

N° 4034.

ALLEMAGNE ET PAYS-BAS

Convention relative aux échanges de
marchandises entre l'Allemagne et
les Indes néerlandaises. Signée à
Berlin, le 6 juin 1934.

**GERMANY
AND THE NETHERLANDS**

Convention regarding the Exchange
of Goods between Germany and
the Netherlands Indies. Signed
at Berlin, June 6th, 1934.

TEXTE ALLEMAND. — GERMAN TEXT.

Nr. 4034. — ABKOMMEN¹ ZWISCHEN DEUTSCHLAND UND DEN NIEDERLANDEN ÜBER DEN WARENVERKEHR ZWISCHEN DEUTSCHLAND UND NIEDERLÄNDISCH-INDIEN. GEZEICHNET IN BERLIN, AM 6. JUNI 1934.

German and Dutch official texts communicated by the Netherlands Minister for Foreign Affairs. The registration of this Convention took place January 8th, 1937.

DER DEUTSCHE REICHSPRÄSIDENT
und

IHRE MAJESTÄT DIE KÖNIGIN DER NIEDERLANDE,
von dem gemeinsamen Wunsch geleitet, den Warenverkehr zwischen Deutschland und Niederländisch-Indien auf der Grundlage des Handels- und Schifffahrtsvertrags² zwischen den Staaten des deutschen Zoll- und Handelsvereins einerseits und den Niederlanden andererseits vom 31. Dezember 1851 nach Möglichkeit zu steigern und auszubauen, haben zu ihren Bevollmächtigten ernannt :

DER DEUTSCHE REICHSPRÄSIDENT :

den Ministerialdirektor im Auswärtigen Amt Dr. Karl RITTER, und
den Ministerialdirigenten im Reichswirtschaftsministerium, Geheimer Oberregierungsrat Hans FLACH ;

IHRE MAJESTÄT DIE KÖNIGIN DER NIEDERLANDE :

Dr. Jur. Johann Paul Graf VAN LIMBURG STIRUM, Ihren ausserordentlichen Gesandten und bevollmächtigten Minister in Berlin,

die nach Prüfung ihrer in guter und gehöriger Form befundenen Vollmachten nachstehende Vereinbarung getroffen haben :

I.

Die Deutsche Regierung wird bei den einer besonderen staatlichen Einfuhrregelung unterworfenen Erzeugnissen, an deren Einfuhr nach Deutschland ein besonderes Interesse für Niederländisch-Indien besteht, diesem Interesse in gebührender Weise Rechnung tragen.

Die beiden Regierungen gehen davon aus, dass sich das Verhältnis der deutschen Ausfuhr nach Niederländisch-Indien zur niederländisch-indischen Ausfuhr nach Deutschland in den letzten Jahren durch aussergewöhnliche Umstände in anormaler Weise verschoben hat. Sie werden daher bemüht sein, auf die Wiederherstellung eines normalen Verhältnisses unter Berücksichtigung der Entwicklungsmöglichkeiten der deutschen Ausfuhr hinzuwirken. Zu diesem Zweck wird insbesondere bei der Vergebung von Regierungsaufträgen und ähnlichen Geschäften in Niederländisch-Indien den deutschen Interessen in gebührender Weise Rechnung getragen werden.

Für den Fall, dass die Deutsche oder die Niederländisch-Indische Regierung genötigt sein sollte, die Ein- oder Ausfuhr von Waren zu verbieten oder zu beschränken, verpflichten sie sich, die Interessen des anderen Gebiets in gebührender Weise zu berücksichtigen.

¹ The exchange of ratifications took place at The Hague, November 30th, 1936.

² *British and Foreign State Papers*, Vol. 40, page 1109.

¹ TRANSLATION.

No. 4034. — CONVENTION BETWEEN GERMANY AND THE NETHERLANDS REGARDING THE EXCHANGE OF GOODS BETWEEN GERMANY AND THE NETHERLANDS INDIES. SIGNED AT BERLIN, JUNE 6TH, 1934.

THE PRESIDENT OF THE GERMAN REICH
and

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

Being mutually desirous of increasing and promoting as far as possible the exchange of goods between Germany and the Netherlands Indies on the basis of the Treaty of Commerce and Navigation of December 31st, 1851, concluded between the States forming the German Customs and Commercial Union, on the one hand, and the Netherlands, on the other hand, have appointed as their Plenipotentiaries :

THE PRESIDENT OF THE GERMAN REICH :

Dr. Karl RITTER, Director at the Ministry of Foreign Affairs, and
M. Hans FLACH, Geheimer Oberregierungsrat, Head of Department in the Reich Ministry of Economic Affairs ;

HER MAJESTY THE QUEEN OF THE NETHERLANDS :

Count Johann Paul VAN LIMBURG STIRUM, Doctor of Laws, Her Envoy Extraordinary and Minister Plenipotentiary in Berlin ;

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

I.

In the case of products which are subject to special Government import regulations and the importation of which into Germany is of special interest to the Netherlands Indies, the German Government shall take due account of this interest.

The two Governments recognise that, in recent years, exceptional circumstances have abnormally disturbed the ratio between German exports to the Netherlands Indies and Netherlands Indies exports to Germany. They will, accordingly, endeavour to restore a normal ratio, due consideration being given to the possibilities of developing German exports. To this end, due account shall be taken of German interests, more particularly as regards the placing of Government orders or similar business in the Netherlands Indies.

Should the German Government or the Netherlands Indies Government be compelled to prohibit or restrict the importation or exportation of goods, it undertakes to give due consideration to the interests of the other territory.

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

II.

The following German products shall not, when imported into the Customs territory of the Netherlands Indies, be subject to higher Customs duties than those specified hereunder :

No. in the Netherlands Indies Customs tariff			
ex 167 II	Neosalvarsan	6 %	<i>ad valorem</i>
	Anti-malaria remedies	6 %	<i>ad valorem</i>
ex 181	Coal tar dyes in solid or semi-solid form	6 %	<i>ad valorem</i>
ex 188	Afridol soap	12 %	<i>ad valorem</i>

These rates shall not be increased by surcharges other than those applicable, under a legislative provision, to import duties generally.

The Netherlands Government shall give favourable consideration to German applications for the introduction of specific duties or official valuations in the case of goods which are of importance to the German export trade.

III.

Article 32, paragraph 2, of the Treaty of Commerce and Navigation of December 31st, 1851, between the States forming the German Customs and Commercial Union, on the one hand, and the Netherlands, on the other hand, is hereby abrogated.

IV.

Each Government shall set up a Government Commission consisting of members of the ministries concerned. These Commissions shall be required to maintain direct and permanent contact with each other for the purpose of dealing with all questions connected with the execution of the present Convention. The two Governments shall advise each other of the composition of the Government Commissions.

V.

This Convention shall be ratified. It shall come into force on the fifteenth day after the exchange of the instruments of ratification, which shall take place at The Hague, and it shall remain in force until June 30th, 1937. The two Governments shall, however, bring it into force provisionally as from July 1st, 1934.

Should the economic conditions which the two Parties have taken as a basis in concluding the present Convention be fundamentally altered, the Party which considers itself prejudiced by such a change may ask the other Party to enter into negotiations for the amendment of the Convention and a readjustment of economic relations.

Done in duplicate, in the German and Dutch languages, at Berlin, this 6th day of June, 1934.

Karl RITTER.
Hans FLACH.

VAN LIMBURG STIRUM.