

GRÈCE ET TURQUIE

Accord en vue de faciliter l'application de certaines dispositions du Traité de Lausanne et de la Déclaration N° IX annexée à ce traité, signé à Athènes, le 1^{er} décembre 1926, avec annexe, protocole final et déclaration de la même date, ainsi que deux protocoles et un procès-verbal de signature, signés à Angora, le 21 juin 1925.

GREECE AND TURKEY

Agreement to facilitate the Application of certain Provisions of the Treaty of Lausanne and of Declaration No. IX annexed to that Treaty, signed at Athens, December 1, 1926, with Annex, Final Protocol and Declaration of the same Date, as well as two Protocols and a Procès-Verbal of Signature, signed at Angora, June 21, 1925.

¹ TRADUCTION. — TRANSLATION.

No. 1565. — AGREEMENT² BETWEEN GREECE AND TURKEY TO FACILITATE THE APPLICATION OF CERTAIN PROVISIONS OF THE TREATY OF LAUSANNE³ AND OF DECLARATION No. IX ANNEXED TO THAT TREATY. SIGNED AT ATHENS, DECEMBER 1, 1926.

French official text communicated by the Chargé d'Affaires of the Hellenic Republic at Berne. The registration of this Agreement took place November 15, 1927.

THE PRESIDENT OF THE GREEK REPUBLIC and THE PRESIDENT OF THE TURKISH REPUBLIC, being desirous of removing the difficulties which have arisen regarding the application of certain provisions of the Treaty of Peace of Lausanne and of Declaration No. IX annexed to that Treaty, have decided to conclude an agreement with a view to facilitating the application of the said Treaty provisions and have appointed for this purpose as their Plenipotentiaries :

THE PRESIDENT OF THE GREEK REPUBLIC :

His Excellency M. P. ARGYROPOULO, Minister for Foreign Affairs ;

THE PRESIDENT OF THE TURKISH REPUBLIC :

His Excellency M. SARADJOGLOU CHUKRI Bey, Chairman of the Turkish Delegation to the Mixed Commission for the Exchange of Greek and Turkish populations,

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

Article 1.

Immovable property situated in districts of Greece to which the exchange applied and belonging to Moslems who left such districts before October 18, 1912, or who have always resided outside Greece, or to any Turkish nationals, shall be acquired by the Greek Government under the conditions provided for in Articles 5 and 6 if it is impossible to restore it to the owners on account of its being occupied by immigrants or peasants.

Urban property, including both land and buildings, together with woods, forests and summer pasture-land shall in principle be restored to their owners.

Article 2.

Immovable property situated in districts of Turkey, the Greek population of which has been exchanged, and belonging to Greeks who left Turkey before October 18, 1912, or who have always

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

² The exchange of ratifications took place at Athens, June 23, 1927.

³ Vol. XXVIII, page 11, of this Series.

resided outside that country, or to any Greek nationals, shall be acquired by the Turkish Government, under the conditions laid down in Articles 5 and 6, up to the value of the property which the Greek Government may acquire.

Article 3.

The measure provided for under the foregoing Articles shall also refer to any mines or fisheries which may be owned by the persons to whom the said provisions apply.

Article 4.

The terms "Moslem", "Greek national", and "Turkish national" which are used in Articles 1 and 2 shall apply equally to physical and juridical persons.

The terms "Greek national" and "Turkish national" shall not apply to the persons specified in the Convention¹ concerning the Exchange of Greek and Turkish Populations.

Article 5.

The property to be acquired by the two High Contracting Parties in conformity with the foregoing provisions shall be valued according to the principles laid down in the Annexé hereto.

The persons concerned shall be entitled to be present at the valuation of their property either in person or through a legal representative acting in virtue of individual or collective powers of attorney.

Article 6.

When the work of valuation is completed, the sums due on both sides shall be balanced. If these sums do not correspond, the balance shall be paid in cash by the Greek Government, which shall use for this purpose the surplus of the revenues controlled by the International Finance Commission up to a maximum of five hundred thousand pounds sterling.

If the sum to be paid exceeds the foregoing estimate, the Greek Government undertakes to renew, after the first payment, the guarantee given in conformity with the preceding paragraph for the remainder of the balance, which shall bear interest at 6 %.

If, after a balance has been struck, either of the Governments finds itself in possession of property which has not been included in the liquidation, all questions relating to the obligation to restore the said property, particularly questions of compensation for delay in restoration or possible guarantees, shall be decided by the Mixed Commission.

Article 7.

With a view to restricting the application of the method of settlement provided for above, the Greek Government shall be entitled to conclude special agreements with Turkish owners who may wish to sell to that Government their immovable property situated in Greece. Should such purchases, however, have been made before the determination by the Mixed Commission of the average regional price of the property, and a price which is more than 35 % lower than that average, the owner shall be entitled to the difference between the price obtained and the regional average less 35 %. If need be, the Mixed Commission shall, at the owner's request, have the property which has been sold valued. The difference in price shall be entered in the general liquidation account.

The Greek Government also reserves the right to pay in cash the valuation price of any property to be acquired by it and to exclude this amount from the account to be set off. Payment shall be made to the Turkish Government.

¹ Vol. XXXII, page 75, of this Series.

Article 8.

Property in the possession of Greek owners now established in districts where the system of set-off applies, a list of which is annexed to this Agreement, may not be seized before valuation. The value of such property shall only be set-off if the Greek Government so requests. The latter shall, in respect of such property excluded from set-off, effect payment, after valuation, of a sum corresponding to its value, and on account of the debt of that Government which is to be set-off.

The Greek Government reserves the right to exclude from the system of set-off any other property referred to in Article 2 by advancing, one month after the valuation of such property, a sum corresponding to its value, on account of its debt which is to be set-off. The Greek Government must notify its intention of availing itself of this right fifteen days at latest after the valuation.

Should any property, however, have been appropriated at this date for public utility purposes, it cannot be excluded from set-off without the consent of the Turkish Government.

Article 9.

Rural and urban property to which the provisions of Article 1 do not apply, and property situated in the part of Greece excluded from the exchange shall be restored to the owners free of all charges within one month from the entry into force of this Agreement.

Property belonging to the persons mentioned in Article 2 and situated in parts of Turkey in which the exchange of populations has not been applied shall also be restored to the owners free of all charges within the same period.

Property situated in Asia Minor and Eastern Thrace shall be restored under the same conditions upon being excepted from the system of set-off.

Rural property must be restored in its entirety. Nevertheless, property may be restored in part if the owner does not consider division to be prejudicial to his interests. The rural property mentioned in the second paragraph of Article 1 may in all cases be restored independently of the estate of which it forms part.

Owners who have again entered into possession of their property in conformity with the foregoing provisions shall have the right to dispose of it freely and without hindrance.

Article 10.

Such arrangements and measures as may have been exceptionally taken either before or after the entry into force of the Treaty of Peace of Lausanne by one or other of the two Governments with respect to the property mentioned in the foregoing Article or with respect to the movable assets of the respective nationals, shall be annulled as from the date of the entry into force of this Agreement.

Article 11.

The High Contracting Parties agree to extend the benefits of this Agreement reciprocally to owners whose property was expropriated in the respective countries either before or after the entry into force of the Treaty of Peace of Lausanne.

Expropriated property, and property confiscated or subjected to any exceptional measure at this date, shall be valued, in conformity with the Annex hereto, as if the measures in question had not been applied. Any restoration of property in this category to the persons entitled shall take place under the conditions laid down in Article 9.

Article 12.

Revenues the payment of which to the owners is laid down in paragraph 2 of Declaration No. IX annexed to the Treaty of Peace of Lausanne shall be set-off in a separate account, the balance of which shall be entered in the general liquidation account.

The same rules shall apply to the revenues derived from any other property mentioned in the present Agreement.

It is understood that, in the absence of a special agreement between the two Governments, such difficulties as may arise in connection with the said revenues shall be settled by the Mixed Commission.

Article 13.

As regards the persons mentioned in Articles 1 and 2, any method of proof may be used to establish the fact of their having left Greek and Turkish territory respectively before October 18, 1912, or of having always resided outside such territory. In doubtful cases, the fact shall be proved before the Mixed Commission.

No enquiry shall be made into the nationality of a person if such nationality was formerly recognised by the authorities of the country where the immovable property to be set-off or restored is situated.

All disputes relating to nationality shall be settled by the Mixed Commission without prejudice to decisions which may incidentally be given by the Greco-Turkish Arbitral Tribunal as a result of action previously taken by the persons concerned in conformity with the Treaties.

Enquiries necessitated by the application of the first and third paragraphs above, shall be henceforth carried out by a committee formed *ad hoc* from among the members of the Mixed Commission. This provision shall not affect decisions which may already have been given on this subject.

Article 14.

It shall be the duty of the Mixed Commission for the Exchange of Greek and Turkish Populations to apply the present Agreement.

The Mixed Commission shall set up the necessary valuation groups, each of which shall be composed of a Turkish expert, a Greek expert and a national of a third Power, who shall be at the head of the group.

Article 15.

The provisions of the present Agreement shall only be applicable to nationals of the High Contracting Parties.

It is, however, understood that persons who were Turkish or Greek subjects at the time of the entry into force of the Treaty of Peace of Lausanne and who afterwards acquired a foreign nationality shall preserve all the rights assured by Articles 65 and 66 of the said Treaty of Peace and by Declaration No. IX annexed thereto.

Article 16.

The present Agreement which refers to the method of executing certain undertakings arising from the Treaties and other Acts signed at Lausanne on July 24, 1923, shall in no way affect those provisions of the said international instruments which are not specially mentioned in the foregoing stipulations.

The principles recognised for the valuation of the property referred to in the present Agreement shall not affect the basis on which the valuation of property left in the respective countries by persons liable to exchange shall be effected.

Article 17.

The present Agreement shall be ratified. The ratifications shall be exchanged at Athens as soon as possible.

In faith whereof, the above-mentioned Plenipotentiaries have signed the present Agreement.

Done at Athens, the first day of December, one thousand nine hundred and twenty-six, in duplicate.

(L. S.) P. A. ARGYROPOULO.

(L. S.) SARADJOGLOU CHUKRI.

ANNEX.

1. The valuation of the property shall be made according to the following principles :
The property shall be classified in three categories :

A. — Urban property, including :

- (a) Dwelling places, shops and other buildings ;
- (b) Building ground.

B. — Rural property, including :

- (a) Fields and meadows ;
- (b) Vineyards, orchards, fig trees, olive trees, nut trees, market and other gardens ;
- (c) Pasture land ;
- (d) Rural buildings ;
- (e) Forests.

C. — Works, factories, mines and fisheries.

2. The valuation of this property shall be made separately for each item of property after investigation on the spot.

Urban and rural property shall be valued on the basis of the present market value. In order to establish this value the following data shall be taken as a basis :

- (a) The sale price of property of the same category and of the same nature, situated in the same locality and subject to the same conditions ;
- (b) The rent of such property and of the property to be valued.

3. Sale prices and rents arbitrarily fixed and differing from those resulting from the operations of the law of supply and demand shall not be taken into account. Such would be rents and sale prices influenced by the moratorium law or fixed without the free consent of the owner.

On the other hand, sales not affected by laws and measures of restriction and legally concluded without special authorisation being obtained shall be taken into account. The sale prices of rural property of small area shall, however, only be taken as indicating a basis for the valuation of immovable property of greater extent.

4. In places where sales of rural immovable property have not occurred within the last three years, the basis taken shall be the prices and rents in districts where similar economic conditions prevail, or, failing such, the productivity of the property to be valued. By productivity shall be understood the average yield of the property according to the system of cultivation (sowing, rotation, fallow land, intensity) ordinarily applied to property of the same kind in the same district.

In the case of small peasant holdings, the basis shall be the system of cultivation employed in the district under normal conditions.

5. Rural buildings shall only be valued separately if they represent capital which is independent of the capital used in the agricultural undertaking. For example, the owners' dwellings and the buildings and plants of rural industries (mills, dairies, cellars) shall be valued.

Stables, stores, dwellings of labourers or farmers, irrigation installations, etc., shall not be included in the special valuation. For the valuation of rural buildings in places where the market price or the rent cannot be taken as a basis, the basis shall be the prices of buildings situated in the nearest town, a reduction being made on account of the distance from that town.

Land at present used for market gardens or other agricultural undertakings shall be valued as building land if it is included in the area of a town and its suburbs.

6. In valuing rural property, buildings which may have been constructed after the dispossession of the owner shall not be taken into consideration.

7. In places where a large number of buildings in identical conditions has to be valued, an aggregate valuation of such property may be carried out, a few only of the buildings being valued and the present value being compared with that entered in the land taxation registers.

If on comparison a difference is found to exist, a coefficient shall be established and applied to all buildings of the same kind situated in the same locality and subject to the same conditions.

8. If the valuation price of a dwelling-house or building to be set-off in Turkey is more than 10 % lower than the value entered in the registers, which were made out subsequent to the Law of February 5, 1328, relating to the registering of immovable property, the Turkish Government shall be entitled to exclude such property from set-off, or acquire it at the price entered in the said registers, less 10 %.

In the same way, if the valuation price of a building plot or of a rural property is more than 50 % less than the pre-war price, the Turkish Government shall be entitled to have it excluded from set-off or to acquire it for half its pre-war price.

9. As regards more particularly property situated in Eastern Thrace and in the Peninsula of Vurla, the following provisions shall apply:

If the valuation price of a dwelling-place or building is more than 10 % less than the value entered in the registers made out subsequent to the Turkish Law of February 5, 1328, the Greek Government shall be entitled to have it excluded from set-off, due notice being given of its intention to do so within a period not exceeding one month.

The same shall apply to building land and rural property, the valuation price of which is more than 50 % less than the pre-war price.

The value of any property thus excluded from set-off shall be entered in a special account, which shall be given priority and settled within a period not exceeding one month, over and above any sums which the Greek Government may have to pay as the balance owing after set-off.

10. — Forests shall be valued according to their capacity of yield, regard being had to their distance from centres of communication.

11. The valuation of building land in the Salonica and Smyrna zones which were destroyed by fire shall be made on the basis of the present price of such land, the average price obtained at auction sales in each sector being considered as indicating a basis for such valuation.

12. For the valuation of works, factories, mines and fisheries, account shall be taken of special factors to be determined by a Commission composed of two technical experts appointed by each of the High Parties, and of a third expert chosen jointly from among the nationals of a neutral country.

Done at Athens, in duplicate, December 1, 1926.

(L. S.) P. A. ARGYROPOULO.

(L. S.) SARADJOGLOU CHUKRI.

LIST OF IMMOVABLE PROPERTY

BELONGING TO GREEK NATIONALS ESTABLISHED AT SMYRNA, MERSINA AND PENDIK AND IN POSSESSION OF THE OWNERS.

A. SMYRNA :

1. Maria Petrou Sassou and Eugenia P. Sassou : House, 88, Lazare Street.
2. Ignatios John Sclavos, Paulina St. Sclavou and Maria D. Anastassaki, House.
3. Nic. Vassiliou Glytsos : House, 125, Messoujje Street.
4. Nicolas Spyr. Dragonas : Four houses with one garden, 22, 24, 26, 28, Hendek Street.
5. Calliopi John Kaouri : House, 28, Binbachi Serafedine Street.
6. Demetrius Divaris : House, 5, Caracol Street.
7. Paulina Alex. Varibati : House, 40, Henkiam Street.
8. Antonia George Kaloumenou : House, 40, Meidan Street.
9. Themais Themist. Stylianopoulou : House, 1, Banca Street.
10. Lucy Polycarpou Psalti : House with shop, 24, Tozlou Street.
11. Peter John Armao : House, 44, Banca Street.
12. Constantine Ath. Stamatiadis, Theophano Const. Stamatiadis and James Ath. Stamatiadis : Workshop (mill). Cemetery quarter. House.
13. Dr. Eustace John Halkiopoulos : 4/7 of a house, 638, Birinji Cordon.
14. Athena J. Halkiopoulos : House, 129 Parali Kioprou Street.
15. Anthony Peter Guizi : House, 23 Hadji Bekir Street.
16. James Abraam Benghiat : House, 45, Haviar Hamami.
17. Irene Georges Corfiatou : House with garden, 769, Tramway Street.
18. Judas Abraam : House, 2, Tocandi Street.
19. Maria, Widow of Nicolas Foscolo : Two houses and a garden, 28, Chasiroglou Street and 12 Osman Zade.
20. Maria Th. Palamari, née J. Halkiopoulos : House, 487, Ikinji Cordon.
21. Eriphile Panay. Kastritsou : House, 23, Donan Maji Street.
22. Catherine Const. Vitali, née Corinthiou : House, 67, Hendik Street.
23. Maria, Widow of John Vitali : House, 4, Dermenji Street.
24. Catherine, Widow of Nic. Foscolo : House, 12, Donan Maji Nazli Street.
25. Catherine Fr. Alberti : House, Sevda Street.
26. Dr. Raphael V. Corrés : House, 21, Saadoulah Street.
27. Maria Fr. Prelorenzo : House, 46, Caracol Street.
28. George Pavlou Vitali : House, 5, Mouadess Mezar.
29. Peter Const. Zallone : House, 16 Inkiam Street.
30. Victoria George Prindizi : House, 80, Scarayinou Street.
31. Polycarpus Ant. Caloumenos : House, 40 Mouradie Street.
32. Aemilia John Caloumenos : A quarter of three houses. Mouradie and Selimié Streets, 20, 7 and 9.
33. Steph. Polyc. Derman : House with shop. Station Street.
34. Anthony Vinc. Damolino : House and garden. 27, Mazgema Street.
35. Antoinette Joseph Collaro : House 115, Mortakia.
36. Maria J. Fr. Gambeli, née V. Haviara : House, 27 Henkiam Street.
37. Joseph, Adela, Marius Gambeli and Maria Psalti : House, Donam Maji.
38. Francis Gambeli : House, 41, Donam Maji.
39. Olympia, Widow of John Pezmajogliu : House, 22, Gazel Street.
40. John Nikiph. Vitali and Maria Vitali : House, Osman Zade Street.
41. Philip Leonard Vitali : House, 33, Caracol Street.
42. Marguerite Exarhou, née Corsini : House, 25, Accdenis Street.
43. Heirs of Sophocles Adamopoulos : Three houses, 18, Vassil Street, 52, Caracol Street and 16 Gomma Street.
44. Sophia Joseph Armacola : Two houses, 23 and 25, Caracol Street.
45. Rozita C. Zira, née Boretti : House, 31, Sayeste Street.
46. Maria Xenopoulo, née Batista : House, 6, Esref Pacha Street.
47. Maria Michael Leshopoulou : House, 33, Siahli Street.
48. Calitsa Zallone : House, 47, Yenikislar :
49. Vassilia Mologaru, née Zamofta : House, 3, Souzan Street.
50. Mme. Baldji : House.
51. M. Djavelopoulos : House.
52. (Struck out).

53. Rocos Galinos : House.
54. Maria Rigou : House.
55. Paul Savopoulos : House.
56. Cather. Vitali : Half a house.
57. N. Lefthéris : Building.

B. MERSINA :

1. Andrew G. Mavromati : 4 shops and a store (Mahmoudie quarter). A house (Residence of the Vali). A house and five shops (Cyprus quarter). Several shops (Cyprus quarter). Stone house (Salonica Bank).
2. George C. Mavromati. Caravanserai situated at Adana.
3. Heirs of Constantine Mavromati. A field situated at Yumurtalik. Two-storied house (near the Orthodox Church). House adjoining the foregoing. House adjoining the foregoing. Two-storied house at Tarsus (Kouzou Kale).
4. Heirs of Christopoulos Dembas : Two-storied house with 19 rooms at Tarsus : Stone store at Tarsus. Garden with fruit trees (60 str.) on the Tarsus-Mersina road. Land 2,274 sq. p. at Tarsus, near the station. 3 houses at Giozhane. Garden at Giozhane (70 str.). Half of a cotton fabric factory.
5. Gregory Carayoryi : land of 400 sq. p. Mersina market. Garden in the town of Mersina (9 str.). Cultivable field near Mersina (29 str.). Cultivable field near Mersina (25 str.).
6. David Antoniadis : House near the station.
7. Europi D. Mathioudi : Two-storied house at Adana (Kourou Kioprou). A vineyard. Several fields and land.
8. Heirs of the Widow Barouti : Stone house and land of 1,000 p. at Mersina. Land of 1,800 p. at Mersina.
9. Heirs of Andrew Nicolaidis. One-storey house with garden of 700 p. at Mersina. Country house with garden of 1 str. (Foundouk Pounar). One-storey house at Mersina (Kiolroussou Mahali).
10. Emmanuel Argyriadis : One-storied house at Mersina (Bachtassi Mahali). Two-storied house near the Arab Church.

C. PENDIK.

1. Demetrius Lambriadis : House.
2. Nicolas J. Vassilopoulo : House.
3. Timoleon Picmaleon : House.
4. Angeliki Xenaki : House.
5. Demetrius Aristidou : House.
6. Victoria Kouteli : House.
7. Aristides Riga : House.

(L. S.) P. A. ARGYROPOULO.

(L. S.) SARADJOGLOU CHUKRI.

(N. B.) According to the information of the Greek Government, the value of the above-mentioned property does not greatly exceed the sum of £60,000.

P. A. ARGYROPOULO.

SARADJOGLOU CHUKRI.

FINAL PROTOCOL.

I.

The two Governments undertake to adopt the necessary measures in order that the ratification of the Agreement shall not be deferred later than next January.

The undersigned, however, agree as follows :

(a) Articles 9, 10 and 13 of the Agreement shall come into force immediately after signature.

(b) The Mixed Commission may proceed, before the Agreement is ratified, to form the groups provided for in Article 14 and to carry out any preliminary work of valuation.

(c) The two Governments reserve the right to examine jointly the advisability of beginning, under certain conditions, the valuation of property in their possession in certain places before the exchange of ratifications.

(d) The Greek Government shall pay to the Turkish Government, without waiting for the ratification of the Agreement, a sum of fifteen million drachmae on account of the revenues from Turkish property received by the Greek Treasury. The Greek Government shall, however, be entitled subsequently to enter this sum in the account of the payments which it will have to make under Article 8 of the Agreement.

II.

As the property mentioned in Article 2 of the Agreement may only be set off up to the value of the property which the Greek Government will acquire in accordance with Article 1, it is understood that any immovable property which may have been excluded from set-off in Turkey, and which should therefore be returned to the owners, shall be situated in a single district easily accessible to Greek nationals.

III.

All sums awarded by final decisions of the Greco-Turkish Arbitral Tribunal in matters coming within the sphere of the application of Articles 65 and 66 of the Treaty of Peace of Lausanne, taken in conjunction with the provisions of the Agreement concluded this day, shall be entered in the set-off and liquidation account provided for in Article 6 of the said Agreement, so long as the account in question has not been closed.

IV.

Any important questions of principle arising in the Mixed Commission in connection with the new powers which are conferred upon it by the Agreement signed this day and which, at the time of the conclusion of this Agreement, it did not possess in virtue of the previous instruments determining its competence, shall be submitted to the President of the Greco-Turkish Arbitral Tribunal at Constantinople for arbitration. The awards of the arbitrator shall be binding.

V.

The two High Contracting Parties agree that, in conformity with Article 6 of the Convention¹ respecting conditions of Residence and Business and Jurisdiction signed on July 24, 1923, and subject to the provisions of the Agreement signed this day, the property of Turkish nationals in Greece and of Greek nationals in Turkey may not be expropriated except on grounds of public utility recognised by law as such, and in return for fair compensation to be paid in advance.

VI.

The present Act shall form an integral part of the Agreement signed this day at Athens and shall be ratified at the same time as the latter.

In faith whereof, the respective Plenipotentiaries have signed the present Protocol.

Done at Athens, in duplicate, December 1, 1926.

P. A. ARGYROPOULO.
SARADJOGLOU CHUKRI.

¹ Vol. XXVIII, page 151, of this Series.

DECLARATION.

I.

The undersigned, acting in virtue of their full powers, declare on behalf of their respective Governments that the Agreement concluded at Athens this day replaces one of the Acts signed at Angora on June 21, 1925, the " Agreement relating to the property of Turks in Greece and of Greeks in Turkey ".

II.

Protocols Nos. I and II signed on the said date at Angora and the Act called " Procès-verbal of Signature " shall be maintained in so far as they are not modified by the new Agreement. It is, however, understood that the first paragraph of Protocol No. II remains unaffected.

III.

The provisions drawn up at Angora on June 21, 1925, with a view to the application of Articles 2 and 16 of the Convention signed at Lausanne on January 30, 1923, shall be submitted to the Mixed Commission to be given the form of resolutions of the Commission in the interval between the ratification of the Agreement by the competent authorities of the two countries and the exchange of the instruments of ratification .

In view of the fact that the Act containing the provisions relating to the above-mentioned Article 16 has reference to the Agreement signed at Angora on June 21, 1925, as regards the method of fixing and paying the compensation to be given to owners whose immovable property is to be expropriated, it is understood that the clauses of that former agreement settling the points in question shall be inserted in the text of the Mixed Commission's resolution relating thereto.

It is likewise understood that, pending the Mixed Commission's resolutions, no measure or action whatsoever shall be taken by either side which might aggravate the present situation, either from the point of view of the personal position of the individuals mentioned in the said resolutions or from the point of view of their property and interests.

IV.

As regards the valuation of property which, in accordance with Article IV, paragraph 4, of the resolution interpreting Article 16 of the Convention of January 30, 1923, must be made, if necessary, on the expiry of four years after the entry into force of the said resolution by the Mixed Commission, it is agreed that the two Governments, in order to accomplish this task, shall have recourse, should the Mixed Commission terminate its work in the interval, to a Commission composed of a Turkish member, a Greek member and a Chairman, who shall be a national of a Power which remained neutral during the war of 1914 to 1918 and who shall be chosen by common agreement, or, in the case of a difference of opinion, by the Swiss Federal Court if the latter assents thereto.

In faith whereof the respective Plenipotentiaries, whose full powers were found in good and due form, have signed the present Declaration, which shall form an integral part of the Agreement signed this day at Athens and shall be ratified at the same time as the latter.

Done at Athens in duplicate on December 1, 1926.

P. A. ARGYROPOULO.

D. JEVAD.

PROTOCOL No. I.

The expression "juridical person" in the Agreement relating to property signed this day includes the "Union and Progress", commercial, industrial and financial companies, including transport and insurance companies, and all other associations and corporations.

The powers of attorney presented by the legal representatives of the owners of property, the restoration of which is provided for in the above-mentioned Agreement, shall be legalised as speedily as possible by the respective Governments, which shall, for purposes of legalisation, merely affix their signature or seal to such documents. Any investigations for the purpose of verifying the nationality of the owner or the fact that such owner left Greece before October 18, 1912, or has always resided outside Greece, shall be carried out independently of the legalisation of the said powers of attorney.

As concerns the "civil list", the two Governments agree to submit this question to arbitration or to settle it subsequently by direct negotiation

Done at Angora in duplicate on June 21, 1925

G. A. EXINTARIS.

M. HAMDI.

PROTOCOL No. 2.

All Moslems who have, since October 18, 1912, left those territories of Greece the Moslem inhabitants of which are to be exchanged, shall be included in the exchange by application of Article 3 of the Convention of Lausanne, notwithstanding any formalities which they may have fulfilled in execution of treaties or conventions then existing, and in particular the option for Turkish nationality which they may have exercised in conformity with the Treaty of Athens.

Nevertheless, persons who left the above-mentioned territories before the said date, October 18, 1912, and returned after that date to their country of origin in order to make a short stay there, but without the intention of again taking up permanent residence there or of retaining their former Greek nationality, shall not be included in the provisions of the foregoing paragraph.

The fact that a person obtained a Greek passport after 1918 in order to proceed to Greece under the foregoing conditions does not in itself constitute a proof that he has retained his Greek nationality, unless it is corroborated by other facts, such as that of having resided in the country for more than a year, participated there in political life as an elector or candidate, accepted public office or responsibilities and bought or sold immovable property as a Greek national, or of having appeared in court or been mentioned, as a Greek national, in an authentic notarial or administrative document.

Done at Angora, in duplicate, June 21, 1925.

G. A. EXINTARIS.

M. HAMDI.

PROCÈS-VERBAL OF SIGNATURE.

III.

It is understood that Protocol No. I relating to the interpretation of the term "juridical persons" does not in any way concern Wakf property situated on Greek territory and under the authority of the former Ministry of the Evkaf; the question does not arise with regard to this

property as it was finally settled by the Convention concerning the Exchange of Greek and Turkish populations. Obviously the above-mentioned Protocol likewise does not concern property of any kind belonging to the communities specified in Articles 8 and 9 of the said Convention which prescribes their method of liquidation.

IV.

The two Governments undertake to open negotiations, after the expiry of the period of six months provided for in Article 4 of the resolution to be adopted by the Mixed Commission concerning the application of Article 16 of the Convention of Lausanne, for the handing over of the lists of persons whose return will be authorised for the purpose of settling the personal status of the persons specified in the said Article who do not benefit by the right of return. Nevertheless, it is understood that this settlement shall not in any case result in any prejudice to or loss of patrimonial rights in general, and in particular the rights of succession of the said persons.

Done at Angora, in duplicate, June 21, 1925.

G. A. EXINTARIS.

M. HAMDI.