

N° 4439.

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## ÉGYPTE ET TURQUIE

Convention sur la nationalité, et protocole final. Signés à Ankara, le 7 avril 1937.

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## EGYPT AND TURKEY

Convention regarding Nationality, and Final Protocol. Signed at Ankara, April 7th, 1937.

<sup>1</sup> TRADUCTION. — TRANSLATION.

No. 4439. — CONVENTION <sup>2</sup> REGARDING NATIONALITY BETWEEN EGYPT AND TURKEY. SIGNED AT ANKARA, APRIL 7TH, 1937.

*French official text communicated by the Permanent Delegate of Egypt to the League of Nations. The registration of this Convention took place September 17th, 1938.*

HIS MAJESTY THE KING OF EGYPT of the one part  
and

THE PRESIDENT OF THE REPUBLIC OF TURKEY of the other part,

Regarding it as being to their mutual advantage to settle certain questions concerning the nationality of former Ottoman nationals which are of interest to both States,

Have resolved to conclude a Convention for that purpose and have appointed as their respective Plenipotentiaries:

HIS MAJESTY THE KING OF EGYPT:

His Excellency Mohammed El-Mofti EL-GAZAERLI Bey, His Envoy Extraordinary and Minister Plenipotentiary at Ankara ;

THE PRESIDENT OF THE REPUBLIC OF TURKEY :

His Excellency Dr. Tevfik RÜSTÜ ARAS, Minister for Foreign Affairs, Deputy for Smyrna ;

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

*Article 1.*

Any former Ottoman national ordinarily resident in Egypt on November 5th, 1914, who is of Turkish origin by birth or whose father was born in Turkey, in Egypt, in a foreign country or in one of the territories detached from Turkey in accordance with the Treaty <sup>3</sup> of Lausanne of July 24th, 1923, shall, if he has been regarded by Egypt as having acquired Egyptian nationality, be entitled to opt for Turkish nationality.

Nevertheless, it is clearly understood that no such person who was born in Egypt and whose father was also born in Egypt shall have this right of option.

*Article 2.*

Former Ottoman nationals who have settled in Egypt subsequently to November 5th, 1914, shall retain their Turkish nationality.

Nevertheless, any such person who is not of Turkish origin and who had acquired Egyptian nationality before the coming into force of the present Convention shall be deemed to be Egyptian.

<sup>1</sup> Traduit par le Secrétariat de la Société des Nations, à titre d'information.

<sup>2</sup> Came into force May 11th, 1938.

<sup>3</sup> Vol. XXVIII, page 11, of this Series.

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

*Article 3.*

Former Ottoman nationals who enjoyed the benefits of Egyptian denizenship (*indigénat*) and who were ordinarily resident in Turkey on November 5th, 1914, shall be deemed to have retained their Turkish nationality.

Nevertheless, any such person who was born in Egypt and whose father was also born in Egypt shall be entitled to opt for Egyptian nationality.

*Article 4.*

No former Ottoman national who enjoyed the benefits of Egyptian denizenship (*indigénat*) and who was ordinarily resident in a foreign country on November 5th, 1914, but who is of Turkish origin by birth or whose father was born in Turkey, in Egypt or in one of the territories detached from Turkey in accordance with the Treaty of Lausanne of July 24th, 1923, having retained Turkish nationality, shall not be deemed by the Egyptian Government to have acquired Egyptian nationality.

Nevertheless, any such person, who was born in Egypt and whose father was also born in Egypt shall be entitled to opt for Egyptian nationality.

*Article 5.*

The right of option provided for in Articles 1, 3 and 4 must be exercised within a period of one year as from the coming into force of the present Convention.

For the purposes of the application of Article 1, the option must be notified in Turkey to the Ministry of the Interior, in Egypt to the Turkish Legation and in foreign countries to Turkish Legations or Consulates.

For the purposes of the application of Articles 3 and 4, the option must be notified in Egypt to the Ministry of the Interior, in Turkey to the Egyptian Legation and in foreign countries to Egyptian Legations or Consulates.

*Article 6.*

The nationality recognised in accordance with Articles 1, 2, 3 and 4 shall *ipso facto* extend to the wife of the person concerned and to his children under eighteen years of age.

*Article 7.*

The Turkish Legation shall, within three months after the expiration of the period specified in Article 5, communicate to the Egyptian Ministry of Foreign Affairs the lists of persons opting for Turkish nationality in accordance with Article 1. Such lists shall include the names of wives and minor children.

After the above-mentioned lists have been communicated, the Egyptian Ministry of Foreign Affairs shall come to an agreement with the Turkish Legation in regard to the retention in or the removal from the said lists of the names of persons included therein, according to whether they do or do not comply with the conditions for option, and shall, in agreement with the Legation, draw up a final list.

*Article 8.*

The Egyptian Legation shall, within three months after the expiration of the period specified in Article 5, communicate to the Turkish Ministry of Foreign Affairs the lists of persons opting for Egyptian nationality in accordance with Articles 3 and 4. Such lists shall include the names of wives and minor children.

After the above-mentioned lists have been communicated, the Turkish Ministry of Foreign Affairs shall come to an agreement with the Egyptian Legation in regard to the retention in or the removal from the said lists of the names of persons included therein, according to whether they do or do not comply with the conditions for option, and shall, in agreement with the Legation, draw up a final list.

*Article 9.*

The Ministry of Foreign Affairs shall, within a period of three months as from the coming into force of the present Convention, communicate to the Turkish Legation at Cairo the lists of persons

who have acquired Egyptian nationality under the conditions specified in paragraph 2 of Article 2. Such lists shall include the names of wives and minor children.

After the above-mentioned lists have been communicated, the Turkish Legation shall come to an agreement with the Egyptian Ministry of Foreign Affairs in regard to the retention in or removal from the said lists of the names of persons included therein, according to whether they do or do not comply with the said conditions, and shall, in agreement with the Ministry, draw up a final list.

*Article 10.*

The final lists referred to in the preceding Articles may be corrected by agreement, should it be found later that any person whose name is included therein did not comply with the conditions specified.

*Article 11.*

The present Convention shall be ratified and the ratifications thereof shall be exchanged at Cairo as soon as possible. It shall come into force one month after the date of the exchange of ratifications.

In faith whereof the respective Plenipotentiaries have signed the present Convention and have thereto affixed their seals.

Done in duplicate at Ankara, this 7th day of April, 1937.

(Seal) (Signed) M. Mufti GAZAERLI.

(Seal) (Signed) Dr. T. R. ARAS.

FINAL PROTOCOL.

Persons who have exercised their right of option under the provisions of the Convention regarding Nationality signed this day between Turkey and Egypt shall not, on that account, be obliged to leave the country whose nationality they have renounced and shall continue to enjoy in that country the rights granted to their fellow-citizens.

The consequences of any legal, administrative or judicial measures, provisions or decisions applied in Turkey before the present Convention came into force to persons regarded by Turkey as her own nationals, whose nationality has now been settled by the present Convention, as well as to their property, shall not be affected. The new nationality thus accorded to these persons shall in no way modify the consequences in question.

Done in duplicate at Ankara, this 7th day of April, 1937.

(Signed) M. Mufti GAZAERLI.

(Signed) Dr. T. R. ARAS.