplification of Customs Formalities, signed at Geneva, November 3, 1923, to samples and models.

The length of time allowed for re-exportation shall be six months, with the possibility of prolongation to twelve months.

Article 10.

In respect of postal traffic between the two Contracting Parties, the provisions of the Universal Postal Conventions and Agreements shall be applicable in so far as such traffic is not regulated, in respect of certain kinds of consignments, by a special agreement between the Postal Administrations of the two Contracting Parties.

All possible facilities, which are not incompatible with the internal laws and provisions of one of the Contracting Parties, shall therefore be granted in respect of the reciprocal exchange of mails, so that the Administrations of both countries shall be in a position entirely to fulfill the obligations they have assumed by signing the Universal Postal Conventions or the special Postal Agreements in every respect and in particular where the regularity and rapidity of transport are concerned.

In particular, postal mails of every description coming from the territory of one of the Contracting Parties and intended for delivery in the territory of the other Contracting Party, if submitted to Customs formalities, shall be dealt with by the Customs authorities as quickly as possible and without unnecessary difficulties, in order to avoid any unjustified delay in delivery.

Extraordinary questions concerning reciprocal postal traffic, needing both special regulations and the co-operation of Administrative Departments other than the Postal Administration, shall be regulated on either side with the utmost goodwill.

Article 11.

Czechoslovak trading vessels and their cargoes shall enjoy in Persia, and Persian trading vessels and their cargoes shall enjoy in Czechoslovakia the same treatment as national vessels and their cargoes, and in no case less favourable treatment than the vessels and cargoes of any other country.

The coasting trade and the privileges granted or which may hereafter be granted to the national fisheries and their products shall be excepted from this provision.

Article 12.

The present Convention has been drawn up in duplicate in French.

It shall be ratified and the exchange of ratifications shall take place at Teheran as soon as possible.

The Convention shall come into force fifteen days after the exchange of ratifications, and shall remain in force for five years. If it is not denounced six months before the expiry of this period it shall be deemed to have been prolonged by tacit consent for an indeterminate period. After the above-mentioned period of five years, it may be denounced at any moment on giving six month, notice.

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

Done at Teheran on April 30, 1929.

(Signed) Miroslav SCHUBERT.

(Signed) M. FARZINE.

FINAL PROTOCOL.

On signing the Convention of Commerce, Customs and Navigation concluded to-day between the Persian Empire and the Republic of Czechoslovakia, the undersigned Plenipotentiaries have made the following declaration which shall form an integral part of the Convention itself :

I

Ad Article 6.

It is understood that :

(a) The obligations assumed by the two Contracting Parties do not refer to import or export prohibitions or restrictions, other than those authorised by Article 6, which are in force in either of the two States at the time of signing the present Convention and which shall be notified to the other Party within a period of two months after the present Convention's entry into force.

(b) Should one of the Contracting Parties, basing itself on the exceptions contained in Article 6, introduce new prohibitions or restrictions of such a kind as seriously to prejudice the trade of the other Party, the latter may, within a year after the introduction of such prohibitions and restrictions, denounce the present Convention, the denunciation to take effect six months later.

II.

It is agreed that the provisions of the present Convention shall in no way prejudice the regulations of the two Contracting Parties concerning passports.

III.

If within one year the High Contracting Parties have not signed the Treaty of Friendship and the Convention on Establishment at present being negotiated, each of the High Contracting Parties reserves the right to denounce the present Convention, at one month's notice notwithstanding the provisions of Article 12.

Done at Teheran, April 30, 1929.

(Signed) MIROSLAV SCHUBERT.

(Signed) M. FARZINE.