

N° 2580.

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## BULGARIE ET TURQUIE

Traité de commerce et de navigation,  
avec annexes et protocole de  
signature. Signés à Ankara, le  
27 mai 1930.

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## BULGARIA AND TURKEY

Treaty of Commerce and Navigation,  
with Annexes and Protocol of  
Signature. Signed at Ankara, May  
27, 1930.

<sup>1</sup> TRADUCTION. — TRANSLATION.No. 2580. — TREATY <sup>2</sup> OF COMMERCE AND NAVIGATION BETWEEN BULGARIA AND TURKEY. SIGNED AT ANKARA, MAY 27, 1930.

*French official text communicated by the Bulgarian Chargé d'Affaires at Berne. The registration of this Treaty took place January 1, 1931.*

HIS MAJESTY THE KING OF THE BULGARS, of the one part, and HIS EXCELLENCY THE PRESIDENT OF THE TURKISH REPUBLIC, of the other part, being desirous of promoting and developing commercial relations between Bulgaria and Turkey have decided to conclude a Treaty of Commerce and Navigation and have appointed for this purpose as their Plenipotentiaries :

HIS MAJESTY THE KING OF THE BULGARS :

- M. Theodore PAVLOFF, Envoy Extraordinary and Minister Plenipotentiary of Bulgaria in Turkey ;
- M. Jordan MITKOFF, Head of the Customs Section at the Ministry of Finance ;
- M. Ivan GABENSKI, Chief of Department at the Ministry of Commerce, Industry and Labour ;

HIS EXCELLENCY THE PRESIDENT OF THE TURKISH REPUBLIC :

- M. ZEKÂI Bey, Former Minister and Ambassador, Deputy for Diarbekir ;
- M. Mustafa SEREF Bey, Deputy for Burdur ;
- M. Menemenli NUMAN 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 provisions :

*Article 1.*

Natural or manufactured products originating in the territories of one of the High Contracting Parties and imported into the territories of the other, shall not be subject to any duties, coefficients, charges or dues whatsoever, other or higher than those which are or may hereafter be levied on like products of the most favoured nation.

The principle of the most-favoured-nation clause shall also extend to export duties and other charges imposed on natural or manufactured products exported from the territory of either High Contracting Party to the territory of the other Party.

It is understood that most-favoured-nation treatment shall also extend to the application of Customs regulations, to Customs treatment, to the method employed in the examination and analysis of imported goods, and to the conditions for the payment of Customs duties and charges.

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

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

<sup>2</sup> The exchange of ratifications took place at Sofia, December 16, 1930.

*Article 2.*

Natural or manufactured products originating in the territory of one of the High Contracting Parties and imported into the territory of the other shall enjoy therein as regards internal taxes of any kind whatsoever the treatment granted to the same products of a third country.

*[Article 3.*

Either High Contracting Party may, in order to determine the country of origin of the goods imported, require the production of a certificate of origin stating that such goods are natural and manufactured products of the said country, or that they must be considered as such in view of the labour expended on them therein.

Certificates of origin, prepared according to the annexed model (Annex A), 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 have accepted. The Government of the country of destination may require certificates of origin to be legalised by its diplomatic or consular representative.

Certificates of origin will be dispensed with in the case of postal packages if the non-commercial nature of such packages is recognised by the country of destination.

*Article 4.*

No prohibition or restriction shall be maintained or imposed in respect of the importation into the territories of either High Contracting Party of any article which has been produced or manufactured in the territories of the other, whatever be the place from which it has last been despatched, unless such prohibition or restriction is also applicable in respect of the importation of like articles produced or manufactured in any other foreign country whatsoever.

No prohibition or restriction shall be maintained or imposed in respect of the exportation of any article from the territories of either High Contracting Party to the territories of the other which is not also applicable in respect of the exportation of like articles to any other foreign country.

Exceptions to the general rule laid down in the previous paragraphs of this Article shall only be allowed in the cases set out below, it being always understood that the prohibitions or restrictions in question shall be extended at the same time and in the same manner to other foreign countries in which the same conditions prevail :

- (1) Prohibitions or restrictions for reasons of public security ;
- (2) Prohibitions or restrictions for reasons connected with public health ;
- (3) Prohibitions or restrictions intended to protect animals or plants against diseases and parasites, and to preserve plants from degeneration and the extinction of the species.

*Article 5.*

The High Contracting Parties undertake to grant each other freedom of transit over the routes which are most suitable for international transit in respect of persons, baggage, goods and articles of all kinds, vessels, boats, carriages and wagons or other means of transport, and guarantee each other most-favoured-nation treatment in this respect.

Goods of all kinds conveyed across the Customs territory of one of the High Contracting Parties shall be reciprocally exempted from all Customs duties and other dues, with the exception of duties and taxes for supervision, sealing, loading, unloading, statistical records and warehousing.

The provisions of this Article shall also apply to goods in transit which have been transhipped or warehoused, whether they have been repacked or not.

It is understood, however, that the transit of such goods shall be guaranteed in conformity with the respective Customs regulations, in order to prevent their clandestine importation into the country.

Neither High Contracting Party shall be bound to allow the passage in transit of travellers whose admission to its territory is prohibited. The High Contracting Parties reserve the right to take all measures to ensure that goods, particularly those whose importation is prohibited under Article 4, shall not be introduced in a clandestine manner into the country, but really pass through it in transit.

The transit of goods may be prohibited :

- (a) For reasons relating to the safety of the State and public security ;
- (b) For reasons connected with public health or as a precaution against diseases of animals and plants.

The passage in transit of products which, in the territories of the High Contracting Parties, are the subject of a State monopoly or the production or sale of which is prohibited, may be subjected to a special supervision under the statutory and administrative regulations that are now in force or may hereafter be adopted.

#### *Article 6.*

The two High Contracting Parties guarantee each other most-favoured-nation treatment in their respective territories as regards transport rates and methods, conditions of delivery, and public taxes and dues on their railways for like commodities carried on the same lines under the same conditions and in the same direction. The two Governments further reserve the right to regulate details concerning reciprocal railway communications and transit by rail by means of direct agreements between the railway administrations.

#### *Article 7.*

Treatment on terms of equality with a third State shall not apply to :

- (1) Privileges which are or may hereafter be granted by one of the High Contracting Parties in frontier traffic with contiguous countries in a zone not exceeding 15 kilometres in breadth on either side of the frontier ;
- (2) Special privileges resulting from a Customs union ;
- (3) Special advantages and privileges which are or may hereafter be established in respect of Customs tariffs between Turkey and the territories detached from the Ottoman Empire in 1923.

#### *Article 8.*

Merchants, manufacturers and other industrialists of one of the High Contracting Parties who prove by the production of an identity card issued by the competent authorities of their country that they are authorised to carry on their trade or industry and that they pay therein the duties and taxes prescribed by law, shall be entitled to make purchases in the territories of the other High Contracting Party, either personally or through commercial travellers employed by them, from merchants or producers or in places of public sale. They shall also be permitted to accept orders from merchants or other persons who make use in their trade or industry of goods corresponding to those offered. They may only take with them or have forwarded to them samples and specimens. They shall not be liable to any special tax or due on account of the activities enumerated in the present paragraph. 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 duly identified on re-exportation, and secondly, that the articles thus imported are not of such quantity or value that, taken as a whole, they no longer constitute samples in the usual sense.

¶ The identity card shall conform to the model in Annex B. The High Contracting Parties shall notify one another of the authorities empowered to issue such cards and of the regulations with which commercial travellers must comply in the pursuit of their calling.

It is understood, however, that the commercial travellers referred to above shall not be entitled to transact sales on behalf of merchants or manufacturers other than those referred to on their cards.

With the exception of goods the importation of which is prohibited, articles liable to Customs duty or any other tax which are imported as samples or specimens shall, provided they are to be re-exported, be provisionally admitted free of import or export duties by both Parties upon the following conditions :

(a) When making their Customs declarations the travellers in question shall submit three copies of a descriptive list certified by the Customs authorities of the exporting country, indicating in detail the samples or specimens imported by them.

If they are not in possession of the descriptive list they shall, when making their declaration, submit a new list in triplicate indicating in detail the samples and specimens.

The Customs authorities of the country of importation may require that the list be translated into the language of the country.

(b) In order that samples and specimens may be identified on re-exportation they shall be stamped or sealed with wax or lead, according to their nature and form, in the country of exportation. The Customs authorities of each Party shall provide the other through official channels with patterns of these stamps and seals, by which the authenticity of the marks affixed to the samples may be verified. Should it be impossible or inconvenient to affix a mark, identification by means of photographs, drawings, or complete and detailed descriptions shall be admissible.

Nevertheless, the Customs authorities of the country of importation may, as an exceptional measure, affix supplementary marks on the samples at the expense of the parties concerned, whenever they consider such a step necessary for guaranteeing the identity of these samples at the time of their re-exportation.

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

If the samples and specimens do not bear marks affixed in the country of export, the Customs authorities of the country of import shall affix fresh marks.

(c) After the importer has submitted the descriptive list or the declaration of the samples at the Customs office, the Customs examination shall take place, and, if the list or declaration corresponding to the samples and the marks affixed thereon are found in order, the Customs duties on each of the samples, and the consumption duties if any, shall be determined, and the amount of the said duties and taxes shall be deposited either in cash or in the form of a guarantee considered adequate by the competent authorities of the country of import. The provisions in respect of the guarantee shall be settled by the respective Governments in accordance with their own legislation. The cost of weighing and any other costs shall be finally paid, and the descriptive list or one of the copies of the declaration duly legalised by the Customs authorities shall be returned to the importer.

Nevertheless, the importer shall be entitled, instead of having the duty on each sample calculated according to the articles of the tariff referring thereto, and depositing the same, to pay duty on the whole of the samples at the rate applicable to the sample which is subject to the highest tariff rates.

The Customs authorities shall be bound to accept this proposal.

(*d*) Samples or specimens imported in this manner shall be returned within a period of six months to the country of export or re-exported to some other country, either through the Customs office through which they were imported or through another. The period of six months may be prolonged, if need be, by the Customs authorities of the country of import.

(*e*) The descriptive list or the declaration and the samples or specimens to be re-exported shall be presented by the party concerned at the Customs, and the latter, after examination, shall without delay and against a receipt refund the total amount of the duties deposited on import or release the security for payment of these duties. This refund or release shall only be effected in the case of re-exported samples or specimens. The Customs duties held on deposit for samples and specimens that are not re-exported after the expiry of the period provided for or that are sold within the country shall be credited to the Administration or collected from the guarantors.

(*f*) The refund of the duties deposited on importation or the release of the security for payment may be effected by any Customs office on the frontier or by any Customs office in the interior which has received the requisite authority for the purpose. The High Contracting Parties shall communicate to each other the lists of the offices thus authorised.

The principle of treatment on terms of equality with any third State shall continue, however, to be reciprocally assured in respect of the provisions of this Article.

The provisions of this Article shall not be applicable to hawking, to itinerant trades, or to the soliciting of orders from persons who are not engaged in trade or industry.

#### *Article 9.*

Nationals of either High Contracting Party travelling to fairs or markets not reserved to nationals of the country for the purpose of carrying on trade therein shall not be treated less favourably in the territory of the other Party than nationals of the latter, provided that they can produce an identity card made out in accordance with the annexed model (Annex C), issued by the authorities of the country of which they are nationals.

As the provisions of paragraph 1 do not apply to itinerant traders and manufacturers, or to hawking or the soliciting of orders from persons not engaged in industry or trade, each of the High Contracting Parties reserves full legislative freedom in this respect.

#### *Article 10.*

Vessels and boats flying the flag of one of the High Contracting Parties and entering or leaving the waters and ports of the other Party in ballast or with cargo, whatever may be their place of departure or destination, shall be accorded within these waters and ports the same treatment in all respects as national vessels, and shall not be liable therein to any duty or tax of any nature whatsoever levied in the name and on behalf of the State, a province, a commune or any organisation whatsoever authorised by the Government other than those which are or may hereafter be levied on national vessels.

Cargoes of vessels, whatever may be their place of departure or destination, shall not pay other or higher duties or charges, nor be subject to other treatment than goods imported or exported under the national flag. Passengers and their baggage shall be treated in the same manner as if they were conveyed under the national flag.

*Article 11.*

The vessels of each of the High Contracting Parties shall be allowed to enter one or more ports of the other Party, either for the purpose of unloading all or part of their cargo, goods and passengers coming from foreign countries or of taking on board all or part of their cargo, goods and passengers to be conveyed to foreign countries. They may, provided that they comply with the laws and regulations of the countries concerned, retain on board that portion of their cargo which is consigned to another port or to another country, and re-export the same without being liable to pay thereon any duties or charges other than supervision fees. The latter shall only be levied at the lowest rates fixed for national vessels.

*Article 12.*

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 certificates and other tonnage measurement documents issued by either High Contracting Party shall be recognised by the other Party pending the conclusion of a special agreement between the two High Contracting Parties.

*Article 13.*

The provisions of the present Treaty concerning the granting by each High Contracting Party to the other of national treatment in respect of navigation shall not extend to :

(1) The coasting trade and to navigation in inland waters, which shall continue to be regulated by the laws which are or may hereafter be in force in the territories of each of the High Contracting Parties ;

(2) Encouragement in the form of bounties which are or may hereafter be granted to the national merchant marine ;

(3) Special advantages which are or may hereafter be granted to products of national fisheries ;

(4) Fishing in the territorial waters of the High Contracting Parties or the carrying on of maritime services in harbours and roadsteads and on beaches.

Maritime services shall include towage and pilotage and assistance and salvage at sea, in so far as such operations are carried on within territorial waters and in the Sea of Marmora.

It is understood that any exceptional matters other than those included in the above enumeration shall be settled by the granting of most-favoured-nation treatment.

*Article 14.*

If a vessel of either High Contracting Party 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 her 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. Assistance and relief shall be given to the master, the crew and the passengers both for themselves and for the vessel and her 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 15.

The present Treaty shall be ratified and ratifications shall be exchanged at Sofia as soon as possible.

It shall come into force fifteen days after the date of the exchange of ratifications and shall remain in force for a period of two years. After the expiry of that period it shall remain in force until it is denounced by either High Contracting Party, such denunciation not to take effect until the expiry of a period of six months after the date of notification.

In faith whereof the Plenipotentiaries of the High Contracting Parties have signed the present Treaty and have thereto affixed their seals.

Done in duplicate at Ankara, May 27, 1930.

(Signed) Th. PAVLOFF.  
 (Signed) Jor. MITKOFF.  
 (Signed) Iv. GABENSKI.

(Signed) ZEKÂI.  
 (Signed) Mustafa SEREF.  
 (Signed) M. NUMAN.

ANNEX A.

FORM OF

CERTIFICATE OF ORIGIN.

Consignor ..... Consignee .....

Name ..... Name .....  
 Residing at..... Residing at.....  
 Street ..... Street .....

Number of packages	Method of packing	Marks No.	Gross and net weight in kilogrammes and value	Means of despatch (railway, post, ship, etc.)

Contents ..... Certified that the goods specified above have their commercial origin in.....  
 ..... the ..... 193...  
 (Seals) ..... (Description of competent authority and signature.)



ANNEX B.

(NAME OF STATE)

(Issuing Authority).

IDENTITY CARD FOR COMMERCIAL TRAVELLERS.

Available for twelve months from the date of issue.

Valid for .....

No. of card.....

It is herewith certified that the holder of this card, M.....  
 born at .....  
 residing at .....  
 Street ..... No.....  
 owns <sup>1</sup> .....  
 at .....  
 under the trade name of .....  
 or is a commercial traveller in the service of the firm(s) of .....  
 at .....  
 which own(s). <sup>1</sup> .....  
 under the trade name of .....

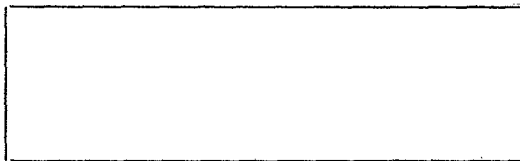
As the holder of this card wishes to solicit orders in the above-mentioned countries and to make purchases for the firm(s) in question, it is herewith certified that the aforesaid firm(s) is (are) authorised to engage in its (their) industry and trade at..... and pay(s) the taxes established by law for that purpose.

....., the ..... 19.....

Signature of the head of the firm(s) :

Description of the holder :

Age.....  
 Height .....  
 Hair .....  
 Distinctive marks .....



Signature of holder :

.....

<sup>1</sup> Indication of the factory or business.

N. B. — This space should only be completed in the case of the head of a commercial or industrial establishment.

## ANNEX C.

## IDENTITY CARD FOR TRAVELLERS TO FAIRS OR MARKETS.

It is certified that M. ....  
holder of this card, desiring to travel with his goods to fairs and markets in.....  
.....  
(for Bulgarian nationals: in Turkey, for Turkish nationals: in Bulgaria) is resident at.....  
.....  
and that he is bound to pay the taxes and duties established by law for the exercise of his commerce  
or industry.

The present card is valid for a period of ..... months.

(Place, date, signature, seal of the authority issuing the certificate.)

## PROTOCOL OF SIGNATURE.

On proceeding to sign the present Treaty, the delegates of the two Governments have agreed upon the following explanatory provisions:

It is understood that charcoal (No. 283 of the Turkish tariff) produced in Bulgaria shall be entitled to a 30 % reduction of the Customs duties, and that Kachkavals (No. 24 ex (a) of the Turkish tariff), also produced in Bulgaria, shall be entitled to a 25 % reduction of the Customs duties on importation into Turkey during the period in which the present Treaty is in force.

It is also understood that fresh and salted fish (Nos. 30, 31 (b), 1, 31 (b) 2 and 31 (c) of the Bulgarian tariff), and wax (No. 124 (a) of the Bulgarian tariff) produced in Turkey shall, on importation into Bulgaria during the period in which the present Treaty is in force, be liable to the following Customs duties:

No. of Bulgarian Tariff	Designation of Goods	Duties in levas per quintal
30	Fish of all kinds, live fresh and frozen. . . . .	14
31 (b)	Tunny (pilcher):	
	(1) Sliced (lakerda) . . . . .	70
	(2) Not sliced . . . . .	45
31 (c)	Other . . . . .	19
124 (a)	Bees'wax and wax in combs . . . . .	140

Nevertheless, should the tariffs applicable to charcoal and to kachkavalis entitled to the percentage reductions be increased, the tariff rates coming into force at the date of signature of the present Treaty as a result of the privileges provided for therein shall be kept unchanged in respect of the said articles till the expiry of a period of nine months from the coming into force of the above-mentioned increase.

It is furthermore understood that dried grapes (sultanas) of Turkish origin shall not be liable in Bulgaria to any import duty or to any tax or charge whatsoever higher than that to which the same products of any other country, particularly dried currants produced in Greece, are or may hereafter be liable in that country.

*Ad Articles 1 and 4.* — It is understood that Article 3 of the Turkish law No. 1499 of June 8, 1929, shall not be affected by the provisions of these Articles.

*Ad Article 3.* — Should one of the High Contracting Parties hereafter grant to a third Power any exemptions or facilities whatsoever in respect of certificates of origin, such advantages shall be immediately extended to the imports from the other Party on condition of reciprocity.

*Ad Article 8.* — It is understood that the provisions of Article 8 concerning special taxes or dues shall not lead to the establishment of a privileged position for traders, manufacturers and other foreign nationals engaged in industry, or for foreign commercial travellers in their service, as compared with nationals of the country, even so far as concerns taxes or dues to be paid in respect of their activities.

The present Protocol shall form an integral part of the present Treaty and shall come into force at the same time as the said Treaty.

ANKARA, *May 27, 1930.*

*(Signed)* Th. PAVLOFF.

*(Signed)* JOE. MITKOFF.

*(Signed)* IV. GABENSKY.

*(Signed)* ZEKÂI.

*(Signed)* Mustafa SEREF.

*(Signed)* M. NUMAN.