

dem der betreffende Staatsbürger des anderen Vertragspartners in Haft genommen oder irgendeiner anderen Beschränkung der persönlichen Freiheit unterworfen wurde.

- (b) Einer konsularischen Amtsperson des anderen Vertragspartners ist es gestattet, einen solchen Staatsbürger in jedem Falle innerhalb von vier Tagen, nachdem dieser Staatsbürger in Haft genommen oder irgendeiner anderen Beschränkung der persönlichen Freiheit unterworfen wurde, zu besuchen und sich mit ihm in Verbindung zu setzen.
6. Im Sinne des Vertrages ist vereinbart, daß die in Artikel 9 Absatz 2 des Vertrages bezeichnete Meistbegünstigung auf der Grundlage der Gegenseitigkeit in bezug auf direkte Investitionen gewährt wird, wie:
- (a) Bildung oder Erweiterung eines im Alleineigentum stehenden Unternehmens, einer Tochtergesellschaft oder einer Filiale;
- (b) Erwerb des vollen Eigentums an einem bestehenden Unternehmen oder
- (c) Beteiligung an einem neuen oder bestehenden Unternehmen.

ZU URKUND DESSEN haben die jeweiligen Bevollmächtigten dieses Protokoll unterzeichnet und mit ihren Siegeln versehen.

Ausgefertigt in Tokio am 28. Mai 1981 in zwei Exemplaren in englischer Sprache.

Für die
Regierung der Deutschen
Demokratischen Republik
Oskar F i s c h e r

Für die
Regierung Japans
Sunao S o n o d a

TREATY

on Commerce and Navigation between the
German Democratic Republic and Japan

The Government of the German Democratic Republic and the Government of Japan,

Desirous of strengthening the bonds of friendship and mutual cooperation and of deepening and further developing the economic relations between the two countries,

Have resolved to conclude a Treaty on Commerce and Navigation, and for that purpose have appointed as their Plenipotentiaries,

The Government of the German Democratic Republic:

Mr. Oskar F i s c h e r,
Minister of Foreign Affairs
of the German Democratic Republic

The Government of Japan:

Mr. Sunao S o n o d a,
Minister for Foreign Affairs
of Japan

Who, having communicated to each other their full powers found to be in good and due form, have agreed as follows:

ARTICLE 1

The Contracting Parties will, in accordance with their respective laws and regulations, endeavour to cooperate on

the basis of the principles of equality and mutual benefit with a view to expanding trade and to strengthening economic relations between the two countries and to encourage initiatives and measures for these purposes.

ARTICLE 2

1. With respect to customs duties and charges of any kind imposed on or in connection with importation or exportation or imposed on the international transfer of payments for imports or exports, and with respect to the method of levying such duties and charges, and with respect to all rules and formalities in connection with importation and exportation, and with respect to all matters referred to in Article 4 of the present Treaty, any advantage, favour, privilege or immunity which has been or may hereafter be granted by either Contracting Party to any product originating in or destined for any third country shall be accorded immediately and unconditionally to the like product originating in or destined for the territory of the other Contracting Party.

2. The provisions of the preceding paragraph shall not apply to special advantages accorded by either Contracting Party:

- (a) to adjacent countries in order to facilitate frontier traffic;
- (b) to produce of the sea to be treated as imports in accordance with the laws and regulations of such Contracting Party in case this produce is taken by vessels of such Contracting Party or processed or manufactured at sea in the vessels of such Contracting Party.

ARTICLE 3

1. The products of either Contracting Party after they have been in transit through the territories of one or more third countries shall not, upon their importation into the territory of the other Contracting Party, be subject to customs duties or charges higher than those to which they would be subject if they were imported directly from the territory of the former Contracting Party.

2. The provisions of the preceding paragraph are also applicable to goods which during their transportation through the territory of a third country underwent transshipment, repacking and storing in warehouses.

ARTICLE 4

1. The products originating in the territory of either Contracting Party and imported into the territory of the other Contracting Party shall not be subject, within the territory of such other Contracting Party, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products.

2. The products originating in the territory of either Contracting Party and imported into the territory of the other Contracting Party shall be accorded within the territory of such other Contracting Party treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use.

ARTICLE 5

1. No prohibitions or restrictions shall be applied by either Contracting Party on the importation or exportation of any product from or to the territory of the other Contracting Party, unless the importation of the like product or the exportation of the like product to any third country is similarly prohibited or restricted.

2. The provisions of the preceding paragraph shall not be interpreted as precluding each Contracting Party from adopting or executing measures relating to the protection of