

N° 2049.

**GRANDE-BRETAGNE
ET IRLANDE DU NORD
ET GRÈCE**

Echange de notes comportant un accord pour le rachat par le Gouvernement hellénique des biens expropriés ou expropriables appartenant à des sujets britanniques en Grèce, Athènes, le 17 février 1927, et échange de notes modifiant l'accord ci-dessus, Athènes, le 1^{er} février 1929.

**GREAT BRITAIN
AND NORTHERN IRELAND
AND GREECE**

Exchange of Notes constituting an Agreement for the Re-purchase by the Hellenic Government of expropriated or expropriable Properties of British Subjects in Greece, Athens, February 17, 1927, and Exchange of Notes modifying the above Agreement, Athens, February 1, 1929.

No. 2049. — EXCHANGE OF NOTES BETWEEN THE BRITISH AND HELLENIC GOVERNMENTS CONSTITUTING AN AGREEMENT FOR THE RE-PURCHASE BY THE HELLENIC GOVERNMENT OF EXPROPRIATED OR EXPROPRIABLE PROPERTIES OF BRITISH SUBJECTS IN GREECE. ATHENS, FEBRUARY 17, 1927.

Textes officiels anglais et français communiqués par le Secrétaire d'Etat aux Affaires étrangères de Sa Majesté en Grande-Bretagne. L'enregistrement de cet échange de notes a eu lieu le 7 juin 1929.

I.

MINISTÈRE
DES AFFAIRES ÉTRANGÈRES.

N° 2172.

ATHENS, *February 17, 1927.*

MONSIEUR LE MINISTRE,

With reference to the correspondence which has been exchanged between us on the subject of the re-purchase by the Hellenic Government of properties belonging to British subjects and expropriated or expropriable under the Hellenic Rural Law dated October 15, 1926, codifying rural laws from No. 2052 dated February 27, 1920, onwards, or requisitioned or occupied, I have the honour to declare to Your Excellency that the Hellenic Government undertakes to repurchase the properties in question and to effect payment for them in cash throughout a period not exceeding three years from April 1, 1927, in accordance with the method of valuation and under the conditions set forth below, or alternatively to restore to the owner of any such property not so purchased the same measure of full and effective ownership and of exclusive possession which he enjoyed before the property was requisitioned or expropriated by the Greek Government, or occupied, and free from any restriction which might reduce its fair marketable value, or negotiability.

The conditions and methods of valuation to which I have referred are as follows :

(1) The Hellenic Government undertakes to repurchase the properties at prices to be fixed by free negotiation between the Government and the interested parties.

(2) In case of disagreement, the Hellenic Government shall enjoy the following right of option between :

(a) The Hellenic Government may elect not to carry out the repurchase, in which case it undertakes to restore to the owner the same measure of full and effective ownership, and of full and exclusive possession, of the property affected, which he enjoyed before the property was requisitioned or expropriated by the Greek Government, or occupied, and free from any restrictions which might reduce its fair marketable value, or negotiability, within a period of one year and six months from this date ;

N^o 2049. — ÉCHANGE DE NOTES ENTRE LES GOUVERNEMENTS BRITANNIQUE ET HELLÉNIQUE, COMPORTANT UN ACCORD POUR LE RACHAT PAR LE GOUVERNEMENT HELLÉNIQUE DES BIENS EXPROPRIÉS OU EXPROPRIABLES APPARTENANT A DES SUJETS BRITANNIQUES EN GRÈCE. ATHÈNES, LE 17 FÉVRIER 1927.

English and French official texts communicated by His Majesty's Secretary of State for Foreign Affairs in Great Britain. The registration of this Exchange of Notes took place June 7, 1929.

¹ TRADUCTIONS. — TRANSLATIONS.

I.

MINISTÈRE
DES AFFAIRES ÉTRANGÈRES.

N^o 2172.

MONSIEUR LE MINISTRE,

ATHÈNES, le 17 février 1927.

Me référant à la correspondance échangée entre nous au sujet du rachat par le Gouvernement hellénique de biens immobiliers, appartenant à des ressortissants britanniques, expropriés ou expropriables, en vertu de la Loi agraire hellénique du 15 octobre 1926 (où sont codifiées les lois agraires à partir de la Loi N^o 2052 du 27 février 1920) réquisitionnés ou occupés, j'ai l'honneur de déclarer à Votre Excellence que le Gouvernement hellénique assume l'obligation alternative ci-après : il s'engage, soit à racheter les biens immobiliers en question et à en effectuer le paiement en espèces dans un délai ne dépassant pas trois années à dater du 1^{er} avril 1927, conformément à la méthode d'estimation et selon les conditions précisées ci-après, soit à restituer au propriétaire des biens de cette catégorie qui ne seront pas achetés, un droit de propriété pleine et effective et de possession exclusive identique à celui dont il jouissait avant la réquisition ou l'expropriation desdits biens par le Gouvernement grec, ou leur occupation, lesdits biens étant exempts de toute servitude pouvant diminuer leur juste valeur marchande ou leur négociabilité.

Les conditions et les principes d'estimation auxquels j'ai fait allusion sont les suivants :

1. Le Gouvernement hellénique s'engage à racheter les biens à un prix qui sera déterminé par des négociations libres entre le Gouvernement et les parties intéressées.

2. En cas de désaccord, le Gouvernement hellénique aura le droit de choisir entre les alternatives suivantes :

a) Le Gouvernement hellénique pourra¹ décider de ne pas effectuer le rachat et, dans ce cas, il s'engage à restituer au propriétaire un droit de propriété pleine et effective et de possession pleine et exclusive dudit bien, identique à celui dont il jouissait avant la réquisition ou l'expropriation du bien par le Gouvernement grec, ou son occupation, le bien étant exempt de toute servitude pouvant diminuer sa juste valeur marchande ou sa négociabilité et ce, dans un délai de dix-huit mois à partir de la présente date ;

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

¹ Translated by the Secretariat of the League of Nations, for information.

or

(b) The Hellenic Government may demand that the price calculated in drachmae shall be fixed by two experts, nominated by the Government and the proprietor respectively, at their free and unrestricted choice, to whom there shall be added, in the event of failure to agree, a third expert, of Hellenic nationality, nominated by agreement between the Government and the proprietor. If they fail to agree on the choice of the third expert, the President of the Court of First Instance shall be appointed.

It is understood that the Hellenic Government shall enjoy, whether before or after electing to invoke the decision of experts foreshadowed above, the right to restore to the owner the same measure of full and effective ownership and full and exclusive possession of his property as he enjoyed before the property was requisitioned or expropriated by the Greek Government, or occupied, and free from any restrictions which might reduce its fair marketable value, or negotiability, as an alternative to the repurchase of the property by the Hellenic Government.

The Hellenic Government undertakes, on the other hand :

- (a) To open negotiations with the proprietors forthwith and,
- (b) To invoke expert opinion, in such cases as it may elect to avail itself of the option to do so, within six months of the date of the present Note.

In the proceedings between the experts in cases where the latter are nominated, the property shall be assessed at the average price per stremma at which similar large proportion (*chifliks*) were sold in the open market during the years 1908-12, multiplied by a coefficient not less than eight (8) or greater than ten (10) for the purposes of payment in paper drachmae. The Hellenic Government undertakes to increase the coefficient proportionally to any depreciation in the rate of exchange of the drachma as compared with the rate of exchange of four hundred drachmae (400) to the pound (£) sterling.

For lands which are built on and where the owner draws rents in money or an agreed equivalent from the building, a special price shall be arranged for the area, buildings included, thus leased which will be assessed on the rent paid at twenty (20) years' purchase.

Payment shall be made by the Hellenic Government in three equal instalments, the first to be made not later than six months after agreement has been reached concerning the price to be paid and the third in any case within three years from April 1, 1927.

The Hellenic Government further undertakes to ensure to the owners a rent of four (4) per cent on the assessed value for such lands of theirs as have been expropriated, requisitioned or occupied, from the moment of expropriation, requisition or occupation to that of repurchase by the Greek State or restitution to the owner in accordance with the present agreement.

The Hellenic Government undertakes to pay the agreed price of properties repurchased free from all taxation.

It remains understood that if the Hellenic Government undertakes at any time to proceed to the repurchase of properties, expropriated or expropriable under the Hellenic Rural Law of October 15, 1926, belonging to the subjects or citizens of any other foreign State or States on conditions which are regarded by His Majesty's Government as preferable to those described in the present Note, the subjects of His Britannic Majesty shall not be subjected to treatment less favourable than that accorded to the nationals of such foreign State or States.

I avail myself of this opportunity, Monsieur le Ministre, to renew to Your Excellency, the expression of my highest consideration.

(Signed) A. MICHALAKOPOULOS.

His Excellency

Sir Percy Loraine, Bart, K.C.M.G.,

Envoy Extraordinary and Minister Plenipotentiary,
Athens.

II.

BRITISH LEGATION.

ATHENS, February 17, 1927.

MONSIEUR LE MINISTRE,

I have the honour to acknowledge the receipt of Your Excellency's Note No. 2172 of to-day's date, on the following terms :

(Here follows the text of the preceding note of the Hellenic Minister for Foreign Affairs.)

I have the honour to thank Your Excellency for this communication, of which I take note on behalf of His Majesty's Government.

I avail myself of this opportunity, Monsieur le Ministre, to renew to Your Excellency, the expression of my highest consideration.

(Signed) Percy LORAINÉ.

His Excellency
Monsieur Michalakopoulos,
Minister for Foreign Affairs,
Athens.

III.

(C III3/92/19.)

MINISTÈRE
DES AFFAIRES ÉTRANGÈRES.

N° 4494.

ATHÈNES, le 1^{er} février 1929.

MONSIEUR LE MINISTRE,

Me référant aux entretiens que nous avons eus sur l'Accord conclu le 17 février 1927 entre le Gouvernement hellénique et le Gouvernement de Sa Majesté dans le Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord au sujet du rachat par le Gouvernement hellénique des propriétés immobilières appartenant à des sujets britanniques expropriés, expropriables, réquisitionnés ou occupés, j'ai l'honneur de proposer à Votre Excellence, pour des raisons d'ordre pratique et en vue de faciliter la liquidation de cette question, d'apporter les modifications suivantes aux clauses de l'accord fixant des délais :

1^o Le délai de trois ans à partir du 1^{er} avril 1927 mentionné dans le premier paragraphe de l'accord ci-dessus est porté à quatre ans à partir du 1^{er} avril 1927.

2^o Le texte de l'accord ci-dessus, sous le numéro 2, lettre, (a) d'après lequel :

« The Hellenic Government may elect not to carry out the repurchase, in which case it undertakes to restore to the owner the same measure of full and effective ownership, and of full and exclusive possession of the property affected, which he enjoyed before the property was requisitioned or expropriated by the Greek Government, or occupied, and free from any restrictions which might reduce its fair marketable value, or negotiability, within a period of one year and six months from this date. »¹

Traduction.

¹ « a) Le gouvernement hellénique pourra décider de ne pas effectuer le rachat et, dans ce cas, il s'engage à restituer au propriétaire un droit de propriété pleine et effective et de possession pleine et exclusive dudit bien, identique à celui dont il jouissait avant la réquisition ou l'expropriation du bien par le Gouvernement grec, ou son occupation, le bien étant exempt de toute servitude pouvant diminuer sa juste valeur marchande ou sa négociabilité, et ce, dans un délai de dix-huit mois à partir de la présente date.

II.

LÉGATION BRITANNIQUE.

ATHÈNES, le 17 février 1927.

MONSIEUR LE MINISTRE,

J'ai l'honneur de vous accuser réception de la note N° 2172 de Votre Excellence datée de ce jour, et rédigée comme suit :

(Suit le texte de la note précédente du Ministre des Affaires étrangères de Grèce.)

J'ai l'honneur de remercier Votre Excellence de cette communication dont je prends acte au nom du Gouvernement de Sa Majesté.

Je saisis l'occasion pour renouveler, etc.

(Signé) Percy LORAINÉ.

A Son Excellence

Monsieur Michalakopoulos,
Ministre des Affaires étrangères,
Athènes.

III.

(C 1133/92/19.)

MINISTRY
OF FOREIGN AFFAIRS.

No. 4494.

ATHENS, February 1, 1929.

MONSIEUR LE MINISTRE,

With reference to our conversations regarding the Agreement concluded on February 17, 1927, between the Hellenic Government and His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland, concerning the repurchase by the Hellenic Government of properties belonging to British subjects and expropriated, expropriable, requisitioned or occupied, I have the honour to propose, for practical reasons and with a view to furthering the settlement of this question, the following amendments to the clauses of the agreement laying down time-limits :

(1) The period of three years from April 1, 1927, mentioned in the first paragraph of the above agreement, is extended to four years from April 1, 1927.

(2) The text of paragraph (2) (a) of the agreement, by which :

“ The Hellenic Government may elect not to carry out the repurchase, in which case it undertakes to restore to the owner the same measure of full and effective ownership, and of full and exclusive possession of the property affected, which he enjoyed before the property was requisitioned or expropriated by the Greek Government, or occupied, and free from any restrictions which might reduce its fair marketable value, or negotiability, within a period of one year and six months from this date. ”

Est remplacé comme il suit :

« The Hellenic Government may elect not to carry out the repurchase, in which case it undertakes to restore to the owner the same measure of full and effective ownership, and of full and effective possession, of the property affected, which he enjoyed before the property was requisitioned or expropriated by the Greek Government, or occupied, and free from any restrictions which might reduce its fair marketable value, or negotiability, before August 31, 1929. Should the Hellenic Government decide not to purchase a property, they undertake to restore it to the owner before August 31, 1930. »¹

3^o Le texte de l'accord ci-dessus sous la lettre (b) visant la consultation d'experts par le Gouvernement hellénique d'après lequel :

« The Hellenic Government undertakes, on the other hand: (a) to open negotiations with the proprietors forthwith, (b) to invoke expert opinion, in such cases as it may elect to avail itself of the option to do so, within six months of the date of the present Note. »²

Est remplacé comme il suit :

« The Hellenic Government undertakes, on the other hand, (a) to open negotiations with the proprietors forthwith and (b) to invoke expert opinion, in such cases as it may elect to avail itself of the option to do so until August 31, 1929 ».³

4^o Le délai dans lequel le prix de rachat devra être intégralement versé par le Gouvernement hellénique aux propriétaires est porté à quatre ans à partir du 1^{er} avril 1927 au lieu de trois ans stipulés dans l'accord ci-dessus.

Il est bien entendu que ce qui précède implique l'engagement de la part du Gouvernement hellénique d'une exécution aussi rapide que possible de l'accord en question dans les termes modifiés comme ci-dessus.

Veuillez agréer, Monsieur le Ministre, l'assurance de ma haute considération.

(Signed) A. CARAPANOS.

Son Excellence

Sir Percy Loraine, Bart., K.C.M.G.,

Envoyé extraordinaire et Ministre plénipotentiaire
de Sa Majesté britannique,
en Ville.

Traduction.

¹ « Le Gouvernement hellénique pourra décider de ne pas effectuer le rachat et, dans ce cas, il s'engage à restituer au propriétaire, avant le 31 août 1929, un droit de propriété pleine et entière et de possession pleine et exclusive dudit bien, identique à celui dont il jouissait avant la réquisition ou l'expropriation du bien par le Gouvernement grec ou son occupation, le bien étant exempt de toute servitude pouvant diminuer sa juste valeur marchande ou sa négociabilité. Si le Gouvernement hellénique décide de ne pas acheter un bien mobilier, il s'engage à le restituer à son propriétaire avant le 31 août 1930. »

² « D'autre part, le Gouvernement hellénique s'engage : a) à entrer immédiatement en négociations avec les propriétaires, et, b) à faire appel à l'avis d'experts dans un délai de six mois à partir de la date de la présente note, dans les cas où il décidera de se servir de cette faculté.

³ « D'autre part, le Gouvernement hellénique s'engage : a) à entrer immédiatement en négociations avec les propriétaires, et, b) à faire appel à l'avis d'experts jusqu'au 31 août 1929, dans les cas où il décidera de se servir de cette faculté. »

Is replaced by the following :

“ The Hellenic Government may elect not to carry out the repurchase, in which case it undertakes to restore to the owner the same measure of full and effective ownership, and of full and effective possession, of the property affected, which he enjoyed before the property was requisitioned or expropriated by the Greek Government, or occupied, and free from any restrictions which might reduce its fair marketable value, or negotiability, before August 31, 1929. Should the Hellenic Government decide not to purchase a property, they undertake to restore it to the owner before August 31, 1930. ”

(3) The text of paragraph (b) in the agreement which provides for the consultation of experts by the Hellenic Government and by which :

“ The Hellenic Government undertakes, on the other hand: (a) to open negotiations with the proprietors forthwith, (b) to invoke expert opinion, in such cases as it may elect to avail itself of the option to do so, within six months of the date of the present Note. ”

is replaced by the following :

“ The Hellenic Government undertakes, on the other hand: (a) to open negotiations with the proprietors forthwith, and (b) to invoke expert opinion, in such cases as it may elect to avail itself of the option to do so until August 31, 1929. ”

(4) The period within which the complete repurchase price must be paid to the proprietors by the Hellenic Government is extended to four years from April 1, 1927, instead of the three years stipulated in the agreement.

It is, of course, understood that the foregoing implies an undertaking on the part of the Hellenic Government to execute the said agreement with the above amendments as rapidly as possible.

I have the honour to be, etc.

(Signed) A. CARAPANOS.

His Excellency
Sir Percy Loraine, Bart., K. C. M. G.,
His Britannic Majesty's
Envoy Extraordinary and Minister Plenipotentiary,
Athens.

IV.

BRITISH LEGATION.

No. 31.

ATHENS, *February 1, 1929.*

MONSIEUR LE MINISTRE,

I have the honour to acknowledge the receipt of Your Excellency's Note 4494 of to-day's date in the following terms :

(Here follows the text of the preceding note from the Hellenic Minister for Foreign Affairs.)

I have the honour to inform Your Excellency that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland having taken into consideration the motives which have prompted the Hellenic Government to request the modification of the time limits set forth in the agreement concluded on February 17, 1927, with a view to facilitate its general application, inspired with the desire to meet the wishes of the Hellenic Government, and having taken note of the assurance given by the Hellenic Government in the sense that the mutual acceptance of these modifications implies an engagement on their part to proceed to as prompt a fulfilment as possible of the terms of the agreement as modified in Your Excellency's Note under acknowledgement, consent to that modification.

I avail myself of this opportunity, Monsieur le Ministre, to renew to Your Excellency, the expression of my highest consideration.

(Signed) Percy LORAINÉ.

His Excellency
Monsieur A. Carapanos,
Minister for Foreign Affairs,
Athens.
