

N° 1753.

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**TCHÉCOSLOVAQUIE  
ET TURQUIE**

Convention d'établissement, avec protocole de signature et extraits de procès-verbaux y relatifs. Signés à Angora, le 31 mai 1927.

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**CZECHOSLOVAKIA  
AND TURKEY**

Convention regarding Conditions of Residence and Business, with Protocol of Signature and Extracts of Minutes relating thereto. Signed at Angora, May 31, 1927.

<sup>1</sup> TRADUCTION. — TRANSLATION.No. 1753. — CONVENTION<sup>2</sup> BETWEEN THE CZECHOSLOVAK REPUBLIC AND THE TURKISH REPUBLIC REGARDING CONDITIONS OF RESIDENCE AND BUSINESS. SIGNED AT ANGORA, MAY 31, 1927.

*French official text communicated by the Permanent Delegate of the Czechoslovak Republic accredited to the League of Nations. The registration of this Convention took place June 25, 1928.*

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC, of the one part, and THE PRESIDENT OF THE TURKISH REPUBLIC, of the other part, being desirous of determining the conditions under which Czechoslovak nationals may establish themselves in Turkey and Turkish nationals in Czechoslovakia, have decided to conclude a Convention in accordance with the Treaty of Friendship<sup>3</sup> between Czechoslovakia and Turkey dated October 11th, 1924, and have appointed for that purpose as their Plenipotentiaries :

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC :

M. Miloš KOBR, Envoy Extraordinary and Minister Plenipotentiary of the Czechoslovak Republic at Angora ; and

THE PRESIDENT OF THE TURKISH REPUBLIC :

M. Ali DJENANI Bey, Former Minister of Commerce, Deputy for Ghazi Aintab ;  
M. Ali CHEVKI Bey, Under-Secretary of State in the Ministry of Foreign Affairs ;

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

## CONVENTION

BETWEEN CZECHOSLOVAKIA AND TURKEY RESPECTING CONDITIONS OF RESIDENCE AND BUSINESS.

*Article I.*

Nationals of either of the Contracting Parties shall have the right to establish themselves and reside on the territory of the other Party, and may, therefore, come, go and move about freely, subject to compliance with the laws, regulations and decrees in force in the country.

It is agreed that the provisions of the present Convention do not affect the right of each of the Contracting Parties to authorise or prohibit at will immigration into its country.

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

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

<sup>2</sup> The exchange of ratifications took place at Prague, April 6, 1928.

<sup>3</sup> Vol. XXXVIII, page 317, of this Series.

*Article 2.*

Each of the Contracting Parties reserves to itself the right to prohibit, in individual cases, nationals of the other Party from establishing themselves or residing within its territory, either under the order of a Court or in accordance with the laws and regulations relating to public morality, public health or mendicancy, or for other reasons affecting the internal or external safety of the State, and to expel them on these grounds. The other Party undertakes at any time to receive back its nationals and their families who have been expelled, provided that their nationality is certified by the competent consul.

Persons thus expelled shall be conveyed as far as the frontier or to the port of embarkation of the Party expelling them, at the cost of the latter.

*Article 3.*

Subject to compliance with the laws and regulations of the country, the nationals of either Contracting Party shall, on the same conditions as nationals of the most favoured nation, have the right to acquire, possess and dispose of all kinds of property, both movable and immovable, in the territory of the other Party, except in the cases provided for in their respective laws. They may, on the same conditions, dispose thereof freely by purchase, sale, gift, transfer, marriage settlement, testament, succession *ab intestato*, or in any other way.

In none of the above-mentioned cases shall they be subject to any charges, taxes or imposts of any description whatever other or higher than those which are or may hereafter be established in the case of nationals.

*Article 4.*

Nationals of either Contracting Party shall, in the territory of the other Party, have the right, on the same conditions as nationals of the most favoured nation and subject to compliance with the laws and regulations of the country, to engage in any kind of industry or commerce and to follow any trade or profession whatsoever, with the exception of occupations and professions which are or may hereafter be reserved for nationals.

*Article 5.*

Nationals of either Contracting Party shall not be required to pay any impost, tax or charge of any kind other or higher than those imposed on nationals of the country in order to stay or establish themselves in the territory of the other Party, or in respect of the exercise in that territory of any form of commerce or industry or of any trade or profession.

Nationals of either Contracting Party shall not be subject in the territory of the other Party to any charge, tax or impost, direct or indirect, other or higher than those which may be imposed on nationals of the country, in respect of their persons, property, rights and interests, or the acquisition, possession and enjoyment of such property, or in respect of the transfer of such property by grant, exchange or succession.

They shall, in particular, be authorised freely to export the proceeds of the sale of their property, and such property itself, subject to compliance with the legal provisions in force in the country, and in respect of such export they shall not, as aliens, be liable to taxes, duties and fees higher than those payable by nationals.

*Article 6.*

Nationals of either Contracting Party shall not be liable, in the territory of the other Party, to any military service, whether in the army, navy or air force or in the national guard or militia, or to any obligation or payment which replaces such service.

They shall only be liable to military contributions and requisitions imposed by law on nationals of the country.

*Article 7.*

The property of nationals of either Contracting Party may not be expropriated in the territory of the other Party except for reasons of public interest recognised by law as such, and the said foreign nationals shall be treated on terms of equality with nationals of the country.

*Article 8.*

Commercial companies, including industrial, financial, insurance, traffic and transport companies, which have their seat in the territory of either Contracting Party and which are there incorporated in accordance with the law of that country, shall be recognised as legal in the territory of the other Party, and may there bring or defend actions in the courts.

The admission of such companies to the exercise of their commerce or industry in the territory of the other Contracting Party shall be governed by the laws and regulations which are or may hereafter be in force in that territory.

The said companies, when transacting business in conformity with paragraph 2 above, shall not be required to pay in respect of the exercise of commerce or industry in the territory of the other Party any taxes, duties or charges other or higher than those imposed on national companies.

Subject to reciprocity and to compliance with the laws of the country, these companies may acquire all kinds of movable property, together with such immovable property as is necessary for the operations of the company, provided in this case that the acquisition of such property does not constitute the object of the company's existence.

It is agreed that the above provisions shall not affect the taxes in respect of admission for which any foreign company is or may be liable in the territory of either of the Contracting Parties.

*Article 9.*

Nationals of either Contracting Party shall enjoy in the territory of the other Party the same treatment as nationals of the country as regards the legal and judicial protection of their persons and property.

Accordingly, they shall have free and unhindered access to the courts and may sue and be sued on the same conditions as nationals of the country, subject to the provisions concerning security for costs and free judicial assistance. These latter questions shall be governed by local legislation until they are settled by a special convention between the two Parties.

*Article 10.*

It is agreed that neither of the Contracting Parties may invoke the benefit of the most-favoured-nation clause provided for in this Convention for the purpose of claiming, on behalf of its nationals and companies, any rights other or more extensive than those which it grants to the nationals and companies of the other Contracting Party.

*Article 11.*

The present Convention shall enter into force one month after the date of the exchange of ratifications, and shall remain in force for three years. Unless denounced by one or other of the

Contracting Parties at least six months before the expiration of the said period, it shall remain in force until it is denounced, and such denunciation shall not take effect until after the expiration of six months.

It shall be ratified and the ratifications shall be exchanged at Prague as soon as possible.

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

Done in duplicate at Angora, May 31, 1927.

(L. S.) (Signed) Miloš KOBR.

(L. S.) (Signed) Ali DJÉNANI.

(L. S.) (Signed) CHEVKI.

### PROTOCOL OF SIGNATURE.

On proceeding to sign the present Convention, the delegate of the Czechoslovak Government declares, on behalf of his Government, that the benefits derived from the most-favoured-nation clause provided for in Article 4 of the present Convention, may be claimed for Czechoslovak nationals in so far as concerns recognition of the acquired rights admitted by Turkey under Article 4 of the Convention respecting Conditions of Residence and Business<sup>1</sup>, concluded at Lausanne on July 24, 1923, in the case of nationals of the States which signed the said Convention.

The present Protocol shall form an integral part of the Convention signed on to-day's date and shall come into force at the same time as the Convention.

(Signed) Miloš KOBR.

(Signed) Ali DJÉNANI.

(Signed) A. CHEVKI.

### EXTRACT FROM THE MINUTES

OF THE MEETING OF JANUARY 25, 1927, HELD AT THE MINISTRY OF FOREIGN AFFAIRS AT ANGORA.  
CONVENTION REGARDING CONDITIONS OF RESIDENCE AND BUSINESS BETWEEN CZECHOSLOVAKIA  
AND TURKEY.

#### Article 3.

At the request of the Czechoslovak Delegation, the Turkish Delegation has agreed that this Article shall be replaced by Article 2 of the Treaty concluded with Finland.

The Czechoslovak Delegation has further requested the Turkish Delegation to supply information with regard to the treatment to be given to Czechoslovak nationals possessing rural property in Turkey.

The Turkish Delegation has declared that the acquired rights of Czechoslovak nationals in respect of rural property shall be recognised by the Turkish Government, and that the provisions of the Article in question only refer to the acquisition of such property in the future.

The Czechoslovak Delegation further desired to be informed whether the Turkish Government would recognise the transfer by succession of rural property belonging to Czechoslovak nationals,

<sup>1</sup> Vol. XXVIII, page 151, of this Series.

and contracts in respect of rental of land entered into between owners of rural property and the nationals in question.

The Turkish Delegation replied in the affirmative.

Miloš KOBR *m. p.*

Ali DJÉNANI *m. p.*

A. CHEVKI *m. p.*

#### EXTRACT FROM THE MINUTES

OF THE MEETING OF MAY 11, 1927, HELD AT THE MINISTRY OF FOREIGN AFFAIRS AT ANGORA.  
CONVENTION REGARDING CONDITIONS OF RESIDENCE AND BUSINESS BETWEEN CZECHOSLOVAKIA  
AND TURKEY.

#### *Article 4.*

At the request of the Czechoslovak Delegation, the Turkish Delegation declares that, in accordance with its legislation, no difference exists between the right to exercise any kind of industry and commerce and the right to be admitted to exercise the same.

Miloš KOBR *m. p.*

Ali DJÉNANI *m. p.*

A. CHEVKI *m. p.*