

ÉGYPTE ET ÉTATS-UNIS D'AMÉRIQUE,
BELGIQUE, GRANDE-BRETAGNE
ET IRLANDE DU NORD,
COMMONWEALTH D'AUSTRALIE, etc.

- I. Convention concernant l'abolition des capitulations en Egypte ;
 - II. Règlement d'organisation judiciaire y annexé ;
 - III. Protocole ;
 - IV. Déclaration du Gouvernement royal égyptien ;
signés à Montreux, le 8 mai 1937 ; —
 - V. *A*) Lettres se rapportant aux établissements (associations ou fondations) scolaires, médicaux et d'assistance, Montreux, le 8 mai 1937, et
B) Lettres concernant la participation du Canada à la Conférence, Londres, le 14 avril 1937, et Montreux, le 19 avril 1937.
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EGYPT AND UNITED STATES OF AMERICA,
BELGIUM, GREAT BRITAIN
AND NORTHERN IRELAND,
COMMONWEALTH OF AUSTRALIA, etc.

- I. Convention regarding the Abolition of the Capitulations in Egypt ;
- II. Rules concerning Judicial Organisation annexed thereto ;
- III. Protocol ;
- IV. Declaration by the Royal Egyptian Government ;
signed at Montreux, May 8th, 1937 ;
- V. *(A)* Letters relating to Educational, Medical and Charitable Institutions (Associations or Foundations), Montreux, May 8th, 1937, and
(B) Letters concerning the Participation of Canada in the Conference, London, April 14th, 1937, and Montreux, April 19th, 1937.

I.

No. 4202. — CONVENTION¹ REGARDING THE ABOLITION OF THE
CAPITULATIONS IN EGYPT. SIGNED AT MONTREUX,
MAY 8TH, 1937.

French and English official texts communicated by the Egyptian and Netherlands Ministers for Foreign Affairs. The registration of this Convention took place October 15th, 1937.

HIS MAJESTY THE KING OF EGYPT, of the one part,
and

THE PRESIDENT OF THE UNITED STATES OF AMERICA ; HIS MAJESTY THE KING OF THE BELGIANS ; HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA ; HIS MAJESTY THE KING OF DENMARK ; THE PRESIDENT OF THE SPANISH REPUBLIC ; THE PRESIDENT OF THE FRENCH REPUBLIC ; HIS MAJESTY THE KING OF THE HELLENES ; HIS MAJESTY THE KING OF ITALY, EMPEROR OF ETHIOPIA ; HIS MAJESTY THE KING OF NORWAY ; HER MAJESTY THE QUEEN OF THE NETHERLANDS ; THE PRESIDENT OF THE PORTUGUESE REPUBLIC ; HIS MAJESTY THE KING OF SWEDEN, of the other part ;

¹ Came into force October 15th, 1937.

Ratifications deposited in Cairo :

EGYPT September 4th, 1937.
BELGIUM September 11th, 1937.

The Belgian Government desires to exercise the right provided for in Article 9 of the Convention and retain its Consular Courts in Egypt for the purposes of jurisdiction in matters of personal status in all cases in which the law applicable is the Belgian law.

GREECE September 25th, 1937.

The Hellenic Government desires to exercise the right provided for in Article 9 of the Convention and retain its Consular Courts in Egypt for the purposes of jurisdiction in matters of personal status in all cases in which the law applicable is the Greek law.

ITALY September 25th, 1937.

The Italian Government desires to exercise the right provided for in Article 9 of the Convention and retain its Consular Courts in Egypt for the purposes of jurisdiction in matters of personal status in all cases in which the law applicable is the Italian law.

SWEDEN September 28th, 1937.

The Swedish Government desires to exercise the right provided for in Article 9 of the Convention and retain its Consular Courts in Egypt for the purposes of jurisdiction in matters of personal status in all cases in which the law applicable is the Swedish law.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN

IRELAND October 12th, 1937.

His Majesty's Government desires to exercise the right provided for in Article 9 of the Convention and retain its Consular Courts in Egypt for the purposes of jurisdiction in matters of personal status in all cases in which the law applicable is the British law.

DENMARK October 13th, 1937.

The Danish Government desires to exercise the right provided for in Article 9 of the Convention and retain its Consular Courts in Egypt for the purposes of

Whereas the regime of Capitulations hitherto in force in Egypt is no longer in harmony with the new situation to which that country has attained through the progress of its institutions and whereas it should in consequence be brought to an end ;

Considering that, following upon the abolition by common agreement of the said regime, there should be established between them relations based on respect for the independence and sovereignty of States and on ordinary international law ;

Prompted by the sincere desire to facilitate the most extensive and friendly co-operation between them ;

Have decided to conclude a Convention for that purpose and have appointed as their Plenipotentiaries :

THE PRESIDENT OF THE UNITED STATES OF AMERICA :

Mr. Bert FISH, Envoy Extraordinary and Minister Plenipotentiary of the United States of America at Cairo ;

HIS MAJESTY THE KING OF THE BELGIANS :

M. Pierre FORTHOMME, Grand Cross of the Order of the Crown, Grand Officer of the Order of Leopold, former Minister, Envoy Extraordinary and Minister Plenipotentiary ;

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA :

FOR GREAT BRITAIN AND NORTHERN IRELAND :

Captain the Right Honourable David Euan WALLACE, M.C., M.P., a Parliamentary Under-Secretary of State for Foreign Affairs, a Parliamentary Secretary to the Board of Trade, Secretary of the Department of Overseas Trade ;

Mr. David Victor KELLY, C.M.G., M.C., Counsellor in His Britannic Majesty's Embassy at Cairo ;

Mr. William Eric BECKETT, C.M.G., Second Legal Adviser to the Foreign Office ;

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jurisdiction in matters of personal status in all cases in which the law applicable is the Danish law.

THE NETHERLANDS (for the Kingdom in Europe, the Netherlands Indies, Surinam and Curaçao) January 22nd, 1938.

The Netherlands Government desires to exercise the right provided for in Article 9 of the Convention and retain its Consular Courts in Egypt for the purposes of jurisdiction in matters of personal status in all cases in which the law applicable is the Dutch law.

NEW ZEALAND March 23rd, 1938.

His Majesty's Government desires to exercise, as regards New Zealand, the right provided for in Article 9 of the Convention and retain its Consular Courts in Egypt for the purposes of jurisdiction in matters of personal status in all cases in which the law applicable is the national law.

NORWAY April 13th, 1938.

The Norwegian Government desires to exercise the right provided for in Article 9 of the Convention and retain its Consular Court in Egypt for the purposes of jurisdiction in matters of personal status in all cases in which the law applicable is the Norwegian law.

AUSTRALIA April 27th, 1938.

His Majesty's Government desires to exercise, as regards the Commonwealth of Australia, the right provided for in Article 9 of the Convention and retain its Consular Courts in Egypt for the purposes of jurisdiction in matters of personal status in all cases in which the law applicable is the national law.

SPAIN June 2nd, 1938.

The Spanish Government desires to exercise the right provided for in Article 9 of the Convention and retain its Consular Courts for the purposes of jurisdiction in matters of personal status in all cases in which the law applicable is the national law.

FOR THE COMMONWEALTH OF AUSTRALIA :

Captain the Right Honourable David Euan WALLACE, M.C., M.P. ;

FOR THE DOMINION OF NEW ZEALAND :

Captain the Right Honourable David Euan WALLACE, M.C., M.P. ;

FOR THE UNION OF SOUTH AFRICA :

Dr. Stefanus François Naudé GIE, Minister of the Union of South Africa in Berlin ;

Mr. Harry Thomson ANDREWS, Permanent Delegate to the League of Nations ;

FOR THE IRISH FREE STATE :

Mr. Francis T. CREMINS, Permanent Delegate to the League of Nations ;

FOR INDIA :

Captain the Right Honourable David Euan WALLACE, M.C., M.P. ;

HIS MAJESTY THE KING OF DENMARK :

M. Niels Peter ARNSTEDT, Envoy Extraordinary and Minister Plenipotentiary at Cairo ;

M. Niels Vilhelm BOEG, Member of the Court of Appeal at Copenhagen, former Judge of the Mixed Tribunals in Egypt, former President of the Mixed Greco-Turkish Arbitration Tribunal ;

HIS MAJESTY THE KING OF EGYPT :

Mustapha EL-NAHAS Pasha, President of the Council of Ministers, Minister of the Interior and of Public Health ;

Dr. Ahmed MAHER, President of the Chamber of Deputies ;

Wacyf BOUTROS GHALI Pasha, Minister for Foreign Affairs ;

MAKRAM EBEID Pasha, Minister of Finance ;

Abdel Hamid BADAOUY Pasha, President of the *Comité du Contentieux de l'Etat* ;

THE PRESIDENT OF THE SPANISH REPUBLIC :

M. Antonio FABRA RIBAS, Envoy Extraordinary and Minister Plenipotentiary at Berne ;

M. Mariano GOMEZ, President of the Supreme Court of Justice, former Rector of the University of Valencia ;

THE PRESIDENT OF THE FRENCH REPUBLIC :

M. François DE TESSAN, Deputy, Under-Secretary of State in the Department of the President of the Council ;

M. Max HYMANS, Deputy, former President of the Commission for Customs and Commercial Conventions ;

HIS MAJESTY THE KING OF THE HELLENES :

M. Nicolas POLITIS, Envoy Extraordinary and Minister Plenipotentiary of Greece in Paris, former Minister for Foreign Affairs ;

M. Georges ROUSSOS, Envoy Extraordinary and Minister Plenipotentiary, former Minister for Foreign Affairs ;

M. Constantin VRYAKOS, Envoy Extraordinary and Minister Plenipotentiary, former Minister of Justice ;

M. Constantin SAKELLAROPOULO, Envoy Extraordinary and Minister Plenipotentiary, Director of Political Affairs in the Ministry of Foreign Affairs ;

HIS MAJESTY THE KING OF ITALY, EMPEROR OF ETHIOPIA :

Count Luigi ALDROVANDI MARESCOTTI DI VIANO, Ambassador of His Majesty the King of Italy, Emperor of Ethiopia ;

M. Salvatore MESSINA, President of Section in the Court of Cassation ;

M. Piero PARINI, Minister Plenipotentiary, Director-General of Italians abroad ;

M. Pellegrino GHIGI, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of Italy, Emperor of Ethiopia, at Cairo ;

HIS MAJESTY THE KING OF NORWAY :

M. Michael HANSSON, former President of the Egyptian Mixed Court of Appeal, Norwegian Member of the Permanent Court of Arbitration at The Hague, President of the Nansen International Office for Refugees ;

HER MAJESTY THE QUEEN OF THE NETHERLANDS :

M. W. C. BEUCKER ANDREAE, Head of the Directorate of Legal Affairs in the Ministry of Foreign Affairs ;

M. le Chevalier J. J. B. BOSCH DE ROSENTHAL, Chargé d'Affaires of the Netherlands at Cairo ;

Count W. F. L. DE BYLANDT, Counsellor in the Netherlands Legation in Paris ;

THE PRESIDENT OF THE PORTUGUESE REPUBLIC :

Dr. J. CAEIRO DA MATTA, former Minister for Foreign Affairs, Professor and Rector of the University of Lisbon ;

HIS MAJESTY THE KING OF SWEDEN :

M. K. K. F. MALMAR, Director of the Legal Division of the Ministry of Foreign Affairs ;

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

Article 1.

The High Contracting Parties declare that they agree, each in so far as he is concerned, to the complete abolition in all respects of Capitulations in Egypt.

Article 2.

Subject to the application of the principles of international law, foreigners shall be subject to Egyptian legislation in criminal, civil, commercial, administrative, fiscal and other matters.

It is understood that the legislation to which foreigners will be subject will not be inconsistent with the principles generally adopted in modern legislation and will not, with particular relation to legislation of a fiscal nature, entail any discrimination against foreigners or against companies incorporated in accordance with Egyptian law wherein foreigners are substantially interested.

The immediately preceding paragraph, in so far as it does not constitute a recognised rule of international law, shall apply only during the transition period.

Article 3.

The Mixed Court of Appeal and the Mixed Tribunals now existing shall be maintained until October 14th, 1949.

As from October 15th, 1937, they shall be governed by an Egyptian law establishing the *Règlement d'organisation judiciaire* the text of which is annexed to the present Convention.

On the date mentioned in paragraph 1 above, all cases pending before the Mixed Tribunals shall be remitted, at the stage which they have then reached and without involving the parties in the payment of any fees, to the National Tribunals to be continued therein until they are finally disposed of.

The period from October 15th, 1937, to October 14th, 1949, shall be known as " the transition period ".

Article 4.

The judges, officials and staff of the Mixed Tribunals and of the Mixed Parquet, who are employed there on October 14th, 1937, shall be retained in office.

Article 5.

The rules to be applied by the Egyptian National Courts in regard to third party actions shall be the same as those prescribed for the Mixed Tribunals in Article 37 of the *Règlement d'organisation judiciaire mixte*.

Article 6.

The National Courts shall also have jurisdiction in respect of the prosecution of persons of any nationality, accused as principals or accomplices of any of the crimes and misdemeanours referred to in Article 45 of the *Règlement d'organisation judiciaire mixte* involving judges and judicial officials of those courts or their judgments or orders or of bankruptcy offences where the bankruptcy proceedings have taken place before the said courts.

Article 7.

A change in the nationality of one of the parties in the course of proceedings before the National Courts shall not affect the competence of the court before which the proceedings have been brought.

Article 8.

Subject to the provisions of Article 9, no civil or commercial action, no action in matters of personal status and no criminal cause shall be instituted before any Consular Court in Egypt after October 15th, 1937.

Proceedings already brought prior to the above date in any such courts shall be continued before them until finally disposed of, unless they are remitted to the Mixed Tribunals under the conditions specified in Article 53 of the *Règlement d'organisation judiciaire*.

Article 9.

Any of the High Contracting Parties who possess at present Consular Courts in Egypt, may retain such courts for the purposes of jurisdiction in matters of personal status in all cases in which the law applicable is the national law of the High Contracting Party concerned.

Any such High Contracting Party who desires to exercise the above right shall notify the Royal Egyptian Government to this effect at the time of the deposit of his instrument of ratification of the present Convention.

At any time during the transition period any High Contracting Party may make a declaration renouncing his consular jurisdiction. Such declaration shall take effect as from October 15th following the date on which it is made. No new proceeding shall be entertained after the date on which a renunciation of jurisdiction takes effect, but any proceeding already instituted may be continued until finally disposed of.

No Consular Court shall be maintained after October 14th, 1949. On that date all proceedings pending before the said Consular Courts shall be remitted to the National Tribunals at the stage they have then reached.

Article 10.

In matters of personal status, the jurisdiction which is competent shall be determined by the law to be applied.

The expression "personal status" refers to the matters specified in Article 28 of the *Règlement d'organisation judiciaire mixte*.

The law to be applied shall be ascertained in conformity with the rules set out in Articles 29 and 30 of the said *Règlement*.

Article 11.

Without prejudice to the exceptions recognised by international law, foreign consuls shall be subject to the jurisdiction of the Mixed Tribunals. In particular, they may not be prosecuted in respect of acts performed by them in the performance of their official duties.

Subject to reciprocity, they shall exercise the powers customarily granted to consuls as regards registration in matters of personal status, as regards contracts of marriage and other notarial acts, inheritance, the representation before the courts of the interests of their absent nationals and maritime navigation, and shall enjoy personal immunity.

Until Consular Conventions are concluded, and in any case during a period of three years as from the date of the signature of the present Convention, consuls shall continue to enjoy the immunities which they possess at present in respect of consular premises and in the matter of taxes, Customs duties and other public dues.

Article 12.

The High Contracting Parties undertake to maintain in Egypt, during the transition period, all the judicial records of their Consular Courts.

These records shall be open for inspection by the courts in Egypt whenever such inspection is required in connection with a case coming within their jurisdiction; certified copies of such records shall be furnished upon the request of any such court.

Article 13.

Any dispute between the High Contracting Parties relating to the interpretation or application of the provisions of the present Convention, which they are unable to settle by diplomatic means, shall, on the application of one of the parties to the dispute, be submitted to the Permanent Court of International Justice.

If, however, there is at present in force between any of the High Contracting Parties and His Majesty the King of Egypt a treaty of arbitration providing for another tribunal, this tribunal shall, for the duration of this Convention, be substituted for the Permanent Court of International Justice for the purposes of this Article, even though such treaty of arbitration may have ceased to exist for other purposes.

Article 14.

The present Convention, with the exception of the annex referred to in Article 3, has been drawn up in a single copy in the English and French languages. Both texts shall be equally authentic for the purposes of its interpretation.

In the case of the annex aforesaid the French text alone shall be authentic.

Article 15.

The present Convention shall be ratified and the instruments of ratification shall be deposited as soon as possible at Cairo. The Royal Egyptian Government shall undertake the registration of the Convention with the Secretariat of the League of Nations.

The Royal Egyptian Government shall inform the Governments of the High Contracting Parties and the Secretary-General of the League of Nations of the deposit of each ratification.

The present Convention shall come into force on October 15th, 1937, if three instruments of ratification have been deposited. It shall not however come into force in respect of the other signatories before the date of the deposit of their respective instruments of ratification.

En foi de quoi les plénipotentiaires susmentionnés ont signé la présente convention.

Fait à Montreux, le huit mai mil neuf cent trente-sept, en un seul exemplaire, revêtu des sceaux des plénipotentiaires, qui sera déposé dans les archives du Gouvernement royal égyptien et dont les copies certifiées conformes seront remises aux gouvernements des Puissances signataires.

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

Done at Montreux, on the eighth day of May, one thousand nine hundred and thirty-seven, in a single copy, bearing the seals of the Plenipotentiaries, which shall be deposited in the archives of the Royal Egyptian Government and of which certified true copies shall be delivered to the Governments of the signatory Powers.

- (L. S.) Bert FISH.
- (L. S.) P. FORTHOMME.
- (L. S.) David Euan WALLACE.
- (L. S.) David Victor KELLY.
- (L. S.) William Eric BECKETT.
- (L. S.) David Euan WALLACE.
- (L. S.) David Euan WALLACE.
- (L. S.) S. F. N. GIE.
- (L. S.) H. T. ANDREWS.
- (L. S.) F. T. CREMINS
- (L. S.) David Euan WALLACE.
- (L. S.) N. P. ARNSTEDT.
- (L. S.) N. V. BOEG.
- (L. S.) Moustapha EL-NAHAS.
- (L. S.) A. MAHER.
- (L. S.) Wacyf BOUTROS GHALI.
- (L. S.) MAKRAM EBEID.
- (L. S.) A. BADAOUI.
- (L. S.) A. FABRA RIBAS.
- (L. S.) Mariano GOMEZ.
- (L. S.) F. DE TESSAN.
- (L. S.) HYMANS.
- (L. S.) N. POLITIS.

¹ TRADUCTION. — TRANSLATION.

II.

ANNEX.

RULES CONCERNING JUDICIAL ORGANISATION.

I. ORGANISATION AND COMPOSITION.

Article 1.

The Mixed Court of Appeal at Alexandria and the three Mixed Tribunals of first instance at Cairo, Alexandria and Mansûra shall be maintained with their existing territorial areas of jurisdiction.

These areas of jurisdiction may be altered by decree after consultation with the Court of Appeal.

Article 2.

The Court of Appeal shall be composed of 18 judges, 11 of whom shall be foreigners. Should occasion arise, two judges, of whom one must be a foreigner, may be appointed in addition to that number. Vacancies occurring among the foreign judges of the Court of Appeal shall be filled by the promotion of foreign judges of the Tribunals of first instance.

Article 3.

The Tribunals at Cairo, Alexandria and Mansûra shall on October 15th, 1937, be composed of 61 judges, of whom 40 shall be foreigners.

As vacancies occur among the foreign judges as a result of retirement, death, resignation or promotion, such judges shall be replaced by Egyptian judges.

Nevertheless, the number of foreign judges in the Tribunals of first instance shall not be less than one-third of the total number of judges of the said Tribunals.

Article 4.

No distinction based on the nationality of judges shall be made either in the matter of the composition of the Chambers or in that of appointments to the various posts in the judicial organisation, including the presidency of Tribunals and Chambers.

The President of the Court of Appeal shall be of foreign nationality and the Vice-President of Egyptian nationality.

Should the President of a Tribunal be of Egyptian nationality, the Vice-President shall be of foreign nationality, and *vice versa*.

Article 5.

The judgments of the Court of Appeal shall be given by five judges. Nevertheless, the law may prescribe that three judges shall compose Chambers to decide matters which in first instance are within the competence of a judge sitting alone.

The Assize Court shall consist of five judges of whom three shall be judges of the Court of Appeal.

The judgments of Tribunals of first instance, both in civil and criminal matters, shall be given by three judges.

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.

In commercial matters the three judges may, in virtue of a law, be assisted by two assessors acting in an advisory capacity.

In interlocutory matters, in civil cases of a summary nature, and for petty offences involving a maximum of three months' imprisonment, judgments shall be given by a judge sitting alone.

Article 6.

Judges shall be appointed by decree.

They shall be irremovable.

The age at which magistrates may be required to retire shall be sixty-five years for judges of first instance and seventy years for judges of the Court of Appeal.

Judges shall not be transferred from one Tribunal to another nor shall they be promoted except in conformity with the recommendation of the General Assembly of the Court of Appeal.

Article 7.

The Presidents and Vice-Presidents of the Court of Appeal and of the Tribunals shall be appointed for one year, by decree, on the nomination of the General Assembly of the Court of Appeal by an absolute majority of votes. In the case of Tribunals of first instance, nominations shall be made from an alphabetical list drawn up by the General Assembly of each Tribunal and comprising three candidates at Alexandria and at Cairo and two candidates at Mansûra.

The Presidents of the Chambers of the Court of Appeal shall be nominated annually by the General Assembly of the Court of Appeal.

The Presidents of the Chambers of each Tribunal shall be nominated annually by the General Assembly of the Court of Appeal on the recommendation of the General Assembly of the Tribunal.

Article 8.

The salaries of judges are fixed by law.

Article 9.

Judges are debarred from engaging in business and from occupying any salaried position.

Article 10.

Discipline over judges shall be exercised exclusively by the Court of Appeal. The General Judicial Regulations shall determine the disciplinary measures and the procedure to be followed in this matter.

Article 11.

Proceedings shall be public, except in cases where the court by reasoned decision orders the hearing to be held *in camera* in the interests of morality or public order.

The accused shall be free to defend himself against the charge.

Article 12.

The judicial languages employed in the Mixed Tribunals for the conduct of cases and for the drafting of official documents and judgments shall be : Arabic, English, French and Italian.

The operative part of judgments shall be pronounced in two of the judicial languages of which one must be Arabic. After the pronouncement, judgments drawn up in a foreign language shall be translated in their entirety into Arabic and those drawn up in Arabic shall be translated in their entirety into a foreign language.

In the event of divergence between the original text and the translation, the former shall be authentic.

Article 13.

Subject to the exceptions provided for by the Codes, laws or regulations, parties shall be represented at law only by persons authorised to practise as barristers in the Mixed Tribunals. The General Judicial Regulations determine the organisation of the Bar and the conditions for the exercise of discipline over barristers.

Article 14.

The auxiliary staff of the Court of Appeal and of the Tribunals shall include : clerks of the courts, assistant clerks, interpreters, bailiffs and other agents.

The General Judicial Regulations determine the conditions for the exercise of discipline over the above-mentioned staff.

Article 15.

Judgments shall be executed on the order of the court by its bailiffs, with the assistance of the administrative authorities when such assistance is requested.

II. PARQUET.

Article 16.

The Parquet of the Mixed Tribunals shall exercise the powers specified hereinafter together with those conferred upon it by law.

It shall be directed by a Procurator General of foreign nationality.

Article 17.

The Procurator General shall be assisted by a First Advocate General of Egyptian nationality and by a Second Advocate General of foreign nationality.

Should the Procurator General be absent or otherwise prevented from discharging his duties, he shall be replaced in civil matters and for the purposes of administration by the First Advocate General and in criminal matters by the Second Advocate General.

The Procurator General shall in addition have under his direction an adequate number of deputies.

Article 18.

The members of the Parquet shall be appointed by decree. They shall be removable and responsible only to their administrative chiefs and, ultimately, to the Minister of Justice.

Article 19.

The *Ministère public*, in the person of the Procurator General, one of the Advocates General or a deputy, may sit in all the Chambers and in all the General Assemblies of the Court of Appeal and of the Tribunals.

Article 20.

In criminal matters, the Parquet shall conduct public prosecutions. It shall control the judicial police in all cases falling within the jurisdiction of the Mixed Tribunals.

Officials recognised by law as being members of the judicial police shall, as such, be under the orders of the Parquet.

Article 21.

The Procurator General shall be called upon to give his opinion on the application to any foreigner of the provisions of the Criminal Code and of the *Code d'Instruction criminelle* concerning total or partial remission or commutation of any penalty and the execution of death sentences.

Article 22.

The Procurator General shall supervise prisons and penitentiaries in which foreigners are detained. He shall in addition have free access at all times to any other place wherein a foreigner may be detained.

He shall notify the Minister of Justice of all irregularities of which he becomes aware and shall make to him any other communications called for in the exercise of the supervision for which he is responsible.

Article 23.

The *Ministère public* shall intervene in all matters involving questions of personal status or nationality. It may furthermore intervene in matters concerning minors or persons under an incapacity and also in all other cases specified in the Code of Civil Procedure.

It shall further be empowered to order and to have carried out any measures which it may consider proper to safeguard the interests of minors or of persons under an incapacity.

Article 24.

The Parquet shall control the administration of judicial funds, It shall be responsible for the supervision of the special deposit and consignment fund.

It shall also supervise the clerks of the court and the bailiffs who shall be under the exclusive control of the Presidents of the Court and Tribunals.

III. COMPETENCE.

Article 25.

For the purposes of determining the competence of the Mixed Tribunals, the word " foreigner " shall be taken to mean nationals of the High Contracting Parties to the Montreux Convention regarding the abolition of the Capitulations in Egypt together with nationals of any other State that may be specified by decree.

No Egyptian national may avail himself of the protection of a foreign Power.

Nationals of Syria and of the Lebanon and also those of Palestine and Transjordan shall come within the competence of the National jurisdiction as regards both civil and criminal matters.

Foreign nationals (citizens, subjects and protected persons) belonging to religions or confessions or practising rites for which there exist Egyptian Courts dealing with matters of personal status, shall continue, under the same conditions as in the past, to have their cases heard by the said courts in matters relating thereto.

The nationals specified above shall, moreover, have the right to opt between the Mixed jurisdiction and the National jurisdiction in civil and commercial matters. When one of the said nationals is summoned, in respect of either of the said matters, before a National Court, in a case in connection with which he has not previously accepted the competence of the National jurisdiction, he shall, if he wishes to challenge the competence of the court before which the case is brought, do so by registered letter or by service of a writ, or at the latest at the first hearing, failing which, the court shall be competent.

*A. Competence in Civil and Commercial Matters.**Article 26.*

The Mixed Tribunals shall take cognisance of all civil and commercial suits between foreigners or between foreigners and parties subject to the jurisdiction of the National Courts.

Nevertheless, the National Courts shall be competent in the aforesaid matters in respect of any foreigner who agrees to submit himself to their jurisdiction.

Such submission may result from a clause attributing competence or from the fact (1) that the foreigner has himself initiated the proceedings before the National Courts ; or (2) that he has not challenged the competence of the said courts before the pronouncement of a judicial decision in proceedings wherein he has appeared as defendant or as an intervening party.

Submission to the jurisdiction of a court of first instance entails submission to the jurisdiction of superior courts of the same category.

Article 27.

The Mixed Tribunals shall also take cognisance of suits and matters relating to personal status in cases wherein the law to be applied according to the terms of Article 29 is a foreign law.

Article 28.

Personal status comprises : suits and matters relating to the status and capacity of persons, legal relations between members of a family, more particularly betrothal, marriage, the reciprocal rights and duties of husband and wife, dowry and their rights of property during marriage, divorce, repudiation, separation, legitimacy, recognition and repudiation of paternity, the relation between ascendants and descendants, the duty of support as between relatives by blood or marriage, legitimisation, adoption, guardianship, curatorship, interdiction, emancipation and also gifts, inheritance, wills and other dispositions *mortis causa*, absence and the presumption of death.

Article 29.

The status and capacity of persons shall be governed by their national laws.

The fundamental conditions of the validity of marriage shall be governed by the national law of each of the parties thereto.

In matters concerning relations between the husband and wife, including separation, divorce and repudiation and the effects thereof upon their property, the law to be applied shall be the national law of the husband at the time of the celebration of the marriage.

Reciprocal rights and duties as between parents and children shall be governed by the national law of the father.

The duty of support shall be governed by the national law of the party sought to be charged therewith.

Matters relating to legitimacy, legitimisation, and the recognition and repudiation of paternity shall be governed by the national law of the father.

Questions relating to the validity of adoption shall be governed by the national law of the adopting party as well as by that of the adopted person. The effects of adoption shall be governed by the national law of the adopting party.

Guardianship, curatorship and emancipation shall be governed by the national law of the person under the incapacity.

Inheritance and wills shall be governed by the national law of the deceased or of the testator.

Gifts shall be governed by the national law of the donor at the time of the gift.

The rules of the present Article shall not affect provisions relating to the legal position of immovable property in Egypt.

Article 30.

Should the nationality of a person be unknown, or should he simultaneously possess the nationality of each of several foreign States, the judge shall decide what law shall be applied.

Should a person simultaneously possess the nationality of Egypt under Egyptian law and of one or more foreign States under the laws of the State or States concerned, the law to be applied shall be the Egyptian law.

Article 31.

The term "national law" shall be understood to mean the municipal law of the country in question to the exclusion of its provisions of private international law.

Article 32.

Rules of procedure prescribed by a foreign law shall not apply in so far as they are incompatible with Egyptian rules of procedure.

Article 33.

Subject to the provisions of Articles 34, 35, 36 and 37, the competence of the Mixed Tribunals shall be determined solely by the nationality of the parties directly concerned, without regard to any mixed interests which may be indirectly concerned.

Article 34.

Companies of Egyptian nationality already incorporated in which there are substantial foreign interests shall, in their suits with persons subject to the jurisdiction of the National Courts, be subject to the jurisdiction of the Mixed Tribunals unless the terms of their incorporation contain a clause attributing competence to the National Courts or unless they have accepted the jurisdiction of the said courts in accordance with Article 26.

Article 35.

The Mixed Tribunals shall similarly be competent in matters arising out of the bankruptcy of a person subject to the jurisdiction of the National Courts if one of the creditors party to the proceedings is a foreigner.

Article 36.

The creation of a charge in favour of a foreigner over immovable property, whoever may be the person in possession or the owner thereof, renders the Mixed Tribunals *ipso facto* competent to determine the validity of the charge and all its consequences up to and including the forced sale of the said property and also the distribution of the monies realised thereby.

Article 37.

The Mixed Tribunals shall not take cognizance of an action not in itself falling within their competence even if it arises as subsidiary to an action already instituted before them. Nevertheless, they shall take cognizance of the said subsidiary action when the jurisdiction before which it has been brought decides, in the interests of justice, to remit it to be pleaded before them.

The Mixed Tribunals may, if they consider that the interests of justice so require, remit to be pleaded before the National Courts an action instituted before them which is subsidiary to a principal action already instituted before the said National Courts.

Article 38.

Suits by foreigners against a Wakf involving a claim to the ownership of immovable property of the said Wakf shall not be submitted to the Mixed Tribunals. Nevertheless, the said Tribunals shall be competent to give judgment on claims brought in respect of legal possession whoever may be plaintiff or defendant.

Furthermore, suits directly or indirectly concerning the constitution of a Wakf or the validity, interpretation or application of its clauses, or the appointment or removal of the Nazir shall not come within the competence of the Mixed Tribunals.

The Mixed Tribunals may nevertheless declare the constitution of property as a Wakf in fraud of the rights of creditors of the party constituting it void as against such creditors.

Article 39.

When, in the course of proceedings, an issue is raised concerning the personal status of a party coming in that respect within the jurisdiction of some other court, the Mixed Tribunals shall, if they consider it necessary to secure a preliminary decision upon that issue, suspend judgment on the main issue and prescribe a time-limit within which the party against whom the interlocutory plea has been raised must have the matter finally decided by the competent court. If such a preliminary decision is not considered necessary they shall proceed to give a decision on the main issue.

Article 40.

The cession of a right to a foreigner, the citing of a foreigner as third party, or a fictitious assignment to a foreigner shall not render the Mixed Tribunals competent to decide suits coming within the competence of the National Courts if the object of the said cession, citation as third party or fictitious assignment is to remove such litigation from the cognizance of the National Courts.

Any cession of a right to a foreigner agreed to during the course of the proceedings shall be presumed to have been made with the above object. The court may, however, in exceptional cases, admit proof to the contrary.

Subject to the provisions of the preceding paragraph, the competence of the Mixed Tribunals cannot be challenged on the ground of a fictitious assignment where the cession is made by means of the endorsement of a negotiable instrument.

The irregular endorsement of a negotiable instrument to a foreigner or its endorsement to a foreigner for purposes of collection shall not give competence to the Mixed Tribunals in the case of suits that are within the competence of the National Courts.

Article 41.

Should the litigant whose foreign character gave competence to the Mixed Tribunals cease before the close of the hearing to be a party to the proceedings, the said Tribunals shall, on objection being raised by one of the parties, cease to have competence in the matter, which shall be transferred as it stands to the National Courts.

Article 42.

A change in the nationality of one of the parties during the course of the proceedings shall have no effect on the competence of the court before which a case has been properly brought.

Article 43.

The Mixed Tribunals may not directly or indirectly pass judgment on acts of sovereignty. They may not give decisions on the validity of the application of Egyptian laws or regulations to foreigners.

Furthermore, they may not give decisions on the ownership of public property.

Nevertheless, though they may not interpret an administrative instrument or arrest the execution thereof, they shall be competent to hear (1) all civil and commercial actions between foreigners and the State concerning movable or immovable property; (2) civil actions brought by foreigners against the State in respect of administrative measures taken in violation of laws or regulations.

B. *Competence in Criminal Matters.*

Article 44.

The Mixed Tribunals shall hear all prosecutions of foreigners in respect of acts punishable by law.

Article 45.

The Mixed Tribunals shall further hear all prosecutions against principal offenders or their accomplices, of whatever nationality, in respect of the following crimes and misdemeanours :

(1) Crimes and misdemeanours committed directly against judges and judicial officers of the Mixed Tribunals in the performance, or in connection with the performance, of their duties ;

(2) Crimes and misdemeanours committed directly to hinder the execution of judgments and warrants of the Mixed Tribunals ;

(3) Crimes and misdemeanours alleged against such judges and judicial officers if they are accused of having committed them in the performance of their duties or in abuse of their powers ;

(4) Bankruptcy offences whether crimes or misdemeanours with or without fraud where the bankruptcy proceedings are before the Mixed Tribunals.

The term judicial officers in paragraphs (1) and (3) above shall comprise : clerks of the court, sworn assistant clerks, interpreters attached to the Tribunal and the official bailiffs, but not persons incidentally entrusted, by delegation from the Tribunal, with the service or execution of writs or warrants.

Article 46.

In criminal matters the Police Courts shall deal with offences defined as contraventions by law and misdemeanours carrying a penalty of not more than three months' imprisonment.

The Correctional Courts shall deal with offences defined as misdemeanours by law other than those referred to in the preceding paragraph, and shall hear appeals against decisions given by the Police Courts.

The Assize Courts shall deal with offences defined as crimes by law.

Article 47.

Arrests and domiciliary searches in the case of foreigners, except in cases of *flagrant délit* or a call for help from within the dwelling-house shall be carried out by, or in the presence of, a member of the Mixed Parquet or an officer of the judicial police to whom such functions have been delegated by the Mixed Parquet.

Article 48.

In criminal matters, if the Parquet considers there are grounds for prosecution, it must refer the case to the investigating magistrate.

In correctional matters also, the Parquet shall refer the case to the investigating magistrate unless it decides that the information received on summary enquiry is sufficient for the case to be brought to trial. In such a case, if the accused has been heard, or if his absence or the impossibility of finding his residence has been duly established, the Parquet may summon him directly before the Tribunal.

Nevertheless, at the request of the accused or of the Parquet, or without being moved thereto, the Tribunal may declare the summons to be annulled and order the case to be referred to the investigating magistrate.

Article 49.

The detention of any foreigner shall at once be notified to the Parquet. The Parquet is bound under the conditions specified in the *Code d'instruction criminelle* and, at longest, within four days either to order the release of the person detained or to send him before the investigating magistrate.

Any foreigner who is detained pending trial shall have the right to inform his Consul and his lawyer of his detention through the intermediary of the Parquet.

The Consul and the lawyer of the detained person may visit him in prison under the conditions approved by the Parquet.

Article 50.

Except in cases of urgency, if the accused has no defending counsel one shall be appointed for him, if he so requests, at the time of his interrogation, failing which the proceedings shall be void.

A defending counsel shall further be officially appointed, within a reasonable time before the hearing of the case, to every accused person committed for trial before the Assize Court.

IV. GENERAL AND TRANSITION PROVISIONS.

Article 51.

The Mixed Tribunals shall administer justice in Our Name.

Article 52.

Where the law is silent, insufficient or obscure, the judge shall conform with the principles of natural law and with the rules of equity.

Article 53.

Actions begun prior to October 15th, 1937, before a Consular jurisdiction shall be continued before that jurisdiction until a final judgment has been given.

The same shall apply to actions which have been begun prior to that date before the Mixed Tribunals and which, by virtue of the present law, would come within the competence of the National Courts.

In civil matters, actions referred to in the two paragraphs above may, on the request of the parties thereto and with the consent of all persons having an interest therein, be referred at the stage which they have reached to the courts which are competent according to the provisions of the preceding Articles in order that they may be continued and decided therein.

In criminal matters, Consular jurisdictions may refer cases begun prior to October 15th, 1937, to the Mixed Tribunals.

Article 54.

Judgments and orders of the Consular Courts shall continue to have the force of *res judicata* and shall, when necessary, be executed through the agency of the Mixed Tribunals.

Article 55.

Prescriptions and foreclosures which were applicable in cases within the competence of the Consular Courts shall continue to apply when they come before the Mixed Tribunals.

Article 56.

Notwithstanding the provisions of Article 27, the Mixed Tribunals shall not have competence in matters of personal status where the law applicable in accordance with the provisions of Article 29 is that of a Power party to the Convention regarding the abolition of the Capitulations in Egypt which, in accordance with Article 9 of that Convention, has reserved jurisdiction in personal status for its Consular Courts and that reservation has not been withdrawn.

Article 57.

The provisions of the existing General Judicial Regulations shall remain in force in so far as they are not abrogated or modified by the preceding provisions.

No modification of the said Regulations proposed by the General Assembly of the Court shall take effect until promulgated by decree on the proposal of the Minister of Justice.

Article 58.

The present *“Règlement d'organisation judiciaire pour les procès mixtes en Egypte* and any provisions contrary to the present law are hereby abrogated.

III.

PROTOCOL.¹

On signing the Convention regarding the abolition of the Capitulations in Egypt bearing this day's date,

The undersigned Plenipotentiaries,

Being desirous of determining exactly some of the provisions of the Convention and of its Annex,

Have agreed as follows :

I.

It is understood that the provisions of Article 2, paragraph 2, of the Convention relating to the non-discrimination rule and applicable during the transition period must be interpreted in the light of international practice relating to undertakings of that nature between countries enjoying legislative sovereignty.

II.

With reference to Article 6, paragraph 1, of the *Règlement d'organisation judiciaire*, it is understood that the selection of foreign judges is a matter for the Royal Egyptian Government, but that, in order to satisfy itself regarding the suitability of the persons whom it may select, the Royal Egyptian Government will approach unofficially the Ministers of Justice of the foreign countries concerned and will appoint only persons of whom their respective Governments approve.

¹ Official text.

¹ Texte officiel.

IV.

DECLARATION BY THE ROYAL EGYPTIAN GOVERNMENT.¹

The undersigned, acting in virtue of their full powers, make the following declaration :

I. COMPETENCE OF THE MIXED TRIBUNALS.

With reference to Article 25, paragraph 1, of the *Règlement d'organisation judiciaire*, the Royal Egyptian Government has already decided to extend by decree the competence of the Mixed Tribunals to nationals of the following eight States : Austria, Czechoslovakia, Germany, Hungary, Poland, Roumania, Switzerland, Yugoslavia.

2. NON-DISCRIMINATION RULE.

With reference to Article 2, paragraph 2, of the Convention and the Protocol relating thereto, the fact that the effect of the non-discrimination rule referred to in the above-mentioned Article 2 is limited to the duration of the transition period, does not imply any intention on the part of the Royal Egyptian Government to pursue thereafter in this matter any contrary policy of discrimination against foreigners. The Royal Egyptian Government is, moreover, prepared to conclude Establishment Treaties and Treaties of Friendship with the various Powers.

3. PERSONAL STATUS.

The Royal Egyptian Government, having already, and more particularly in the Establishment Treaties which it has concluded with Iran and Turkey, spontaneously adopted the principle that, in matters of personal status, the personal law should apply, intends to adopt the same principle with regard thereto in the future.

As regards the rules of procedure, which the Royal Egyptian Government intends to enact for cases of personal status, these will be applied provided that no substantive rule of the foreign national law prevents their application.

4. DEPORTATION.

Although the abolition of Capitulations entails the removal of all the existing restrictions on the Royal Egyptian Government's right to deport foreigners who are within Egyptian territory, nevertheless that Government does not intend to exercise during the transition period its right of deportation in respect of a foreigner subject to the jurisdiction of the Mixed Tribunals, who shall have resided in Egypt for at least five years, or to refuse such a foreigner access to Egyptian territory, if he has temporarily quitted that territory, unless :

- (a) He has been convicted in respect of a crime or misdemeanour punishable by more than three months' imprisonment, or
- (b) He has been guilty of activities of a subversive nature or to the prejudice of public order or public tranquillity, morality or health, or
- (c) He is indigent and a burden upon the State.

¹ Official text.

¹ Texte officiel.

The Royal Egyptian Government further proposes to set up an administrative advisory committee, of which the Procurator General of the Mixed Tribunals shall be a member, for the purpose of examining any disputes on the subject of the identity or the nationality of the person whose deportation is under consideration, or of the length of his residence in Egypt, or of the existence of the facts which constitute the grounds for deportation.

5. EXTRADITION.

In conformity with the practice generally adopted in regard to extradition, the Royal Egyptian Government intends to adopt judicial procedure in this matter. It will therefore be necessary for the Mixed Tribunals to pronounce upon the regularity of the request for extradition when such request relates to a foreigner within the jurisdiction of the said Tribunals.

6. CLAUSE RELATING TO THE JURISDICTION TO WHICH DISPUTES SHOULD BE SUBMITTED.

With reference to Article 26 of the *Règlement d'organisation judiciaire*, the Royal Egyptian Government does not intend to insert in Government contracts (including contracts made by public administrations and municipalities) any clause relating to the jurisdiction to which disputes should be submitted.

7. JUDGES, OFFICIALS AND MEMBERS OF THE BAR.

The Royal Egyptian Government does not intend to alter either the existing conditions of service or the present salaries of judges of the Mixed Tribunals.

Similarly, the Government does not intend to alter the present salaries of officials and employees of the said Tribunals.

It will give sympathetic consideration to their treatment in respect of grading, rules for increase of salary and promotion, when the new cadre now being considered is introduced.

The case of any such officials and employees who may be retired at the end of the transition period will receive special consideration, the circumstances peculiar to each individual being taken into account. Should such circumstances justify it, certain advantages may be granted in the matter of the pension or compensation to be paid.

As regards the pensions of foreign judges, officials and employees, the Government intends to ensure that they are not prejudiced by double taxation.

Furthermore, in the case of advocates admitted to practise at the Mixed Bar the Egyptian Government intends to take the necessary measures to enable such advocates, at the end of the transition period, to obtain unconditionally the inscription of their names and the recognition of their professional seniority on the roll of the Order of Advocates practising in the National Tribunals.

ÉCHANGE DE NOTES



EXCHANGE OF NOTES

V.

A. LETTERS

RELATING TO EDUCATIONAL, MEDICAL AND CHARITABLE INSTITUTIONS (ASSOCIATIONS OR FOUNDATIONS).

Communicated by the Egyptian Minister for Foreign Affairs.

(a) LETTER FROM THE PRESIDENT OF THE EGYPTIAN DELEGATION TO THE PRESIDENT OF THE DELEGATION OF THE UNITED STATES OF AMERICA.

MONTREUX, *May 8th*, 1937.

SIR,

As Your Excellency has expressed a desire to receive detailed information concerning the situation of the educational, medical and charitable institutions (associations or foundations) of the United States of America in Egypt, I have the honour to state that the Royal Egyptian Government is prepared to assure you that pending the conclusion of a subsequent agreement or, in any case until the end of the transition period, all the above-mentioned institutions, actually existing in the country at the date of the Convention signed this day, may continue freely to carry on their activities in Egypt, whether educational, scientific, medical or charitable, subject to the following conditions :

(1) They shall be subject to the jurisdiction of the Mixed Tribunals and shall be subject to Egyptian laws and regulations, including fiscal laws, under the same conditions as similar Egyptian institutions, and also to all measures necessary for the preservation of public order in Egypt.

(2) They shall retain their legal status and shall, as regards their organisation and operation, be governed by their charters or other instruments under which they were created and also in the case of educational institutions, by their own curricula.

(3) They may, without prejudice to the laws relating to expropriation for purposes of public utility, possess the movable and immovable property necessary to enable them to attain their objects, and may administer and dispose of their property for these purposes.

(4) They may continue to employ their existing staff and may also, each within the scope of its organisation, employ either Egyptians or foreigners, whether established in Egypt or elsewhere, without prejudice in all cases to the application of the Egyptian laws which are now applicable to them or to the Egyptian Government's general right of control over the entry of foreigners into Egypt.

Furthermore, within the limits of the customs recognised in Egypt regarding religions other than the State religion, freedom of worship shall continue to be assured to all religious institutions of the United States of America on condition that there is no offence against public order or morals.

A list of the institutions referred to in this letter shall be drawn up as soon as possible in agreement between the Egyptian Government and the Government of the United States of America.

I have the honour to be, Sir, Your obedient servant.

(Signed) Moustapha EL-NAHAS,
President of the Egyptian Delegation.

¹ TRADUCTION. — TRANSLATION.

V.

A. LETTRES

SE RAPPORTANT AUX ÉTABLISSEMENTS (ASSOCIATIONS OU FONDATIONS) SCOLAIRES, MÉDICAUX ET D'ASSISTANCE.

Communiquées par le ministre des Affaires étrangères d'Égypte.

a) LETTRE DU PRÉSIDENT DE LA DÉLÉGATION ÉGYPTIENNE
AU PRÉSIDENT DE LA DÉLÉGATION DES ÉTATS-UNIS D'AMÉRIQUE.

MONTREUX, le 8 mai 1937.

MONSIEUR LE PRÉSIDENT.

Votre Excellence ayant exprimé le désir de recevoir des précisions en ce qui concerne la situation en Égypte des établissements (associations ou fondations) scolaires, médicaux et d'assistance relevant des États-Unis d'Amérique, j'ai l'honneur de déclarer que le Gouvernement royal égyptien est disposé à reconnaître que tous les établissements précités existant dans le pays à la date de la convention signée ce jour pourront, jusqu'à la conclusion d'un accord ultérieur ou, en tout cas, jusqu'à l'expiration de la période transitoire, continuer à exercer librement leur activité, qu'elle ait un objet pédagogique ou scientifique, d'hospitalisation ou d'assistance, en Égypte, aux conditions suivantes :

1^o Ils seront justiciables des tribunaux mixtes et soumis aux lois et règlements égyptiens, y compris les lois fiscales, dans les mêmes conditions que les établissements similaires égyptiens, ainsi qu'à toute mesure qu'exigerait l'observation de l'ordre public égyptien.

2^o Ils garderont leur capacité légale et seront régis, au point de vue de leur organisation et de leur fonctionnement, par leurs statuts ou autres actes constitutifs, ainsi que, pour ce qui concerne les établissements scolaires, par leur propre programme d'enseignement.

3^o Ils pourront, sans préjudice des lois d'expropriation pour cause d'utilité publique, posséder les biens meubles et immeubles qui leur permettent de réaliser leurs fins, les gérer et en disposer en vue également de ces fins.

4^o Ils pourront continuer à employer leur personnel actuel, de même qu'ils pourront employer, dans les limites de leur organisation, soit des Égyptiens, soit des étrangers établis ou non en Égypte, sans préjudice, dans tous les cas, des lois égyptiennes actuellement applicables et du droit général de contrôle du Gouvernement égyptien sur l'entrée des étrangers en Égypte.

D'autre part, dans les limites des usages établis en Égypte pour les religions autres que la religion d'État, la libre pratique du culte continuera à être assurée à tous les établissements religieux relevant des États-Unis d'Amérique à la condition qu'il ne soit pas porté atteinte à l'ordre public et aux bonnes mœurs.

Une liste des institutions visées dans la présente lettre sera établie, aussitôt que possible, d'un commun accord entre le Gouvernement égyptien et le Gouvernement des États-Unis d'Amérique.

Veillez agréer, etc.

(Signé) Moustapha EL-NAHAS,
Président de la Délégation égyptienne.

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.

REPLY BY THE PRESIDENT OF THE DELEGATION OF THE UNITED STATES OF AMERICA TO THE
PRESIDENT OF THE EGYPTIAN DELEGATION.

MONTREUX, *May 8th*, 1937.

SIR,

I have the honour to acknowledge the receipt of Your Excellency's letter bearing to-day's date. I welcome the assurances which it contains with regard to the régime to be enjoyed henceforth by the educational, medical and charitable institutions (associations or foundations) of the United States of America in Egypt.

I have great pleasure in thanking Your Excellency. I do not doubt, moreover, that Egypt, which has always shown a sympathetic interest in such undertakings and has given proof of the most liberal spirit of understanding in regard to them, will continue to assist them in carrying on the very valuable work which they have always performed to the mutual profit of our two countries.

I have the honour to be, Sir, Your obedient servant.

(Signed) Bert FISH,
*President of the Delegation of the United States
of America.*

(b) LETTER FROM THE PRESIDENT OF THE EGYPTIAN DELEGATION TO THE
PRESIDENT OF THE DELEGATION OF THE UNITED KINGDOM.

MONTREUX, *May 8th*, 1937.

SIR,

As Your Excellency has expressed a desire to receive detailed information concerning the situation of the educational, medical and charitable institutions (associations or foundations) of the United Kingdom in Egypt, I have the honour to state that the Royal Egyptian Government is prepared to assure you that pending the conclusion of a subsequent agreement or, in any case until the end of the transition period, all the above-mentioned institutions, actually existing in the country at the date of the Convention signed this day, may continue freely to carry on their activities in Egypt, whether educational, scientific, medical or charitable, subject to the following conditions :

(1) They shall be subject to the jurisdiction of the Mixed Tribunals and shall be subject to Egyptian laws and regulations, including fiscal laws, under the same conditions as similar Egyptian institutions, and also to all measures necessary for the preservation of public order in Egypt.

(2) They shall retain their legal status and shall, as regards their organisation and operation, be governed by their charters or other instruments under which they were created and also in the case of educational institutions, by their own curricula.

(3) They may, without prejudice to the laws relating to expropriation for purposes of public utility, possess the movable and immovable property necessary to enable them to attain their objects, and may administer and dispose of their property for these purposes.

(4) They may continue to employ their existing staff and may also, each within the scope of its organisation, employ either Egyptians or foreigners, whether established in Egypt or elsewhere, without prejudice in all cases to the application of the Egyptian laws which are now applicable to them or to the Royal Egyptian Government's general right of control over the entry of foreigners into Egypt.

Furthermore, within the limits of the customs recognised in Egypt regarding religions other than the State religion, freedom of worship shall continue to be assured to all religious institutions of the United Kingdom on condition that there is no offence against public order or morals.

A list of the institutions referred to in this letter shall be drawn up as soon as possible in agreement between the Egyptian Government and the Government of the United Kingdom.

I have the honour to be, Sir, Your obedient servant,

(Signed) Moustapha EL-NAHAS,
President of the Egyptian Delegation.

REPLY BY THE PRESIDENT OF THE DELEGATION OF THE UNITED KINGDOM
TO THE PRESIDENT OF THE EGYPTIAN DELEGATION.

MONTREUX, *May 8th*, 1937.

SIR,

I have the honour to acknowledge the receipt of Your Excellency's letter of to-day's date. It is with pleasure that I note the assurances contained therein on the subject of the régime which will in future govern the educational, medical and charitable institutions (associations or foundations) of the United Kingdom in Egypt.

I thank Your Excellency for these assurances which are received with much satisfaction. I do not doubt moreover that Egypt, which has always shown a benevolent interest in the work of these institutions and has given proof of the most liberal spirit of understanding towards them, will continue to facilitate the useful activities which they have always exercised to the mutual profit of our two countries.

I have the honour to be, Sir, Your obedient servant,

(Signed) Euan WALLACE,
President of the Delegation of the United Kingdom.

c) LETTRE DU PRÉSIDENT DE LA DÉLÉGATION ÉGYPTIENNE
AU PRÉSIDENT DE LA DÉLÉGATION ESPAGNOLE.

‡ MONTREUX, *le 8 mai* 1937.

MONSIEUR LE PRÉSIDENT,

J'ai l'honneur de déclarer que les institutions relevant de l'Espagne en Egypte feront l'objet, de la part du Gouvernement égyptien, du même traitement que celui qui est indiqué dans la lettre adressée au Président de la Délégation du Royaume-Uni en ce qui concerne les institutions similaires du Royaume-Uni et aux mêmes conditions.

Veillez agréer, Monsieur le Président, les assurances de ma haute considération.

(Signé) Moustapha EL-NAHAS,
Président de la Délégation égyptienne.

D'autre part, dans les limites des usages établis en Egypte pour les religions autres que la religion d'Etat, la libre pratique du culte continuera à être assurée à tous les établissements religieux relevant du Royaume-Uni, à la condition qu'il ne soit pas porté atteinte à l'ordre public et aux bonnes mœurs.

Une liste des institutions visées dans la présente lettre sera établie, aussitôt que possible, d'un commun accord entre le Gouvernement égyptien et le Gouvernement du Royaume-Uni.

Veillez agréer, etc.

(Signé) Moustapha EL-NAHAS,
Président de la Délégation égyptienne.

RÉPONSE DU PRÉSIDENT DE LA DÉLÉGATION DU ROYAUME-UNI AU PRÉSIDENT
DE LA DÉLÉGATION ÉGYPTIENNE.

MONTREUX, le 8 mai 1937.

MONSIEUR LE PRÉSIDENT,

J'ai l'honneur d'accuser réception de la lettre de Votre Excellence en date de ce jour. Il m'est agréable d'y trouver des assurances au sujet du régime dont bénéficieront désormais en Egypte les établissements (associations ou fondations) scolaires, médicaux et d'assistance qui relèvent du Royaume-Uni.

C'est avec satisfaction que j'en remercie Votre Excellence. Je ne doute d'ailleurs pas que l'Egypte, qui a toujours marqué un intérêt bienveillant à ces œuvres et fait preuve à leur égard du plus libéral esprit de compréhension, ne veuille continuer à leur faciliter l'activité si heureuse qu'elles n'ont cessé de déployer au profit mutuel de nos deux pays.

Veillez agréer, etc.

(Signé) Euan WALLACE.
Président de la Délégation du Royaume-Uni.

(c) LETTER FROM THE PRESIDENT OF THE EGYPTIAN DELEGATION
TO THE PRESIDENT OF THE SPANISH DELEGATION.

MONTREUX, May 8th, 1937.

SIR,

I have the honour to state that the institutions of Spain in Egypt will be accorded by the Egyptian Government the same treatment as is indicated in the letter addressed to the President of the Delegation of the United Kingdom with regard to similar institutions of the United Kingdom and subject to the same conditions.

I have the honour to be, etc.

(Signed) Mustapha EL-NAHAS,
President of the Egyptian Delegation.

REPLY BY THE PRESIDENT OF THE SPANISH DELEGATION
TO THE PRESIDENT OF THE EGYPTIAN DELEGATION.

MONTREUX, *May 8th*, 1937.

SIR,

I have the honour to acknowledge the receipt of Your Excellency's letter of to-day's date, as follows :

“ I have the honour to state that the institutions of Spain in Egypt will be accorded by the Egyptian Government the same treatment as is indicated in the letter addressed to the President of the Delegation of the United Kingdom with regard to similar institutions of the United Kingdom and subject to the same conditions. ”

I thank Your Excellency for this kind communication, of which I take note on behalf of my Government.

I avail myself of this opportunity, etc.

(Signed) R. FABRA RIBAS,
President of the Spanish Delegation.

(d) LETTER FROM THE PRESIDENT OF THE EGYPTIAN DELEGATION
TO THE PRESIDENT OF THE FRENCH DELEGATION.

MONTREUX, *May 8th*, 1937.

SIR,

As Your Excellency has expressed a desire to receive detailed information concerning the situation of the educational, medical and charitable institutions (associations or foundations) of France in Egypt, I have the honour to state that the Royal Egyptian Government is prepared to assure you that pending the conclusion of a subsequent agreement, or in any case until the end of the transition period, all the above-mentioned institutions actually existing in the country at the date of the Convention signed this day which are mentioned in the list annexed hereto may continue freely to carry on their activities in Egypt, whether educational, scientific, medical or charitable, subject to the following conditions :

(1) They shall be subject to the jurisdiction of the Mixed Tribunals and shall be subject to Egyptian laws and regulations, including fiscal laws, under the same conditions as similar Egyptian institutions, and also to all measures necessary for the preservation of public order in Egypt.

(2) They shall retain their legal status and shall, as regards their organisation and operation, be governed by their charters or other instruments under which they were created and also, in the case of educational institutions, by their own curricula.

(3) They may, without prejudice to the laws relating to expropriation for purposes of public utility, possess the movable and immovable property necessary to enable them to attain their objects, and may administer and dispose of their property for these purposes.

(4) They may continue to employ their existing staff and may also, each within the scope of its organisation, employ either Egyptians or foreigners, whether established in Egypt or elsewhere, without prejudice in all cases to the application of the Egyptian laws which are now applicable to them or to the Royal Egyptian Government's general right of control over the entry of foreigners into Egypt.

Furthermore, within the limits of the customs recognised in Egypt regarding religions other than the State religion, freedom of worship shall continue to be assured to all religious institutions of France on condition that there is no offence against public order or morals.

I have the honour to be, etc.

(Signed) Mustapha EL-NAHAS,
President of the Egyptian Delegation.

Annex.

The list to be drawn up in agreement between the French Government and the Egyptian Government will include in particular :

1. The French Institute of Oriental Archæology.
2. The French Law School at Cairo.
3. The institutions of the *Mission laïque française*.
4. Educational institutions belonging to religious communities.
5. The *Cours de l'Alliance française* and other educational organisations.
6. Convents and seminaries.
7. Parochial, episcopal and patriarchal institutions.
8. Hospitals, homes, dispensaries and crèches.

REPLY BY THE PRESIDENT OF THE FRENCH DELEGATION
TO THE PRESIDENT OF THE EGYPTIAN DELEGATION.

MONTREUX, May 8th, 1937.

SIR,

I have the honour to acknowledge the receipt of Your Excellency's letter of to-day's date. It is with pleasure that I note the assurances contained therein on the subject of the régime which will in future govern the educational, medical and charitable institutions (associations or foundations) of France in Egypt.

I thank Your Excellency for these assurances, which are received with much satisfaction. I do not doubt, moreover, that Egypt, which has always shown a benevolent interest in the work of these institutions and has given proof of the most liberal spirit of understanding towards them, will continue to facilitate the useful activities which they have always exercised to the mutual profit of our two countries.

I avail myself of this opportunity, etc.

(Signed) F. DE TESSAN,
President of the French Delegation.

(e) LETTER FROM THE PRESIDENT OF THE EGYPTIAN DELEGATION
TO THE PRESIDENT OF THE GREEK DELEGATION.

MONTREUX, May 8th, 1937.

SIR,

As Your Excellency has expressed a desire to receive detailed information concerning the situation of the educational, medical and charitable institutions (associations or foundations) of Greece in Egypt, I have the honour to state that the Royal Egyptian Government is prepared to

assure you that pending the conclusion of a subsequent agreement, or in any case until the end of the transition period, all the above-mentioned institutions actually existing in the country at the date of the Convention signed this day which are mentioned in the list annexed hereto may continue freely to carry on their activities in Egypt, whether educational, scientific, medical or charitable, subject to the following conditions :

(1) They shall be subject to the jurisdiction of the Mixed Tribunals and shall be subject to Egyptian laws and regulations, including fiscal laws, under the same conditions as similar Egyptian institutions, and also to all measures necessary for the preservation of public order in Egypt.

(2) They shall retain their legal status and shall, as regards their organisation and operation, be governed by their charters or other instruments under which they were created and also, in the case of educational institutions, by their own curricula.

(3) They may, without prejudice to the laws relating to expropriation for purposes of public utility, possess the movable and immovable property necessary to enable them to attain their objects, and may administer and dispose of their property for these purposes.

(4) They may continue to employ their existing staff and may also, each within the scope of its organisation, employ either Egyptians or foreigners, whether established in Egypt or elsewhere, without prejudice in all cases to the application of the Egyptian laws which are now applicable to them or to the Egyptian Government's general right of control over the entry of foreigners into Egypt.

Furthermore, within the limits of the customs recognised in Egypt regarding religions other than the State religion, freedom of worship shall continue to be assured to all religious institutions of Greece on condition that there is no offence against public order or morals.

I have the honour to be, etc.

(Signed) Mustapha EL-NAHAS,
President of the Egyptian Delegation.

Annex.

This is a provisional list, to be replaced by a final list drawn up in agreement.

I. ASSOCIATIONS UNDER PRIVATE LAW DESCRIBED AS "GREEK COMMUNITIES".

1. *Alexandria*. The Association owns and administers : (a) eleven schools (elementary and secondary, classical and commercial) for girls or for boys ; (b) five churches ; (c) one cemetery ; (d) one home for aged persons ; (e) one hospital ; (f) one people's kitchen.

2. *Cairo*. The Cairo Association owns and administers : (a) one complete girls' school, one boys' elementary school and one girls' elementary school ; (b) two churches ; (c) one hospital. It should be noted, further, that the Greek colony in this administrative division has a substantial interest in the " Abet " Foundation and participates in its administration.

3. *Mansûra*. The Association owns and administers one elementary school and one secondary school, one church and one cemetery.

4. *Aswân*. The Association owns and administers one church and one elementary school.

5. *Benha*. The Association owns and administers one church and one elementary school.

6. *Beni Suef*. The Association owns and administers one church, one cemetery with chapel and one elementary school.

7. *Aysût*. The Association owns and administers one church and one elementary school.

8. *Damanhûr*. The Association owns and administers one church and one elementary school.

9. *Zagazig*. The Association owns and administers one church, one elementary school, one secondary school, one cemetery with chapel.
10. *Zifta*. The Association owns and administers one church and one elementary school.
11. *Zeitûn*. The Association owns and administers one church and one elementary school.
12. *Heliopolis*. The Association owns and administers one elementary school.
13. *Isma'îliya*. The Association owns and administers two churches and one elementary school.
14. *Kafr el Zayat*. The Association owns and administers one church and one elementary school.
15. *Kantara*. The Association owns and administers one church and one elementary school.
16. *Minya*. The Minya Association owns and administers one church, one elementary school, one cemetery with chapel.
17. *Minet el Gamh*. The Association owns and administers one church and one elementary school.
18. *Marsa Matrûh*. The Association owns and administers one church, one chapel and one elementary school.
19. *Mehallet el Kébir*. The Association owns and administers one church and one elementary school housed in premises which are the property of the Greek Government.
20. *Mit Ghamr*. The Association owns and administers one church and one elementary school.
21. *Port Saïd*. The Association owns and administers two churches, one elementary school and one high school at Port Saïd and also one elementary school and one high school at Port Fuad.
22. *Shabin el Qom*. The Association owns and administers one church and one elementary school.
23. *Ibrahimia* (suburb of Alexandria). The Association owns and administers one boys' elementary school, one girls' elementary school and two churches.
24. *Suez*. The Association owns and administers two churches, one elementary school and one high school at Suez ; it also owns and administers at Port Tewfik one elementary school, one high school and one church.
25. *Tanta*. The Association owns and administers one church, one cemetery with chapel, one elementary school and one secondary school.
26. *Facus*. The Association owns and administers one church and one elementary school.
27. *Fayyum*. The Association owns and administers two churches and one elementary school.
28. *Helwân*. The Association owns and administers one church and one elementary school.
29. *Kafr el Dawâr*. The Association owns and administers one chapel.

Note. — Several of these Associations own a cemetery.

II. OTHER INSTITUTIONS (FOUNDATIONS OR ASSOCIATIONS).

(a) *Alexandria*.

1. Æschylus Arion Association, which owns and administers an elementary school and a boys' orphanage (Kaniskerion) with a church.
2. Benachion Foundation, girls' orphanage with church.
3. " Mana " Greek Ladies Union which owns and administers a crèche and a mixed orphanage.
4. Greek Boating Club.
5. Cotsicas Hospital, the property of the Greek Government, administered by the Greek Community at Alexandria.
6. Greek Ladies National League, which owns and administers the " Zerbinion " Home.
7. " Philoptochos " Benevolent Association.
8. " Eleimosini " Benevolent Association.
9. " Friends of the Aged " Association.
10. " Melissa " Girls (Benevolent) Association.
11. Association of former pupils of the schools of the Greek Community at Alexandria.

(b) *Cairo.*

1. Orphanage for boys and girls at Heliopolis, the foundation of M. and Mme G. Spétséropoulos, known as " Spétséropoulion ".
2. Economic kitchen, charitable foundation.
3. " Philoptochos " Benevolent Association.
4. Greek Ladies' Philanthropic Union.

(c) *Ibrahimiâh.*

1. Charitable foundation (Economic kitchen).
2. " Philoptochos " Benevolent Association.

Charitable associations known as " Philoptochos " (Friends of the Poor) also exist in the following places : Zagazig, Tanta, Kafr el Zayat, Mansûra, Port Said, Isma'îliya, Suez, Damanhûr.

Lastly, in (1) Deirût, (2) Tahta, (3) Cherbin, and (4) Belkas, there are four chapels of the Greek Orthodox religion, founded and supported by the Greeks living there.

* * *

On receiving the above list from the Greek Delegation, the Egyptian Delegation stated that it could not signify its assent before having made a detailed examination of the list, which it reserved the right to do immediately on its return to Egypt, in order to ascertain :

(a) That the list does not include any institution recognised as an Egyptian national institution ;

(b) That the institutions enumerated come within the categories agreed on in the letter to which the list is annexed.

M. N.

REPLY BY THE PRESIDENT OF THE GREEK DELEGATION TO THE
PRESIDENT OF THE EGYPTIAN DELEGATION.

MONTREUX, *May 8th*, 1937.

SIR,

I have the honour to acknowledge the receipt of Your Excellency's letter of to-day's date. It is with pleasure that I note the assurances contained therein on the subject of the régime which will in future govern the educational, medical and charitable institutions (associations or foundations) of Greece in Egypt.

I thank Your Excellency for these assurances which are received with much satisfaction. I do not doubt, moreover, that Egypt, which has always shown a benevolent interest in the work of these institutions and has given proof of the most liberal spirit of understanding towards them, will continue to facilitate the useful activities which they have always exercised to the mutual profit of our two countries.

I avail myself of this opportunity, etc.

(Signed) N. POLITIS,
President of the Greek Delegation.

(f) LETTER FROM THE PRESIDENT OF THE EGYPTIAN DELEGATION TO THE
PRESIDENT OF THE ITALIAN DELEGATION.

MONTREUX, *May 8th*, 1937.

SIR,

As Your Excellency has expressed a desire to receive detailed information concerning the situation of the educational, medical and charitable institutions (associations or foundations) of Italy in Egypt, I have the honour to state that the Royal Egyptian Government is prepared to assure you that, pending the conclusion of a subsequent agreement, or in any case until the end of the transition period, all the above-mentioned institutions actually existing in the country at the date of the Convention signed this day which are mentioned in the list annexed hereto may continue freely to carry on their activities in Egypt, whether educational, scientific, medical or charitable, subject to the following conditions :

(1) They shall be subject to the jurisdiction of the Mixed Tribunals and shall be subject to Egyptian laws and regulations, including fiscal laws, under the same conditions as similar Egyptian institutions, and also to all measures necessary for the preservation of public order in Egypt.

(2) They shall retain their legal status and shall, as regards their organisation and operation, be governed by their charters or other instruments under which they were created and also, in the case of educational institutions, by their own curricula.

(3) They may, without prejudice to the laws relating to expropriation for purposes of public utility, possess the movable and immovable property necessary to enable them to attain their objects, and may administer and dispose of their property for these purposes.

(4) They may continue to employ their existing staff and may also, each within the scope of its organisation, employ either Egyptians or foreigners, whether established in Egypt or elsewhere, without prejudice in all cases to the application of the Egyptian laws which are now applicable to them or to the Egyptian Government's general right of control over the entry of foreigners into Egypt.

Furthermore, within the limits of the customs recognised in Egypt regarding religions other than the State religion, freedom of worship shall continue to be assured to all religious institutions of Italy on condition that there is no offence against public order or morals.

I have the honour to be, etc.

(Signed) Mustapha EL-NAHAS,
President of the Egyptian Delegation.

Provisional List.

The final list, to be drawn up in agreement between the Italian Government and the Egyptian Government, will include in particular :

1. The " Regie Scuole Italiane " ;
2. The " Scuole dell'Associazione Nazionale Italica Gens ", with the premises for the use of the religious bodies which administer them ;
3. Hospitals, homes and crèches ;
4. Fascio organisations for financial or spiritual assistance in so far as they are engaged in work of assistance to the exclusion of other activities ;
5. Episcopal and parochial institutions, convents and seminaries.

REPLY BY THE PRESIDENT OF THE ITALIAN DELEGATION TO THE
PRESIDENT OF THE EGYPTIAN DELEGATION.SIR, MONTREUX, *May 8th, 1937.*

I have the honour to acknowledge the receipt of Your Excellency's letter of to-day's date. It is with pleasure that I note the assurances contained therein on the subject of the régime which will in future govern the educational, medical and charitable institutions (associations or foundations) of Italy in Egypt.

I thank Your Excellency for these assurances, which are received with much satisfaction. I do not doubt, moreover, that Egypt, which has always shown a benevolent interest in the work of these institutions and has given proof of the most liberal spirit of understanding towards them, will continue to facilitate the useful activities which they have always exercised to the mutual profit of our two countries.

I avail myself of this opportunity, etc.

(Signed) L. ALDROVANDI,
President of the Italian Delegation.

Communicated by the Egyptian and Netherlands Ministers for Foreign Affairs.

(g) LETTER FROM THE PRESIDENT OF THE EGYPTIAN DELEGATION TO THE
PRESIDENT OF THE NETHERLANDS DELEGATION.

SIR, MONTREUX, *May 8th, 1937.*

I have the honour to state that the institutions of the Netherlands in Egypt will be accorded by the Egyptian Government the same treatment as is indicated in the letter addressed to the President of the Delegation of the United Kingdom with regard to similar institutions of the United Kingdom and subject to the same conditions.

I have the honour to be, etc.

(Signed) Mustapha EL-NAHAS,
President of the Egyptian Delegation.

REPLY BY THE PRESIDENT OF THE NETHERLANDS DELEGATION TO THE
PRESIDENT OF THE EGYPTIAN DELEGATION.SIR, MONTREUX, *May 8th, 1937.*

I have the honour to acknowledge the receipt of Your Excellency's letter of to-day's date, as follows :

“ I have the honour to state that the institutions of the Netherlands in Egypt will be accorded by the Egyptian Government the same treatment as is indicated in the letter addressed to the President of the Delegation of the United Kingdom with regard to similar institutions of the United Kingdom and subject to the same conditions. ”

I thank Your Excellency for this kind communication, of which I take note on behalf of my Government.

I avail myself of this opportunity, etc.

(Signed) W. C. BEUCKER ANDREAE,
President of the Netherlands Delegation.

B. LETTERS

CONCERNING THE PARTICIPATION OF CANADA IN THE CONFERENCE.

Communicated by the Egyptian Minister for Foreign Affairs.

(a) LETTER FROM THE HIGH COMMISSIONER FOR CANADA IN LONDON
TO THE PRESIDENT OF THE CONFERENCE.

LONDON, *April 14th*, 1937.

SIR,

I have the honour on behalf of the Government of Canada to inform Your Excellency as President of the Capitulations Conference that in view of lack of any interest special to Canada, the Government of Canada have not considered Canadian representation in the present Conference to be necessary, and will accept the provisions of any Convention drawn up at Montreux which is signed and ratified in respect of other members of the British Commonwealth of Nations.

This acceptance by the Government of Canada is naturally on the understanding that Canada can claim under the Convention the same rights as those States in whose respect it has been signed and ratified.

I request Your Excellency that copies of this note be communicated to all the delegations at the Conference and recorded in the archives of the Conference.

I have the honour to be, Sir, Your obedient servant.

(Signed) Vincent MASSEY.

(b) REPLY BY THE PRESIDENT OF THE CONFERENCE TO THE
HIGH COMMISSIONER FOR CANADA IN LONDON.

MONTREUX, *April 19th*, 1937.

SIR,

I have the honour to acknowledge receipt of your letter of April 14th, in which on behalf of the Government of Canada you were good enough to inform me, as President of the Capitulations Conference, of the reasons for the Government of Canada not being represented at the present Conference.

In compliance with the wish expressed in the last paragraph of your letter, I have circulated copies of your communication to all the delegations and have given instructions that it shall be recorded in the archives of the Conference.

I have the honour to be, Sir, Your obedient servant.

(Signed) Moustapha EL-NAHAS,
President of the Conference.