

## ABOLITION OF IMPORT AND EXPORT PROHIBITIONS AND RESTRICTIONS

*Convention with annex opened for signature at Geneva November 8, 1927, and signed for the United States, with a declaration, January 30, 1928;<sup>1</sup> protocol signed at Geneva November 8, 1927, with annexed declaration; supplementary agreement and protocol done at Geneva July 11, 1928, and signed for the United States July 31, 1928; protocol concerning entry into force signed at Paris December 20, 1929*

*Senate advice and consent to ratification, with a declaration and an understanding, September 19, 1929<sup>2</sup>*

*Ratified by the President of the United States, with a declaration and an understanding, September 20, 1929<sup>2</sup>*

*Ratification of the United States deposited with the Secretary-General of the League of Nations September 30, 1929*

*Entered into force January 1, 1930, as between signatories to protocol of December 20, 1929*

*Proclaimed by the President of the United States March 6, 1930*

*Terminated as to the United States June 30, 1933;<sup>3</sup> terminated definitively June 30, 1934*

46 Stat. 2461; Treaty Series 811

### CONVENTION

The President of the German Reich; the President of the United States of America; the President of the Austrian Federal Republic; His Majesty the King of the Belgians; His Majesty the King of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India; His Majesty the King of the Bulgarians; the President of the Chilian Republic; His Majesty the King of Denmark; His Majesty the King of Egypt; the President

<sup>1</sup> For text of U.S. declaration made at time of signing, see p. 663.

<sup>2</sup> The Senate gave its advice and consent to ratification, and the President ratified the convention, subject to the declaration made at time of signing and with the understanding that "the provision of Section VI of the protocol to the convention, excepting from the scope of the convention prohibitions or restrictions applying to prison-made goods, includes goods the products of forced or slave labor however employed."

<sup>3</sup> Pursuant to notice of denunciation given in accordance with provisions of para. 6 of protocol of Dec. 20, 1929 (p. 679).

of the Estonian Republic; the President of the Republic of Finland; the President of the French Republic; His Serene Highness the Governor of Hungary; His Majesty the King of Italy; His Majesty the Emperor of Japan; the President of the Latvian Republic; Her Royal Highness the Grand-Duchess of Luxemburg; His Majesty the King of Norway; Her Majesty the Queen of the Netherlands; the President of the Polish Republic; the President of the Portuguese Republic; His Majesty the King of Roumania; His Majesty the King of the Serbs, Croats and Slovenes; His Majesty the King of Siam; His Majesty the King of Sweden; the Swiss Federal Council; the President of the Czechoslovak Republic; the President of the Turkish Republic:

Having regard to the resolution of the Assembly of the League of Nations dated September 25th [29th], 1924;

Being guided by the conclusions of the International Economic Conference held at Geneva in May 1927, and agreeing with the latter that import and export prohibitions, and the arbitrary practices and disguised discriminations to which they give rise, have had deplorable results, without the grave drawbacks of these measures being counterbalanced by the financial advantages or social benefits which were anticipated by the countries which had recourse to them;

Being persuaded that it is important for the recovery and future development of world trade that Governments should abandon a policy which is equally injurious to their own and to the general interest;

Being convinced that a return to the effective liberty of international commerce is one of the primary conditions of world prosperity; and

Considering that this object may best be achieved by resort to simultaneous and concerted action in the form of an international convention;

Have appointed their plenipotentiaries, namely:

The President of the German Reich:

Dr. E. Trendelenburg, Secretary of State to the Ministry of National Economy;

The President of the United States of America:

Mr. Hugh R. Wilson, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council;

The President of the Austrian Federal Republic:

M. Emerich Pflügl, Minister Plenipotentiary, Representative of the Austrian Federal Government accredited to the League of Nations;

His Majesty the King of the Belgians:

M. J. Brunet, Envoy Extraordinary and Minister Plenipotentiary;

M. F. van Langenhove, Chef du Cabinet and General Director for Foreign Commerce in the Ministry of Foreign Affairs;

His Majesty the King of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India :

For Great Britain and Northern Ireland and all parts of the British Empire which are not separate Members of the League of Nations:  
 Sir Sydney Chapman, K.C.B., C.B.E., Economic Adviser to His Britannic Majesty's Government;

For India :

Sir Atul C. Chatterjee, High Commissioner for the Empire of India in London;

His Majesty the King of the Bulgarians:

M. Georges Danaïllow, Professor at the University of Sofia, M. P.;

The President of the Chilian Republic:

M. E. Villegas, Chilian Representative on the Council of the League of Nations;

His Majesty the King of Denmark:

M. J. Clan, Envoy Extraordinary and Minister Plenipotentiary, Chairman of the Danish Commission for the Conclusion of Commercial Treaties;

His Majesty the King of Egypt:

Sadik Henein Pasha, Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Italy;

The President of the Estonian Republic:

M. C. R. Pusta, Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Spain and to the President of the French Republic;

The President of the Republic of Finland:

M. Rafael Waldemar Erich, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, Permanent Delegate accredited to the League of Nations;

The President of the French Republic:

M. Daniel Serruys, Director of Commercial Agreements in the Ministry of Commerce;

His Serene Highness the Governor of Hungary:

M. Baranyai Zoltán, Chargé d'Affaires *a. i.* of the Royal Hungarian Delegation accredited to the League of Nations;

His Majesty the King of Italy:

M. A. Di Nola, Director-General of Commerce and of Economic Policy;

His Majesty the Emperor of Japan:

M. N. Ito, Counsellor of Embassy, Acting Director of the Imperial Japanese League of Nations Office;

M. J. Tsushima, Financial Commissioner of the Japanese Government in London, Paris and New York;

The President of the Latvian Republic:

M. Charles Duzmans, Minister Plenipotentiary, Permanent Representative accredited to the League of Nations;

Her Royal Highness the Grand-Duchess of Luxemburg:

M. Albert Calmes, Member of the Superior Council of the Economic Union of Belgium and Luxemburg;

His Majesty the King of Norway:

M. Georg Wettstein, Consul-General at Zurich;

Her Majesty the Queen of the Netherlands:

Dr. F. E. Posthuma, former Minister of Agriculture, Industry and Commerce;

M. de Graaff, former Minister of the Colonies;

M. F. M. Wibaut, Member of the Netherlands Senate;

The President of the Polish Republic:

M. F. Sokal, Minister Plenipotentiary, Permanent Delegate of the Polish Republic accredited to the League of Nations;

The President of the Portuguese Republic:

M. F. de Calheiros e Menezes, First Secretary of Legation, Chief of the Portuguese Office accredited to the League of Nations;

His Majesty the King of Roumania:

M. D. Gheorghiu, Director of the Roumanian National Bank;

M. C. Popescu, Director-General of Industry in the Ministry of Industry and Commerce;

His Majesty the King of the Serbs, Croats and Slovenes:

M. Constantin Fotitch, Permanent Delegate accredited to the League of Nations;

His Majesty the King of Siam:

His Highness Prince Charoon, Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic;

His Majesty the King of Sweden:

M. Einar Hennings, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council;

The Swiss Federal Council:

M. Walter Stucki, Head of the Commerce Division in the Federal Department of Public Economy;

The President of the Czechoslovak Republic:

Dr. Vincent Ibl, Counsellor of Legation in the Ministry of Foreign Affairs;

The President of the Turkish Republic:

Mehmed Kemal Bey, Consul at Geneva;

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

#### ARTICLE 1

The provisions of the present Convention shall apply to prohibitions and restrictions imposed on the importation into the territories of any High Contracting Party of goods the produce or manufacture of the territories of any other High Contracting Party, and to prohibitions and restrictions imposed on the exportation of goods from the territories of any High Contracting Party to the territories of any other High Contracting Party.

#### ARTICLE 2

Subject to the exceptions provided for in the following articles, the High Contracting Parties undertake to abolish within a period of six months from the date of the coming into force of the present Convention, in so far as the respective territories of each of them are concerned, all import and export prohibitions or restrictions, and not thereafter to impose any such prohibitions or restrictions. During this period each of the High Contracting Parties will adopt all appropriate measures in order to reduce existing prohibitions and restrictions to a minimum and will refrain from imposing any new prohibitions or restrictions.

Further, the High Contracting Parties undertake to adopt the necessary measures to ensure that the provisions of the present Convention are strictly observed by all authorities, central or local, and that no regulation is issued in contravention thereof.

#### ARTICLE 3

Should the High Contracting Parties, in pursuance of their legislation, subject the importation or exportation of goods to certain regulations in respect of the manner, form or place of importation or exportation, or the imposition of marks, or to other formalities or conditions, they undertake that such regulations shall not be made a means of disguised prohibition or arbitrary restriction.

## ARTICLE 4

The following classes of prohibitions and restrictions are not prohibited by the present Convention, on condition, however, that they are not applied in such a manner as to constitute a means of arbitrary discrimination between foreign countries where the same conditions prevail, or a disguised restriction on international trade:

1. Prohibitions or restrictions relating to public security.
2. Prohibitions or restrictions imposed on moral or humanitarian grounds.
3. Prohibitions or restrictions regarding traffic in arms, ammunition and implements of war, or, in exceptional circumstances, all other military supplies.
4. Prohibitions or restrictions imposed for the protection of public health or for the protection of animals or plants against disease, insects and harmful parasites.
5. Export prohibitions or restrictions issued for the protection of national treasures of artistic, historic or archaeological value.
6. Prohibitions or restrictions applicable to gold, silver, coins, currency notes, banknotes or securities.
7. Prohibitions or restrictions designed to extend to foreign products the regime established within the country in respect of the production of, trade in, and transport and consumption of native products of the same kind.
8. Prohibitions or restrictions applied to products which, as regards production or trade, are or may in future be subject within the country to State monopoly or to monopolies exercised under State control.

## ARTICLE 5

Nothing in this Convention shall affect the right of any High Contracting Party to adopt measures prohibiting or restricting importation or exportation for the purpose of protecting, in extraordinary and abnormal circumstances, the vital interests of the country.

Should measures of this character be adopted, they shall be applied in such a manner as not to lead to any arbitrary discrimination against any other High Contracting Party. Their duration shall be restricted to that of the causes or circumstances from which they arise.

## ARTICLE 6

1. The High Contracting Parties, recognising that there exist in the case of certain of them situations of fact or of law which prevent the latter from immediately undertaking, as regards certain specified products, the engagements entered into under the previous articles, have deemed it equitable to authorise these High Contracting Parties to make a reservation in regard to certain temporary exceptions, which the latter undertake to withdraw as soon as the circumstances from which they arise cease to exist.

2. Moreover, the High Contracting Parties, recognising that the abolition of certain import or export prohibitions or restrictions applied by some of them would involve the latter in grave difficulties, and that, moreover, these prohibitions or restrictions do not prejudicially affect the trade of other countries, have also deemed it equitable to authorise these High Contracting Parties to make a reservation in regard to these exceptions.

3. The Annex to the present Convention sets forth the exceptions coming within the provisions of the two preceding paragraphs, which have been agreed to on this day's date in favour of the High Contracting Parties who are mentioned by name in the Annex and who have signed the Convention on that date.

4. Exceptions which the High Contracting Parties may desire to claim subsequently to that date shall be dealt with in accordance with the procedure laid down in the Protocol to the present Convention.

#### ARTICLE 7

Should one of the High Contracting Parties be obliged to adopt any measure of prohibition or restriction against products of any foreign country, whether the Convention be applicable to that country or not, he shall frame the measure in such a way as to cause the least possible injury to the trade of the other High Contracting Parties.

#### ARTICLE 8

If a dispute arises between two or more High Contracting Parties as to the interpretation or application of the provisions of the present Convention—with the exception of Articles 4, 5 and 6, and of the provisions of the Protocol relating to these articles—and if such dispute cannot be settled either directly between the parties or by the employment of any other means of reaching agreement, the parties to the dispute may, provided they all so agree, before resorting to any arbitral or judicial procedure, submit the dispute with a view to an amicable settlement to such technical body as the Council of the League of Nations or the parties concerned may appoint. This body will give an advisory opinion after hearing the parties and, if necessary, effecting a meeting between them.

The advisory opinion given by the said body will not be binding upon the parties to the dispute unless it is accepted by all of them, and the parties, if they all so agree, may either after resort to such procedure, or in lieu thereof, have recourse to any arbitral or judicial procedure which they may select, including reference to the Permanent Court of International Justice as regards any matters which are within the competence of that Court under its Statute.

If a dispute of a legal nature arises as to the interpretation or application of the provisions of the present Convention—with the exception of Articles 4, 5 and 6, and of the provisions of the Protocol relating to these articles—

the parties shall, at the request of any of them, refer the matter to the decision of the Permanent Court of International Justice or of an arbitral tribunal selected by them, whether or not there has previously been recourse to the procedure laid down in the first paragraph.

In the event of any difference of opinion as to whether a dispute is of a legal nature or not, the question shall be referred for decision to the Permanent Court of International Justice or to the arbitral tribunal selected by the parties.

The procedure before the body referred to in the first paragraph above or the opinion given by it will in no case involve the suspension of the measures to which the dispute refers; the same will apply in the event of proceedings being taken before the Permanent Court of International Justice—unless the Court decides otherwise under Article 41 of its Statute—or before the arbitral tribunal selected by the parties.

Nothing in the present Convention shall be construed as prejudicing the rights and obligations derived by the High Contracting Parties from the engagements into which they have entered with reference to the jurisdiction of the Permanent Court of International Justice, or from any bilateral conciliation or arbitration conventions between them.

#### ARTICLE 9

Any High Contracting Party may, either upon ratifying the present Convention or thereafter, declare that he undertakes, in regard to any other High Contracting Party accepting the same obligation, to extend the application of the provisions of paragraph 3 of Article 8 to any dispute which may arise in connection with the interpretation or application of the provisions of the present Convention, including all or part of Articles 4, 5 and 6, and whether or not the dispute is of a legal nature.

Any High Contracting Parties who do not give the undertaking referred to in paragraph 1 as regards Articles 4, 5, and 6, or certain parts of these Articles, and as regards the provisions of the Protocol relating thereto, may make the provisions of paragraphs 1 and 2 of Article 8 applicable to these matters as between themselves.

#### ARTICLE 10<sup>4</sup>

Any High Contracting Party may at the time of signature, ratification or accession declare that, in accepting the present Convention, he does not assume any obligations in respect of all or any of his colonies, protectorates or territories under suzerainty or mandate; and the present Convention shall not apply to any territories named in such declaration.

Any High Contracting Party may give notice to the Secretary-General of the League of Nations at any time subsequently that he desires that the Convention shall apply to all or any of his territories which have been made the

<sup>4</sup> For U.S. declaration, see p. 663.

subject of a declaration under the preceding paragraph, and the Convention shall apply to all the territories named in such notice ninety days after its receipt by the Secretary-General of the League of Nations.

Any High Contracting Party may at any time declare that he desires that the present Convention shall cease to apply to all or any of his colonies, protectorates or territories under suzerainty or mandate, and the Convention shall cease to apply to the territories named in such declaration one year after its receipt by the Secretary-General of the League of Nations.

#### ARTICLE 11

Nothing in the present Convention shall prejudice the rights and obligations which the High Contracting Parties may derive from international Conventions in force to which they are parties.

The present Convention shall not prejudice the provisions of any bilateral agreements in force at the present date between the High Contracting Parties which establish, in regard to import and export prohibitions or restrictions, a more liberal regime than that established by the provisions of the present Convention.

#### ARTICLE 12

The present Convention shall not in any way affect rights and obligations arising from the Covenant of the League of Nations.

#### ARTICLE 13

The High Contracting Parties shall, within twelve months after the coming into force of the present Convention in their territories, communicate to one another through the Secretary-General of the League of Nations a report on the steps taken to give effect to the provisions of the Convention.

#### ARTICLE 14

The present Convention, of which the French and English texts are both authentic, shall bear this day's date.

It shall be open for signature until January 1st, 1929, on behalf of any Member of the League of Nations or of any non-Member State represented at the Conference which drew up this Convention or to which the Council of the League of Nations shall, for this purpose, have communicated a copy of the present Convention.

Members of the League of Nations and non-Member States on whose behalf the Convention has been signed prior to February 1st, 1928, may avail themselves of the procedure referred to in Article 6, paragraph 4.

#### ARTICLE 15

The present Convention shall be ratified.

The instruments of ratification shall be deposited with the Secretary-General of the League of Nations, who shall notify the receipt thereof to all

Members of the League and to the non-Member States referred to in the previous article.

#### ARTICLE 16

On and after January 1st, 1929, any Member of the League of Nations or any State referred to in Article 14 may accede to the present Convention.

This accession shall be effected by a notification made to the Secretary-General of the League of Nations, to be deposited in the archives of the Secretariat. The Secretary-General shall at once notify such deposit to all who have signed or acceded to the Convention.

#### ARTICLE 17

The present Convention shall come into force under the conditions and on the date to be determined at the meeting provided for hereinafter.

Between June 15th and July 15th, 1928, the Secretary-General of the League of Nations shall invite the duly accredited representatives of the Members of the League of Nations and non-Member States on whose behalf the Convention shall have been signed on or before June 15th, 1928, to attend a meeting at which they shall determine:

(a) The reservations which, having been communicated to the High Contracting Parties in accordance with Article 6, paragraph 4, may, with their consent, be made at the time of ratification;

(b) The conditions required for the coming into force of the Convention and, in particular, the number and, if necessary, the names of the Members of the League and of non-Member States, whether they are signatories or not, whose ratification or accession must first be secured;

(c) The last date on which the ratifications may be deposited and the date on which the Convention shall come into force if the conditions required under the preceding paragraph are fulfilled.

If, on the expiration of this period, the ratifications upon which the coming into force of the Convention will be conditional have not been secured, the Secretary-General of the League of Nations shall consult the Members of the League of Nations and non-Member States on whose behalf the Convention has been ratified and ascertain whether they desire nevertheless to bring it into force.

#### ARTICLE 18

The present Convention may be denounced by a notification in writing addressed to the Secretary-General of the League of Nations on behalf of any Member of the League of Nations or of any non-Member State after the expiration of a period of five years reckoned from the date on which the Convention shall have entered into force.

Such denunciation shall take effect twelve months after the date on which it is received by the Secretary-General of the League of Nations, and shall operate only in respect of the Member of the League of Nations or the non-Member State on whose behalf it is made.

Nevertheless, the Convention may be denounced on behalf of any Member of the League of Nations or any non-Member State after the expiration of the third year from the date of the present Convention, if, after that period, any one of the exceptions allowed in virtue of Article 6, paragraph 1, still exists. This denunciation shall take effect six months after the date on which it is received by the Secretary-General, and shall operate only in respect of the Member of the League of Nations or the non-Member State on whose behalf it is made.

Furthermore, the Convention may be denounced on behalf of any Member of the League of Nations or of any non-Member State after the expiration of the fifth year from the date of the present Convention, if, after that period, such Member of the League of Nations or non-Member State considers that any one of the exceptions allowed by the High Contracting Parties at the meeting provided for in Article 17 has impaired the effects of the present Convention.

This denunciation shall take effect six months after the date on which it is received by the Secretary-General and shall operate only in respect of the Member of the League of Nations or the non-Member State on whose behalf it is made.

Any denunciation made in accordance with the foregoing provisions shall be notified immediately by the Secretary-General of the League of Nations to all the other High Contracting Parties.

If, as a result of denunciations, the conditions for the coming into force of the Convention which the High Contracting Parties may lay down at the meeting provided for in Article 17 should no longer be fulfilled, any High Contracting Party may request the Secretary-General of the League of Nations to summon a Conference to consider the situation created thereby. Failing agreement to maintain the Convention, each of the High Contracting Parties shall be discharged from his obligations from the date on which the denunciation which led to the summoning of this Conference shall take effect.

#### ARTICLE 19

If, before the expiration of the period of five years mentioned in paragraph 1 of Article 18, notifications should be addressed to the Secretary-General of the League of Nations on behalf of one-third of the Members of the League of Nations and of non-Member States to which the present Convention applies, informing him that they desire the Convention to be revised, all the Members of the League of Nations and all non-Member States to which the Convention applies agree to take part in any consultation which may be held for this purpose.

If the revision has taken place before the end of the fifth year from the date of the coming into force of the present Convention, any Member of the League of Nations or non-Member State who has not accepted the revised Convention shall have the right to denounce the present Convention, without regard to the period of five years provided for in paragraph 4 of Article 18. Such denunciation shall take effect on the date on which the revised Convention comes into force.

If the revision has taken place in the course of the fifth year from the date of the coming into force of the present Convention, the period of denunciation referred to in paragraph 1 of Article 18 will be prolonged by one year.

#### ANNEX TO ARTICLE 6

In accordance with Article 6, paragraph 3, and with Section IV (*d*) of the Protocol, each of the exceptions maintained in favour of the countries mentioned below is only admitted under the terms of the present Convention if the country concerned appends its signature thereto on this day's date,<sup>5</sup> and if, on that same date, the prohibition or restriction which it seeks to maintain is still in force.

#### I

##### *Exceptions agreed to under Paragraph 1*

Germany	Coal, coke, peat, lignite, briquettes	import and export
	Scrap iron and scrap of other metals and alloys	export
Austria	Scrap iron and scrap of other metals and alloys	export
Belgium	Scrap iron and scrap of other metals and alloys	export
Great Britain	Synthetic organic dyestuffs and colours or colouring matter containing them, as well as organic intermediate products used in the manufacture of such dyestuffs, colours and colouring matter	import
France	Scrap iron and scrap of other metals and alloys	export
Hungary	Scrap iron and scrap of other metals and alloys	export
Italy	Scrap iron and scrap of other metals and alloys	export
Japan	Synthetic organic dyestuffs and colours or colouring matter containing them, as well as organic intermediate products used in the manufacture of such dyestuffs, colours and colouring matter	import
	Rice	import and export
Luxemburg	Scrap iron and scrap of other metals and alloys	export
Roumania	Scrap iron and scrap of other metals and alloys	export
	Used machinery for industrial installations	import
Czechoslovakia	Coal, coke, peat, lignite, briquettes	import and export
	Scrap iron and scrap of other metals and alloys	export

<sup>5</sup> Among the countries referred to in this Annex, the following signed the Convention on November 8th, 1927: Germany, Austria, Belgium, Great Britain, etc., Egypt, France, Hungary, Italy, Japan, Luxemburg, Roumania and Czechoslovakia. [Footnote in original.]

II

*Exceptions agreed to under Paragraph 2*

Egypt	Live-stock (exportation subject to licence) Eggs, during certain months of the year Organic fertilisers, including pigeon-manure, slaughter-house offal and dried blood	export export export
United States of America	Helium gas	export
Italy	Iron ores Corn	export export
Roumania	Ores of iron, copper and manganese Crude oil	export export

In faith whereof the delegates have signed the present Convention.

Done at Geneva, the eighth day of November, one thousand nine hundred and twenty-seven, in a single copy, which shall be deposited in the archives of the Secretariat of the League of Nations, and of which authenticated copies shall be delivered to all Members of the League of Nations and non-Member States represented at the Conference.

Germany:

DR. TRENDELENBURG  
8-XI-27

United States of America:

At the moment of signing the International Convention for the Abolition of Import and Export Prohibitions and Restrictions, and the Protocol to the Convention, I, the undersigned, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Switzerland, duly empowered to sign the said Convention and Protocol, declare, pursuant to instructions from my Government, that the United States, in accordance with Article 10 of the Convention, does not assume any obligation in respect of the Philippine Islands and that I sign the Convention and Protocol subject to the following reservations and conditions with respect to the United States of America:

(a) That prohibitions or restrictions designed to extend to exported products the regime established within the country in respect of the production of, trade in, and transport and consumption of such products in domestic commerce are not prohibited by the said Convention, provided, however, that such prohibitions or restrictions shall not be applied in such a manner as to constitute a means of arbitrary discrimination between

foreign countries or a disguised restriction on international trade.

(b) That the said Convention affects neither the tariff systems nor the treaty-making methods of the participating countries nor the measures taken to ensure the application thereof, including measures to counteract dumping, bounties, subsidies, unfair methods or acts in foreign trade, undervaluation or discrimination.

HUGH R. WILSON  
30-I-28

Austria:

E. PFLÜGL  
8-XI-27

Belgium:

J. BRUNET  
F. VAN LANGENHOVE  
8-XI-27

Great Britain and Northern Ireland and those Parts of the British Empire which are not separate Members of the League of Nations:

I declare that my signature does not include any of His Britannic Majesty's colonies, protectorates or territories under suzerainty or mandate.

S. J. CHAPMAN  
8-XI-27

## India:

Under the terms of Article 10 I declare that my signature does not include the territories in India of any Prince or Chief under the suzerainty of His Majesty.

ATUL C. CHATTERJEE  
26-IV-28

## Bulgaria:

PROF. GEORGES DANAILLOW  
8-XI-27

## Chile:

At the moment of signing the present Convention, the undersigned declares, on behalf of his Government:

(a) That he is fully convinced that Nos. 1 and 3 of Article 4 cannot be invoked by the other High Contracting Parties to prohibit or restrict the importation into their territories of Chilean nitrate of soda, principally employed in agriculture.

(b) That, in the Chilean Government's opinion, the Convention affects neither the tariff system nor the treaty-making methods of the participating countries, nor the measures taken to ensure their application, including the measures intended to counteract the effects of dumping [translation].

E. VILLEGAS  
14-VI-28

## Denmark:

Subject to reservation as regards Greenland [translation].

J. CLAN  
8-XI-27

## Egypt:

SADIK E. HENEIN  
8-XI-27

## Estonia:

C. R. PUSTA  
30-I-28

## Finland:

RAFAEL ERICH  
8-XI-27

## France:

On signing the present Convention, France declares that by its acceptance it does not intend to assume any obligation in regard to any of its Colonies, Protectorates and territories under its suzerainty or mandate [translation].

D. SERRUYS  
8-XI-27

## Hungary:

BARANYAI ZOLTÁN  
8-XI-27

## Italy:

A. DI NOLA  
8-XI-27

## Japan:

In signing the International Convention for the Abolition of Import and Export Prohibitions and Restrictions we, the undersigned, declare that the provisions of Article 8 of the present Convention are in no way derogatory to the acts of the Japanese judicial authorities in the application of Japanese laws and decrees [translation].

N. ITO  
J. TSUSHIMA  
8-XI-27

## Latvia:

CHARLES DUZMANS  
31-I-28

## Luxemburg:

ALBERT CALMES  
8-XI-27

## Norway:

GEORG WETTSTEIN  
31-I-28

## The Netherlands:

POSTHUMA  
DE GRAAFF  
F. M. WIBAUT  
8-XI-27

## Poland:

F. SOKAL  
31-I-28

## Portugal:

FRANCISCO DE CALHEIROS E MENEZES  
31-I-28

## Roumania:

D. J. GHEORGHIU  
CÉSAR POPESCU

Subject to ratification by the Roumanian Government and Parliament [translation].

8-XI-27

## Kingdom of the Serbs, Croats and Slovenes:

CONST. FOTITCH  
24-I-28

## Siam:

CHAROON  
8-XI-27

Sweden:  
EINAR HENNINGS  
2-XII-27

Czechoslovakia:  
DR. IBL  
8-XI-27

Switzerland:  
W. STUCKI  
8-XI-27

Turkey:  
M. KEMAL  
14-V-28

## PROTOCOL TO THE CONVENTION

At the moment of signing the Convention of to-day's date for the Abolition of Import and Export Prohibitions and Restrictions, the undersigned, duly authorised, have agreed on the following provisions, which are intended to ensure the application of the Convention:

### SECTION I

#### AD ARTICLE 1

(a) The words "territories of the High Contracting Parties" employed in the Convention refer only to territories to which it is made applicable.

(b) Should the Customs territory of any High Contracting Party include territories which are not placed under his sovereignty, these territories are also to be regarded as "territories" within the meaning of the Convention.

(c) In view of the fact that within or immediately adjacent to the territory of India there are areas or enclaves, small in extent and population in comparison with such territory, and that these areas or enclaves form detached portions or settlements of other parent States, and that it is impracticable for administrative reasons to apply to them the provisions of the Convention, it is agreed that these provisions shall not apply to them.

India, however, will apply as regards the areas or enclaves in question a regime which will respect the principles of the Convention and facilitate imports and exports as far as practicable, and will refrain from imposing in regard to them any new measures of prohibition or restriction which would not be authorised by the provisions of the Convention, unless there should be no other means of ensuring the collection of customs and excise duties.

### SECTION II

#### AD ARTICLE 2

As regards the application of Article 2, the obligation accepted by Canada binds only the Federal Government and not the Provincial Governments, which, under the Constitution, possess the power of prohibiting or restricting the importation and exportation of certain products into or from their territories.

## SECTION III

## AD ARTICLE 4

*(a) ad No. 4*

The protection of animals and plants against disease also refers to measures taken to preserve them from degeneration or extinction and to measures taken against harmful seeds, plants, parasites and animals.

*(b) ad No. 7*

The High Contracting Parties, although they have refrained from making any reference to measures relating to "standard" products and definitions of products, declare that this paragraph must be interpreted as in no way interfering with the practice followed by certain countries of subjecting the exportation of their products to certain conditions as to quality with the object of preserving the reputation of those products and at the same time of offering a guarantee to the foreign purchaser. They declare, on the other hand, that they interpret the paragraph in question as prohibiting recourse to any system of classifying or defining products which is employed as an indirect means of restricting the importation of foreign products or of subjecting importation to a regime of unfair discrimination.

*(c) ad No. 7*

The High Contracting Parties declare that prohibitions or restrictions the sole object of which is either to prevent imported goods from escaping the payment of the customs duties applicable thereto, or in exceptional cases to prevent the importation of certain goods which would reduce the revenue from the duties imposed on certain other goods, may only be established or maintained, if no other effective means exist of securing the said revenue.

*(d) ad No. 7*

The High Contracting Parties declare that if, on account of the constitution of certain States and the different methods of internal control which they employ, it should prove impossible to secure complete similarity of treatment between native and imported products, any such difference in treatment must not have the object or effect of establishing an unfair discrimination against the latter.

*(e) ad No. 8*

The High Contracting Parties declare that they have solely in view monopolies each of which applies only to one or more specific articles.

## SECTION IV

## AD ARTICLE 6

*(a) ad No. 1*

The High Contracting Parties who have made the reservations referred to in paragraph 1 of Article 6 declare that they do not regard their acceptance

of the provisions of Article 18, paragraph 3, as an undertaking on their part that the circumstances which compelled them to make these reservations will have ceased to exist at the end of three years, but as entitling any High Contracting Party to resume his freedom of action if, in the event of these circumstances not having changed within the said period, he considered that his economic conditions were detrimentally affected by the maintenance of any of the prohibitions or restrictions to which the aforesaid reservations refer.

*(b) ad No. 2*

By allowing the exceptions referred to in Article 6, paragraph 2, the High Contracting Parties have not intended to give perpetual recognition to their existence, but merely to indicate that the necessity of abolishing these exceptions is not so imperative, in view of their slight importance in international trade.

*(c) ad No. 2*

The High Contracting Parties declare that, by accepting in the case of Roumania, in consideration of her exceptional situation of fact and of law, the reservation concerning crude oil in accordance with Article 6, paragraph 2, they have not in any way agreed to measures of prohibition or restriction for this product, which they regard as being of very great importance for the world market. The High Contracting Parties feel confident that, as soon as circumstances allow her to do so, Roumania herself, acting in the spirit of the preceding paragraph *(b)* above, will abolish this prohibition, and, in the meantime, that she will take into account the interests of the neighbouring contracting countries.

The Roumanian Delegation fully associates itself with this declaration.

*(d) ad No. 4*

*(i) Scope of the Provision*

As regards paragraph 4, it is understood that any claims for exceptions which may be put forward after the date of the present Convention shall refer only to prohibitions or restrictions in force on that same date.

*(ii) Procedure*

1. Any High Contracting Party may make known by a communication addressed to the Secretary-General of the League of Nations any prohibitions or restrictions which he desires to be able to maintain in virtue of paragraphs 1 and 2 of Article 6. Such communication must reach the Secretary-General before February 1st, 1928. It shall state the conditions, if any, on which the High Contracting Party in question would be prepared to abandon such prohibitions or restrictions.

2. As soon as possible after February 1st, 1928, the Secretary-General of the League of Nations shall notify the High Contracting Parties of all applications which he has received under the preceding paragraph.

3. Any High Contracting Party wishing to make observations on any applications so communicated may forward such observations to the Secretary-General of the League of Nations not later than May 1st, 1928. As soon as possible after that date, the Secretary-General will inform the High Contracting Parties of all observations received.

4. Any applications and observations made by the High Contracting Parties shall be examined at the meeting provided for in Article 17 of the Convention.

#### SECTION V

##### AD ARTICLE 7

The expression "trade of the High Contracting Parties" signifies the trade of their territories to which the Convention applies.

#### SECTION VI<sup>6</sup>

Prohibitions or restrictions applying to prison made goods are not within the scope of the Convention.

#### SECTION VII

Should any prohibitions or restrictions be imposed within the limits laid down by the Convention, the High Contracting Parties shall strictly adhere to the following provisions as regards licences:

(a) The conditions to be fulfilled and the formalities to be observed in order to obtain licences shall be brought immediately in the clearest and most definite form to the notice of the public;

(b) The method of issue of the certificates of licences shall be as simple and stable as possible;

(c) The examination of applications and the issue of licences to the applicants shall be carried out with the least possible delay;

(d) The system of issuing licences shall be such as to prevent the traffic in licences. With this object, licences, when issued to individuals, shall state the name of the holder and shall not be capable of being used by any other person.

As regards the allocation of quotas, the High Contracting Parties, without pronouncing upon the method to be adopted, consider that an equitable allocation of such quotas is one of the essential conditions for the equitable treatment of international trade.

In faith whereof the Plenipotentiaries have signed the present Protocol.

Done at Geneva the eighth day of November, one thousand nine hundred and twenty-seven, in a single copy, which shall be deposited in the archives of the Secretariat of the League of Nations, and of which authenticated

---

<sup>6</sup> For U.S. understanding, see footnote 2, p. 651.

copies shall be delivered to all Members of the League of Nations and non-Member States represented at the Conference.

- Germany:  
DR. TRENDELENBURG
- United States of America:  
HUGH R. WILSON
- Austria:  
E. PFLÜGL
- Belgium:  
J. BRUNET  
F. VAN LANGENHOVE
- Great Britain and Northern Ireland, and those Parts of the British Empire which are not separate Members of the League of Nations:  
I declare that my signature does not include any of His Britannic Majesty's colonies, protectorates or territories under suzerainty or mandate.  
S. J. CHAPMAN
- India:  
Under the terms of Article 10 of the Convention I declare that my signature does not include the territories in India of any Prince or Chief under Suzerainty of His Majesty.  
ATUL C. CHATTERJEE
- Bulgaria:  
PROF. GEORGES DANAÏLOW
- Chile:  
E. VILLEGAS
- Denmark:  
Subject to reservation as regards Greenland [translation].  
J. CLAN
- Egypt:  
SADIK E. HENEIN
- Estonia:  
C. R. PUSTA
- Finland:  
RAFAEL ERICH
- France:  
Subject to the reservations made on signing the Convention [translation].  
M. SERRUYS
- Hungary:  
BARANYAI ZOLTÁN
- Italy:  
A. DI NOLA
- Japan:  
Subject to the reservations made on signing the Convention [translation].  
N. ITO  
J. TSUSHIMA
- Latvia:  
CHARLES DUZMANS
- Luxemburg:  
ALBERT CALMES
- Norway:  
GEORG WETTSTEIN
- The Netherlands:  
POSTHUMA  
DE GRAAFF  
F. M. WIBAUT
- Poland:  
F. SOKAL
- Portugal:  
FRANCISCO DE CALHEIROS E MENEZES
- Roumania:  
D. J. GHEORGHIU  
CÉSAR POPESCU  
Subject to ratification by the Roumanian Government and Parliament [translation].
- Kingdom of the Serbs, Croats and Slovenes:  
CONST. FOTITCH
- Siam:  
CHAROON
- Sweden:  
EINAR HENNINGS
- Switzerland:  
W. STUCKI
- Czechoslovakia:  
DR. IBL
- Turkey:  
M. KEMAL

ANNEXED DECLARATION

The delegations of France, Greece, Hungary, Italy, Portugal, the Kingdom of the Serbs, Croats and Slovenes and Switzerland, present at the International Conference for the Abolition of Import and Export Prohibitions and Restrictions, desire to place it on record

that, though they have abstained, in the desire not to place any obstacle in the way of the success of the Conference and not to raise between the participating States a controversy on a question of principle which could lead to no definite conclusion, they are nevertheless fully convinced that the prohibition of viticultural products cannot be justified on the ground of the provisions of Article 4, No. 4, of the Convention.

Geneva, November 8th, 1927.

France:

D. SERRUYS

Greece:

VASSILI DENDRAMIS

Hungary:

BARANYAI ZOLTÁN

Italy:

A. DI NOLA

Portugal:

F. DE CALHEIROS E MENEZES

Kingdom of the Serbs, Croats and  
Slovenes:

CONST. FOTITCH

Switzerland:

W. STUCKI

Chile:

The Government of the Chilian Republic accedes to the Declaration annexed to the Convention and, like the delegations of France, Greece, Hungary, Italy, Portugal, the Kingdom of the Serbs, Croats and Slovenes and Switzerland, it is convinced that the prohibition of viticultural products cannot be justified on the ground of the provisions of Article 4, No. 4, of the Convention [translation].

E. VILLEGAS

#### SUPPLEMENTARY AGREEMENT TO THE CONVENTION OF NOVEMBER 8TH, 1927, FOR THE ABOLITION OF IMPORT AND EXPORT PROHIBITIONS AND RESTRICTIONS

The President of the German Reich; the President of the United States of America; the President of the Austrian Federal Republic; His Majesty the King of the Belgians; His Majesty the King of Great Britain and Ireland and of the British Dominions Beyond the Seas, Emperor of India; His Majesty the King of the Bulgarians; the President of the Chilian Republic; His Majesty the King of Denmark; His Majesty the King of Egypt; the President of the Estonian Republic; the President of the Republic of Finland; the President of the French Republic; His Serene Highness the Governor of Hungary; His Majesty the King of Italy; His Majesty the Emperor of Japan; the President of the Latvian Republic; Her Royal Highness the Grand Duchess of Luxemburg; His Majesty the King of Norway; Her Majesty the Queen of the Netherlands; the President of the Polish Republic; the President of the Portuguese Republic; His Majesty the King of Roumania; His Majesty the King of the Serbs, Croats and Slovenes; His Majesty the King of Siam; His Majesty the King of Sweden; the Swiss Federal Council; the President of the Czechoslovak Republic; the President of the Turkish Republic.

Having regard to the Convention signed at Geneva on November 8th, 1927, for the Abolition of Import and Export Prohibitions and Restrictions;

Having regard to the provisions of Article 17 of the said Convention;

Have appointed as their Plenipotentiaries for the meeting provided for in the said Article, namely:

The President of the German Reich:

Dr. Ernst Trendelenburg, Secretary of State to the Ministry of National Economy;

The President of the United States of America:

Mr. Hugh R. Wilson, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council;

The President of the Austrian Federal Republic:

Dr. Richard Schüller, Head of Section at the Federal Chancellery;

His Majesty the King of the Belgians:

M. J. Brunet, Envoy Extraordinary and Minister Plenipotentiary;

M. F. van Langenhove, Chef du Cabinet and General Director for Foreign Commerce in the Ministry of Foreign Affairs;

His Majesty the King of Great Britain and Ireland and of the British Dominions Beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland and all parts of the British Empire which are not separate Members of the League of Nations:

Sir Sydney Chapman, K.C.B., C.B.E., Economic Adviser to His Britannic Majesty's Government;

For India:

M<sup>r</sup> H. A. F. Lindsay, C.I.E., C.B.E., Indian Trade Commissioner;

His Majesty the King of the Bulgarians:

M. D. Mikoff, Chargé d'Affaires at Berne;

The President of the Chilian Republic:

M. Tomás Ramirez Frias, Deputy, former Minister of State, Professor of Political Economy and Civil Law at the University of Santiago;

His Majesty the King of Denmark:

M. J. Clan, Envoy Extraordinary and Minister Plenipotentiary, Chairman of the Danish Commission for the Conclusion of Commercial Treaties;

M. William Borberg, Permanent Danish Representative accredited to the League of Nations;

His Majesty the King of Egypt:

Sadik Henein Pasha, Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Italy;

The President of the Estonian Republic:

M. A. Schmidt, Assistant Minister for Foreign Affairs;

The President of the Republic of Finland :

- M. Rudolf Holsti, Envoy Extraordinary and Minister Plenipotentiary, Permanent Delegate accredited to the League of Nations;
- M. Gunnar Kihlman, Director of Political and Commercial Affairs at the Ministry for Foreign Affairs;

The President of the French Republic :

- M. Daniel Serruys, Director of Commercial Agreements in the Ministry of Commerce;

His Serene Highness the Governor of Hungary :

- M. Alfred Nickl, Counsellor of Legation;

His Majesty the King of Italy :

- M. A. Di Nola, Director-General of Commerce and of Economic Policy;
- M. Pasquale Troise, Director-General of Customs;

His Majesty the Emperor of Japan :

- M. N. Ito, Counsellor of Embassy, Acting Director of the Imperial Japanese League of Nations Office;
- M. J. Tsushima, Financial Commissioner of the Japanese Government in London, Paris and New York;

The President of the Latvian Republic :

- M. Charles Duzmans, Minister Plenipotentiary, Permanent Representative accredited to the League of Nations;

Her Royal Highness the Grand Duchess of Luxemburg :

- M. Albert Calmes, Member of the Superior Council of the Economic Union of Belgium and Luxemburg;

His Majesty the King of Norway :

- M. Gunnar Jahn, Director of the Norwegian Central Bureau of Statistics;

Her Majesty the Queen of the Netherlands :

- Dr. F. E. Posthuma, Former Minister of Agriculture, Industry and Commerce;
- M. de Graaff, Former Minister of the Colonies;
- M. F. M. Wibaut, Member of the Netherlands Senate;

The President of the Polish Republic :

- M. François Dolezal, Under-Secretary of State at the Ministry of Industry and Commerce, member of the Economic Committee of the League of Nations;

The President of the Portuguese Republic:

- M. A. d'Oliveira, Envoy Extraordinary and Minister Plenipotentiary accredited to the Swiss Federal Council and to His Majesty the King of the Belgians, permanent Delegate accredited to the League of Nations;
- M. F. de Calheiros e Menezes, First Secretary of Legation, Chief of the Portuguese Office accredited to the League of Nations;

His Majesty the King of Roumania:

- M. Constantin Antoniadé, Envoy Extraordinary and Minister Plenipotentiary accredited to the League of Nations;
- M. D. Gheorghiu, Director of the Roumanian National Bank;
- M. C. Popescu, Director-General of Industry in the Ministry of Industry and Commerce;

His Majesty the King of the Serbs, Croats and Slovenes:

- M. Constantin Fotitch, Permanent Delegate accredited to the League of Nations;
- M. Georges Curcin, Secretary-General of the Serb-Croat-Slovene Confederation of Industrial Corporations;

His Majesty the King of Siam:

- His Highness Prince Charoon, Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic;

His Majesty the King of Sweden:

- M. Einar Modig, Under-Secretary of State at the Ministry of Commerce;

The President of the Swiss Federal Council:

- M. Walter Stucki, Head of the Commerce Division in the Federal Department of Public Economy;

The President of the Czechoslovak Republic:

- Dr. Vincent Ibl, Counsellor of Legation in the Ministry of Foreign Affairs;

The President of the Turkish Republic:

- Hassan bey, Vice-President of the Grand National Assembly of Turkey;

Who, having communicated their full powers, found in good and due form, have agreed on the following provisions, intended to supplement the provisions of the aforesaid Convention, of which they shall form an integral part.

## ARTICLE A

The Annex to Article 6 of the Convention of November 8th, 1927, is supplemented as follows for the benefit of the countries named hereafter :

*Exceptions agreed to under Paragraph 1*

Bulgaria.....	Rose trees and roots and shoots.....	Export
Chile.....	Scrap iron and scrap zinc.....	Export
	Mares.....	Export
Czechoslovakia.....	Hop shoots.....	Export
Portugal.....	Fine wool.....	Export
	Cork in the raw state.....	Export
Sweden.....	Scrap iron.....	Export

*Exceptions agreed to under Paragraph 2*

Czechoslovakia.....	Quartzite.....	Export
Estonia.....	Platinum, precious stones, pearls and corals (in a rough state or finished, loose or mounted).....	Export
Portugal.....	Pine resin.....	Export
United States.....	Helium gas.....	Export

## ARTICLE B

The High Contracting Parties agree that, in the event of the Agreements concluded on this day's date relating to the Exportation of Hides and Skins and Bones not coming into force in default of the necessary ratifications, each of them shall be authorised to submit subsequent requests for exceptions which they were entitled to submit under the provisions of Article 6 of the Convention and the annexed Protocol, and which they have not submitted in view of the aforesaid Agreements.

Such requests for exception shall be addressed to the Secretary-General of the League of Nations before September 30th, 1929, and shall be notified by him to the High Contracting Parties before October 31st, 1929.

The High Contracting Parties undertake to meet without delay upon receiving an invitation from the Secretary-General in order to examine the requests for exceptions referred to above.

## ARTICLE C

The High Contracting Parties agree that the Convention in order to be brought into force, must have secured either ratification as provided for in Article 15 or accession as provided for in Article 16 of the said Convention on behalf of at least eighteen members of the League of Nations or non-Member States.

The ratifications must be deposited before September 30th, 1929.

Each of the High Contracting Parties shall have the right to inform the Secretary-General of the League of Nations at the moment of the deposit of his ratification or of the notification of his accession that he makes the entry into force of the Convention, in so far as he is concerned, conditional on

ratification or accession on behalf of certain countries, without, however, being entitled to specify countries other than those named below:

Austria	Poland
Czechoslovakia	Roumania
France	Kingdom of the Serbs, Croats and Slovenes
Germany	Switzerland
Great Britain	Turkey
Hungary	United States of America
Italy	
Japan	

The Secretary-General of the League of Nations shall immediately inform each of the High Contracting Parties of each ratification or accession received and of any observations by which it may be accompanied in conformity with the preceding paragraph.

On October 31st, 1929, the Secretary-General of the League of Nations shall notify all the Members of the League and non-Member States on behalf of which the Convention has been signed or acceded to under Article 16 of the Convention of the ratifications deposited and accessions notified before September 30th, 1929.

ARTICLE D

If it appears from the communication of the Secretary-General of the League of Nations, which is referred to in the last paragraph of the preceding Article, that the conditions required in virtue of the first three paragraphs of the said Article and of the annexed Protocol have been fulfilled by September 30th, 1929, the Convention shall come into force on January 1st, 1930.

In the contrary event, the procedure laid down in the last paragraph of Article 17 of the Convention shall be followed.

In faith whereof the above-mentioned Plenipotentiaries have signed the present Agreement.

Done at Geneva on the eleventh day of July, one thousand nine hundred and twenty-eight, in a single copy, which shall be deposited in the archives of the Secretariat of the League of Nations; certified true copies shall be forwarded to all the Members of the League of Nations and all the non-Member States represented at the Conference.

Germany:  
DR. ERNST TRENDELENBURG

United States of America:  
HUGH R. WILSON

Austria:  
DR. RICHARD SCHULLER

Belgium:  
J. BRUNET  
F. VAN LANGENHOVE

Great Britain and Northern Ireland and all parts of the British Empire which are not separate Members of the League of Nations.

I declare that my signature does not include any of His Britannic Majesty's Colonies, Protectorates or territories under suzerainty or mandate.

S. J. CHAPMAN

India:  
H. A. F. LINDSAY

## Bulgaria:

On signing the present Supplementary Agreement, Bulgaria declares that it shall be ratified and put into force as soon as the national currency shall be re-established in gold [translation].

D. MIKOFF

## Chile:

TOMÁS RAMÍREZ FRIAS

## Denmark:

J. CLAN

WILLIAM BORBERG

## Egypt:

SADIK E. HENEIN

## Estonia:

A. SCHMIDT

## Finland:

RUDOLF HOLSTI

GUNNAR KIHLMAN

## France:

On signing the present Supplementary Agreement France declares that by its acceptance it does not intend to assume any obligation in regard to any of its Colonies, Protectorates and territories under its suzerainty or mandate [translation].

D. SERRUYS

## Hungary:

NICKL

## Italy:

A. DI NOLA

P. TROISE

## Japan:

ITO

J. TSUSHIMA

## Latvia:

CHARLES DUZMANS

## Luxemburg

ALBERT CALMES

## Norway:

GUNNAR JAHN

## Netherlands:

POSTHUMA

F. M. WIBAUT

S. DE GRAAFF

## Poland:

FRANÇOIS DOLEZAL

## Portugal:

A. D'OLIVEIRA

F. DE CALHEIROS E MENEZES

## Roumania:

ANTONIADÉ

D. T. GHEORGHIU

CESAR POPESCU

## Kingdom of the Serbs,

Croats and Slovenes:

CONST. FOTITCH

GEORGES CURCIN

## Siam:

CHAROON

## Sweden:

EINAR MODIG

## Switzerland:

W. STUCKI

## Czechoslovakia:

IBL

## Turkey:

Subject to reservation as regards Article B [translation].

HASSAN

### PROTOCOL TO THE SUPPLEMENTARY AGREEMENT

At the moment of proceeding to the signature of the Supplementary Agreement to the International Convention for the Abolition of Import and Export Prohibitions and Restrictions signed on this day's date, the undersigned, duly authorised, have agreed on the following provisions, which are intended to ensure the application of the Supplementary Agreement:

#### SECTION I

The High Contracting Parties declare that, in the text of the Supplementary Agreement of this day's date, the expression "the Convention" shall be taken to mean both the International Convention for the Abolition of Import

and Export Prohibitions and Restrictions dated November 8th, 1927, and the Supplementary Agreement of this day's date.

## SECTION II

### *Ad Article A*

(a) Cork in the raw state, in respect of which an exception has been allowed for Portugal, does not include scrap cork, or cork in agglomerated form, in shavings, or in sheets.

(b) Although the exceptions set out in Article A, like those appearing in the Annex to Article 6 of the Convention, have been allowed on the condition that the countries benefiting thereby shall sign the present Supplementary Agreement on the day of the general signature, it has appeared equitable to grant an extension of time up to August 31st, 1928, inclusive, to Bulgaria, Portugal and the United States of America.

(c) As regards the exception of hop shoots which has been agreed to in favour of Czechoslovakia under paragraph 1 of Article 6 of the Convention, the High Contracting Parties declare that their consent has been given in return for the written undertaking entered into by the Czechoslovak delegation to allow the free export of this product to all countries which now or in the future guarantee Czechoslovakia by legislative or contractual measures the protection of the appellation of origin of Czechoslovak hops.

## SECTION III

### *Ad Article B*

The High Contracting Parties agree to recognise in the case of Italy the application of the provision of the Protocol to the International Agreement relating to the Exportation of Bones (Section 1, *ad Article 1 (a)*), in the event of the said Agreement coming into force.

## SECTION IV

### *Ad Article C*

(a) Owing to the position of the United States in consequence of a short Session of Congress in the year 1928–29, the High Contracting Parties agree that, if the ratification of the United States has been asked for under paragraph 3 of Article C and has not been deposited by September 30th, 1929, the Convention shall come into force on January 1st, 1930, provided that all the other countries on which the entry into force of the Convention depends and the total number of which would in this case be reduced to seventeen shall have notified the Secretary-General of the League of Nations of their ratifications or accessions before September 30th, 1929, and provided no objection is raised before November 15th, 1929, by any of the countries which, at the time of the deposit of their ratification or accession, made the entry into force of the Convention, in so far as they were concerned conditional upon the ratification or accession of the United States. If any objection is raised, the last paragraph of Article 17 of the Convention shall apply.

(b) The High Contracting Parties declare that in drawing up the list of countries which appears in Article C, they have been chiefly guided by the interdependence of certain interests emphasised in the course of the proceedings of the Conference.

They have thought it unnecessary to mention countries the inclusion of which would be justified only by the importance of economic interests or considerations of geographical situation.

If they have not mentioned certain countries, it is because those countries at present impose no prohibitions of any importance. The High Contracting Parties think they can rely upon their ratification or adhesion.

In faith whereof the above-mentioned plenipotentiaries have signed the present Protocol.

Done at Geneva on the eleventh day of July, one thousand nine hundred and twenty-eight, in a single copy, which shall be deposited in the archives of the Secretariat of the League of Nations; certified true copies shall be forwarded to all the Members of the League of Nations and to all the non-Member States represented at the Conference.

Germany:  
DR. ERNST TRENDELENBURG

United States of America:  
HUGH R. WILSON

Austria:  
DR. RICHARD SCHULLER

Belgium:  
J. BRUNET  
F. VAN LANGENHOVE

Great Britain and Northern Ireland and all parts of the British Empire which are not separate Members of the League of Nations:

I declare that my signature does not include any of His Britannic Majesty's Colonies, Protectorates or territories under suzerainty or mandate.

S. J. CHAPMAN

India:  
H. A. F. LINDSAY

Bulgaria:  
Subject to the reservation made on signing the Supplementary Agreement [translation].  
D. MIKOFF

Chile:  
TOMÁS RAMÍREZ FRIAS

Denmark:  
J. CLAN  
WILLIAM BORBERG

Egypt:  
SADIK E. HENEIN

Estonia:  
A. SCHMIDT

Finland:  
RUDOLF HOLSTI  
GUNNAR KIHLMAN

France:  
Subject to the reservations made on signing the Supplementary Agreement [translation].  
D. SERRUYS

Hungary:  
NICKL

Italy:  
A. DI NOLA  
P. TROISE

Japan:  
N. ITO  
J. TSUSHIMA

Latvia:  
CHARLES DUZMANS

Luxembourg:  
ALBERT CALMES

Norway:  
GUNNAR JAHN

Netherlands:  
POSTHUMA  
F. M. WIBAUT  
S. DE GRAAFF

Poland: FRANÇOIS DOLEZAL	Siam: CHAROON
Portugal: A. D'OLIVEIRA F. DE CALHEIROS E MENEZES	Sweden: EINAR MODIG
Roumania: ANTONIADE D. T. GHEORGHIU CESAR POPESCU	Switzerland: W. STUCKI
Kingdom of the Serbs, Croats and Slovenes: CONST. FOTITCH GEORGES CURCIN	Czechoslovakia: IBL
	Turkey: Subject to reservation as regards Ar- ticle B [translation]. HASSAN

ANNEXED DECLARATION

The Austrian, German and Hungarian delegations, in accepting in favour of Czechoslovakia the exception of *quartzite* under paragraph 2 of Article 6 of the Convention, declare that their consent has only been given in return for an undertaking on the part of Czechoslovakia to maintain, as long as the Convention remains in force, the export quotas and conditions provided for in special treaties or arrangements.

Germany: DR. ERNST TRENDELENBURG	Hungary: NICKL
Austria: DR. RICHARD SCHULLER	Czechoslovakia: IBL

PROTOCOL CONCERNING THE ENTRY INTO FORCE OF THE INTERNATIONAL CONVENTION OF NOVEMBER 8TH, 1927, FOR THE ABOLITION OF IMPORT AND EXPORT PROHIBITIONS AND RESTRICTIONS AND OF THE SUPPLEMENTARY AGREEMENT TO THE SAID CONVENTION OF JULY 11TH, 1928

The undersigned, being duly authorised and met at Paris at the invitation of the Secretary-General of the League of Nations, in conformity with the provisions of Article 17 of the International Convention for the Abolition of Import and Export Prohibitions and Restrictions signed at Geneva on November 8th, 1927, and of Articles C and D of the Supplementary Agreement to the said Convention signed at Geneva on July 11th, 1928;

Having noted that the instruments of ratification were deposited by their respective Governments within the time-limit provided for in the aforesaid Article C of the Supplementary Agreement, except in the case of Germany, on behalf of whom this deposit was not effected until November 23rd, 1929, and except in the case of Norway who has not yet carried out this formality;

Taking note of the annexed declaration made by the delegate of Norway;

Noting that certain of the conditions for the entry into force of the Convention and of the Supplementary Agreement mentioned above as defined in Article 17 of the Convention have not been fulfilled;

Noting furthermore that it is not possible at the moment to fulfil these conditions;

Being anxious nevertheless that the above-mentioned Convention and Supplementary Agreement should be put into force between the countries they represent, and hoping that the said conditions will be realised in the near future;

Have agreed to the following provisions:

1. The German Government's ratification shall be regarded, exceptionally, as having the same effect as if it had been deposited before September 30th, 1929.

2. The forthcoming ratification announced by the Norwegian Government shall be regarded, exceptionally, as having the same effect as if it had been deposited before September 30th, 1929.

3. If ratifications on behalf of Czechoslovakia and Poland are deposited before May 31st, 1930, they shall be regarded, exceptionally, as having the same effect as if they had been deposited before September 30th, 1929.

4. The Convention shall be put into force on January 1st, 1930, by the countries on whose behalf the present Protocol is signed.

In the case of Hungary, the Convention will be put into force in the manner stated in the annexed declaration by the Hungarian delegate.

5. Those of the countries referred to above which have made the putting into force of the Convention conditional on its ratification by Czechoslovakia and Poland or either of these countries, shall not be bound by its provisions after July 1st, 1930, unless both or either of these countries, as the case may be, ratified the Convention before May 31st, 1930, and complies with the obligations arising out of the putting into force of the Convention on January 1st, 1930. Similarly, a country which made the putting into force of the Convention conditional, as far as it is concerned, upon its ratification for any country or countries other than Czechoslovakia or Poland shall not be bound by its provisions after July 1st, 1930, unless such other country or countries are themselves bound after that date.

If any countries waive the benefits of the provisions of the preceding sub-paragraph, they shall inform the Secretary-General of the League of Nations of this fact by a declaration addressed to him before June 20th, 1930.

6. Any of the countries referred to in paragraph 4 shall be relieved of the obligations accepted by it in virtue of the present Protocol on June 30th, 1931, or the same date in 1932, 1933 or 1934, on forwarding a declaration to that effect on any of these dates to the Secretary-General of the League of Nations. This possibility, however, will cease if and when the number of countries for which, before the signature of the present Protocol, the Convention has been ratified without its entry into force being made subject to conditions or with its entry into force being made subject to conditions which are fulfilled, is not less than eighteen.

It is understood that, when a country maintains the Convention in force under the provisions of the second sub-paragraph of No. 5 of this Protocol, in

spite of the fact that its conditions have not been fulfilled, those conditions shall not thereby be considered to have been fulfilled for the purpose of the application of the second sentence of the preceding sub-paragraph.

The provisions of the preceding two sub-paragraphs shall apply to Czechoslovakia and Poland in the event of the Convention being ratified on their behalf within the period mentioned in paragraph 5.

7. The provisions contained in paragraph 6 above shall be extended to any Member of the League of Nations or any non-Member State acceding to the Convention after this day's date.

In faith whereof the undersigned have signed the present Protocol.

Done at Paris, on December twentieth one thousand nine hundred and twenty-nine in a single copy the French and English texts of which are both authoritative and which shall be deposited in the archives of the Secretariat of the League of Nations. Certified true copies shall be transmitted to all of the Members of the League of Nations and to any non-Member States to which the Council of the League of Nations shall have communicated a copy of the Convention of November 8th, 1927.

Germany:  
ADOLPH REINSHAGEN

Austria:  
DR. GRÜNBERGER

Belgium:  
J. BRUNET

Great Britain:  
I declare that my signature does not include any of His Britannic Majesty's Colonies, Protectorates or territories under suzerainty or mandate.  
S. J. CHAPMAN

Denmark:  
BOECK

United States of America:  
CHARLES E. LYON

France:  
P. ELBEL

Hungary:  
NICKL

Italy:  
G. MANZONI <sup>7</sup>

Japan:  
(Ad referendum)  
N. ITO

Luxemburg:  
ALBERT CALMES

Norway:  
SIGURD BENTZON

The Netherlands:  
POSTHUMA

Portugal:  
F. DE CALHEIROS E MENEZES

Roumania:  
E. G. NECULCEA

Switzerland:  
W. STUCKI

Yugoslavia:  
I. CHOUMENKOVITCH

<sup>7</sup> At the time of signing the Protocol, His Excellency the Royal Italian Ambassador in Paris deposited with the Secretariat of the League of Nations the following declaration which must be considered as accompanying the signature affixed by him on the said Protocol:

"In thus affixing its signature, the Royal Italian Government undertakes to put the Convention into force provided the conditions laid down in the present Protocol are fulfilled, as well as the condition specified in Article C of the Supplementary Agreement, namely that eighteen States at least which have ratified the Convention should apply it effectively as from July 1st, 1930" [translation]. [Footnote in original.]

## DECLARATION OF THE NORWEGIAN DELEGATION

[TRANSLATION]

The undersigned, being duly authorised by the Norwegian Government, declares that the said Government undertakes to put into force by administrative measures as from January 1st, 1930, and pending the deposit of the formal ratification of the Convention, the provisions of the Convention of November 8, 1927, and of the Supplementary Agreement of July 11, 1928.

Paris, December the twentieth, one thousand nine hundred and twenty-nine.

SIGURD BENTZON

## DECLARATION OF THE HUNGARIAN DELEGATION

[TRANSLATION]

The undersigned, being duly authorised by the Hungarian Government,

In consideration of the fact that the special conditions of Hungarian legislation prevent him from appending his signature to paragraphs 4 and 5 of the annexed Protocol,

Declares that, whilst accepting the other provisions of the aforesaid Protocol, his Government will, for its part, regard the Convention as having been put into force by Hungary on January 1, 1930, provided always:

(1) That Austria, Germany, Italy, Roumania, Switzerland, and Yugoslavia are as from July 1, 1930, bound by the provisions of the Convention;

(2) That Poland and Czechoslovakia have ratified the Convention before May 31, 1930, and that they conform with the obligations involved by the coming into force of the Convention on January 1st, 1930.

Paris, December the twentieth, one thousand nine hundred and twenty-nine.

NICKL