

N° 3951.

ALLEMAGNE ET IRAK

Traité de commerce. Signé à Bagdad,
le 4 août 1935.

GERMANY AND IRAQ

Treaty of Commerce. Signed at
Baghdad, August 4th, 1935.

No. 3951. — TREATY¹ OF COMMERCE BETWEEN THE GERMAN REICH AND THE KINGDOM OF IRAQ. SIGNED AT BAGHDAD, AUGUST 4TH, 1935.

German, English and Arabic official texts communicated by the Permanent Delegate of Iraq to the League of Nations. The registration of this Treaty took place August 3rd, 1936.

HIS MAJESTY THE KING OF IRAQ
and

THE CHANCELLOR OF THE GERMAN REICH,
being desirous of facilitating and extending the commercial relations between their respective countries, have resolved to conclude a Treaty of Commerce, and for that purpose have appointed as their Plenipotentiaries, that is to say :

HIS MAJESTY THE KING OF IRAQ :

Nouri Pasha EL SAID, Minister for Foreign Affairs, Order of the Rafidain I Class Military

THE CHANCELLOR OF THE GERMAN REICH :

Dr. Fritz GROBBA, Envoy Extraordinary and Minister Plenipotentiary of Germany in Baghdad ;

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

Article 1.

The nationals of either of the Contracting Parties shall enjoy in the territories of the other both for their person and for their property, rights and interests, regarding charges (taxes and Customs duties), dues which are substantially taxes, and other similar charges, the same treatment and in every respect the same protection from the fiscal authorities and the fiscal tribunals as the nationals of the most-favoured nation.

The provisions of this Article shall apply in the case of limited liability and other companies, partnerships and associations which, being lawfully constituted in the territory of one Contracting Party for the purpose of trade, insurance, finance, industry; transport, or other commercial business, carry on business in the territory of the other Contracting Party, provided that they conform in all respects to the laws in force in the territory of such other Contracting Party.

Nothing in this Article shall entitle the above-mentioned persons, companies, partnerships or associations to claim any privilege or favour which has been or may be granted to persons or companies by special concessions.

Article 2.

In regard to the amount, the collection and the guaranteeing of Customs duties and charges, as well as in regard to all Customs formalities, the natural produce and the manufacture of either Contracting Party shall on importation into as well as on exportation to the territories of the other Party, be treated on the most-favoured-nation principle.

¹ The exchange of ratifications took place at Baghdad, May 26th, 1936.

Article 3.

Internal charges which are or may be imposed in the territories of either of the Contracting Parties, whether for account of the State or a commune or other body corporate, upon the production or conditioning or consumption of any goods, shall not, on any pretext whatever, be higher or more onerous for the products of the other Party than for similar goods of the most-favoured nation.

Article 4.

The provisions of the present Treaty with regard to the grant of the treatment of the most-favoured nation do not extend to :

- (a) Favours which are actually granted or may hereafter be granted by one of the two Contracting Parties to an adjoining State to facilitate frontier traffic ;
- (b) Favours granted to a third State in virtue of a Customs Union which has already been concluded or may hereafter be concluded ;
- (c) Any special advantages in Customs matters which Iraq may grant to goods, the produce or manufacture of Turkey or of any country whose territory was, in 1914, wholly included in the Ottoman Empire in Asia.

Article 5.

The Contracting Parties reciprocally grant each other freedom of traffic in transit through their territories and undertake to apply the provisions of the " International Convention¹ and Statute on Freedom of Transit ", concluded at Barcelona, April 20th, 1921.

Article 6.

The Contracting Parties reciprocally grant each other the treatment of samples and specimens in accordance with the rules laid down in Article 10 of the " International Convention² relating to the Simplification of Customs Formalities ", concluded at Geneva, November 3rd, 1923.

Article 7.

The present Treaty shall come into force 15 days after the exchange of ratifications, and it shall remain in force until either of the Contracting Parties shall have notified to the other an intention of terminating the Treaty. Such termination shall, however, take effect only 3 months after the notification has been received by the other Party.

The present Treaty has been drawn up in duplicate in Arabic, German, and English. In the case of difference of opinion arising as to the precise meaning of the wording of the Treaty, the English text shall prevail.

BAGHDAD, *the fourth day of August, 1935.*

Nouri SAID.

Dr. F. GROBBA.

Authenticated copy :

Baghdad, 21st July, 1936.

T. Mushtaq,

for Acting Minister for Foreign Affairs.

¹ Vol. VII, page 11 ; Vol. XI, page 407 ; Vol. XV, page 305 ; Vol. XIX, page 279 ; Vol. XXIV, page 155 ; Vol. XXXI, page 245 ; Vol. XXXV, page 299 ; Vol. XXXIX, page 166 ; Vol. LIX, page 344 ; Vol. LXIX, page 70 ; Vol. LXXXIII, page 373 ; Vol. XCII, page 363 ; Vol. XCVI, page 181 ; Vol. CIV, page 495 ; Vol. CXXXIV, page 393 ; and Vol. CXLII, page 340, of this Series.

² Vol. XXX, page 371 ; Vol. XXXV, page 325 ; 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 ; Vol. XCII, page 370 ; Vol. CXI, page 404 ; Vol. CXXXIV, page 401 ; and Vol. CXLVII, page 322, of this Series.