

N° 503.

GRÈCE

Protocole relatif à l'établissement des réfugiés en Grèce et à l'institution, à cet effet, d'un office autonome d'établissement des réfugiés, signé à Genève le 29 septembre 1923.

GREECE

Protocol relating to the settlement of Refugees in Greece and the creation for this purpose of a Refugees Settlement Commission, signed at Geneva, September 29, 1923.

No. 503. — PROTOCOL¹ RELATING TO THE SETTLEMENT OF REFUGEES IN GREECE AND THE CREATION FOR THIS PURPOSE OF A REFUGEES SETTLEMENT COMMISSION. SIGNED AT GENEVA, SEPTEMBER 29, 1923.

French and English official texts. This Protocol was registered October 15, 1923, in accordance with its final provisions.

The undersigned, acting in the name of the Hellenic Government and duly authorised for the purpose, accepts, on behalf of the Hellenic Government, the following plan, which has been approved by the Council of the League of Nations, for the establishment of a Refugees Settlement Commission and the settlement in Greece of refugees upon lands to be assigned to the Commission or otherwise in productive work.

I. — The Hellenic Government undertakes to establish a Refugees Settlement Commission to possess the constitution, capacity and functions set out in the Organic Statutes which form an annex to the present Protocol and are considered as being an integral part thereof. The ratification of this Protocol and of the Annex by Greece shall constitute an assurance that the Hellenic Government has taken the measures required by the internal law of the country to establish the Commission and to ensure to it during the period of its existence the prescribed capacity and powers. Particulars concerning these measures shall forthwith be communicated to the Council of the League and no alteration in them shall be made without the Council's consent.

II. — The Hellenic Government undertakes to assign to the Refugees Settlement Commission, to be held by it as its absolute property for the purposes contemplated by its Statutes, an amount of land of not less than 500,000 hectares approved by the Commission as suitable for the said purposes in regard to both its character and situation.

III. — The Hellenic Government will secure that any advances which have been obtained by the National Bank of Greece in connection with the Refugees Settlement Commission's foundation, for the purpose of the establishment of refugees in productive work in Greece, shall be forthwith placed at the disposal of the Commission.

IV. — The Hellenic Government will as soon as possible raise a loan or loans to an amount not falling below the equivalent of three million pounds sterling, nor exceeding the equivalent of six million pounds sterling, and will arrange for the subscription by Greek banks or financial groups of not less than the equivalent of one million pounds sterling of such loan or loans. The issuing houses shall place the whole proceeds of the loan or loans directly under the disposal of the Refugees Settlement Commission for the purposes specified, in its Organic Statutes, and for the repayment, if necessary, of any advances.

V. — The service of the loans to be raised in pursuance of Article IV shall be assured in the first instance by the International Financial Commission established by the Law on the International Control of February 26, 1898 (in accordance with the consent given by the Governments at present represented on that Commission by the Declaration annexed to this Protocol) out of certain public Greek revenues in accordance with the following provisions :

(1) Such revenues and surplus revenues as may be agreed upon between prospective lenders and the Hellenic Government (for example, those indicated in Schedule I) shall be assigned to and placed under the control of the International Financial Commission, and shall be collected and paid to that Commission.

(2) The revenues and surplus revenues above mentioned shall, so far as is considered necessary, be held and applied by the International Financial Commission for the

¹ Ratified by Greece, November 2, 1923.

purpose of meeting the service of loans raised in accordance with Article IV. The service of the loans shall also be a first charge upon the property and income of the Refugees Settlement Commission.

VI. — The Hellenic Government undertakes not to create any charges by way of security, without the consent of the International Financial Commission, upon its other revenues, and, in particular, those specified in Schedule II, except for the purpose of meeting its external obligations or of obtaining loans destined exclusively to improve the financial position of Greece, so as to prevent depreciation of the exchange value of Greek currency and a consequent depreciation of the value of the revenues assigned under Article V. It further undertakes to make immediately and to persist in making every effort to secure as soon as possible a complete equilibrium between the ordinary receipts and the expenses of the State.

VII. — The Hellenic Government undertakes to exempt the Refugees Settlement Commission from all taxes and charges, whether general or local, in respect of all operations and property of the Commission and, in particular, of the lands assigned to it or any transactions affecting such lands; and to pay in respect of each financial year to the Commission (or to the International Financial Commission if the Refugees Settlement Commission is dissolved) the total sum at which the occupiers of land originally assigned to the Refugees Settlement Commission and still continuing to be its property (or, if the Refugees Settlement Commission is dissolved, held at the disposal of the International Financial Commission pursuant to arrangements made in connection with such dissolution) are assessed for taxation upon such lands for such year, until the loans raised in pursuance of Article IV are completely refunded.

VIII. — The reimbursement of advances made to refugees by the Refugees Settlement Commission shall have priority over taxation or any other claim.

IX. — The Hellenic Government, accepting the provisions contained in the Organic Statutes of the Refugees Settlement Commission under which the Council of the League of Nations may enquire into and exercise a supervision over the activities of the Commission, undertakes to facilitate any enquiries which the Council may direct, and to accept and give effect to the Council's decisions taken thereupon in so far as they require action by the Hellenic Government.

X. — Nothing in this Protocol or the Organic Statutes thereto annexed shall change in any way the obligations of the Hellenic Government under the Greco-Turkish Exchange of Populations Convention signed at Lausanne on January 30, 1923, or under the Greco-Bulgarian Reciprocal Emigration Convention¹ signed at Neuilly-sur-Seine on November 27, 1919.

XI. — The obligations assumed by the Hellenic Government under this Protocol shall cease as soon as the Refugees Settlement Commission shall have been dissolved and the loans raised in accordance with Article IV of this Protocol have been repaid in full.

XII. — In the event of any difference as to the interpretation of this Protocol, the opinion of the Council of the League of Nations will be accepted.

XIII. — In the event of any difference between the French and English texts of this Protocol, the English shall be considered to be the authentic text.

XIV. — This Protocol shall be ratified and the ratification shall be deposited at the Secretariat of the League of Nations as soon as possible, and in any case not later than October 15, 1923. It shall enter into force on the date of deposit of ratification.

In faith whereof, the undersigned, duly authorised for this purpose, has signed the present Protocol.

Done at Geneva on the twenty-ninth day of September one thousand nine hundred and twenty-three, in a single copy, which shall be deposited with the Secretariat of the League of Nations, and shall be registered by it without delay.

(Signed) A. MICHALAKOPOULOS.

¹ Vol. I, page 67, of this Series.

SCHEDULE I.

The revenues referred to in Article V of the Protocol under number 1 are the following :

- (1) The monopolies of New Greece, *i.e.*, salt, matches, playing-cards and cigarette paper.
- (2) The Customs receipts received at the Customs of :

Cabea,	Chios,
Candia,	Mitylene,
Samos,	Syra.

SCHEDULE II.

The revenues specially referred to in Article VI of the Protocol are the following :

- (1) The surplus revenues already assigned to the International Financial Commission.
- (2) The tobacco duty in New Greece.
- (3) The stamp duty in New Greece.
- (4) The duty on alcohol in the whole of Greece.
- (5) Any of the revenues or any surplus of the revenues mentioned in Schedule I not utilised for the service of loans under the terms of Article V of the Protocol.

ANNEX.

[ORGANIC STATUTES OF THE GREEK REFUGEES SETTLEMENT COMMISSION.

I. — There is established in Greece, domiciled at such place as it shall select after its constitution, a Refugees Settlement Commission invested with the capacity and powers and entrusted with the duties specified hereinafter.

II. — The Refugees Settlement Commission is established as a legal person competent to sue and be sued in its own name, to hold and alienate property of all kinds, and generally to perform any acts which can be performed by a corporation possessing full legal personality under the law of Greece.

III. — The Refugees Settlement Commission shall not be dependent upon any Greek executive or administrative authority, but shall be completely autonomous in the exercise of its functions.

IV. — The Refugees Settlement Commission shall be composed of four members. Two members shall be appointed by the Hellenic Government, with the approval of the Council of the League of Nations; one member shall be appointed by the Council of the League of Nations; the fourth member, who shall be the Chairman of the Commission, shall be a national of the United States of America and a person representative of relief organisations, and shall be appointed in such methods as the Council of the League of Nations shall from time to time determine. The member appointed by the Council and the Chairman of the Commission shall enjoy diplomatic privileges and immunities in Greece.

V. — The members of the Refugees Settlement Commission appointed by the Hellenic Government may at any time be replaced by that Government with the consent of the Council of the League of Nations; the other two members may only be replaced by the Council of the League of Nations.

VI. — The salaries of the two members of the Refugees Settlement Commission appointed by the Hellenic Government shall be fixed by that Government, the salaries of the other two members shall be fixed by the Council of the League of Nations. The salaries of all members shall be payable out of the funds of the Commission, but the Hellenic Government shall refund to the Commission the amount of the two salaries fixed by it.

VII. — The first appointments of members of the Refugees Settlement Commission shall be made not later than September 30, 1923. Thereafter, if any vacancy on the Commission is not filled by the competent authorities, the Council of the League of Nations shall be competent forthwith to appoint a person to act and to exercise the full powers of the member whom he succeeds until such time as the competent appointing authority shall itself make an appointment. The Commission shall enter upon its functions as soon as all four members have been appointed. In the event of temporary absence, the absent member shall designate a substitute who shall have the right to vote, failing which the Chairman or the member acting as Chairman shall designate such a substitute. In the event of the absence of the Chairman, the chair shall be taken by the member appointed by the Council of the League of Nations, who shall have the same voting rights as the Chairman. The presence of three members or their substitutes, including always the two members not appointed by the Hellenic Government or their duly appointed substitutes, shall be necessary to form a quorum and validate decisions of the Settlement Commission.

VIII. — The Commission shall take all its decisions by a majority vote of the members present at the meeting. In the event of the votes being equally divided, the Chairman shall have a second vote. Subject to any provisions in these statutes, the Settlement Commission shall establish its own Rules of Procedure.

IX. — The Chairman, or in his absence his substitute, will convene all meetings of the Settlement Commission, sign all documents and correspondence and be responsible for the execution of the decisions of the Settlement Commission.

X. — The Refugees Settlement Commission shall have power to appoint and dismiss such personnel, either Greek or (when necessary for special reasons) of foreign nationality as it may require for the discharge of its functions. The work of the Commission will be carried on as far as possible with the assistance of Greek central and local administrative authorities and of private organisations.

XI. — The expenses of the Commission shall be payable out of the funds placed at its disposal or out of its income.

XII. — The functions of the Refugees Settlement Commission shall be, by means of the lands assigned to it, the funds placed at its disposal and its own income, to promote the establishment of refugees in productive work either upon the land or otherwise in Greece.

XIII. — The Refugees Settlement Commission shall receive and hold in full ownership the lands which the Hellenic Government undertakes to transfer to it under the Protocol signed on behalf of Greece at Geneva on September 29, 1923, and shall apply such lands for the purpose specified in Article XII above. The lands shall primarily be applied to the settlement of refugees thereon, either as tenants or as owners, on the terms fixed by the Commission, but the Commission may, in its discretion, sell land held by it to persons not refugees, provided that any sums raised by the Commission from the sale of such land shall be paid into a special account and applied, by way of a sinking fund, to the redemption of the loan or loans referred to in Article XVI of these Statutes. The Commission shall sell land, if such sale becomes necessary, under the provisions of Article XVI.

Sales of land to persons not possessing Greek nationality shall require the consent of the Hellenic Government, except in the case contemplated by the last sentence of the preceding paragraph.

XIV. — The Refugees Settlement Commission shall receive, and apply for the purpose specified in Article XII above, any advances obtained by the National Bank of Greece for the purposes of establishment of refugees in productive work in Greece, and the proceeds of the loans which the Hellenic Government undertakes to raise and pay over to the Commission under the Protocol signed on behalf of Greece at Geneva on September 29, 1923.

XV. — The income and funds of the Refugees Settlement Commission may not be expended on the relief of distress or other charitable purposes as distinct from the settlement in productive work of the persons assisted. All assistance given shall be given on terms involving ultimate repayment.

XVI. — In the event of the revenues assigned by the Hellenic Government to the services of the loan in accordance with the Protocol signed at Geneva on September 29, 1923, being insufficient, the International Financial Commission shall call upon the Settlement Commission to pay out of its income or other funds, or if necessary from the realisation of its property, such sums as may be necessary to meet any deficit on the service of the loan. Further, it shall at all times be the duty of the Settlement Commission to pay to the International Financial Commission for application to the service of the loan any sums which the Settlement Commission may find possible to contribute for this purpose out of its

current income without prejudicing the effective performance of its functions. In the event of the International Financial Commission having in its possession sums exceeding the amounts necessary for the service of the loan, the Financial Commission will refund these sums to the Hellenic Government.

XVII. — The Refugees Settlement Commission shall communicate every three months a report upon its operations to the Hellenic Government and to the Council of the League of Nations and shall simultaneously publish such report. The Council of the League of Nations, acting, if need be, by a majority vote, shall have the right to consider the reports of the Commission and to take such measures thereon as it may consider proper.

The Commission shall annually publish and forward to the Council of the League of Nations and to the Hellenic Government audited accounts of its income and expenditure.

XVIII. — The Council of the League of Nations, acting, if need be, by a majority vote, may at any time enquire by such method as it determines into the manner in which the Refugees Settlement Commission is discharging its functions, and the necessary cost of such enquiries shall be payable to the Secretary-General of the League by the Commission out of the funds at the disposal of the Commission or out of its current income.

XIX. — The Refugees Settlement Commission may be dissolved when, in the opinion of the Council of the League of Nations, acting, if need be, by a majority vote, its services are no longer required, subject to the establishment of arrangements approved by the representatives of the lenders to secure that the assets and income of the Settlement Commission are on its dissolution placed under the control and at the disposal of the International Financial Commission for the purpose of enabling the latter to meet the service of the loans (or to accelerate as far as possible the amortisation of the loans) raised by the Hellenic Government in accordance with the Protocol signed on its behalf at Geneva on September 29, 1923, until such loans have been repaid in full.

XX. — After the dissolution of the Refugees Settlement Commission and the repayment in full of the loans mentioned in Article XIX above, the balance still remaining of all assets which have belonged to the Commission shall become the absolute property of the Hellenic State.

XXI. — In the event of any difference as to the interpretation of these Statutes, the opinion of the Council of the League of Nations will be accepted.

XXII. — In the event of any difference between the French and English texts of these Statutes, the English shall be considered to be the authentic text.

XXIII. — This Annex shall be ratified and the ratification shall be deposited at the Secretariat of the League of Nations at the same time as the ratification of the Protocol to which this Annex is attached.

In faith whereof, the undersigned, duly authorised for this purpose, has signed the present Annex.

Done at Geneva on the twenty-ninth day of September one thousand nine hundred and twenty-three, in a single copy, which shall be deposited with the Secretariat of the League of Nations and shall be registered by it without delay.

(Signed) A. MICHALAKOPOULOS.