

N° 1644.

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**FINLANDE ET TURQUIE**

Convention de commerce et de navigation, avec protocole de signature.  
Signés à Angora, le 2 juin 1926.

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**FINLAND AND TURKEY**

Convention of Commerce and Navigation, with Protocol of Signature.  
Signed at Angora, June 2, 1926.

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

No. 1644. — CONVENTION<sup>2</sup> OF COMMERCE AND NAVIGATION BETWEEN FINLAND AND TURKEY. SIGNED AT ANGORA, JUNE 2, 1926.

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*French official text communicated by the Finnish Minister for Foreign Affairs. The registration of this Convention took place February 16, 1928.*

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FINLAND, of the one part, and TURKEY, of the other part, being desirous of strengthening the bonds of friendship which happily exist between the two countries, of settling the conditions under which their nationals may reside and carry on business in the two countries, and of developing their economic relations,

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

THE PRESIDENT OF THE FINNISH REPUBLIC :

H. E. M. Pontus ARTTI, Envoy Extraordinary and Minister Plenipotentiary ;

M. Gunnar KIHLMAN, Head of the Section of Commercial Affairs in the Finnish Ministry of Foreign Affairs ;

THE PRESIDENT OF THE TURKISH REPUBLIC :

H. E. Ali DJÉNANY Bey, Former Minister of Commerce, Deputy for Ghazi Ayintab ;

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

SECTION I.

CONDITIONS OF RESIDENCE AND BUSINESS.

*Article 1.*

The nationals of either Contracting Party shall have the right to settle and reside, to come and go, and to move about freely in the territory of the other Party, subject to compliance with the laws and regulations in force therein.

Each of the Contracting Parties retains full liberty of action with regard to immigration and the right to prohibit by individual measures entrance to or residence in its territory for reasons of public security and order.

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<sup>1</sup> Traduit par le Secrétariat de la Société des Nations.

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

<sup>2</sup> The exchange of ratifications took place at Helsingfors, January 24, 1928.

As regards any taxes or dues which may be payable in respect of residence and establishment, the nationals of both Parties shall enjoy most-favoured-nation treatment.

*Article 2.*

The nationals of either Contracting Party shall have the right, upon the same conditions as nationals of the most favoured nation, to acquire, possess and dispose of any kind of movable or immovable property in the territory of the other Party, except in the cases laid down in the laws of the respective countries, provided they comply with the laws and regulations of the country. They may, upon the same conditions, dispose of such property freely by purchase, sale, gift, transfer, marriage settlement, will, succession *ab intestato* or by any other means.

They shall not in any of the above cases be liable to dues, taxes or imposts of any kind whatsoever, other or higher than those which are or may in future be imposed on nationals.

*Article 3.*

Nationals of either Contracting Party shall, under the same conditions as nationals of the most favoured nation, have the right, in the territory of the other Party, to carry on any kind of industry or commerce and to engage in any trade or profession whatsoever the exercise of which is not or may not in future be restricted to nationals, provided they comply with the laws and regulations of the country.

*Article 4.*

Nationals of either Contracting Party shall not be liable in the territory of the other Party, as regards their person, property, rights and interests, and as regards the exercise of any kind of commerce, industry, trade or profession, to any direct or indirect, dues taxes or imposts other or higher than those which may be levied on nationals.

They shall in particular be entitled, subject to compliance with the laws in force in the country, freely to export the proceeds of the sale of their property, and their property itself, without thereby being subjected as foreigners to higher imposts, duties and taxes than those which nationals would have to pay.

*Article 5.*

Nationals of either Contracting Party shall not be liable in the territory of the other Party to any military service, whether in the land, naval or air forces, or in the national guard or militia, nor to any obligation or charge in lieu of military service.

They shall be exempt from all forced loans and shall only be liable to such military contributions and requisitions as may be legally imposed upon nationals.

*Article 6.*

Nationals of either Contracting Party may not be expropriated in the territory of the other Party, except on legally recognised grounds of public utility and on receipt of fair compensation. No expropriation may take place without previous notice and before compensation is paid or duly deposited.

*Article 7.*

Nationals of either Contracting Party in the territory of the other Party shall enjoy, as regards the legal and judicial protection of their person and property, the same treatment as is given to nationals.

They shall accordingly have free and unhindered access to the courts and may appear in court upon the same conditions as nationals, subject to the provisions relating to the *cautio judicatum solvi* and to free legal aid. The latter shall be governed by internal legislation until a settlement of these questions is effected by means of a special Convention between the two Parties.

*Article 8.*

Joint stock companies, co-operative societies and other commercial companies, including industrial, financial and insurance companies and companies for communications and transport, which have their head office in the territory of either of the Contracting Parties and are constituted therein in accordance with the laws of that country, shall be legally recognised in the territory of the other Party and shall have access to the Courts of that Party either as plaintiffs or defendants.

The admission of the said companies to the exercise of their commerce or industry in the territory of the other Contracting Party shall be conditional upon their observance of the laws and regulations which are or may hereafter be in force in that territory, and the regulations in respect of taxes and other dues relating to admission.

The said companies shall not be liable to more burdensome imposts, taxes and dues of whatever denomination or kind than those imposed upon similar national companies.

Such companies may, under the same conditions as those applicable to the most favoured nation and provided they comply with the laws of the country, acquire any kind of movable property and also such immovable property as is necessary for their operations, on the understanding that, should they do so, the acquisition of such property is not the essential object of the company.

*Article 9.*

Nationals of either of the Contracting Parties and the companies and co-operative societies domiciled in the territory of such Party shall not be liable in the territory of the other Party to taxation on any assets other than those within the country in question or on any income derived from elsewhere.

*Article 10.*

It is agreed that neither Contracting Party may invoke the most-favoured-nation clause, referred to in this Section as a reason for claiming on behalf of its nationals, companies and co-operative societies, rights other or more extensive than those which it grants itself to the nationals, companies and co-operative societies of the other Contracting Party.

## SECTION II.

### COMMERCE AND NAVIGATION.

*Article 11.*

The products of the soil and of industry originating in and coming from Turkey, enumerated in List A annexed to the present Convention shall be granted, on importation into Finland, the percentages of reduction indicated in that list. The said percentages shall apply to any surcharges or coefficients of increase which are or may hereafter be in force.

The products of the soil and of industry originating in and coming from Finland, enumerated in List B annexed to the present Convention, shall not be subject on importation into Turkey, to any duties, including coefficients, other or higher than those fixed in that list.

*Article 12.*

The products of the soil and of industry originating in and coming from Turkey, enumerated in Lists A and C annexed to the present Convention, shall not in any case be subject, on importation into Finland, as regards Customs duties and coefficients or surcharges or in any other respect whatever, to less favourable treatment that is or may hereafter be accorded to similar products of a third country.

The products of the soil and of industry originating in and coming from Finland, enumerated in Lists B and D annexed to the present Convention, shall not in any case be subject, on importation into Turkey, as regards Customs duties and coefficients or in any other respect whatever, to less favourable treatment than is or may hereafter be accorded to similar products of a third country.

*Article 13.*

Products of the soil and of industry of either of the Contracting Parties, which have passed through the territories of one or more States not Parties to the present Convention, shall not be subject, on importation into the territory of the other Party, to duties or taxes other or higher than if they had been imported direct from their country of origin.

*Article 14.*

Products of the soil and of industry originating in and coming from the territory of either of the Contracting Parties imported into the territory of the other Party, shall enjoy therein, as regards internal taxes of any kind whatsoever, the treatment granted to like products of a third country.

*Article 15.*

Either Contracting Party may, in order to establish the country of origin of the goods imported, require the production of a certificate of origin stating that such goods are products of the soil and industry of the said country, or that they must be considered as such in view of the labour expended on them therein.

The certificates of origin agreed upon by the two Contracting Parties, shall be issued either by the Departments of Commerce or Agriculture or by the Chamber of Commerce to which the consignor belongs, or by any organ or body which the country of destination may accept. The Government of the country of destination may require certificates of origin to be legalised by its diplomatic or consular representative.

Certificates of origin will be dispensed with in the case of postal packages, if the non-commercial nature of such packages is recognised by the country of destination.

*Article 16.*

There shall be reciprocal freedom of commerce and navigation between the territories of the Contracting Parties. The Contracting Parties accordingly agree not to hamper their reciprocal commercial relations by import or export prohibitions or restrictions, unless the maintenance or introduction of such prohibitions or restrictions is absolutely necessary.

Should either Contracting Party establish prohibitions or restrictions on the import or export of goods, it shall grant to the other Party the same treatment as has been, or may hereafter be, granted to goods coming from a third country.

The provisions of this Article shall not apply when the import or export prohibitions or restrictions are established or retained.

- (1) For the security of the State ;
- (2) For the protection of public health, or as sanitary measures or measures for the prevention of epizooties and epiphytes ;
- (3) For the establishment or maintenance of State monopolies ;
- (4) In order to prohibit or regulate the importation of alcoholic products ;
- (5) In respect of seeds which, owing to their origin, cannot germinate in the country into which they are imported.

*Article 17.*

The Contracting Parties undertake to grant each other transit on routes which are most suitable for international transit, in respect of persons, baggage, goods and articles of all sorts, consignments, vessels, boats, carriages, wagons or other means of transport, and to guarantee each other in this respect most-favoured-nation treatment.

Goods of all kinds conveyed across the Customs territory of either of the Contracting Parties shall be reciprocally exempt from all Customs duties and other dues, with the exception of duties and taxes for supervision, statistical duties and other administrative dues.

The provisions of this Article shall apply to goods in transit which have been transhipped or warehoused, whether or not their wrapping has been changed.

It is understood, however, that the transit of such goods shall be guaranteed in conformity with the respective Customs regulations, in order to prevent their introduction into the country.

Neither Contracting Party shall be bound to ensure the transit of travellers whose admission to its territory may be prohibited.

The transit of goods may be prohibited :

- (a) For reasons of public security and for the safety of the State ;
- (b) For reasons connected with public health, or as a precaution against diseases of animals and plants.

The Contracting Parties shall be entitled to take the necessary precautions to ensure that goods which, within their territories, are the subject of a State monopoly, are really in transit.

*Article 18.*

The two Contracting Parties guarantee each other most-favoured-nation treatment on their territories as regards transport rates and methods, conditions of delivery, and public taxes and dues on their respective railways.

*Article 19.*

Vessels and boats flying the flag of either of the Contracting Parties and entering or leaving the waters and ports of the other Party in ballast or with cargo, whatever may be the place from which they come or to which they are proceeding, shall be accorded within these waters and ports the same treatment in all respects as national vessels, and shall not be subjected to any duty or tax of any nature whatsoever levied in the name and on behalf of the State, provinces, communes or any organisations authorised by the Government, other or higher than those which are or may hereafter be levied on national vessels.

*Article 20.*

Cargoes of vessels, whatever may be the place from which they come or to which they are proceeding, shall not pay other or higher duties or charges than those imposed on goods imported or exported in vessels flying the national flag, nor shall they be treated otherwise than goods imported or exported in such vessels. Passengers and their baggage shall receive the same treatment as if they were conveyed on vessels flying the national flag.

*Article 21.*

The provisions of Articles 19 and 20 shall not apply to the coasting trade, which shall be exclusively reserved for vessels flying the national flag, to fishing, including seal hunting, in territorial waters, to pilotage and the employment of pilots, to towage and other port services and to navigation in inland waters.

*Article 22.*

The documents and certificates issued for the purpose by the competent authorities of the respective States in accordance with their laws and regulations, shall be recognised by both Parties as establishing the nationality of boats and vessels.

Tonnage measurement certificates and other tonnage measurement documents issued by either Contracting Party shall be recognised by the other Party in conformity with any special agreements which may be concluded between the two Contracting Parties.

*Article 23.*

Vessels and boats under the flag of one of the Contracting Parties entering a port belonging to the other Party with the sole object of completing their cargo or of unloading some portion thereof, shall be entitled, provided that they conform to the laws and regulations of the State concerned, to retain on board any portion of the cargo which is consigned to another port or to another country and to re-export such portion of the cargo without being liable to pay any duty or charges thereon, except supervision fees. The latter shall, however, be levied at the lowest rate paid by national vessels.

*Article 24.*

If a vessel of one of the two Contracting Parties should be wrecked, run aground, be damaged at sea, or compelled through stress of weather or accident to put into harbour, in the waters of the other Party, the vessel and its cargo shall enjoy the same benefits and immunities as are granted by the laws and regulations of the country concerned in similar circumstances to national vessels. Assistance and relief shall be given to the master, the crew and the passengers, both for themselves and for the vessel and its cargo, to the same extent as would be afforded to nationals.

As regards salvage charges, the law of the country where salvage takes place shall be applicable.

Goods salvaged from a stranded or wrecked vessel shall not be subject to any Customs duties unless they are admitted into the country for consumption therein.

*Article 25.*

Each of the Contracting Parties undertakes that goods of the other Party shall benefit on its territory by the provisions of the International Convention<sup>1</sup> of Paris, dated March 20, 1883, for the Protection of Industrial Property, as revised<sup>2</sup> at Washington on June 2, 1911.

*Article 26.*

The provisions of the present Convention shall not apply :

- (1) To treatment which is or may hereafter be granted by one of the Contracting Parties in frontier traffic with contiguous countries ;
- (2) To special privileges resulting from a Customs union ;
- (3) To special privileges and benefits which are or may hereafter be established in respect of Customs tariffs, and generally in all other commercial transactions between Turkey and the territories detached from the Ottoman Empire in 1923 ;
- (4) To privileges and benefits which Finland has granted or may hereafter grant to Estonia with a view to preserving her traditional trade relations with that country ;
- (5) To privileges which Finland has granted or may hereafter grant to neighbouring States in respect of navigation in the Baltic Sea and its gulfs north of Lat. 58° N. ;
- (6) To privileges which Finland has granted or may hereafter grant in respect of the importation of wines and alcoholic beverages.

*Article 27.*

The present Convention shall come into force one month after the date of the exchange of ratifications, and shall remain in force until the expiry of a period of three months reckoned from the date of its denunciation by either of the Contracting Parties.

*Article 28.*

The present Convention shall be ratified and the ratifications shall be exchanged at Helsingfors as soon as possible.

In faith whereof, the above-mentioned Plenipotentiaries have signed the present Convention and have thereto affixed their seals.

Done in duplicate at Angora on June 2, 1926.

(L. S.) Pontus ARTTI.

(L. S.) Ali DJÉNANY.

(L. S.) Gunnar KIHLMAN.

<sup>1</sup> *British and Foreign State Papers*, Vol. 74, page 44.

<sup>2</sup> *British and Foreign State Papers*, Vol. 104, page 116.



## LIST A.

No. in Finnish Tariff	Class of Goods	Percentage reduction on duties
ex 76	Figs, raisins and currants . . . . .	100 %
78	Walnuts and other edible nuts (hazelnuts), also chestnuts . . . . .	100 %
166	Tobacco : manufactured : other than cigars and cigarettes, also tobacco substitutes . . . . .	30 %
268	Carpets : knotted, not exceeding 180 knots per lineal metre . . . . .	75 %
269	Carpets : knotted, exceeding 180 knots per lineal metre . . . . .	75 %
ex 814	Olive oil . . . . .	100 %

## LIST B.

No. in Turkish Tariff	Class of Goods	Duties and coefficients per 100 kilos
32	(b) Cheese . . . . .	480 × 5
ex 210	Veneering woods less than 1 cm. thick, of birch, aspen pine, and fir . . . . .	75 × 12
235	Packing paper, corrugated or not, and tarred paper . . . . .	70 × 5
249	Ordinary rough cardboard, tarred, asphalted . . . . .	40 × 5
250	Ordinary varnished cardboard : cardboard boxes, undecorated and tubes of cardboard . . . . .	150 × 5
251	Fine cardboards, whether varnished or not, unprinted and undecorated, including photographic cards . . . . .	160 × 5

## LIST C.

LIST OF ITEMS IN THE FINNISH TARIFF INDICATING PRODUCTS ORIGINATING IN AND COMING FROM TURKEY WHICH RECEIVE MOST-FAVORED-NATION TREATMENT ON BEING IMPORTED INTO FINLAND :

29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 49, 50, 51, 55, 59, 70, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81.  
 104, 105, 107, 123, 124, 125, 126, 127, 134, 136, 149, 155, 156, 157, 158, 159, 163, 164, 165, 167, 168, 169, 170, 172, 175.  
 229, 230.  
 408, 449, 464, 482.  
 508.  
 735, 738, 749, 750, 754, 775, 776.  
 814, 816, 817, 821, 830, 848, 868.  
 900, 923, 931, 934, 935, 936, 941, 956, 957, 958, 960, 961.

## LIST D.

LIST OF ITEMS IN THE TURKISH TARIFF INDICATING PRODUCTS ORIGINATING IN AND COMING FROM FINLAND WHICH RECEIVE MOST-FAVOURLED-NATION TREATMENT ON BEING IMPORTED INTO TURKEY.

27, 31, 34, 35, 38, 44, 45, 63, 79, 80.  
 118, 121, 153, 166, 167, 178, 185, 189, 190, 194.  
 200, 204, 205, 206, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 221, 222, 223, 225,  
 231, 232, 234, 236, 237, 238, 240, 241, 242, 243, 246, 247, 252, 253, 258, 259, 260, 261, 262, 263,  
 285, 286, 287, 288, 292, 293, 295, 296, 297, 298.  
 303 *b*, 304 *b*, 305 *a*, 308 *a*, 311, 356, 359, 360, 367, 370, 371, 374, 380, 384, 387, 396.  
 402, 403, 404, 405, 406, 412, 413, 419, 437, 438, 440, 441, 442, 446, 455, 456, 458, 460.  
 507, 512, 513, 554, 561, 570, 587.  
 609, 637, 638, 648, 649, 668.  
 762, 763, 772.

## PROTOCOL OF SIGNATURE.

On proceeding to sign the present Convention the Contracting Parties have agreed upon the following provisions :

(1) It is understood that the Contracting Parties shall grant to each other most-favoured-nation treatment in respect of export duties and all export taxes of any class or nature whatsoever.

(2) The delegates of the Finnish Republic declare on behalf of their Government that the most-favoured-nation clause referred to in Article 3 of the present Convention may not be invoked in order to claim for Finnish nationals the right — recognised by Turkey, in virtue of Article 4 of the Convention<sup>1</sup> respecting Conditions of Residence and Business and jurisdiction, concluded at Lausanne on July 24, 1923, — which was acquired by nationals of the States which signed that Convention.

(3) The Contracting Parties note that the inclusion in Article 26, paragraph 6, is due to the Finnish legislation on wines and alcoholic beverages in Finland.

(4) The Contracting Parties, approving the principle of preventing double taxation, state, as a corollary to Article 9, that nationals, companies and cooperative societies of one of the Contracting Parties not established in the territory of the other Party, shall not be liable therein to taxes on the profits of their export trade to the territory of the latter Party, so long as they have no establishment there.

(5) The present Protocol shall be an integral part of this Convention and shall take effect as soon as the latter comes into force.

ANGORA, *June 2, 1926.*

Pontus ARTTI.  
 Gunnar KIHLMAN.

Ali DJÉNANY.

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