

N° 1697.

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## HONGRIE ET TURQUIE

Convention commerciale, avec protocole de signature et annexe.  
Signés à Angora, le 20 décembre 1926.

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## HUNGARY AND TURKEY

Commercial Convention, with Protocol of Signature and Annex.  
Signed at Angora, December 20, 1926.

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

No. 1697. — COMMERCIAL CONVENTION <sup>2</sup> BETWEEN HUNGARY AND TURKEY. SIGNED AT ANGORA, DECEMBER 20, 1926.

*French official text communicated by the Resident Minister, Head of the Hungarian Delegation accredited to the League of Nations. The registration of this Convention took place May 4, 1928.*

HUNGARY, of the one part, and TURKEY, of the other part, being desirous of developing economic relations between the two countries, have resolved to conclude a Commercial Convention and have for this purpose appointed as their Plenipotentiaries :

HIS MOST SERENE HIGHNESS THE REGENT OF THE KINGDOM OF HUNGARY :

M. László TAHY of Tahvár and Tarkeő, Envoy Extraordinary and Minister Plenipotentiary of Hungary in Turkey ;

HIS EXCELLENCY THE PRESIDENT OF THE TURKISH REPUBLIC :

Ali DJENANY Bey, Deputy for Ghazi Aintab to the Grand National Assembly of Turkey, former Minister of Commerce, and  
Ali CHEVKI Bey, Under Secretary of State in the Ministry of Foreign Affairs,

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

*Article 1.*

Products of the soil and industry originating in the territory of one of the Contracting Parties shall not be subject, when imported into the territory of the other Party, to any duties, coefficients, taxes or other charges of any kind other or higher than those which are or may hereafter be imposed on similar products from any third country.

Products originating in the two countries and shown in Annexes A and B, respectively, shall, while enjoying the benefit of the provisions of the first paragraph, be exempt from import duties higher than those fixed in the said Annexes.

It is agreed that most-favoured-nation treatment shall apply equally to the application of Customs regulations, to the clearance of goods through the Customs, to the method of checking and analysing imported goods, to the conditions governing the payment of Customs duties and taxes, to the classification of tariffs and to the exercise of monopolies.

<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 Budapest, August 26, 1927.

*Article 2.*

Products of the soil and industry of one of the Contracting Parties, imported into the territory of the other Party, after passing in transit through the territory of one or more third countries, shall not be subject to duties or taxes other or higher than would be applied if they had been imported direct from their country of origin.

*Article 3.*

Products of the soil and industry originating in the territory of one of the Contracting Parties shall, on importation into the country of the other Party, enjoy in respect of every kind of internal tax, the same treatment as is granted to the corresponding products of a third country.

*Article 4.*

Each of the Contracting Parties may, in order to establish the country of origin of imported goods, require the importer to produce a certificate of origin attesting that the said goods are the products of the soil and industry of the country concerned, or that they are to be considered as such in view of the transformation they have undergone in that country.

Certificates of origin drawn up according to the model adopted by each of the Contracting Parties shall be issued by the Departments of Commerce or Agriculture, by the Chamber of Commerce to which the consignor belongs, or by any organisation or body approved by the country of destination. The Government of the country of destination shall be entitled to demand the endorsement of certificates of origin by its diplomatic or consular representative.

Certificates of origin shall be dispensed with in the case of postal packets when the country of destination recognises that they are not of a commercial nature.

*Article 5.*

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

The Contracting Parties reserve the right, however, to prohibit or restrict imports and exports, provided that such measures apply to all countries or to all those in a like situation :

- (1) In order to retain possession of such resources as are indispensable to maintain the food supply and safeguard the economic life of the nation ;
- (2) For reasons of public safety and national security ;
- (3) As a sanitary measure or for the protection of animals and useful plants against diseases and noxious insects and parasites in accordance with the international principles adopted in this connection ;
- (4) In the case of goods which constitute State monopolies and for the purpose of applying to foreign goods such prohibitions and restrictions as are or may hereafter be prescribed by domestic laws in regard to the manufacture, sale, conveyance or consumption within the country of similar native goods ;
- (5) In order to prevent the export of gold specie or bullion.

*Article 6.*

The Contracting Parties undertake to accord reciprocal freedom of transit over the lines of communication most suitable for international transit, to passengers, baggage, goods and articles of every kind, vessels, boats, carriages and waggons or other means of transport, and guarantee each other most-favoured-nation treatment in this respect.

Goods of every kind crossing the Customs territory of one of the Contracting Parties shall be reciprocally exempt from all Customs duties and other charges except statistical dues and supervision and warehousing charges.

The provisions of the present Article apply to goods in transit which have been transhipped or warehoused, whether they have undergone repacking or not.

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

Neither of the Contracting Parties shall be required to ensure the transit of travellers whose entry into its territory has been prohibited.

The transit of goods may be prohibited :

- (a) For reasons of public safety and national security ;
- (b) For sanitary reasons or as a precaution against diseases of animals and plants ;
- (c) In the case of counterfeit goods, of which the originals are manufactured or produced within the country and are recognised as a speciality of the country.

The transit of goods which, in the territories of the Contracting Parties, constitute State monopolies, may be subjected to special control in virtue of legislative and administrative provisions which are now in force or may hereafter be decreed.

*Article 7.*

The two Contracting Parties guarantee each other most-favoured-nation treatment within their territories in regard to rates and methods of transport, conditions of delivery, and public taxes and charges on their respective railways for similar goods along the same lines and in the same direction.

*Article 8.*

Treatment on the same terms as that accorded to any third State shall not apply :

- (1) To privileges which have been or may hereafter be granted by one of the Contracting Parties in respect of frontier traffic with adjacent countries within a zone of an average width not exceeding 15 kilometres on either side of the frontier ;
- (2) To special privileges granted in virtue of a Customs union ;
- (3) To special advantages and privileges which are now in force or may be established in future with regard to Customs tariffs and any other commercial matters in general, between Turkey and the countries detached from the Ottoman Empire in 1923.

*Article 9.*

Merchants, manufacturers and other business men of either Contracting Party who prove by producing an identity-card issued by the competent authorities of their own country that they are authorised to carry on their trade and industry in that country, and that they pay therein the legally-established taxes and imposts, shall have the right to make purchases, either in person or through travellers in their employ, from merchants or producers or in public places of sale,

in the territory of the other Contracting Party. They may also take orders from merchants and others who in their trade or industry use goods corresponding to those offered. They may likewise carry samples or specimens with them or have them sent. The transactions enumerated in this paragraph shall not render them liable to any special tax or duty. All objects representative of a specified category of goods shall be considered as samples or specimens, provided, first, that the said articles are such that they can be identified on re-exportation, and, secondly, that the articles thus imported are not in such quantities or of such value, that taken as a whole, they no longer constitute samples in the usual sense.

The identity-card must be drawn up in accordance with the model given in Annex C. The Contracting Parties shall communicate to each other the names of the authorities responsible for the issue of these cards, and the regulations which commercial travellers must observe when conducting their business.

It is understood, however, that the aforesaid commercial travellers shall not be entitled to do business for any merchants or manufacturers other than those named on their cards.

With the exception of goods the import of which is prohibited, articles liable to Customs duty or to any other charge, which are imported as samples or specimens, shall, conditionally on re-exportation, be admitted on both sides provisionally free of import and export duties, subject to the following conditions :

(a) When making their Customs declaration the said travellers shall produce a descriptive list, in triplicate, certified by the Customs authorities of the exporting country, and containing full particulars of the samples or specimens imported by them. If they have not such a descriptive list in their possession, they shall, when making their declaration, present a new list in triplicate giving details of the samples or specimens.

The Customs authorities of the importing country may require the translation of the list into the language of that country.

(b) To enable samples or specimens to be identified on re-exportation, they must be stamped or sealed with wax or lead, according to their nature and form, in the exporting country. The Customs authorities of each Party shall send those of the other Party official models of these stamps and seals to enable the marks affixed to the samples to be authenticated.

When such marks are impossible or difficult to affix, identification by means of photographs, sketches, or full and detailed description shall be permitted. The Customs authorities in the importing country may, however, place additional marks on these samples at the expense of the persons concerned, in all cases in which this is considered indispensable for ensuring the identification of the samples on re-exportation.

Except in the latter case, Customs verification shall be confined to identifying the samples and to determining the total duties and charges to which they may be liable.

If the samples or specimens do not bear marks affixed in the exporting country; new marks shall be affixed by the Customs authorities of the importing country.

(c) After the descriptive list or declaration of the samples has been presented to the Customs by the importer, the Customs examination shall take place, and if the list or declaration corresponding to the samples and the marks affixed thereto are in order, the Customs duty on each and the consumption taxes, if any, shall be determined, and the amount of such duties and taxes deposited, either in cash or in the form of such security as the competent authorities of the importing country may consider adequate. The provisions in regard to this security shall be laid down by the respective Governments. Weighing and other expenses shall be paid finally, and the descriptive list or one of the copies of the declaration, duly endorsed by the Customs authorities, shall be returned to the importer.

Instead, however, of depositing the duty on each of the samples calculated according to the corresponding item in the tariff, the importer may pay duty on the whole of the

samples submitted, at the rate of the sample assessed most highly. The Customs authorities shall be bound to agree to this proposal.

(d) Samples or specimens imported in this way shall be returned within one year to the exporting country, or re-exported to another country, either through the Custom house of entry or through any other Custom house. This time-limit may be extended, if necessary, by the Customs authorities of the importing country.

(e) The descriptive list or declaration, together with the samples or specimens to be re-exported, shall be presented to the Customs by the person concerned. After verification, the Customs shall, without delay, refund (against receipt) the whole of the duties paid on entry or release the security for payment of these duties. Such refund or release shall apply only to samples or specimens which are re-exported. Customs duties held as a deposit for samples or specimens which are not re-exported on the expiry of the time-limit allowed under (d), or which are sold locally, shall be placed to the credit of the administration or collected from the guarantors.

(f) The refund of duties paid on importation, or the release of security, may be effected at any Customs office at the frontier or in the interior which possesses the necessary authority. The Contracting Parties shall communicate to each other a list of the offices on which the said authority has been conferred.

The principle of equal treatment with that accorded to any third State shall apply on both sides with regard to the provisions of this Article.

The provisions of this Article shall not be applicable to hawking.

#### *Article 10.*

Nationals of one of the Contracting Parties proceeding to fairs or markets for business purposes shall not receive less favourable treatment in the territory of the other Party than its own nationals, provided they are able to produce an identity-card on the model in Annex D, issued by the authorities of the country of which they are nationals.

The provisions of paragraph 1 shall not be applicable to itinerant trading, hawking, or soliciting orders from persons not engaged in any trade or industry, each of the Contracting Parties reserving full legislative freedom in this respect.

#### *Article 11.*

Vessels and boats of either Contracting Party shall enjoy most-favoured-nation treatment reciprocally and in all respects in the waters and ports of the other Party.

#### *Article 12.*

The present Convention shall be ratified and the instruments of ratification be shall exchanged at Budapest as soon as possible.

It shall come into force one month after the date of the exchange of ratifications, and shall be valid for two years. After that period it shall remain in force until denounced by one of the Contracting Parties, such denunciation not taking effect until after the expiry of six months.

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

Done in duplicate at Angora, December 20, 1926.

(L. S.) (Signed) L. TAHY.

(L. S.) (Signed) Ali DJENANY.

(L. S.) (Signed) CHEVKI.

## ANNEX A.

Number in Hungarian Customs Tariff	Description of Goods	Import duties in gold crowns per 100 kilos.
ex 47 ex 88	Saffron . . . . . Sultanas . . . . . <i>Note</i> : By "sultanas" are meant dried raisins from the Levant or Asia Minor, brown or almost yellow in colour, and without pips.	700 40
ex 89	(b) Dried figs : (1) Packed for retail sale (in packages of less than 5 kg. ). (2) In other packages . . . . . <i>Note</i> : Figs for industrial purposes, by special permission, and under certain prescribed conditions and under control. . . . .	. 16 8
ex 95 98	Pistachio-nuts . . . . . Hazelnuts : (a) In the shell . . . . . (b) Shelled . . . . .	1 10 8
ex 103	Olives in brine, in packages or in other than air-tight receptacles .	14 12
ex 163	Spanish liquorice (condensed, in cases and carboys, and in sticks or pastilles) . . . . .	10
ex 225 (b) ex 334	Liquorice roots . . . . . Pure olive oil : (1) In containers of 25 kg. and over, gross weight. . . . . (2) In containers of less than 25 kg., gross weight. . . . . <i>Note</i> : In doubtful cases the purity of the oil may be tested at the cost of the consignee by an official Hungarian laboratory. By pure olive oil is meant oil extracted exclusively from olives.	8 . 4 8
ex 603 (e) and (f)	Knotted carpets of the following kinds : Uchak, Sivas, Hereke, Brussa, Bergama, Smyrn, Kir Chehir, Isparta, Kula, Koeurdeuss, Demirji, Kaisanie, Kutaya, Burdur, Ghazi-Aintab, Simav, Bunyan, Diarbekir, Ladik, Sivrihissar, Nigde, Malatia, Krun, Erzerum, Milass, and also so-called Kelim carpets. (1) Of wollen yarn . . . . . (2) Of silk yarn (with warp and woof of silk) . . . . . (3) Other . . . . .	. . . 900 6,000 1,000

## ANNEX B.

Number in Turkish Tariff	Description of Goods	Import duties in piastres per 100 kilos
ex 1	Horses for breeding purposes, by special permit . . . . .	free
ex 46	Selected seeds for sowing, accompanied by a certificate from the Hungarian Seed-Testing Station and by special permission of the Turkish Government . . . . .	free
130	Mineral waters . . . . .	125 × 9
218	Furniture and other manufactured articles of cabinet-woods such as : rosewood, mahogany, oak, walnut, padded or unpadded, and combined or not with stuffs, leathers, silk or other materials :	
	(a) 1. Furniture or other manufactured articles of cabinet-woods such as oak and walnut, with or without mouldings, but without either carving, inlaid work or decorative parts of copper or other metal . . . . .	1,000 × 9
	2. Furniture or other manufactured articles of cabinet-woods such as rosewood and mahogany, with or without mouldings, but without either carving, inlaid work or decorative parts of copper or other metal . . . . .	1,500 × 9
	(b) 1. Furniture or other manufactured articles of cabinet-woods such as oak and walnut, with carved and inlaid work, and ornamented with copper or other metal parts . . . . .	1,250 × 9
	2. Furniture or other manufactured articles of cabinet-woods, such as rosewood and mahogany, with carved and inlaid work, and ornamented with copper or other metal parts . . . . .	2,000 × 9



ANNEX C.

NAME OF STATE  
(Issuing Authority)

COMMERCIAL TRAVELLER'S IDENTITY-CARD

Valid for twelve months from the date of issue.

Valid for ..... Number of card.....

It is hereby certified that the holder of this card, M.....  
born at ..... residing at .....  
..... Street, ..... Number .....  
possesses <sup>1</sup>..... at ..... under the name of.....  
(or) is a commercial traveller in the employ of the firm(s) of.....  
at. ....  
which possess(es) <sup>2</sup> .....  
under the name of .....

As the bearer of this card intends to solicit orders in the above-mentioned countries, and to make purchases for the above firm(s), it is hereby certified that the said firm(s) is (are) authorised to exercise its (their) trade and industry at ..... and pay(s) the statutory taxes to this end.

..... 19...

Signature(s) of head(s) of the firm(s)

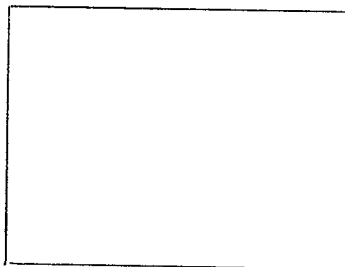
.....

Description of holder :

Age.....  
Height. ....  
Colour of hair .....  
Special characteristics .....

Signature of holder :

.....



<sup>1</sup> State nature of factory or business.

*Note:* Only the first part of the form should be filled up in the case of the head of a commercial or industrial establishment.

## ANNEX D.

## IDENTITY-CARD

## FOR VISITORS TO FAIRS OR MARKETS.

It is hereby certified that M....., the bearer of this card, proceeding with his goods to the fairs and markets in..... (insert Hungary in the case of Turkish nationals, and Turkey in the case of Hungarian nationals), is domiciled at..... and that he is bound to pay the statutory taxes and duties in respect of his business.

This certificate is valid for a period of.....months.

(Place, date, signature and seal of issuing authority).

## PROTOCOL OF SIGNATURE.

At the moment of signing the present Convention, the Delegate of the Royal Hungarian Government declares on behalf of his Government that the Hungarian Tobacco Monopoly undertakes to purchase annually 600,000 kilogrammes of Turkish tobaccos in order to cover its requirements.

In the event of the present Treaty being denounced, the quantity of tobacco to be purchased each year shall be determined in proportion to the period still unexpired at the time of denunciation.

The present Protocol constitutes an integral part of the present Convention, and shall come into force at the same time.

(Signed) L. TAHY.

(Signed) Ali DJENANY.

(Signed) CHEVKI.

## ANNEX

TO THE PROTOCOL OF SIGNATURE OF THE COMMERCIAL CONVENTION BETWEEN HUNGARY AND TURKEY SIGNED THIS DAY.

*Ad Article 1 of the Treaty.*

The two Contracting Parties agree to readjust the coefficients shown in List B according to the fluctuations in the exchange, and under the conditions provided for in Article 2 of the Commercial Convention<sup>1</sup> signed at Lausanne on July 24th, 1923, between Turkey and the other Powers.

The present Protocol shall have the same force, value and duration as the present Treaty, of which it constitutes an integral part.

Done in duplicate at Angora, December 20, 1926.

(Signed) L. TAHY.

(Signed) Ali DJENANY.

(Signed) CHEVKI.

<sup>1</sup> Vol. XXVIII, page 171, of this Series.