



Treaty Series No. 20 (1934)

AGREEMENT

between His Majesty's Government in the United Kingdom
and the Lithuanian Government

relating to

TRADE AND COMMERCE

WITH PROTOCOL

London, July 6, 1934

[Ratifications exchanged at London, August 2, 1934]

*Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty*

LONDON

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AGREEMENT BETWEEN HIS MAJESTY'S GOVERNMENT IN
THE UNITED KINGDOM AND THE LITHUANIAN GOVERN-
MENT RELATING TO TRADE AND COMMERCE, WITH
PROTOCOL.

London, July 6, 1934.

[Ratifications exchanged at London, August 2, 1934.]

THE Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Lithuania, desiring to facilitate still further trade and commerce between the United Kingdom of Great Britain and Northern Ireland on the one hand and the Republic of Lithuania on the other hand, have agreed as follows :—

ARTICLE 1.

During the currency of this Agreement United Kingdom goods in Lithuania and Lithuanian goods in the United Kingdom shall enjoy in all respects treatment not less favourable than that enjoyed by goods produced or manufactured in any other foreign country.

ARTICLE 2.

The articles enumerated in Part I of the First Schedule to this Agreement, produced or manufactured in the United Kingdom, shall not on importation into Lithuania from whatever place arriving be subjected to duties or charges other or higher than those specified in Part I of the said Schedule.

The articles enumerated in Part II of the First Schedule to this Agreement, produced or manufactured in any British Colony, overseas territory, any territory under British protection or any mandated territories in respect of which the mandate is exercised by the Government of the United Kingdom, shall not on importation into Lithuania from whatever place arriving be subjected to duties or charges other or higher than those specified in Part II of the said Schedule.

The Government of the United Kingdom agree to consider sympathetically any proposal made by the Lithuanian Government for replacing in whole or in part by *ad valorem* duties any of the specific duties, or by specific duties any of the *ad valorem* duties set out in the said Schedule.

ARTICLE 3.

The articles enumerated in the Second Schedule to this Agreement, produced or manufactured in Lithuania, shall not on importation into the United Kingdom, from whatever place arriving, be subjected to duties or charges other or higher than those specified in the said Schedule.

The Lithuanian Government will consider sympathetically any proposal of the Government of the United Kingdom for replacing in whole or in part by specific duties any of the *ad valorem* duties or by *ad valorem* duties any of the specific duties set out in the said Schedule.

ARTICLE 4.

The Government of Lithuania undertake—

- (a) that they will issue import licences at least to the extent necessary to give effect to the arrangements made with regard to the goods specifically mentioned in paragraph 2 of Part I and paragraph 1 of Part II of the Protocol to this Agreement;
- (b) that they will not operate any restrictions in a manner which would have the effect of preventing the full benefits of the tariff concessions specified in Parts I and II of the First Schedule from accruing to goods the produce or manufacture of the United Kingdom or of the territories referred to in paragraph 2 of Article 2, respectively;
- (c) that in the operation of any import restrictions they will have regard to the undertaking given by them in paragraph (1) of Part 1 of the Protocol, and will not operate such restrictions to the detriment of the trade of the territories referred to in paragraph (2) of Article 2 of this Agreement.

ARTICLE 5.

(1) The Government of the United Kingdom undertake not to regulate the quantity of imports into the United Kingdom of bacon and hams, and butter, the produce of Lithuania, except in so far as such regulation may be necessary to secure the effective operation of a scheme or schemes for the regulation of the marketing of domestic supplies of these or related products. In the event of such regulation of imports being introduced, in the case of all or any of these products, the following provisions shall have effect in so far as they may be applicable.

(2) The Government of the United Kingdom will, in making allocations to Lithuania, take into consideration the position which Lithuania has held in past years as a supplier of these products to the United Kingdom market. Allocations to Lithuania will be made on the same basis as, and on conditions not less favourable than, allocations to any other foreign country.

(3) The Government of the United Kingdom will not regulate compulsorily the quantity of imports into the United Kingdom of butter, the produce of Lithuania, without first giving the Lithuanian Government an opportunity of discussing the allocation to Lithuania.

(4) In the event of the total quantity of bacon and hams or butter allowed to be imported into the United Kingdom from foreign countries being increased during any period of regulation, additional allocations shall be made to Lithuania, but any temporary inability on the part of Lithuania to supply the whole or a part of any such additional allocation shall not prejudice, as regards any subsequent period, the undertakings given above.

(5) In the event of any other foreign supplying country renouncing or forfeiting in whole or in part its allocation of bacon and hams or butter, the allocation to Lithuania shall be increased in not less ratio than the allocation to any other foreign country.

(6) The control of exports from Lithuania of bacon and hams or butter to the United Kingdom shall be entrusted to the Government of Lithuania so long as the Government of the United Kingdom are satisfied that such control is effectual and in conformity with the scheme or schemes of regulation of imports into the United Kingdom for the time being in force.

ARTICLE 6.

(1) Except as provided in paragraph (2) of this Article, nothing in this Agreement shall be deemed to affect the rights or obligations arising out of the Exchange of Notes respecting commercial relations signed on behalf of the Government of the United Kingdom and the Lithuanian Government on the 6th May, 1922, nor shall any notice of termination of the arrangement set out in those Notes be given under the provisions of paragraph 6 thereof on behalf of either of the Contracting Governments before the 1st October, 1936.

(2) In the event, however, of the Government of the United Kingdom deciding on a general change of policy in regard to the treatment of foreign shipping, discussions shall take place between the Contracting Governments with a view to replacing by new provisions any provisions of the Exchange of Notes of the 6th May, 1922, which relate to navigation and the treatment of shipping. If agreement on such new provisions is not reached within 3 months from the commencement of such discussions, the Government of the United Kingdom shall be at liberty to denounce any of the said provisions of the Exchange of Notes of 1922, and the provisions so denounced shall cease to apply on the expiration of 3 months from the date on which such notice of denunciation was given.

ARTICLE 7.

The Lithuanian Government undertake that, pending the conclusion of the Agreement now under negotiation between the two Governments relating to Commercial Travellers, they will extend to commercial travellers who visit Lithuania on behalf of United Kingdom companies or firms the same treatment as is enjoyed in Lithuania by Lithuanian travellers.

ARTICLE 8.

It is understood that in this Agreement the term "foreign country" in relation to the United Kingdom means a country not being a territory under the sovereignty of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, or under His Majesty's suzerainty, protection or mandate; and the term "foreign import" means import from foreign countries as so defined.

ARTICLE 9.

The Contracting Governments agree that any dispute that may arise between them as to the proper interpretation or application of any of the provisions of the present Agreement shall, at the request of either of them, be referred to the Permanent Court of International Justice, unless in any particular case the Contracting Governments agree to submit the dispute to some other tribunal or to dispose of it by some other form of procedure.

In case any dispute shall fall to be submitted to the Permanent Court of International Justice, the Court shall, unless the Contracting Governments otherwise agree, be requested to give its decision in accordance with the summary procedure provided for in Article 29 of the Statute of the Court.

ARTICLE 10.

The present Agreement shall be ratified and the ratification shall be exchanged at London as soon as possible.

The Agreement shall come into force 10 days after the exchange of ratifications and shall, subject to the provisions of paragraph 2 of Part I and of paragraphs 1 and 4 of Part II of the Protocol to this Agreement, remain in force until the 31st December, 1936.

In case neither of the Contracting Governments shall have given notice to the other six months before the said date of their intention to terminate this Agreement, it shall remain in force until the expiration of six months from the date on which notice of such intention is given.

In witness whereof the undersigned, duly authorised to that effect, have signed the present Agreement and have thereto affixed their seals.

Done at London, this 6th day of July, 1934, in duplicate.

(L.S.) JOHN SIMON.

(L.S.) WALTER RUNCIMAN.

(L.S.) BRONIUS BALUTIS.

PROTOCOL.

At the moment of signing the Commercial Agreement of this day's date between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Lithuania, the undersigned, being duly authorised to that effect, declare that they have agreed on the provisions set out in this Protocol, which shall form an integral part of the above-mentioned Agreement.

Part I.

(1) The Contracting Governments having concluded the Commercial Agreement in the desire to maintain and facilitate still further trade and commerce between the United Kingdom and Lithuania, the two Governments undertake to keep in view the balance of trade between the United Kingdom and Lithuania, and the Lithuanian Government, having regard to the proportion of Lithuanian exports finding a market in the United Kingdom, recognise that, in furtherance of the objects of the Agreement, the sales in Lithuania of goods the produce or manufacture of the United Kingdom should be increased.

(2) Representations having been made to the Lithuanian Delegation on behalf of certain United Kingdom industries as a result of which conversations have taken place and statements have been made on behalf of groups of Lithuanian importers, the Contracting Governments take note of the records of such conversations and of the statements made in respect of steps for facilitating the sale in Lithuania of salt, saltpetre, jute, iron and steel, superphosphates, supplies for the wood-working industries, cement, refined sugar and textile goods.

It is understood, however, that the Lithuanian Government shall not be precluded from approaching the Government of the United Kingdom with a view to further discussions being arranged in regard to the conversations and statements referred to immediately above, if, after the expiry of twelve months from the date of entry into force of this Agreement, alterations shall, in the opinion of the Lithuanian Government, have occurred in the economic circumstances of Lithuania which render such discussions desirable. His Majesty's Government, however, reserve the right to terminate this Agreement at three months' notice if they consider the result of such discussions to be unsatisfactory.

(3) Having regard to the considerations set out in paragraph (1), the Lithuanian Government will encourage and promote by all means at its disposal the increased utilisation of British shipping services in the United Kingdom-Lithuanian trade, and will take no action which would affect prejudicially any British shipping company now engaged in the trade between the two countries, so long as the company maintains existing freight rates and services. In the event of the company making any substantial changes in the freight rates

charged or the services offered, the Lithuanian Government will, before taking action, consult with the Government of the United Kingdom.

(4) The importation into Lithuania of herrings salted or cured in the United Kingdom and exported therefrom to Lithuania shall remain free from all form of restriction (apart from the levy of the import duty), and the sale of such herrings in Lithuania shall take place under conditions of free and fair competition with any other herrings, and no other herrings shall be placed in any more favourable position, whether by means of subsidies or in any other manner, than United Kingdom herrings exported to Lithuania.

Part II.

(1) The Government of the United Kingdom shall have the right at any time to terminate the Agreement upon three months' notice, if in any one period of twelve months, commencing on the first day of the month following the date on which the Agreement comes into force and on the corresponding date in each subsequent year, (a) the amount of coal of United Kingdom origin imported into Lithuania is less than 80 per cent. of the total imports of coal into Lithuania in that period, as shown by the Lithuanian official statistics of total imports of coal and of imports of coal of United Kingdom origin; or (b) if the amount of such imports of coal of United Kingdom origin in that period is less than 178,000 metric tons; or (c) if the amount of coke of United Kingdom origin imported into Lithuania in the same period is less than 50 per cent. of the total imports of coke into Lithuania in that period.

(2) The Government of the United Kingdom undertake not to give notice of termination of the Agreement in accordance with paragraph (1) until they have given an opportunity to the Lithuanian Government to enter into discussions on the matter in the United Kingdom, such discussions to commence within 14 days of the date of the receipt by the Lithuanian Government of a request from the Government of the United Kingdom.

(3) The Agreement shall not be terminated under paragraph (1) if, during the period between the date when notice of termination is given and the date of its taking effect, quantities of coal and/or coke of United Kingdom origin additional to the quantity that would normally be imported under the Agreement during that period are imported into Lithuania to make good the deficiency.

(4) The Lithuanian Government declare that, in the event of such alterations occurring in the economic circumstances of Lithuania as to reduce the total imports of coal and thus to make it impossible for the minimum quantity of imports from the United Kingdom provided for under paragraph (1) to be attained, they might wish to discuss at any time after the expiry of 12 months from the date of coming into force of this Agreement the question of modifying that figure.

The Government of the United Kingdom reserve the right to terminate the said Agreement at 3 months' notice, if they consider the result of such discussion to be unsatisfactory.

(5) The Contracting Governments take note of a letter to the Chairman of the Lithuanian Delegation for the negotiation of the Commercial Agreement, dated this day and signed on behalf of the United Kingdom coal industry by the Chairman of the Central Council of Colliery Owners and the Chairman of the British Coal Exporters' Federation, wherein they have expressed their desire and firm intention to fulfil the requirements of Lithuanian buyers and users of coal by every means within their power; and for this purpose have given to Lithuanian buyers and users the assurances contained in that letter with regard to prices, qualities, availability of supplies, and other matters. It is agreed that the right of the Government of the United Kingdom, under paragraph (1) of this Part of the Protocol, to terminate the Agreement upon three months' notice is conditional upon those assurances being implemented.

(6) The Government of the United Kingdom shall not have the right to give notice of termination of the Agreement in accordance with paragraph (1) of this Part of the Protocol if a sufficient quantity of coal of United Kingdom origin suitable for the Lithuanian buyers in question has not been available by reason of a strike or lock-out, or by reason of the fact that ice or other conditions have prevented transport from the United Kingdom to the Lithuanian port of destination, or if the buyers have been unable to obtain from the United Kingdom either the coal that they require or a suitable substitute at a comparable price. In any such event due allowance shall be made, in applying the provisions of paragraph (1) of the Protocol, for such quantities of coal as have been purchased in place thereof by the Lithuanian buyers in question from other sources. Similarly, in applying the provisions of paragraph (1) of this Part of the Protocol, due allowance shall be made for non-consumption of coal in Lithuania on account of protracted strikes or lock-outs within those branches of Lithuanian industry in which United Kingdom coal is used in considerable quantities. Allowances claimed under this paragraph shall be made only (a) by agreement between the Lithuanian Committee to be appointed under paragraph (7) of this Part of the Protocol and the Mines Department of the Government of the United Kingdom, or (b) failing such agreement, after discussion and settlement between the Contracting Governments.

(7) As soon as the Agreement comes into force, a Committee will be appointed in Lithuania for the purpose of—

- (a) submitting to the Mines Department of the Government of the United Kingdom official monthly statistics prepared by the appropriate Department of the Lithuanian Government, of the total imports of coal and coke into Lithuania and of the imports of coal and coke of United Kingdom origin into Lithuania; such statistics to be submitted

- within two months from the end of the month to which they relate;
- (b) dealing with complaints by Lithuanian buyers and users of coal of United Kingdom origin as regards price, quality, supply and other such matters in so far as such complaints relate to matters on which assurances have been given by the United Kingdom coal industry;
 - (c) dealing with questions arising under paragraph (6) of this Part of the Protocol;
 - (d) communicating where necessary with the Mines Department of the Government of the United Kingdom on any matters arising on (b) and (c) above.

Part III.

(1) The Government of the United Kingdom hope that such regulation as may be necessary of imports of agricultural produce into the United Kingdom may be effected by voluntary co-operation between the Government of the United Kingdom on the one hand and the Governments of countries supplying these products to the United Kingdom on the other hand; and the Government of the United Kingdom will endeavour for their part to secure that any regulation applied to imports into the United Kingdom of agricultural produce from Lithuania shall be effected in this way.

(2) If any regulation of butter imports into the United Kingdom is found necessary, the Government of the United Kingdom will accordingly endeavour to effect it by voluntary arrangement with the butter exporting countries.

Done at London this 6th day of July, 1934, in duplicate.

JOHN SIMON.

WALTER RUNCIMAN.

BRONIUS BALUTIS.

FIRST SCHEDULE.

PART I.

Note.—Subject to the effect of amendment or sub-division of Tariff items, the goods covered by this Schedule are those now assessed for duty under the Tariff numbers quoted.

Tariff No.	Article.	Rate of Duty.
ex 13 (1) and (2)	Sauces and pickles in hermetically sealed glass bottles or jars	Lits. per kilogram. 3-00
ex 33	Salt manufactured from brine evaporated by artificial heat, whether ground or not	0-02
ex 37 (2)	Herrings in olive oil or tomato sauce, in hermetically sealed containers	2-00
37 (5)a	Salted herrings in barrels weighing not more than 172 kilogram.	Lits. per barrel 10-00
37 (5)b	Salted herrings in half-barrels weighing up to 88 kilogram. ...	Lts. per $\frac{1}{2}$ -barrel 5-00
ex 41	Superphosphates and other phosphatic fertilisers	Free
65 (3)	Cement	Lits. per kilogram. 0-01
77 (7)a	Glass plates for photography gross	1-00
79 (1)	Coal	0-005
79 (3)	Coke	0-004
88 (1)c	Tyres and inner tubes, of soft rubber, for motor cars, carriages, carts, motor cycles, bicycles and aeroplanes ...	3-50
141 (1)a	Sheet iron and steel tinned, painted, varnished, galvanised or coated with copper, nickel or any other common metal, without stamped or lithographed designs and without inscriptions	0-25
144 (1)	Tin in ingots, bars or scrap	Free
172 (4)b	Gramophones, and parts and records therefor	6-00
ex 173 (6)a	Motor cycle parts not elsewhere mentioned in the Lithuanian Tariff	3-00
173 (7)a	Motor cars (passenger) :—	
	(1) Up to 1,000 kilogram in weight	2-50
	(2) From 1,000–1,200 kilogram in weight	3-00
ex 173 (7)g and h	Chassis for commercial motor vehicles	0-75
173 (8)	Motor cycles and side cars	2-00
183 (1)a	Cotton yarn, single, unbleached	1-00
183 (1)b	Cotton yarn, single, bleached, dyed or mercerised	1-30
183 (2)	Twisted cotton yarn not elsewhere mentioned in the Lithuanian Tariff	2-50
186 (2)a	Wool yarn, single, undyed	2-00
186 (2)b	" " " dyed	2-50
186 (3)a	Wool yarn, twisted, undyed	2-50
186 (3)b	" " " dyed	3-50
ex 187	Bleached or mercerised cotton tissues:—	
	1. Up to 6 sq. metres per kilogram.	3-50
	2. More than 6 and up to 10 sq. metres per kilogram.	4-50
	3. More than 10 and up to 15 sq. metres per kilogram.	5-50
	4. Over 15 sq. metres per kilogram.	6-00

Tariff No.	Article.	Rate of Duty.
ex 188	Cotton tissues dyed, colour woven or printed, not elsewhere mentioned in the Lithuanian Tariff:—	Lits. per kilogram.
	1. Up to 6 sq. metres per kilogram:—	
	(a) Prints over 88 cm. wide	3.50
	(b) Other	4.50
	2. More than 6 and up to 10 sq. metres per kilogram:—	
	(a) Prints over 88 cm. wide	5.00
	(b) Other	6.00
	3. More than 10 and up to 15 sq. metres per kilogram:—	
	(a) Prints over 88 cm. wide	6.00
	(b) Other	7.00
	4. Over 15 sq. metres per kilogram.	7.50
189 (1)	Cotton velvet and plush	12.00
191 (1)	Sacks and coarse packing cloth of the textile materials mentioned in Tariff No. 179 (2) and (3)	1.00
ex 197 (1)	Half artificial silk fabrics (20-50 per cent. artificial silk):—	
	(a) Dyed and printed goods over 88 cm. wide	20.00
	(b) Other	30.00
Ex 199	Tissues of wool not elsewhere mentioned in the Lithuanian Tariff:—	
	(a) Up to 2 sq. metres per kilogram.	8.00
	(b) More than 2 and up to 5 sq. metres per kilogram.	12.00
	(c) More than 5 sq. metres per kilogram.	20.00
Ad Note (c) to Nos. 187- 199	Fabrics of cotton containing artificial silk, if the quantity of artificial silk represents not more than 20 per cent. by number of threads, are dutiable as cotton fabrics with an additional 10 per cent. Tissues of wool containing silk or artificial silk to the extent of not more than 5 per cent.* are dutiable as all-wool tissues.	

* The percentage of admixture is at present assessed on the basis of number of threads. It is agreed, however, that within one year from the date of the coming into force of this agreement the basis shall be altered to a weight basis, the percentage figure remaining unaltered.

PART II.

Tariff No.	Article.	Rate of Duty.
ex 6(4)	Oranges gross	Lits. per kilogram. 2.75
ex 6(7)	Bananas, unripe on stalks, imported in bulk, by wagons gross	1.35
ex 8	Crude lime juice gross	1.00
ex 15(2)	Cardamoms and nutmegs	6.00
ex 15(3)	Cloves, cinnamon and ginger	2.00
ex 15(4)	Pepper and pimento... ..	0.75
	<i>Note.</i> —The duties on ground spices are those specified under Tariff Number 15, with a surtax of 50 per cent.	
19 (1)	Cocoa beans, not roasted	0.40
20 (2)	Tea, in bulk other than in packages of 1 kilogram or less	0.25

SECOND SCHEDULE.

Article.	Rate of Duty.
Butter	15s. per cwt.
Bacon and hams	Free.
Eggs in shell—	
(a) Not exceeding 14 lb. in weight, per great hundred	1s. per great
(b) Over 14 lb. but not exceeding 17 lb. in weight, per great hundred	hundred.
(c) Exceeding 17 lb. in weight per great hundred	1s. 6d. per great
Alsike clover seed (<i>trifolium hybridum</i>)	hundred.
Wood pulp	1s. 9d. per great
Plywood of birch or of softwood	hundred.
Hewn, sawn and planed softwood, not further prepared or manu-	10% <i>ad valorem</i> .
factured except as detailed below	10% <i>ad valorem</i> .
Planed softwood shall be considered to include all descriptions of—	10% <i>ad valorem</i> .
(1) Softwood weatherboards, floorings and matchings, planed on	
one or more sides, with or without profiling on one or more	
sides.	
(2) Softwood skirtings with board and profile in one piece.	
(3) Softwood boards which are tongued, grooved, beaded, V-jointed,	
rebated, chamfered, centre beaded, centre V-jointed or round	
edged—if profiled, the board and profile to be in one piece.	
(4) Softwood boxboards, sawn or planed, whether in sets or not,	
including boxboards tongued, grooved, glued, lock-jointed or	
printed, but excluding boards dovetailed, mortised or tenoned	
at the ends.	