

N° 4395.

ALLEMAGNE ET PAYS-BAS

Convention concernant les échanges
de marchandises entre l'Allemagne
et les Indes néerlandaises, signée à
Berlin, le 30 juin 1937, et échange
de notes de la même date relatif
à l'application provisoire de la
convention.

**GERMANY
AND THE NETHERLANDS**

Convention concerning the Exchange
of Goods between Germany and
the Netherlands Indies, signed at
Berlin, June 30th, 1937, and
Exchange of Notes of the same
Date relating to the Provisional
Application of the Convention.

TEXTE ALLEMAND. — GERMAN TEXT.

N^o 4395. — DEUTSCH-NIEDERLÄNDISCHES ABKOMMEN ¹ ÜBER DEN
WARENVERKEHR ZWISCHEN DEUTSCHLAND UND NIEDER-
LÄNDISCH-INDIEN. GEZEICHNET IN BERLIN, AM 30. JUNI 1937.

*German and Dutch official texts communicated by the Netherlands Minister for Foreign Affairs.
The registration of this Convention took place July 12th, 1938.*

DER DEUTSCHE REICHSKANZLER

und

IHRE MAJESTÄT DIE KÖNIGIN DER NIEDERLANDE,

von dem gemeinsamen Wunsche geleitet, den Warenverkehr zwischen Deutschland und Niederländisch-Indien auf der Grundlage des Handels- und Schiffahrtsvertrags ² zwischen den Staaten des Deutschen Zoll- und Handelsvereins einerseits und den Niederlanden andererseits vom 31. Dezember 1851 zu vertiefen, haben zu ihren Bevollmächtigten ernannt :

DER DEUTSCHE REICHSKANZLER :

den Vortragenden Legationsrat im Auswärtigen Amt Felix BENZLER ;

IHRE MAJESTÄT DIE KÖNIGIN DER NIEDERLANDEN :

den Generaldirektor für Handel und Gewerbe im Ministerium für Handel, Gewerbe und Schiffahrt Dr. Hans Max HIRSCHFELD,

die nach Prüfung ihrer in guter und gehöriger Form befundenen Vollmachten folgendes vereinbart haben :

Artikel 1.

Die Deutsche und die Niederländische Regierung sind sich einig in dem Bestreben, den Warenaustausch zwischen Deutschland und Niederländisch-Indien nach Möglichkeit zu steigern und auszubauen. Zu diesem Zweck wird die Deutsche Regierung bei der Einfuhr von niederländisch-indischen Boden- und Gewerbeerzeugnissen die niederländisch-indischen Interessen, die Niederländische Regierung bei der Einfuhr deutscher Boden- und Gewerbeerzeugnisse die deutschen Interessen in angemessener Weise berücksichtigen.

Artikel 2.

Für den Fall, dass die Deutsche oder die Niederländische Regierung genötigt sein sollte, die Ein- oder Ausfuhr von Waren zu verbieten oder zu beschränken, verpflichten sie sich, die Interessen des anderen Teils, soweit möglich, zu berücksichtigen.

¹ The exchange of ratifications took place at The Hague, April 27th, 1938.
Came into force May 17th, 1938.

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

TRANSLATION.

No. 4395. — CONVENTION BETWEEN THE GERMAN REICH AND THE KINGDOM OF THE NETHERLANDS CONCERNING THE EXCHANGE OF GOODS BETWEEN GERMANY AND THE NETHERLANDS INDIES. SIGNED AT BERLIN, JUNE 30TH, 1937.

HER MAJESTY THE QUEEN OF THE NETHERLANDS,
and

THE CHANCELLOR OF THE GERMAN REICH

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

HER MAJESTY THE QUEEN OF THE NETHERLANDS :

Dr. Hans Max HIRSCHFELD, Director-General of Trade and Industry in the Department of Trade, Industry and Navigation ;

THE CHANCELLOR OF THE GERMAN REICH :

Monsieur Felix BENZLER, Vortragende Legationsrat in the Foreign Office ;

Who, having examined their full powers, found in good and due form, have agreed as follows :

Article 1.

The Netherlands Government and the German Government agree to increase and promote, as far as possible, the exchange of goods between the Netherlands Indies and Germany. To this end, the Netherlands Government shall take due account of German interests when importing German products of the soil or of industry, and the German Government shall take due account of the interests of the Netherlands Indies when importing Netherlands Indies products of the soil or of industry.

Article 2.

The Netherlands Government and the German Government each undertake, in the event of either being compelled to prohibit or restrict the importation or exportation of goods, to take the interests of the other Party into consideration as much as possible.

Article 3.

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

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

Number in the Netherlands Indies Customs Tariff				
ex 167 II	Neosalvarsan	6 %	<i>ad valorem</i>	
	Anti-malaria remedies	6 %	<i>ad valorem</i>	
ex 170	Röntgen films	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>	
ex 572 I	Electrical smoothing-irons	12 %	<i>ad valorem</i>	
ex 775	Geysers and automatic hot water apparatus	12 %	<i>ad valorem</i>	
ex 810	Electric fireplaces, stoves, kitchen ovens, roasting ovens, kitchen heaters and cooking plates, including electric cooking boxes ; electric machines for washing dishes and linen	12 %	<i>ad valorem</i>	
811	Food warmers for table use, toasters, kettles, tea- and coffee-pots, egg cookers, shaving bowls, etc., with direct electric heating and other similar articles not specially mentioned, for household use, for hotels and for similar purposes or for toilet or travelling use	12 %	<i>ad valorem</i>	

The above rates shall not be increased by surcharges other than those applicable, under a legislative provision, to import duties generally ; and the said surcharges shall not, in any case, exceed those at present in force.

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

Article 4.

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

Article 5.

Each Government shall set up a Government Committee consisting of officials of the Ministries concerned. It shall be the duty of the said Committees to deal, in permanent direct consultation with one another, with all questions relating to the application of the present Convention. The two Governments shall notify one another of the composition of the Government Committees.

Article 6.

The present Convention shall be ratified. It shall come into force on the twentieth day after the exchange of the instruments of ratification, which shall take place at The Hague, and shall remain in force until June 30th, 1940.

In the event of material alteration in the economic conditions taken by the two Contracting Parties as a basis for the conclusion of the present Convention, the Party which considers itself prejudiced by such alteration may invite the other Party to enter into negotiations for the amendment of the Convention and the readjustment of economic relations. In the event of such negotiations leading to no result within one month from the date of the invitation by one of the Parties to negotiate, each of the Contracting Parties shall be entitled to denounce the Convention at three months' notice as from the end of any calendar month.

Done in duplicate, in the Dutch and German languages, at Berlin, this 30th day of June, 1937.

H. M. HIRSCHFELD.

Felix BENZLER.

EXCHANGE OF NOTES.

I.

THE PRESIDENT
OF THE NETHERLANDS DELEGATION.

BERLIN, *June 30th, 1937.*

SIR,

I have the honour to confirm to you the conclusion of the following agreement in connection with the signature this day of the Convention between the Netherlands Government and the German Government concerning Commercial Transactions between the Netherlands Indies and Germany :

The Contracting Governments shall provisionally apply the Convention regarding the exchange of goods between the Netherlands Indies and Germany as from July 1st, 1937, with the exception of the provisions in Article 3, paragraph 1, relating to tariff items ex 170, ex 572 I, ex 775, ex 810 and 811, the which shall be provisionally applied by the Contracting Governments as from August 15th, 1937, with retroactive effect as from July 1st, 1937.

I have the honour to be, etc.

H. M. HIRSCHFELD.

Monsieur Felix Benzler,
President of the German Delegation,
Berlin.

II.

THE PRESIDENT
OF THE GERMAN DELEGATION.

BERLIN, *June 30th, 1937.*

SIR,

I have the honour to confirm to you the conclusion of the following agreement in connection with the signature this day of the Convention between the Netherlands Government and the German Government concerning Commercial Transactions between the Netherlands Indies and Germany :

The Contracting Governments shall provisionally apply the Convention regarding the exchange of goods between the Netherlands Indies and Germany as from July 1st, 1937, with the exception of the provisions in Article 3, paragraph 1, relating to tariff items ex 170, ex 572 I, ex 775, ex 810 and 811, the which shall be provisionally applied by the Contracting Governments as from August 15th, 1937, with retroactive effect as from July 1st, 1937.

I have the honour to be, etc.

BENZLER.

Dr. H. M. Hirschfeld,
President of the Netherlands Delegation,
Berlin.