

N° 1696.

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**HONGRIE ET TURQUIE**

Convention d'établissement. Signée  
à Angora, le 20 décembre 1926.

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**HUNGARY AND TURKEY**

Convention regarding Conditions of  
Residence. Signed at Angora,  
December 20, 1926.

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

No. 1696. — CONVENTION<sup>2</sup> BETWEEN HUNGARY AND TURKEY REGARDING CONDITIONS OF RESIDENCE. SIGNED AT ANGORA, DECEMBER 20, 1926.

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*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.*

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HUNGARY, of the one part, and TURKEY, of the other part, being desirous of determining the conditions under which Hungarian nationals may establish themselves in Turkey, and Turkish nationals in Hungary, have decided to conclude a Convention respecting conditions of residence and business and have appointed for this purpose as their Plenipotentiaries :

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

M. László TAHY of Tahvár and Tarkeó, 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.*

Nationals of each of the Contracting Parties shall have complete freedom to enter, leave or reside in the territories of the other Party, and to establish themselves therein, subject to compliance with the laws, regulations and decrees in force in that country.

It is agreed that the provisions of the present Convention which do not deal with immigration do not affect the right of each of the Contracting Parties to authorise or prohibit at will immigration into its country.

*Article 2.*

The two Contracting Parties reserve to themselves the right to prohibit, in individual cases, nationals of the other Party from establishing themselves or residing within their territory, either under the order of a Court or in accordance with the laws and regulations relating to public morality, public health or mendicancy, or for other reasons affecting the internal or external safety of the

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

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

<sup>2</sup> The exchange of ratifications took place at Budapest, August 26, 1927.

State and to expel them on these grounds. The other Party undertakes at all times to receive back its nationals and their families who have been so expelled, provided that their nationality is certified by the competent consul.

Persons thus expelled shall be transported as far as the frontier or to the port of embarkation of the Party expelling them, at the cost of the latter.

*Article 3.*

Subject to compliance with local laws and regulations, the nationals of each of the Contracting Parties shall have the right within the territory of the other Party to acquire, possess, and dispose of all kinds of property both movable and immovable, on the same conditions as nationals of the most-favoured nation, except as their respective laws may otherwise provide. Subject to the same conditions, they may dispose thereof freely by purchase, sale, gift, transfer, marriage settlement, testament, succession *ab intestato*, or any other means.

In all the above-mentioned cases they shall be subject to no charges, taxes or imposts of any description whatever, other or higher than those which are or may hereafter be established in the case of nationals.

*Article 4.*

Nationals of each of the Contracting Parties shall, subject to reciprocity and to compliance with the laws and regulations of the country, have the right to engage in any kind of industry or commerce and to follow any trade or profession whatsoever within the territory of the other Party, with the exception of occupations which, in virtue of laws and regulations or by customs are reserved for its nationals.

*Article 5.*

Nationals of each of the Contracting Parties shall not be required to pay any charge, tax, or impost of any kind whatsoever other or higher than those imposed upon the nationals of the country, in respect of their stay or residence in the territory of the other Party, or in respect of the exercise in that territory of any form of commerce, industry, trade or profession.

Nationals of each of the Contracting Parties shall not be subject, in the territory of the other, to any charge, tax, or impost, direct or indirect, other or higher than those which may be imposed on nationals of the country, in respect of their persons, property, rights and interests, or the acquisition, possession and enjoyment of such property, nor in respect of the transfer of such property by grant, exchange or succession.

*Article 6.*

Nationals of each of the Contracting Parties shall, within the territory of the other Party, be exempt from all compulsory military service in the army, navy or air force or in any other military organisation, and from any obligation or payment which replaces such service.

They shall likewise be exempt from all forced loans and other impositions of a similar kind.

*Article 7.*

The nationals of each of the Contracting Parties may not have their property in the territory of the other Party expropriated except for reasons of public interest recognised by law as such, and in return for fair compensation to be paid in advance. No expropriation may take place without public notice being previously given.

*Article 8.*

Joint-stock companies and other commercial companies, including industrial, financial, insurance, traffic and transport corporations which have their headquarters in the territory of one of the Contracting Parties, and which are there incorporated in virtue of the laws of that country, shall be legally recognised in the territory of the other Party and may there bring or defend actions in courts.

The admission of such companies to commerce or industry in the territory of the other Contracting Party shall be subject to their compliance with the laws and regulations which are or may hereafter be in force in that territory.

The said companies established in conformity with paragraph 2 above shall not be required to pay in respect of their commercial or industrial business in the territory of the other Party any imposts, taxes or charges other or higher than those imposed on national companies.

Subject to reciprocity and to compliance with the laws of the country, these companies may acquire all kinds of movable and immovable property which is necessary for their operations, provided in this case that the acquisition of such property does not constitute the object of their existence.

*Article 9.*

Nationals of each of the Contracting Parties shall enjoy in the territory of the other Party the same treatment as nationals of the country, as regards legal and judicial protection of their persons and property.

Accordingly, they shall have free and unhindered access to the courts, and may sue and be sued on the same conditions as nationals of the country.

The regulations relating to security for costs and to free judicial assistance shall be governed by local legislation until these questions are settled by a special convention to be concluded between the two Parties.

*Article 10.*

The two Contracting Parties undertake to conclude a special convention for the settlement of questions relating to personal status, *i. e.*, questions relating to marriage, conjugal property rights, divorce, judicial separation, dower, paternity, affiliation, adoption, capacity, majority, guardianship, curatorship, interdiction in matters relating to right of personalty succession, whether by will or *ab intestato*, the division and winding-up of estates, and family law in general as regards the nationals of the Contracting Parties.

The present stipulation does not affect the special attributions of consuls in matters of civil status in accordance with international law.

*Article 11.*

It is agreed that neither of the Contracting Parties may invoke the benefit of the most-favoured-nation clause provided for in Article 3 of the present Convention, in order to claim on behalf of its nationals any rights other or fuller than those granted by itself to the nationals of the other Contracting Party.

*Article 12.*

The present Convention shall enter into force one month after the date of the exchange of ratifications, and shall remain in force for five years. Unless denounced by the one or other of

the Contracting Parties at least one year before the expiration of the said period, it shall remain in force until it is denounced, such denunciation not taking effect until after the expiration of one year.

It shall be ratified, and the ratifications shall be exchanged at Budapest as soon as possible.

In faith whereof the respective 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) A. CHEVKI.*