



Treaty Series No. 6 (1935)

[Reprint of "Irish Free State Treaty Series No. 1 (1935)"]

EXCHANGE OF NOTES

between the Government of the Irish Free State
and the German Government

in regard to

COMMERCIAL RELATIONS

Dublin, January 28, 1935

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

LONDON

PRINTED AND PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE

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1935

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Cmd. 4844

EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE
IRISH FREE STATE AND THE GERMAN GOVERNMENT
IN REGARD TO COMMERCIAL RELATIONS.

Dublin, January 28, 1935.

No. 1.

*From the Minister for Industry and Commerce to Dr. H. R.
Hemmen, Chairman of the German Delegation.*

Sir,

Dublin, January 28, 1935.

I HAVE the honour to refer to the discussions which have taken place between representatives of the Government of Saorstát Eireann and representatives of the Government of the German Reich on the subject of the commercial relations between our two countries. As a result of these discussions the two Governments have agreed on the advisability of placing the future commercial relations between our two countries on a more secure and equitable basis than heretofore; they have also agreed that this aim can best be achieved if both Governments establish immediately a better ratio in the exchange of goods between the two countries, and at the same time facilitate an increase in trade.

To achieve this purpose, the German Government are prepared to agree that the value of Saorstát Eireann goods to be imported into Germany shall be based on a ratio of one to three in relation to the value of German goods imported into Saorstát Eireann calculated over equal periods and subject to the ability to deliver on the part of Saorstát Eireann. The German Government are also prepared to have due regard to Saorstát Eireann export interests in agricultural products, and, in particular, to facilitate the importation into Germany of cattle, eggs, butter, wool, hides and skins and other products of Saorstát Eireann.

The Government of Saorstát Eireann on their part agree that in placing orders for the Government they will have due regard to German export interests and will use their influence to that end with institutions established under statutory authority.

In the operation of any import restrictions already in force or to be imposed in future, the Government of Saorstát Eireann will, in allocating quotas or in issuing licences, have due regard to established German trade and German interests generally in the market of Saorstát Eireann. The German Government will ensure that the necessary foreign exchange certificates shall be issued through their appropriate organisations for the importation of and

Payment for Saorstát Eireann goods already imported into Germany and Saorstát Eireann goods to be imported into Germany under the provisions of this Note. They will also ensure that foreign exchange certificates shall be so issued in respect of freights on goods exported from or imported into Germany in Saorstát Eireann ships.

It is recommended that the two Governments shall agree upon the necessary administrative arrangements to carry out these proposals. They shall also appoint representatives to deal with all questions which may arise in connexion with the detailed working of the agreement.

This Note and your Note of this date in the same sense on behalf of the Government of the German Reich will constitute an agreement between our two Governments. The agreement shall come into force on the 1st February, 1935, and shall continue in force until the 31st December, 1935. Thereafter, it may continue in force from year to year, provided that both Governments have agreed before the 1st December of each year on a ratio and import possibilities for Saorstát Eireann products into Germany for the ensuing year. Should the present agreement continue after the 31st December, 1935, it may be denounced by either party at the end of any quarter on giving three months' notice. In any event this agreement will terminate when the Treaty of Commerce and Navigation, dated the 12th May, 1930, comes to an end.

Accept, &c.

SEAN F. LEMASS.

No. 2.

*From Dr. H. R. Hemmen, Chairman of the German Delegation,
to the Minister for Industry and Commerce.*

Euer Exzellenz,

Dublin, den 28. Januar 1935.

ICH beehre mich Bezug zu nehmen auf die Verhandlungen, die zwischen Vertretern der Regierung des Deutschen Reichs und der Regierung des Irischen Freistaates über die Gestaltung der Handelsbeziehungen zwischen unseren beiden Ländern stattgefunden haben.

Als Ergebnis dieser Erörterungen sind beide Regierungen übereinstimmend zu der Ueberzeugung gelangt, dass es ratsam ist, die Handelsbeziehungen zwischen ihren beiden Ländern in Zukunft auf eine gesichere und angemessenere Grundlage zu stellen als bisher; sie sind ferner übereingekommen, dass dieses Ziel dadurch am besten erreicht wird, dass beide Regierungen dem Warenaustausch zwischen ihren Ländern fortan ein besseres Verhältnis zu Grunde legen und gleichzeitig auf eine Steigerung des Handelsvolumens hinwirken.

Um das zu erreichen, sagt die Deutsche Regierung zu, die Einfuhr irischer Waren nach Deutschland im Umfang eines Drittels des Wertes der Einfuhr deutscher Waren nach dem Irischen Freistaat, berechnet über einen gleichen Zeitraum und vorbehaltlich der Lieferfähigkeit des Irischen Freistaates, zu ermöglichen. Die Deutsche Regierung ist dabei bereit, das irische Ausfuhrinteresse für landwirtschaftliche Erzeugnisse in angemessener Weise zu berücksichtigen und insbesondere die Einfuhr von Vieh, Eiern, Butter, Wolle, Häuten und Fellen und anderen irischen Erzeugnissen nach Deutschland zu fördern.

Die Regierung des Irischen Freistaates ihrerseits sagt zu, bei der Vergebung von Regierungsaufträgen den deutschen Einfuhrinteressen in angemessener Weise Rechnung zu tragen und ferner ihren Einfluss in gleicher Weise bei den auf Grund gesetzlicher Bestimmungen gegründeten halbstaatlichen Unternehmungen einzusetzen.

Soweit die Regierung des Irischen Freistaates die Einfuhr von Waren nach dem Irischen Freistaat beschränkt oder in Zukunft beschränken wird, wird sie bei der Zuteilung von Quoten und der Erteilung von Einfuhrbewilligungen auf den bestehenden deutschen Handel und die deutschen Interessen im irischen Markt allgemein gebührend Rücksicht nehmen.

Die Deutsche Regierung wird sicherstellen, dass die bei der Einfuhr irischer Waren nach Deutschland zur Bezahlung erforderlichen Devisenbescheinigungen ausgestellt werden und zwar soweit die Waren bereits nach Deutschland eingeführt sind oder soweit sich aus dieser Note Einfuhrmöglichkeiten ergeben. Sie wird ebenso dafür Sorge tragen, dass Devisengenehmigungen im deutsch-irischen Warenverkehr für Frachten für auf irischen Schiffen verladene Waren erteilt werden.

Ueber die notwendigen Verwaltungsmassnahmen zur Durchführung der obigen Abmachungen sollen sich die beiden Regierungen einigen. Sie werden ferner beidseits Vertreter für die Behandlung aller Fragen, die sich aus der Durchführung dieses Abkommens ergeben, bestellen.

Diese Note und die gleichlautende Note Eurer Exzellenz vom heutigen Tage im Namen der Regierung des Irischen Freistaates sollen ein Abkommen zwischen unseren beiden Regierungen darstellen. Das Abkommen tritt am 1. Februar 1935 in Kraft und gilt bis zum 31. Dezember 1935. Nach Ablauf dieser Zeit kann es jeweils von Jahr zu Jahr als verlängert gelten, sofern sich beide Regierungen bis zum 1. Dezember eines jeden Jahres über die Einfuhrmöglichkeiten für irische Erzeugnisse nach Deutschland und das Verhältnis derselben zu den deutschen Einfuhren nach dem Irischen Freistaat für das folgende Jahr geeinigt haben. Läuft das Abkommen über den 31. Dezember 1935 hinaus weiter, so kann es künftig von jedem der beiden Teile mit dreimonatlicher Frist zum Ende eines jeden Kalendervierteljahres gekündigt werden. Auf

Jeden Fall endigt dieses Abkommen mit dem Zeitpunkt, zu dem der Handels- und Schifffahrtsvertrag zwischen dem Deutschen Reich und dem Irischen Freistaat vom 12. Mai 1930 ausser Kraft tritt.

Genehmigen, &c.

DR. HANS R. HEMMEN.

(Translation.)

Excellency,

Dublin, January 28, 1935.

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Accept, &c.

DR. HANS R. HEMMEN.