

N° 1862.

**UNION ÉCONOMIQUE
BELGO-LUXEMBOURGEOISE
ET TURQUIE**

Traité de commerce et de navigation
avec protocole de signature. Si-
gnés à Angora, le 28 août 1927.

**ECONOMIC UNION OF
BELGIUM AND LUXEMBURG
AND TURKEY**

Treaty of Commerce and Navigation,
with Protocol of Signature. Signed
at Angora, August 28, 1927.

¹ TRADUCTION. — TRANSLATION.No. 1862. — TREATY² OF COMMERCE AND NAVIGATION BETWEEN THE ECONOMIC UNION OF BELGIUM AND LUXEMBURG AND TURKEY. SIGNED AT ANGORA, AUGUST 28, 1927.

French official text communicated by the Belgian Minister for Foreign Affairs. The registration of this Treaty took place November 12, 1928.

HIS MAJESTY THE KING OF THE BELGIANS, acting both on HIS OWN BEHALF AND ON BEHALF OF HER ROYAL HIGHNESS THE GRAND DUCHESS OF LUXEMBURG, in virtue of existing agreements, of the one part, and HIS EXCELLENCY THE PRESIDENT OF THE TURKISH REPUBLIC, of the other part, being desirous of encouraging trade and of developing the economic relations between the Economic Union of Belgium and Luxemburg and Turkey, have resolved to conclude a Treaty of Commerce and Navigation and have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF THE BELGIANS :

Baron Jean DE VILLENFAGNE DE SORINNES, Officer of the Order of Leopold, His Envoy Extraordinary and Minister Plenipotentiary accredited to His Excellency the President of the Turkish Republic ;

HIS EXCELLENCY THE PRESIDENT OF THE TURKISH REPUBLIC :

Ali DJENANY Bey, Deputy for Ghazi Aintab, former Minister of Commerce, and Ali CHEVKI Bey, Under-Secretary of State at the Ministry of Foreign Affairs,

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

Article 1.

Products of the soil and of industry originating in the territory of one of the Contracting Parties shall not be subject, on importation into the territory of the other Party, to duties, coefficients, taxes or charges of any kind other or higher than those which are, or may subsequently be, levied on like products of a third country.

The products of both Parties enumerated in Annexes A and B respectively, while enjoying the provisions laid down in the first paragraph, shall not be subject to import duties, including all coefficients of increase and surcharges, higher than those specified in the said Annexes.

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.

² The exchange of ratifications took place at Brussels, October 12, 1928.

Article 2.

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

This provision shall apply both to goods in direct and indirect transit, in accordance with the respective legislations.

Article 3.

Products exported from the territory of one of the Contracting Parties and consigned to the territory of the other Party shall not be subject to duties or charges other or higher than those which are or may hereafter be applied to like products consigned to the most favoured nation.

Equality of treatment with a third country extends also to the method of collecting import and export duties, the warehousing of goods in Customs warehouses, Customs charges and formalities, and the Customs treatment of goods imported, exported or in transit, and their consignment "c/o Customs".

Article 4.

All the products of the soil and of industry originating in the territory of one of the Contracting Parties shall enjoy in the territory of the other Party, as regards internal taxes of any kind whatsoever, the same treatment as has been or may hereafter be granted to like products of the nation most favoured in this respect.

Article 5.

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 or industry of the said country, or that they must be considered such in view of the processes to which they have been subjected 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 approve. The Government of the country of destination may require certificates of origin to be legalised by its diplomatic or consular representative.

The country of destination may waive the requirement of a certificate of origin in the case of consignments of very small importance.

Article 6.

There shall be reciprocal freedom of commerce and navigation between the territories of the Contracting Parties. The Contracting Parties accordingly undertake not to hamper their reciprocal commercial relations by any import, export or transit prohibitions and restrictions.

Nevertheless, the Contracting Parties reserve the right to establish import and export prohibitions and restrictions, provided that these measures shall apply to all countries or to the countries in which the same conditions prevail :

(1) In order to preserve the resources indispensable for the food supply and to safeguard the economic activity of the nation ;

- (2) For reasons of public security and for the safety of the State ;
- (3) To safeguard public health or to protect useful animals and plants against diseases and noxious insects and parasites, in conformity with the international principles adopted in this respect ;
- (4) In the case of goods which constitute a State monopoly and with a view to applying to foreign goods prohibitions and restrictions which are or may in future be established by internal legislation in respect of production, sale, transport or consumption within the country of the same foreign goods ;
- (5) To prevent the export of gold specie or gold bullion ;
- (6) To prevent the use of opium and other poisons.

Article 7.

The two Contracting Parties guarantee each other most-favoured-nation treatment as regards the transit through their territory, of passengers, luggage, goods of every kind, consignments, vessels, vehicles, railway wagons and other means of conveyances.

Article 8.

With respect to the transport by rail of passengers, luggage, and goods, the two Contracting Parties guarantee each other the treatment granted to their own nationals as regards despatch, transport rates and public taxes on transport.

Notwithstanding the above provisions, both Contracting Parties are free to grant, or authorise the grant of, reductions in rates or transport facilities on their territory to certain categories of persons or goods ; they may also allow special rates for transport between specified points with a view to developing traffic between various parts of their territories or with neighbouring States.

Article 9.

Commercial travellers, who are nationals of one of the Contracting Parties, shall enjoy, in the territory of the other Party the same treatment as the commercial travellers of the most favoured nation in everything connected with their business operations and in particular as regards the Customs facilities granted with respect to samples.

Nationals of one of the Contracting Parties travelling to fairs or markets for the purpose of carrying on their trade shall not be treated less favourably on the territory of the other Party than the nationals of the most favoured nation.

The above provision not being applicable to itinerant craftsmen or to hawking, both Contracting Parties reserve complete liberty of legislation in this respect.

Article 10.

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 for and on behalf of the State, provinces, communes or any organisations authorised by the Government, other than those which are or may be levied on national vessels.

Article 11.

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 levied 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 12.

The provisions of Articles 10 and 11 shall not apply to the coasting trade, which is exclusively reserved for vessels flying the national flag, to fishing, to pilotage and the profession of pilot, to towage, and other port services and to navigation in inland waters.

The assimilation of vessels and their cargoes to those under the national flag does not extend to subsidies or bonuses which are or may hereafter be granted to the national mercantile marine.

Article 13.

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 pending the conclusion of a special agreement between the two Parties.

The same shall apply to the documents relative to the seaworthiness of vessels, on presentation of which the vessels of one of the Contracting Parties shall be exempt in the ports and waters of the other Party from all formalities other than those concerning the verification of the authenticity of such documents.

Article 14.

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 duties or charges thereon, except supervision fees. The latter shall, however, be levied at the lowest rate paid by national vessels.

Article 15.

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. Aid and assistance 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 16.

Equality of treatment with a third State shall not be applicable :

- (1) To the privileges which are or may hereafter be granted by one of the Contracting Parties in frontier traffic with contiguous countries within a zone not exceeding, as a general rule, 15 kilometres on both sides of the frontier ;

- (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.

Article 17.

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

It will enter into force one month after the date of the exchange of ratifications, for a period of two years. After that date it shall remain in force until it is denounced by one of the Contracting Parties, such denunciation taking effect after the expiration of six months.

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

Done in duplicate at Angora on August 28, 1927.

(Signed) J. DE VILLENFAGNE.

(Signed) Ali DJENANY Bey.

(Signed) Ali CHEVKI Bey.

LIST A.

Tariff No.	Description of Goods	Import duty per 100 kg.	Coefficients
51	Grain, even roasted :		
	<i>a</i>) Oats	3	2
74	Almonds :		
	<i>a</i>) Dried :		
	(1) In the shell	35	2
	(2) Shelled	50	2
80	Figs :		
	<i>b</i>) Dried	9	2
85	Hazel-nuts :		
	<i>a</i>) In the shell, whether or not still having their cupule.	7	3
	<i>b</i>) Shelled	14	3
98	Grapes :		
	<i>b</i>) Dried (" Sultanié " and " Razaki " qualities) :		
	(1) In bunches	25	4
	(2) Other	25	4
277	Unmanufactured tobacco :		
	<i>a</i>) Not stripped	320	
523	Floor Carpets :		
	<i>a</i>) Knotted or twisted pile, of any origin, including imitations, having per linear metre of warp :		
	(1) 150 or less rows of stitches	3	8
	(2) 151-200 rows	5	8
	(3) 201-250 rows	7	8
	(4) 251-300 rows	10	8
	(5) 301-350 rows	15	8
	(6) 351-400 rows	20	8
	(7) More than 400 rows	25	8

LIST B.

Tariff No.	Description of Goods	Basic rate per 100 kg.	Coefficients
270	Cotton fabrics : (a) Unbleached : (1) Cabots cloths, waste cloths, grey twills, grey drills, shirtings, grey cambrics, grey longcloths and other similar unbleached fabrics, including flannelettes	400	5
	(b) Dyed or printed : (5) Fabrics not enumerated elsewhere, dyed or printed, bright, glossy, damask or figured, cretonnes, fabrics reps, striped or flowered fabrics, coverings and similar fabrics manufactured of dyed or printed yarn, including printed flannelettes	560	5
296	Fabrics of flax, damask or printed, of all kinds, such as : Table cloths, towels, serviettes, ribbons with woven borders, handkerchiefs not cut out, bed-spreads, tablecloths	1000	5
323	Fabrics and cloths not enumerated elsewhere, fullled or not, for men's or women's clothing, for furnishing and other uses, made of wool or mixed with other materials other than silk : (a) Pure wool : (1) Weighing less than 200 gr. per sq. metre (2) Weighing from 200-600 gr. per sq. metre (3) Weighing more than 600 gr. per sq. metre (b) Cotton warp : (1) Weighing less than 200 gr. per sq. metre (2) Weighing from 200-600 gr. per sq. metre (3) Weighing more than 600 gr. per sq. metre (4) Aba and chayak, coarse and chayaks woven from ordinary goat-hair (pure or mixed with cotton).	1600 1400 1300 1100 900 600 1000	5 5 5 5 5 5 5
406	Window and plate glass, ordinary, plain or fluted : (a) White or semi-white (b) Coloured or corrugated (c) Enamelled or engraved, including framed	35 80 660	5 5 5
416	Unsilvered glass and glass for shop fronts (enamelled and engraved glass excluded)	60	5
424	Iron and steel goods (Fer et fer allié d'acier) in bars, hoops, square plates, angles, ovals or in T, I., U., L., and Z.	9	5
430	Section rails and iron sleepers for railways and tramways	9	5
431	Axles, springs, wheels, tires and wheel hubs, iron rings, cylinders, fly wheels and iron or steel apparatus in the rough for railways, ships or bridges, not enumerated elsewhere	40	5
453	Sporting guns and their parts	1800	5
454	Empty sporting cartridges	390	5
475	Bars, plates, tubes	60	5

PROTOCOL OF SIGNATURE.

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

Ad Article 1.

Both Parties shall have the right to resume their liberty with respect to one or more items in lists A and B., subject to giving three months' notice. Should advantage be taken of this right, the tariff for the product or products with respect to which the duty has been denounced, shall be in accordance with the most-favoured-nation treatment, it being understood, that if one of the Contracting Parties should for any reason whatsoever increase the duties on the items with respect to which it has resumed its liberty, the other Party shall have the right to increase the duties in the same proportion on an equal number of items.

The coefficients in Lists A and B, which have been computed respectively on the bases of 175 Belgian francs and 745 piastres to the pound sterling, shall be adjusted in proportion to the fluctuations in the exchange, if the mean rate of either of these currencies for the previous month should show a variation of not less than 30 % relatively to the above basic figures. The coefficients readjusted in this manner shall remain in force during the following three months, on the expiration of which the coefficients shall, if necessary, be readjusted according to the mean rate of exchange of the last month.

Nevertheless, in case of the revalorisation of the Turkish pound, the coefficient five shall only be reduced when the pound sterling is worth less than five Turkish paper pounds.

It is agreed that the provisions in the above two paragraphs shall not affect the principle of the most-favoured-nation treatment laid down in Article 1 of the present Convention.

Ad Article 4.

It is agreed that Turkey may continue to collect from Belgian and Luxemburg nationals under the same conditions as from its own nationals the consumption duties set forth in the schedule annexed to the present Protocol in respect of the products mentioned therein.

Ad List A.

By " Sultanié " raisins are understood raisins originating in the Levant or Asia Minor, dried, of a brownish colour verging on yellow, without stones.

By " Razaki " raisins are understood raisins originating in the district of Smyrna, of elongated shape, yellowish in colour, hard skinned, a very pulpy fruit with stone.

This Protocol is an integral part of the present Convention and will enter into force on the same date.

Consumption duties.

Tea	40 piastres per kg.
Coffee	20 " " "
Petroleum	6 " " "
Rice	10 " " "
Margarine, oleomargarine and other animal fats	80 " " "
Candles, stearin	30 " " "
Ordinary soap	5 " " "
Sacks, old and new	5 " " "
Spices	30 " " "

Allumettes	1/2 piastre la boîte de 60 allum.
Id. bougies.	1 id. id.
Papier à cigarettes	1 piastre par 50 feuilles.
Briquets	25 piastres par briquet.
Sucre	15 id. kg.
Biscuits	} soumis à la taxe de consommation d'après le pourcentage de sucre contenu.
Chocolat	
Lait condensé	
Confiserie et glucose.	
Boissons non alcooliques, gazeuses et limonades	
Tous autres produits sucrés	} 40 piastres par kg.
Tombac	

Matches	1/2 piastres per box of 60 mat.
Wax lucifers	1 » per box of 60 mat.
Cigarette paper	1 » » 50 sheets
Lighters	25 » » lighter
Sugar	15 » » kg.
Biscuits	Subject to a consumption tax according to percentage of sugar they contain.
Chocolate	
Condensed milk	
Sweetstuffs and glucose	
Non-alcoholic beverages (gaseous and lemonades)	
Other products containing sugar	40 piastres per kg.
Tombac	