

N° 3911.

**ALLEMAGNE ET
UNION DES RÉPUBLIQUES
SOVIÉTIQUES SOCIALISTES**

Arrangement concernant l'échange
des colis postaux. Signé à Moscou,
le 7 mars 1935.

**GERMANY
AND UNION OF SOVIET
SOCIALIST REPUBLICS**

Agreement regarding the Exchange
of Postal Parcels. Signed at
Moscow, March 7th, 1935.

¹ TRADUCTION. — TRANSLATION.

No. 39II. — AGREEMENT ² REGARDING THE EXCHANGE OF POSTAL PARCELS BETWEEN GERMANY AND THE UNION OF SOVIET SOCIALIST REPUBLICS. SIGNED AT MOSCOW, MARCH 7TH, 1935.

French official text communicated by the People's Commissary for Foreign Affairs of the Union of Soviet Socialist Republics. The registration of this Agreement took place June 4th, 1936.

THE CENTRAL EXECUTIVE COMMITTEE OF THE UNION OF SOVIET SOCIALIST REPUBLICS, of the one part, and

THE CHANCELLOR OF THE GERMAN REICH, of the other part,

Being desirous of co-operating with a view to the strengthening and development of friendly relations and economic intercourse between the two countries, have resolved to conclude an Agreement for the exchange of postal parcels, and have for this purpose appointed the following Plenipotentiaries :

THE CENTRAL EXECUTIVE COMMITTEE OF THE UNION OF SOVIET SOCIALIST REPUBLICS :

M. Maxime LITVINOFF, Member of the Central Executive Committee, People's Commissary for Foreign Affairs of the Union of Soviet Socialist Republics ;

THE CHANCELLOR OF THE GERMAN REICH :

Count VON DER SCHULENBURG, Ambassador Extraordinary and Plenipotentiary of Germany at Moscow ;

Who, duly authorised for this purpose, have agreed as follows :

Article 1.

1. A regular service for the exchange of postal parcels, both ordinary and insured, shall be established between the Union of Soviet Socialist Republics and Germany.

2. This exchange may take place :

(a) By land, in transit through the intermediate countries ;

(b) Direct by sea ;

(c) Direct by air, subject to the restrictions laid down in paragraph 4 of the present Article.

3. The exchange of postal parcels by sea shall only be effected by the Baltic Sea between the Soviet port of Leningrad and the German ports of Bremen, Hamburg or Stettin. The exchange may take place in one or both directions.

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 Berlin, August 7th, 1935.

4. The exchange of postal parcels by air shall be effected by the same air lines as are used for the ordinary letter post. A special arrangement shall be concluded between the two Postal Administrations for the transport of insured postal parcels by air.

5. The routes to be followed for the conveyance of postal parcels and the offices for the exchange of parcels shall be designated by the Postal Administrations of the contracting countries, which shall notify other each thereof.

Article 2.

1. Germany shall ensure to the Union of Soviet Socialist Republics freedom of transit through her territory for parcels consigned to, and despatched from, countries with which she has established a postal parcel service.

2. The Union of Soviet Socialist Republics shall ensure to Germany freedom of transit through her territory for postal parcels consigned to, and despatched from, countries with which the Union of Soviet Socialist Republics has concluded arrangements for a postal parcel service.

3. In case of a direct air service with a third country, each of the contracting countries shall only grant the other the right of transit by air when the latter also possesses a direct postal parcel service by air with that third country.

4. Parcels in transit shall not be subject to any internal duties or to any duties other than those fixed in the present Agreement.

Article 3.

Each of the contracting countries shall be entitled to adopt, in its postal service with the other and in accordance with its internal regulations, restrictions regarding the conditions of despatch and conveyance and the contents of postal parcels. These restrictions shall be duly notified by each contracting country to the other not less than three months beforehand.

Article 4.

1. In exchanges between the contracting countries the maximum weight of postal parcels is fixed at 10 kg.

2. The dimensions of parcels exchanged by land or sea may not exceed 150 cm. either way, and the sum of the length and of the greatest circumference measured in a direction other than that of the length may not exceed 300 cm.

Postal parcels sent by air may not exceed 100 cm. in length and 50 cm. in any other direction.

3. The maximum insured value is fixed at 1,000 francs.

4. The insured value may not exceed the actual value of the contents of the parcel. Nevertheless, part only of this value may be declared. The insured value must be expressed in the currency of the country of origin. The amount of the insured value must further be converted into francs by the sender, or by the office at which the parcel is handed in.

5. The Postal Administrations of the contracting countries may modify, by joint agreement, the maximum weight and dimensions and also the maximum declarable value of parcels, as laid down in paragraphs 1, 2 and 3 of the present Article.

6. The handing over and delivery of postal parcels, and the final disposal of articles subject to prohibitions or certain restrictions, shall be governed by the legislation and internal provisions in force in the contracting countries.

7. The following shall not be accepted in exchanges between the contracting countries :
- (a) Parcels the dimensions and weight of which exceed the limits laid down in paragraphs 1 and 2 of the present Article, and those which may be considered as unduly bulky parcels ;
 - (b) Parcels with insufficient packing ;
 - (c) Cash on delivery parcels ;
 - (d) Parcels the sender of which pays Customs duties and other postal and non-postal duties to the Post Office.

The Postal Administrations of the contracting countries may, however, arrange subsequently to exchange one or other of the types of parcels referred to in letters (a), (c) and (d) of the present Article.

Article 5.

Each of the contracting countries shall only be bound to accept for transit through its territory in accordance with Article 2 postal parcels fulfilling the conditions laid down in Article 4 of the present Agreement. Nevertheless, the maximum weight of parcels in transit through the territory of the Union of Soviet Socialist Republics shall not exceed 5 kg. Should third countries taking part in the conveyance of the parcels apply more extensive restrictions, the latter shall also apply to the parcels in transit concerned.

Article 6.

The contracting countries reserve the right of their Postal Administrations to suspend or restrict temporarily the exchange of postal parcels in either direction if the Administration concerned judges this necessary owing to an excessive congestion of the means of transport. The Postal Administration taking such a step shall be bound to give the other Postal Administration immediate notice thereof. Should the measure be adopted at short notice, the Postal Administration concerned shall be informed immediately by telegram.

When the service is temporarily suspended or restricted, the Postal Administrations of the contracting countries shall be bound to convey as far as possible to their destination postal parcels received previously to the notification of the suspension of traffic.

Article 7.

1. Postal parcels must be fully prepaid when they are handed over to the Post Office.
2. The shares of the contracting countries in the postage rates and maritime charges levied in connection with the direct exchange of postal parcels shall be computed as follows :

| | Payable to the U.S.S.R. | Payable to Germany | Maritime Charges |
|--|----------------------------|-----------------------|------------------|
| | Fr. Cts. | Fr. Cts. | Fr. Cts. |
| Postal parcels despatched from the European part of the U. S. S. R. to Germany and <i>vice versa</i> : | | | |
| Up to 1 kg. | 2.00 | 0.60 | 0.25 |
| From 1 to 5 kg. | 2.00 | 1.00 | 0.40 |
| From 5 to 10 kg. | 4.00 | 2.00 | 0.75 |
| Postal parcels despatched from the Asiatic part of the U. S. S. R. to Germany and <i>vice versa</i> : | | | |
| Up to 1 kg. | 4.00 | 0.60 | 0.25 |
| From 1 to 5 kg. | 4.00 | 1.00 | 0.40 |
| From 5 to 10 kg. | 8.00 | 2.00 | 0.75 |

3. The Postal Administrations of the contracting countries shall be entitled to increase the maritime charges indicated above by not more than 50 per cent.

4. The rate of insurance for insured postal parcels exchanged between the contracting countries charged by the Postal Administration of the despatching country may not exceed 50 centimes on each 300 francs or part of 300 francs of the insured value ; 5 centimes on each 300 francs or part of 300 francs shall be payable to the Postal Administration of the country of destination, and in case of conveyance by sea or air a further 10 centimes shall be payable to the Administration having effected this conveyance.

5. The Postal Administration of the country of origin shall be entitled to charge the senders of insured parcels on its own behalf a despatch fee not exceeding 50 centimes per parcel independently of the amount of the insured value.

6. The Postal Administration of the country of destination shall be entitled to charge the addressee a fee for Customs clearance not exceeding 50 centimes per parcel, and in addition, for the delivery of parcels at the place of address, a delivery fee identical to that charged for inland parcels but not exceeding 50 centimes per parcel. The Postal Administrations of the contracting countries shall, however, be entitled to modify by joint agreement the amount of the fees provided for in the present paragraph.

Article 8.

The sender of a parcel shall, when handing it in for despatch, indicate on the parcel and on the back of the despatch note what is to be done with the parcel if it cannot be delivered.

Only the following instructions can be accepted :

- (a) Immediate return of the parcel to the country of origin ;
- (b) Redirection of the parcel to the same addressee at a new address ;
- (c) Delivery of the parcel to another addressee ;
- (d) Notification of the sender by an advice of non-delivery ;
- (e) Notification of a third person in the country of destination by an advice of non-delivery ;
- (f) Sale at the sender's expense and risk, or abandonment of the parcel to the Postal Administration of the country of destination.

Article 9.

Messages of a personal character on the coupons of despatch notes are not allowed.

Article 10.

1. If for any reason a postal parcel exchanged between the contracting countries cannot be delivered or redirected, and if the sender did not at the time of despatch ask for its immediate return, or for a notification of non-delivery (see Article 8), it shall be kept by the Post Office for not more than one month from the date of its arrival if its destination is in the European part of the Union of Soviet Socialist Republics, and for not more than two months if its destination is in the Asiatic part of the Union of Soviet Socialist Republics, after which it shall be returned to the place of origin without previous notice of non-delivery, or abandoned or sold at the sender's expense and risk if the latter so requested at the time of despatch.

The same time-limits shall be observed in the case of parcels reported at the sender's request as undelivered, if the notice of non-delivery remains without reply ; in such case the time-limit shall begin to run from the date of the despatch of the notice of non-delivery.

2. When a parcel is returned, the sender shall be liable to pay return postage — and insurance in the case of insured parcels — and any warehousing, reforwarding and Customs clearance charges payable.

Article 11.

Customs and other non-postal charges levied on parcels which are returned to the country of origin or redirected to a third country shall be cancelled both in the Union of Soviet Socialist Republics and in Germany.

Article 12.

1. The postage rates for postal parcels in transit through the territories of the contracting countries shall be as follows :

I. For the share of the Postal Administration of the Union of Soviet Socialist Republics, for each parcel weighing not more than five kilogrammes :

(a) Three francs when sent through one part of the Union of Soviet Socialist Republics (European or Asiatic) ;

(b) Five francs when sent through both parts of the Union of Soviet Socialist Republics (European and Asiatic).

If the Union of Soviet Socialist Republics grants to other countries transit rates lower than those indicated in paragraphs I (a) and (b) above, such lower rates shall also be applied to postal parcels of German origin sent through the territory of the Union of Soviet Socialist Republics.

II. For the share of the Postal Administration of Germany, the rates provided for in the Universal Parcel Post Agreement.

2. The rates of postage on parcels in transit reconsigned by the contracting countries to third countries shall be those provided for in the Universal Parcel Post Agreement.

Article 13.

The Postal Administrations of the contracting countries shall fix the rates for the conveyance by air :

(a) Of parcels sent to their own country ;

(b) Of parcels sent to a third country through their territory ;

and shall notify one another of these rates. The latter may not, however, exceed the rates agreed upon with third countries.

Article 14.

The insurance fee for the transit through the territories of the contracting countries of parcels of declared value shall be 5 centimes for the benefit of each transit country per 300 francs or part of 300 francs of the declared value. In addition, the Administration having conveyed the parcel by sea or air shall receive an insurance fee of 10 centimes per 300 francs or part of 300 francs of the declared value.

Article 15.

Should a parcel be damaged during conveyance in transit and should it be impossible to forward it further without repacking, the intermediate Post Office shall be entitled to debit the next office with the cost of repacking, which shall be collected from the addressee and shall not exceed 50 centimes. If the parcel is returned to the place of origin, this charge shall be collected from the sender. The Postal Administrations of the contracting countries may also apply the provisions of the present Article to mutual exchanges between the two countries. If necessary, the repacking of a parcel shall be noted in an official report to be attached to the despatch note.

Article 16.

The conveyance of parcels, whether direct or in transit, and of the documents relating thereto, shall be carried out, as far as the nature of the parcel permits, in closed bags. As regards German bags with parcels to be conveyed through the territory of the Union of Soviet Socialist Republics to the exchange offices of third countries, a Customs declaration shall be made out in respect of each parcel contained in these bags, which shall be attached "à découvert" for the use of the Postal Administration of the Union of Soviet Socialist Republics. A similar Customs declaration may also be required to be made out for the German Postal Administration in respect of each parcel contained in Soviet bags sent through Germany to exchange offices in third countries.

The Postal Administrations of the contracting countries reserve the right to modify by joint agreement the method of forwarding either postal parcels or the documents relating thereto.

Article 17.

The contracting countries shall be responsible for parcels exchanged either direct or in transit through their territories or by air as laid down in the provisions of the chapter on "Responsibility" of the Universal Parcel Post Agreement, on the understanding, however, that no compensation shall be paid in respect of damage resulting from cases beyond control (*force majeure*).

Article 18.

1. The accounts for the direct and transit services of postal parcels shall be made up monthly by each of the Postal Administrations of the contracting countries in accordance with the Detailed Regulations of the Universal Parcel Post Agreement.

The accounts with the relevant documents shall be sent to the Administration of the other contracting country within one month if possible, and not later than six weeks after the month to which they relate. The said accounts must be audited and returned within one month of the date on which they were received.

2. The results of the monthly accounts drawn up and approved by the Postal Administrations of the contracting countries shall be incorporated by the creditor office in the general quarterly account, the balance of which must be paid within one month of the date on which the general account is received.

If not paid within the period above indicated, the sums due shall bear interest in favour of the creditor office at the rate of five per cent per annum from the expiry of that period.

Payment must, however, be made after the expiry of two months at the most from the above-mentioned date.

3. The debtor Administration shall pay the creditor Administration the balance remaining after the said accounts have been closed in accordance with the Detailed Regulations of the Universal Parcel Post Agreement.

4. Any expense in connection with payments shall be borne by the debtor Administration.

Article 19.

The franc mentioned in the present Agreement is the gold franc referred to in the Universal Postal Convention.

Article 20.

The mutual exchange of postal parcels, whether ordinary or insured, between the contracting countries, and of those sent in transit through their territories or by air, shall be carried out in accordance with the provisions of the Universal Parcel Post Agreement and Universal Provisions

relating to the Conveyance of Parcel Post by Air, in so far as they are not incompatible with the clauses of the present Agreement.

Article 21.

The Postal Administrations of the contracting countries shall communicate to each other :

- (a) A list of the third countries to which they can forward in transit through their territories parcels from the other contracting country ;
- (b) The amount of the charges due to them for the transit of postal parcels ;
- (c) The routes followed and the exchange offices ;
- (d) A list of the mail boats carrying parcels, stating the dates of sailing and the length of the journey between the respective ports ;
- (e) Table C. P. 19 required according to the Universal Provisions relating to the Conveyance of Parcel Post by Air.

Article 22.

The present Agreement shall be ratified as soon as possible. The instruments of ratification shall be exchanged at Berlin.

The Agreement shall be put into force one month after the exchange of the instruments of ratification, and shall remain in force for the same length of time as the Treaty concluded on October 12th, 1925, between the Union of Soviet Socialist Republics and Germany.

In faith whereof the above-mentioned Plenipotentiaries have signed the present Agreement and have thereto affixed their seals.

Done in duplicate at Moscow on this 7th day of March, 1935.

(L. S.) (*Signed*) M. LITVINOFF.

(L. S.) (*Signed*) Friedrich Werner, Graf VON DER SCHULENBURG.