

N° 4227.

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**ESTONIE ET FRANCE**

**Convention de commerce, avec pro-  
tocol de signature et annexes.  
Signés à Paris, le 16 octobre 1937.**

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**ESTONIA AND FRANCE**

**Commercial Convention, with Pro-  
tocol of Signature and Annexes.  
Signed at Paris, October 16th,  
1937.**

<sup>1</sup> TRADUCTION. — TRANSLATION.

No. 4227. — COMMERCIAL CONVENTION<sup>2</sup> BETWEEN ESTONIA AND FRANCE. SIGNED AT PARIS, OCTOBER 16TH, 1937.

*French official text communicated by the Estonian Minister for Foreign Affairs. The registration of this Convention took place December 6th, 1937.*

THE PRESIDENT-REGENT OF THE ESTONIAN REPUBLIC and THE PRESIDENT OF THE FRENCH REPUBLIC, recognising that, with a view to the development of trade and economic co-operation between the two countries, it is desirable that a new Commercial Convention be concluded to supersede the Agreement<sup>3</sup> concluded on March 15th, 1929, and supplemented by the Notes<sup>4</sup> of September 28th and October 7th, 1929, the Protocols of July 11th, 1930<sup>5</sup>, October 30th, 1930<sup>6</sup>, March 16th, 1932<sup>7</sup>, the Additional Agreements of April 27th, 1933<sup>8</sup>, July 27th, 1933<sup>9</sup>, and the Notes<sup>10</sup> of February 22nd, 1936, have appointed as their respective Plenipotentiaries :

THE PRESIDENT-REGENT OF THE ESTONIAN REPUBLIC :

Monsieur Auguste REI, Deputy Minister for Foreign Affairs ;  
Monsieur Otto STRANDMAN, Envoy Extraordinary and Minister Plenipotentiary of Estonia in France ;

THE PRESIDENT OF THE FRENCH REPUBLIC :

Monsieur Yvon DELBOS, Minister for Foreign Affairs ;  
Monsieur Fernand CHAPSAL, Minister of Commerce ;

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

*Article I.*

Natural or manufactured products originating in or coming from French Customs territory shall, on their importation into Estonian territory, be admitted at all times under the minimum Customs tariff.

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

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

<sup>2</sup> Came provisionally into force December 1st, 1937.

<sup>3</sup> Vol. LXXXIX, page 381, of this Series.

<sup>4</sup> Vol. CIV, page 193, of this Series.

<sup>5</sup> Vol. C, page 250, of this Series.

<sup>6</sup> Vol. CXVII, page 298, of this Series.

<sup>7</sup> Vol. CXVII, page 299, of this Series.

<sup>8</sup> Vol. CXLI, page 43, of this Series.

<sup>9</sup> Vol. CXLI, page 65, of this Series.

<sup>10</sup> Vol. CLXVIII, page 105, of this Series.

They shall in no case be liable to duties less favourable than those which are or may be applied by Estonia to goods of the same nature originating in and coming from any other country.

*Article 2.*

The natural or manufactured products, originating in and coming from Estonia, enumerated in Schedule A, shall, on their importation into French Customs territory, be admitted at all times under the minimum tariff, that is, at the lowest rates which are or may be granted by France to any other Power, both as regards the import duties at present applied or those which France may eventually substitute therefor, and as regards the surcharges or other increases which France has introduced or may in future introduce.

*Article 3.*

Without prejudice to the provisions of Articles 1 and 2 :

The natural or manufactured products originating in and coming from French Customs territory, enumerated in Schedule B, shall, on their importation into Estonian Customs territory, be subject only to the duties set out in the said schedule.

The natural or manufactured products originating in and coming from Estonia, enumerated in Schedule C, shall, on their importation into French Customs territory, be subject only to the duties indicated in the said schedule.

Each of the High Contracting Parties shall have the right to modify the duties set forth in Schedules B and C in respect of one or more of the articles referred to in the preceding paragraphs, by special denunciation, in which case fifteen days' notice shall be given ; on the expiry of this period the new duties may be immediately applied.

Should either of the High Contracting Parties exercise the right provided for in the third paragraph of the present Article, the other Contracting Party may, without awaiting the expiry of the period of notice, request the immediate opening of negotiations to enable it to state the grounds for its objections and, where appropriate, to obtain equitable compensation.

Should no agreement have been reached within ten days from the entry into force of the new duties, the Contracting Party which has raised objections may increase the Customs duties on one or more of the articles covered by the first two paragraphs but only to such an extent that the measures thus applied by it, on its own authority, to imports of the said articles will have the same relative effect on the exchange of goods.

Notwithstanding the foregoing provisions, the Estonian Government declares that it does not intend, in so far as the products enumerated in the second part of Schedule B are concerned, to avail itself of the right referred to in the third, fourth and fifth paragraphs of the present Article. It nevertheless reserves the right, in the event of a serious deterioration in the general character of commercial exchanges between the two countries, to request the opening of negotiations, either with a view to the application of the above-mentioned procedure even to certain items of the said part of Schedule B or for the purpose of seeking some other means of remedying the new situation thus created.

*Article 4.*

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 5.*

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 6.*

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 rights, 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.

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 under the same conditions to the same or like products originating in or coming from the territory of the other.

*Article 7.*

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 8.*

The High Contracting Parties may require products and goods imported into their territory to be accompanied by a certificate of origin attesting :

(1) In the case of raw materials, in the strict sense of the term, or of natural products, that such raw materials or natural products originated in the other country ;

(2) In the case of manufactured products, that such products comply, either as regards the raw materials used or the processes they have undergone, with the conditions governing recognition of their nationality in the importing country.

Certificates of origin shall be issued either by the Chamber of Commerce to which the sender belongs or by the Customs authorities or any other authority or economic association approved by the country of destination. They shall be legalised by a diplomatic or consular representative of the country of destination except when issued by the Customs service of the country of origin.

Should the sender fear that, notwithstanding the certificate of origin accompanying them, the character of the goods might still be called into question, he may have the certificate of origin confirmed by a certificate of verification made out and signed by the body issuing the certificate of origin and by a technical agent to be appointed by the diplomatic representative of the country of destination, such appointment being notified to the Government of the exporting country.

The agent may, for the purposes of verification, require the production of any evidence or papers which he may deem necessary and make a charge strictly limited to compensation for the loss of time and travelling expenses entailed by the issue of the certificate of verification. Goods accompanied by a certificate of verification shall not be subject to the usual expert examination on passage through the Customs, except in case of suspected fraud or substitution.

Certificates of origin shall not be required in respect of postal parcels when the importation is not of a commercial character.

Certificates of origin shall be made out in the language either of the country of origin or of the country of destination.

In the former case, both countries reserve the right to require a translation.

Whenever either Government shall notify the other, through an agent authorised for the purpose, that fraudulent practices have occurred in the issue of the said certificates, the Government notified shall immediately institute a special enquiry into the alleged facts, inform the Government making the complaint of the results and, if necessary, take any action in its power to prevent the recurrence of such practices.

#### *Article 9.*

The High Contracting Parties guarantee each other most-favoured-nation treatment in the matter of 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 10.*

The inland 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 any natural or manufactured product, shall, on no account, constitute a heavier or more onerous charge on the goods of the other Party than on like native goods.

#### *Article 11.*

As regards the regulations concerning trade in other goods, and particularly the sale, offering for sale, movement and consumption of such goods, no distinction shall be made by either of the High Contracting Parties between native products and the products of the other Party, subject to the measures that either Government might find it necessary to apply in restraint of unfair competition.

#### *Article 12.*

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 territory of 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 specific characteristics of such products or goods.

*Article 13.*

Each of the High Contracting Parties agrees to take all the necessary steps to make the improper use in its territory of geographical appellations of origin belonging to products of the other Party, including viticultural products, 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 applied to products not entitled thereto under that country's laws or regulations.

The above-mentioned notification shall 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 describe products other than those properly 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 protected in the country of production and has been properly notified to the other Party, may be regarded as a generic description.

The measures which each of the High Contracting Parties agrees to take shall provide for the punishment by confiscation, prohibition or any other appropriate penalty of 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 shall not, however, 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, nevertheless, be required to add to his address an indication of 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 any interested individual, association or syndicate, in conformity with the respective laws of the High Contracting Parties.

*Article 14.*

Without prejudice to the provisions of Article 17, the merchants, manufacturers and other industrialists of one of the High Contracting Parties who, by producing a business identity card issued by the competent authorities of their country, prove that they are authorised to carry on their trade or industry in that country and that they pay the taxes and dues laid down by its laws, shall have the right, personally or through travellers in their employ, to make purchases in the territory of the other Contracting Party from merchants or industrialists or in public places of sale. They may also accept orders, on the strength of samples or otherwise, from merchants or other persons who, for the purpose of their trade or industry, use goods corresponding to such samples. In either case, they shall in every respect enjoy most-favoured-nation treatment.

The commercial travellers referred to in the first paragraph, holding identity cards similar to the specimens annexed to the present Convention and issued by the authorities of their respective countries, shall be entitled, subject to reciprocity, to carry with them samples or specimens, but not goods.

The High Contracting Parties shall notify each other of the authorities responsible for issuing the identity cards and of the regulations with which travellers must comply in the pursuit of their calling.

*Article 15.*

Articles liable to Customs duty, except goods the importation of which is prohibited for one of the reasons enumerated in Article 6, which are imported as samples or specimens by commercial travellers, shall, in both countries, be admitted free of import and export duty, provided such articles, if unsold, are re-exported within the prescribed period, and provided there is no doubt as to the identity of the articles imported and re-exported, irrespective of the office through which they are cleared on leaving the country.

The re-exportation of samples or specimens shall in both countries be guaranteed either by depositing at the import Customs Office the (cash) amount of the duty payable, or by giving valid security.

On the expiry of the prescribed period, the amount of the duty shall either be retained by the Treasury or be collected for its account according to whether it was deposited or guaranteed, unless it is proved that the samples or specimens have in the meantime been re-exported.

If, before the expiry of the prescribed period, the samples or specimens are submitted, with a view to re-export, to a Customs office appointed for the purpose, such office shall ascertain that the articles submitted to it are in reality those in respect of which the import permit was issued. Should there be no doubt in this respect, the office shall record the re-export and refund the amount of the duty deposited on importation, or take the necessary steps to discharge the security.

With regard to the duties and charges payable by importers of samples or specimens, in whatever connection and in particular for the affixing of marks to permit of the identification of such samples or specimens, the High Contracting Parties shall grant each other most-favoured-nation treatment.

The Customs authorities of each High Contracting Party shall consider the marks affixed by the Customs authorities of the other Contracting Party as conclusive for the subsequent identification of the samples or specimens, provided always that the latter are accompanied by a descriptive list certified by the Customs authorities of that Party. Additional marks may, however, be affixed to the samples or specimens by the Customs authorities of the country of import in all cases in which the latter may deem this further guarantee essential for the identification of samples or specimens at the time of their re-exportation. With this exception, the Customs examination shall be confined to recognition of the identity of the samples and to the assessment of the duties and charges that may become payable.

Re-export shall take place within a period not exceeding six months, which shall, however, be subject to extension by the Customs administration of the country of import. On the expiry of the prescribed time-limit duty will be payable on any samples not re-exported.

*Article 16.*

The provisions of Articles 14 and 15 shall not be applicable to itinerant trading, hawking, or the soliciting of orders from persons not engaged in any trade or industry. Each High Contracting Party reserves its full legislative freedom in this respect.

*Article 17.*

Subject to the general provisions of the laws and regulations concerning supervision of and the conditions attaching to the entry and residence of foreigners in respect of passports, residence permits (identity cards) and the right of expulsion, the nationals of each of the High Contracting

Parties shall, in the Customs territory of the other, enjoy most-favoured-nation treatment as regards :

1. Residence and establishment ;
2. Carrying on a trade or industry ;
3. The right to possess, acquire, occupy or hire movable and immovable property and to dispose thereof in any manner whatsoever ;
4. The right to form companies for the carrying on of business.

With regard to measures of expropriation on grounds of public utility or the general interest, they shall, subject to reciprocity, enjoy the same treatment as nationals or most-favoured-nation treatment, whichever is the more advantageous.

They shall be exempt from personal military service, from any personal military obligations and from any taxes in lieu of such service or obligations.

The nationals of each High Contracting Party shall, in the territory of the other Party, be completely free to conduct their affairs in the same way as nationals, whether in person or through representatives of their own choice, without being obliged to remunerate or indemnify agents, intermediaries, etc., whose services they do not desire, and without being subject in this connection to other restrictions than those laid down by the general laws of the country.

They shall likewise have free and unrestricted access, for the purpose of enforcing or defending their rights, to all courts of whatever degree or jurisdiction.

For this purpose, they shall be entitled to employ such counsel, notaries and agents as they may think proper for the defence of their interests, and, in general, shall enjoy, in judicial matters, the same rights and privileges as are or may hereafter be granted to nationals.

The admission of the nationals of one of the High Contracting Parties to paid employment in the territory of the other Party, and the regulations applicable to workers and employees, shall continue to be governed by the national legislation of that Party.

The two High Contracting Parties undertake to conclude as soon as possible conventions regarding exemption from *cautio judicatum solvi*, legal protection and free legal assistance.

#### Article 18.

Civil, commercial, industrial, financial and insurance companies and other companies of a business character, constituted in either country in accordance with the laws of that country, and having their registered head offices in its territory, shall be recognised as properly constituted by the other Contracting Party.

The legality of their constitution and their capacity to appear in the courts as plaintiffs or defendants shall be determined according to their articles of association and the law of the country in which they were constituted.

They shall in the territory of the other Party and subject to compliance with its laws and regulations be entitled to engage in any activities permitted to companies of any other State, establish branches and agencies and enjoy all the rights granted to individuals under Article 17 and any other agreements between the two Parties.

The High Contracting Parties declare that, subject to the application of their national laws concerning the carrying on of industry and commerce, they agree :

(1) Not to hinder by means of a special, preliminary authorisation the establishment of companies intending to engage in any activity generally permitted to companies of any other country ;

(2) Not to withdraw the authorisation once it has been given, except on account of infringement of the laws and regulations of the country.

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



*Article 19.*

Fiscal matters concerning nationals shall be governed solely by the present Article, to the exclusion of all others.

The nationals of each of the Contracting Parties shall not be subject, in the territory of the other, to duties, dues and taxes or contributions of whatever description, no matter on whose behalf they are levied, other or higher than those payable by nationals in the same circumstances.

This provision shall not preclude the collection, where appropriate, 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 both countries shall enjoy the treatment granted to nationals of the most-favoured nation.

*Article 20.*

Fiscal matters concerning companies fulfilling the conditions laid down in Article 18 shall be governed solely 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, dues, taxes and contributions of any description whatsoever, no matter on whose behalf they are levied, other or higher than those payable by national companies.

As regards taxes on capital, income or profits, each of the High Contracting Parties shall only assess companies of the other, in respect of the proportion of the company's assets laid out 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, according to the nature of the tax.

It is understood, however, that, should a tax not, in fact, be applicable to a foreign company, each Government shall retain the right to assess such tax on an approximate 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 further understood that the foregoing provisions shall not apply to the exemptions granted to French companies under Articles 137, 143 and 153 of the French Fiscal Code regarding transferable securities (special exemptions accorded to certain French companies granting loans to French companies of holders of foreign securities and to French parent companies with subsidiary companies).

Similarly, the said provisions shall not exempt foreign companies from the application of Article 6 of the French Law of August 12th, 1919 (providing that in the assessment of the additional tax on capital assets insured against fire property insured abroad shall also be taken into account.)

*Article 21.*

For all matters concerning international transit, the High Contracting Parties refer to the Convention<sup>1</sup> and Statute of Barcelona of April 20th, 1921, on Freedom of Transit, to which both are Parties.

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<sup>1</sup> 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.

In all matters concerning rail transport, the High Contracting Parties shall, in their mutual relations, apply the provisions of the Convention<sup>1</sup> and Statute on the International Régime of Railways, drawn up at Geneva on December 9th, 1923.

*Article 22.*

Subject to the supplementary provisions which follow, the High Contracting Parties expressly declare that they will be governed by the provisions of the Geneva Convention<sup>2</sup> of December 9th, 1923, on the International Régime of Maritime Ports, including its Annexes and Protocol, and also by the Statute on the International Régime of Maritime Ports in all matters dealt with in the said Convention and Statute.

With reference to Article 9 of the Statute of Geneva, the High Contracting Parties agree that the vessels of either country may enter any port or ports of the other country either to land the whole or part of their passengers or cargo coming from abroad, or to take on board the whole or part of their passengers or cargo for a foreign destination.

With regard to the engagement and transport of emigrants, the High Contracting Parties agree to grant each other most-favoured-nation treatment.

*Article 23.*

The following shall be governed exclusively by national law irrespective of the provisions of the present Agreement :

(1) National coasting trade ;

(2) Fishing and hunting of marine animals in territorial waters and the special advantages already enjoyed, or which may hereafter be enjoyed, by national fishery products ;

(3) The advantages conferred or which may hereafter be conferred by either of the High Contracting Parties on its nationals with a view to promoting the development of its mercantile marine, in the form of bounties or subsidies for the building or purchase of merchant vessels, or of bounties or assistance of any kind to the mercantile marine ;

(4) The maritime services of ports, roadsteads and beaches, including pilotage, towage and the organisation of rescue and salvage services ;

(5) (a) Traffic between France and Tunisia, France and the French Colonies, between the Colonies themselves and between the latter and Tunisia. Vessels of the High Contracting Parties shall, however, enjoy most-favoured-nation treatment in respect of such traffic ;

(b) The special advantages in respect of navigation which may be granted in France, Tunisia and the French colonies to traffic from Morocco and mandated territories.

*Article 24.*

All vessels which, according to French laws and regulations, are deemed to be of French nationality and vessels which, according to the laws and regulations of Estonia, are deemed to

<sup>1</sup> 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 ; Vol. LXXXVIII, page 336 ; Vol. XCII, page 381 ; Vol. XCVI, page 191 ; Vol. CLVI, page 192 ; Vol. CLX, page 338 ; and Vol. CLXXVII, page 389, of this Series.

<sup>2</sup> Vol. LVIII, page 285 ; Vol. LXIX, page 102 ; Vol. LXXII, page 485 ; Vol. LXXXIII, page 416 ; Vol. CVII, page 491 ; Vol. CXVII, page 184 ; Vol. CXXII, page 349 ; Vol. CXLII, page 342 ; and Vol. CXLVII, page 332, of this Series.

be of Estonian nationality, shall, for the purpose of the application of the present Convention, be deemed to be of French or Estonian nationality as the case may be.

*Article 25.*

A special agreement shall be concluded as soon as possible between the High Contracting Parties laying down rules for the tonnage measurement of vessels and providing for their application. Until then tonnage certificates issued by the authorities of one of the High Contracting Parties shall be considered by the other Party as being equivalent to the certificates issued by its own authorities.

*Article 26.*

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

*Article 27.*

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, harbours or roadsteads of the other Contracting Party; they shall have full freedom therein, under the same conditions as national vessels, to procure all necessary stores, refit and make ready to continue their voyage.

In such cases, the following operations shall not be deemed to be of a commercial character; the unloading and reloading of goods to permit the repair of the ship, or its disinfection if in quarantine; transshipment to another vessel should the original vessel have become unseaworthy; operations in connection with the revictualling of the ship and the feeding of the crew; the sale of damaged goods, if permitted by the Customs administration, and also the sale of other goods or any loans which the master may be compelled to raise to defray his expenses or to obtain funds to continue the voyage. The master shall, nevertheless, comply with the local regulations and pay the duties and charges on the operations effected at the local rates, in the same manner as the masters of national vessels.

*Article 28.*

Should a vessel flying the flag of either country run aground or be wrecked on the coasts of the other country, the local authorities shall see that it is afforded every assistance and shall take all necessary steps to succour the shipwrecked persons and to preserve such articles as can be saved.

No charges of any kind shall be made for the action of the local authorities, other than the cost of salvage operations, the preservation of the goods saved, 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 saved from the wreck shall be restored to the owner or his duly authorised representative if claimed by him within the period allowed by the laws of the country.

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

In the absence of the owners, the goods saved or the proceeds of the sale of such goods may be claimed by the consular authority of the High Contracting Party of which the said owners are nationals.

Goods and articles of any kind saved from a wreck shall not be subject to Customs duty unless cleared for internal consumption.

*Article 29.*

The provisions of the present Agreement shall apply to Algeria.

*Article 30.*

Natural or manufactured products originating in and coming from Estonia shall on their importation into the so-called "assimilated" French colonies, that is, those having, in principle, the same Customs system as the mother country, be admitted under the minimum tariff, whether such tariff be that of the mother country or a special tariff.

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

In the so-called "non-assimilated" colonies, that is, those having a special Customs system, and in Tunisia, products originating in and coming from Estonia shall be admitted at the lowest rates of duty which are or may be granted to any other Power under tariff measures or commercial agreements.

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

*Article 31.*

The provisions of Articles 4, 5, 7, 8, 9, 10, 33, 34 and 35 shall apply to the French colonies, French protectorates and territories under French mandate.

*Article 32.*

Estonian merchant ships in French colonial ports shall, subject to compliance with the regulations regarding public order and safety and the local laws and regulations, be granted most-favoured-nation treatment.

*Article 33.*

It is understood that, wherever most-favoured-nation treatment is prescribed by the present Agreement, such treatment shall not apply to :

(a) Any advantages which have been or may 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 15 kilometres in breadth on either side of the common frontier ;

(b) The preferential treatment granted or to be granted by Estonia to Finland, Latvia, Lithuania and the Union of Soviet Socialist Republics ;

(c) The preferential régime established or to be established between France and Tunisia, France and the French colonies, between the colonies themselves and between those colonies and Tunisia ;

(d) The preferential treatment which the French Government grants or may hereafter grant to Morocco and the territories under French mandate ;

(e) Any advantages which either High Contracting Party has granted or may grant to a third State for the purpose of establishing a proper balance between its own taxation and that of the State concerned, and in particular for the purpose of avoiding double taxation ;

(f) The special arrangements concluded or to be concluded in accordance with the recommendations of the Stresa Conference (September 5th-20th, 1932).

*Article 34.*

Any disputes which may arise between the High Contracting Parties concerning the interpretation or application of the present Convention and which it shall not have 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, under the procedure prescribed by its Statute<sup>1</sup>, or to a court of arbitration, under the procedure laid down by the Hague Convention<sup>2</sup> of October 12th, 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 submit the dispute directly to the Permanent Court of International Justice by means of an application.

*Article 35.*

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

The present Convention shall come into force fifteen days after the exchange of ratifications. The High Contracting Parties agree, however, to apply it provisionally as from December 1st, 1937, on which date it shall supersede the Agreement of March 15th, 1929, and its supplementary agreements.

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

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

Done in duplicate, at Paris, this 16th day of October, 1937.

A. REI.  
O. STRANDMAN.  
Y. DELBOS.  
F. CHAPSAL.

## PROTOCOL OF SIGNATURE.

On signing the Commercial Convention between France and Estonia dated this day, the Estonian Government and the French Government have agreed on the following provisions :

*Ad Article 8.*

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.

<sup>1</sup> Vol. VI, page 379 ; Vol. XI, page 405 ; Vol. XV, page 305 ; Vol. XXIV, page 153 ; Vol. XXVII, page 417 ; Vol. XXXIX, page 165 ; Vol. XLV, page 96 ; Vol. L, page 159 ; Vol. LIV, page 387 ; Vol. LXIX, page 70 ; Vol. LXXII, page 452 ; Vol. LXXVIII, page 435 ; Vol. LXXXVIII, page 272 ; Vol. XCII, page 362 ; Vol. XCVI, page 180 ; Vol. C, page 153 ; Vol. CIV, page 492 ; Vol. CVII, page 461 ; Vol. CXI, page 402 ; Vol. CXVII, page 46 ; Vol. CXXXVI, page 430 ; Vol. CXXX, page 440 ; Vol. CXXXIV, page 392 ; Vol. CXLVII, page 318 ; Vol. CLII, page 282 ; Vol. CLVI, page 176 ; Vol. CLX, page 325 ; Vol. CLXIV, page 352 ; Vol. CLXVIII, page 228 ; Vol. CLXXII, page 388 ; Vol. CLXXVII, page 382 ; and Vol. CLXXXI, page 346, of this Series.

<sup>2</sup> *British and Foreign State Papers*, Vol. 100, page 298.

Certificates of origin issued by the Ministry of National Economy of Estonia shall be assimilated in every respect to those issued by the Customs authorities.

Ad *Article 13.*

The protection provided by Article 13 of the present Convention (appellation of origin of viticultural products) shall be extended to Roquefort cheese, that is to the cheese defined by the French Law of July 26th, 1925.

PARIS, *October 16th*, 1937.

A. REI.  
O. STRANDMAN.  
Y. DELBOS.  
F. CHAPSAL.

ANNEX TO ARTICLE 14 OF THE CONVENTION.

SPECIMEN IDENTITY CARD FOR FRANCE OR ESTONIA.

COMMERCIAL TRAVELLER'S IDENTITY CARD.

(Valid for twelve months from the date of issue.)

Valid for { France  
Estonia

No. of card

It is hereby certified that the holder of this card, M.  
born at \_\_\_\_\_ residing at \_\_\_\_\_  
owns (I) \_\_\_\_\_  
at \_\_\_\_\_

Street No.

carrying on business under the style of \_\_\_\_\_

(2) is a commercial traveller in the employment of { (name of firm  
or firms)

at \_\_\_\_\_

which { owns (I)  
carrying on business under the style of \_\_\_\_\_

Whereas the holder of this card intends to solicit orders in the above-named countries and to make purchases for the above-mentioned firm(s), it is hereby certified that the said firm(s) is (are) authorised to carry on its (their) industry and trade and pays (pay) the appropriate legal dues.

At \_\_\_\_\_ the \_\_\_\_\_ 193

(Legalised signature of head of firm(s) (2) ) :

Description of holder :

Age :

Height :

Hair :

Distinctive marks :



(I) Factory or business.

N. B. Only Head I of this form should be completed in the case of the head of a commercial or industrial establishment, and only Head 2 in the case of a commercial traveller.

(This document must be made out in duplicate.)

## SCHEDULE A.

List of products of Estonian Customs territory to be admitted, on their importation into France, under the minimum tariff and the most-favoured-nation clause.

*Section 1 :*

1 ; 4 to 14 inclusive ; 14 ter ; 14 quinquies to 18 ter inclusive ; 18 quinquies to 22 inclusive ; 24 and 25 ; ex 26 (bed feathers) ; 29 to 34 inclusive ; 34 ter to 38 inclusive ; 40 to 47 inclusive ; 51 ; 64 bis ; 66 and 67.

*Section 2 :*

68 to 74 inclusive ; 75 ter ; 75 quinquies ; 76 bis ; 76 ter ; 80 ; 80 bis ; 83 ; ex 84 A (table apples and table fruit not otherwise mentioned, including plums, bilberries and whortleberries) ; ex 85 (other fruits including bilberries and whortleberries) ; 86 to 89 inclusive ; 93 bis ; 94 ; 94 bis ; 95 ; 95 bis ; 98 ; 98 bis ; 109 ; ex 110 A (pure fixed linseed oils) ; 115 ; 115 bis ; 115 ter ; 116 ; ex 126 (other fresh or dried roots) ; 126 bis ; 127 to 137 inclusive ; ex 141 (wadding of cellulose) ; 141 bis to 142 bis inclusive ; 146 ; 147 ; 158 to 158 ter inclusive ; 160 to 164 bis inclusive ; 164 quater to 166 inclusive ; 167 to 170 bis inclusive ; 172 bis to 172 ter ; 173 ; 173 bis ; 174 and 174 bis.

*Section 3 :*

175 ; 177 to 177 ter inclusive ; 179 ter A to 186 inclusive ; 188 bis ; 192 to 194 inclusive ; 196 to 202 inclusive ; 218 to 221 inclusive.

*Section 4 :*

034 ; 059 ; 069 ; 069 bis ; 0150 ; 0179 to 0182 inclusive ; 0192 bis to 0205 inclusive ; 0222 to 0223 inclusive ; 0263 ; 0375 ; 0376 ; 0379 ; 0380 ; 0381 ; 311 ; 312 ; 315 bis to 319 inclusive ; 319 ter ; 321 to 329 inclusive ; 331 to 346 bis inclusive ; 350 A ; 351 A to 351 bis inclusive ; 359 to 359 ter inclusive ; 363 to 373 inclusive ; 375 ; 376 ; 382 A to 401 inclusive ; 404 to 431 inclusive ; 437 to 458 inclusive ; 459 bis to 461 ter inclusive ; 461 quater B to 476 ter inclusive ; 478 to 494 inclusive ; 510 A to 525 octies B inclusive ; 526 quinquies A ; 527 bis ; 533 A and B ; 533 quinquies ; 533 sexes ; 549<sup>1</sup> ; 562 bis A and B ; 563 to 566 quater inclusive ; 576 ter ; 576 quater ; 579 bis A and B<sup>1</sup> ; 590 to 605 ; 618 bis ; 620 ; 630 ; 630 bis ; 630 ter ; 634 ter A to 634 quater B inclusive ; 641 bis<sup>1</sup> ; 644 to 645 inclusive ; 646 B 1<sup>1</sup> ; 648 ; 648 bis C ; 653 ; 654.

<sup>1</sup> These products shall only be entitled to admission under the minimum tariff as from the date on which they become the subject of quota restrictions or on which, for the purpose of protecting the French market, they are made subject to higher Customs duties than those to which they are at present liable.

Should any of these products be still unaffected by either of the above-mentioned measures on February 1st, 1938, the French Government is prepared to re-examine the matter.

A. R.

Y. D.

## SCHEDULE B.

## PART I.

Consolidated duties payable on imports into Estonia, subject to denunciation at 15 days' notice.

No. in the Estonian Customs Tariff	Description of Goods	Unit	Estonian Crowns
Ex par. 15 ex p. 4	Spices :		
	Pepper . . . . .	kg. net	0.30
Ex par. 19 p. I	Cocoa in the bean and cocoa husks :		
	In the bean, raw . . . . .	kg. net	0.08
Ex par. 78 p. I	Plate glass and mirrors :		
	Plate glass, worked, namely glass in sheets exceeding 5 mm. in thickness, ground, polished or dulled, also plate glass 5 mm. or less in thickness, polished or ground :		
p. I (a)	The length and width added together being 125 cm. or less . . . . .	kg. net	0.30
p. I (b)	The length and width added together being over 125 and up to 250 cm. . . . .	kg. net	0.55
p. I (c)	The length and width added together exceeding 250 cm.	kg. net	0.80
<i>Note :</i>	Plate glass, worked, less than 5 mm. in thickness shall be subject to the duties indicated under the appropriate letters of par. I of this number, together with a surcharge of 50%.		
Ex par. 88 ex p. I	Rubber and gutta-percha, manufactured :		
Ex p. I (b)	Soft india-rubber : Articles not specially mentioned in the Customs tariff, without admixture of fibrous materials . . . . .	kg. net	1.00
par. 120 p. I	Soap and washing soap in powder : Cosmetic soap and toilet soap in liquid or solid form or in powder (including "Pixavon" and the like), also medicinal soap . . . . .	kg. net	4.00
par. 120 p. 2	Soaps of all kinds other than toilet and medicinal soaps in liquid or solid form or in powder . . . . .	kg. net	0.40
<i>Note :</i>	The term "Toilet soap" includes not only scented soaps but all soaps in small cakes easily handled and in bars consisting of several sections, packed in parchment paper, printed paper, cardboard boxes and the like.		
Ex par. 124 ex p. 3	Tanning materials : Tanning extracts of all kinds, including artificial, in accordance with the list issued by the Ministry of Economic Affairs or, in particular cases, subject to a certificate from the said Ministry . . . . .	kg. gross	0.015
Ex par. 167 ex p. 13	Machines or apparatus complete or not, assembled or in parts : Agricultural machines not specially mentioned and tractors of all kinds; traction engines with threshing machines capable of thoroughly cleaning the grain . . . . .	kg. net	0.015
ex p. 14	Winnowers, sorters and broadcast wheat-sowing machines.	kg. net	0.05



No. in the Estonian Customs Tariff	Description of Goods	Unit	Estonian Crowns
Ex par. 177 ex p. 2 p. 2 (f)	Paper manufactures : Paper : Cigarette paper, white or coloured, in booklets or rolls, including the wrappers and inner tubes . . . . .	kg. net	0.30
Ex par. 195 ex p. 2	Fabrics of silk or of artificial silk and sieve gauze : Ribbons of silk (natural), woven up to 20 cm. in width.	kg. net	50.00
Ex par. 197 ex p. 1	Fabrics of half-silk or of half-artificial silk of all kinds : Stuffs of natural half-silk, woven, not specially mentioned	kg. net	20.00
ex p. 2	Natural half-silk ribbons, woven up to 20 cm. in width .	kg. net	25.00
Ex par. 199 p. 1	Woolen fabrics not specially mentioned : Not containing more than 5 sq. m. to the kg. . . . .	kg. net	7.30
par. 207	Lace and manufactures of lace, not specially mentioned, also tulle with designs (except common tulle for curtains) : Not specially mentioned . . . . .	kg. net	25.00
p. 1	Of silk, artificial silk or brocade ; combined with silk or artificial silk or containing threads of gold or silver tinsel, or gold or silver threads . . . . .	kg. net	75.00
Ex par. 209 ex p. 4	Wearing apparel : Women's and children's apparel of any kind (other than outer wear), such as costumes, coats and the like — all fabrics of all kinds other than of silk or half-silk :		
ex p. 4 (a)	Made up without trimming . . . . .	kg. net	12.00
Ex par. 213 p. 1	Ornamental feathers and artificial flowers : Dressed feathers and skins with feathers adhering of all kinds (of rare or common birds) ; plumage and tissues of feathers . . . . .	kg. gross	160.00
p. 2	Artificial flowers and parts thereof, not specially mentioned ; artificial decorative plants, even with flowers, combined with precious materials . . . . .	kg. gross	80.00
Ex par. 215	Fancy and toilet articles, not specially mentioned, mounted or detached parts thereof, as well as articles not elsewhere mentioned, and manufactured with the materials mentioned under the present number : Fancy and toilet articles, also parts of the same, ordinary, of aluminium, horn, ordinary bone, wood, porcelain, glass, cardboard, paper, meerschäum, whale bone, jet, celluloid, artificial horn, lava and similar common materials ; manufactures not specially mentioned, of horn, ordinary bone, meerschäum, whale bone, jet, lava, wax, gelatine, viscose, celluloid and other like artificial materials . . . . .	kg. net	8.00

A. R.

Y. D.

## SCHEDULE B.

## PART 2.

French products the duties payable on which, on importation into Estonia, shall remain consolidated, subject to further negotiations.

No. in the Estonian Customs Tariff	Description of Goods	Unit	Estonian Crowns
Ex par. 15 p. 2	Spices : Vanilla . . . . .	kg. net	8.00
Ex par. 27 ex p. 1	Spirits and strong alcoholic beverages : Berry, grain and potato alcohol as well as other ethylic alcohol of all degrees of strength, rectified or not ; also arrack, rum, cognac, gin and whisky, grape alcohol, fruit alcohol and pressed residues thereof, in casks or barrels :		
ex p. 1 (b)	Arrack, armagnac, cognac and rum in casks . . . . .	kg. gross	2.00
ex p. 2	The same in bottles or in receptacles other than casks and barrels :		
ex p. 2 (b)	Arrack, armagnac, cognac and rum with an alcoholic content of not more than 50° Gay-Lussac . . . . .	kg. gross	2.60
ex p. 2 (c)	Arrack, armagnac, cognac and rum with an alcoholic content of over 50° Gay-Lussac . . . . .	kg. gross	4.00
Note :	The importation of the goods specified above is subject to the authorisation of the Ministry of Economic Affairs.		
Ex par. 28 ex p. 1 (a)	Grape, berry and fruit wine : Grape wine in casks, containing not more than 16 per cent of alcohol . . . . .	kg. gross	0.68
ex p. 2	Grape wine in bottles and receptacles other than casks :		
ex p. 2 (a)	Non-sparkling . . . . .	kg. gross	0.80
ex p. 2 (b)	Sparkling wines . . . . .	kg. gross	0.90
Ex par. 35 p. 1	Cheese and artificial cheese of all kinds : Soft cheese, Roquefort kind, made solely from ewe's milk	kg. net	0.80
Ex par. 37 ex p. 2	Fish : Fish of all kinds, pickled, preserved in oil or prepared in any other similar manner ; fish of all kinds in airtight vessels not specially mentioned :		
p. 2 (a)	Sardines boiled in olive oil . . . . .	kg. gross	2.50
Ex par. 86	Turpentine (refined) . . . . .	kg. net	0.15
Ex 88 ex p. 4 (b)	Rubber and gutta-percha, manufactured : Pneumatic tyres and inner tubes for automobiles, motorcycles, bicycles, also tyres for all other vehicles except those for motor lorries and tractors . . . . .	kg. net	0.73
Ex par. 117 ex p. 1	Vegetable oils : Olive oil . . . . .	kg. net	0.10

No. in the Estonian Customs Tariff	Description of Goods	Unit	Estonian Crowns
Ex par. 119 p. 1	Cosmetic preparations and aromatic substances : Toilet powder, rouge, hair dyes, scented pastilles for fumigating, cosmetic preparations and substances not specially mentioned and not containing spirit. . . .	kg. gross	10.00
ex p. 2	All kinds of perfumery preparations and cosmetics containing spirit such as scents, aromatic waters, elixirs, etc. . . . .	kg. gross	35.00
Ex par. 125 ex p. 2	Dyestuffs, natural : Mineral :		
ex p. 2 (a)	Ochres . . . . .	kg. net	0.015
Ex 195 ex p. 1	Fabrics of silk or artificial silk and sieve gauze : All these articles other than those mentioned under p. 2 of the present paragraph :		
ex p. 1 (a)	Natural silk material, woven, not specially mentioned.	kg. net	40.00

A. R.

Y. D.

## SCHEDULE C.

Consolidated duties on imports into France, subject to denunciation at 15 days' notice.

No. in the French Customs Tariff	Description of Goods	Unit	Duty in French Francs
21	Hides, raw, green or dried, large or small . . . . .	100 kg. gross	Free
142	Flax, raw, hackled, combed or as tow . . . . .	"	"
168	Cellulose pulp :		
	Treated by mechanical pressure :		
	Dry . . . . .	"	6.50
	Moist . . . . .	"	3.25
	Treated chemically :		
	Dry . . . . .	"	13
	Moist . . . . .	"	6.50
318	Starch (raw or imperfect and other, liquid, in paste or otherwise), not scented :		
	Of wheat, spelt or meslin . . . . .	100 kg. net	184.50
	Of other grain . . . . .	100 kg. gross	153.80
590 bis	Furniture :		
	Seats or backs of chairs, ornaments, mouldings, etc., veneered :		
	Varnished, printed, waxed, pyrograved, carved, moulded or thermoplastic. . . . .	"	129.20
	Other . . . . .	"	84.50

No. in the French Customs Tariff	Description of Goods	Unit	Duty in French Francs
ex 602	Small wooden wares : Bobbins for spinning and weaving, not exceeding 10 cm. in length . . . . .	100 kg. gross	119.20
	Over 10 cm. in length . . . . .	"	79.50
	Small reels of common wood for sewing thread, not varnished or painted . . . . .	"	35.70
Ex 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 : Alder, poplar, pitch-pine, plane, fir or aspen . . . . . Other kinds . . . . . Painted, varnished or waxed, of all kinds . . . . . Cut into pieces for special purposes . . . . .	" " " "	19.90 29.80 35.70 Duties as above according to kind, increased by 50%
603 d. B.	Veneers and plywood . . . . .	"	105.40
603 d. C.	Other wooden wares . . . . .	"	55.70

A. R.

Y. D.