

N° 4564.

ROUMANIE ET TURQUIE

Convention réglementant l'émigration de la population turque de Dobroudja, signée à Bucarest, le 4 septembre 1936, et échanges de notes y relatifs de la même date.

Texte officiel français communiqué par le délégué permanent de la Roumanie près la Société des Nations. L'enregistrement a eu lieu le 11 mai 1939.

ROUMANIA AND TURKEY

Convention regulating the Emigration of the Turkish Population of the Dobrudja, signed at Bucharest, September 4th, 1936, and Exchanges of Notes relating thereto of the same Date.

French official text communicated by the Permanent Delegate of Roumania to the League of Nations. The registration took place May 11th, 1939.

TRADUCTION. — TRANSLATION.

No. 4564. — CONVENTION¹ BETWEEN ROUMANIA AND TURKEY
REGULATING THE EMIGRATION OF THE TURKISH POPULATION
OF THE DOBRUDJA. SIGNED AT BUCHAREST, SEPTEMBER 4TH,
1936.

THE GOVERNMENT OF THE TURKISH REPUBLIC and THE GOVERNMENT OF HIS MAJESTY THE KING OF ROUMANIA,

Noting the tendency to emigration which has been shown for more than half a century by certain elements of the Moslem Turkish population of the Dobrudja, and

Noting that the said population, which has indeed fully appreciated the liberal and generous regime which it has always enjoyed in Roumania, is led to leave the territory of the Kingdom solely by the legitimate desire to rejoin its natural ethnical stock,

Have decided to conclude a Convention in order to settle, in the most friendly spirit, the details connected with the emigration in course, and have appointed for that purpose as their respective Plenipotentiaries :

HIS EXCELLENCY THE PRESIDENT OF THE TURKISH REPUBLIC :

Monsieur Suphi TANRIÖER, Envoy Extraordinary and Minister Plenipotentiary of Turkey at Bucharest ;

HIS MAJESTY THE KING OF ROUMANIA :

M. Mircea CANCECOV, Minister of Finance ;

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

Article 1.

The Moslem Turkish minority inhabiting the Departments of Durostor, Caliacra, Constanza and Tulcea shall be entitled to the benefits provided by the present Convention.

Article 2.

Roumanian Moslem subjects of Turkish origin inhabiting the above-mentioned Departments, who are desirous of emigrating to Turkey, shall be allowed to leave Roumania under the conditions laid down in the present regulations within a period of five years.

This emigration shall be carried out by successive stages, in the following order :

(1) After April 15th, 1936, a contingent of 15,000 emigrants composed of persons who have already liquidated their property ;

(2) In the second year, the inhabitants of a zone of 8 kilometres along the Roumano-Bulgarian frontier ;

(3) In the third year, those of the town of Bazargic and the districts of Ezibei and Curtbunar ;

(4) In the fourth year, those of the districts of Acadâular and Turtucaia ;

(5) In the fifth year, those of the town and district of Silistria and the rest of the territory of the Dobrudja.

¹ Ratified by Roumania on January 26th, 1937, and by Turkey on January 30th, 1937.

At the beginning of each period of emigration, the Government of the Turkish Republic shall notify to the Roumanian Government, through the Turkish Legation at Bucharest, the number of emigrants whom it is prepared to receive in its territory during the period in question.

It is understood that, should the number of persons in the zones to be evacuated during one of the above-mentioned periods exceed the figure fixed by the Turkish Government, the number in excess of that figure shall be carried over to the next period ; and should the number be less than the figure fixed by the Turkish Government, it shall be completed by a corresponding number of persons whose emigration is provided for during the next period.

Article 3.

Under the present Convention, the mere fact of having submitted an application for emigration to the Special Commission provided for in Article 16 shall cause the ownership of rural immovable property belonging to the future emigrants to pass as of right to the Roumanian State, urban immovable property remaining at the free disposal of the owners. The Roumanian Government shall not take possession of such rural immovable property until the group of emigrants on the list in question has left its domicile on its way to the port of embarkation.

Article 4.

Rural immovable property belonging to emigrants being thus acquired by the Roumanian Government, it is agreed that the Roumanian Government shall pay to the Turkish Government the sum of 6,000 lei per hectare, inclusive of buildings on the land, with the exception of those belonging to the community or to the Evkaf. A special convention dealing with the liquidation of movable or immovable property belonging to the Moslem community and to the Evkaf shall be concluded between the two Governments later.

Article 5.

The Roumanian Government shall pay in seven yearly instalments the value of the rural immovable property belonging to the emigrants, in accordance with the provisions set forth below :

The method of payment of the seven yearly instalments to be made by the Roumanian Government shall be fixed in such a way that the total sum for each zone shall be liquidated by four equal yearly instalments, the first yearly instalment consisting of one quarter of the said total sum fixed as the value of the lands in the first zone, to be paid over one month before the departure of the first contingent of emigrants who have to leave Roumania in 1937, and the same procedure shall be followed in respect of the yearly instalments for each zone until the payments have been completed at the end of seven years.

The Roumanian Government agrees to pay interest at 5% on the sums representing the yearly instalments payable on the dates provided for in this Article. The total interest on the sums due by the Roumanian State to the Turkish State shall be added to the sum representing the value of immovable property which has passed into the possession of the Roumanian State.

Article 6.

The Roumanian Government shall pay the yearly instalments provided for above through the deposit of the requisite sums in the National Bank of Roumania, in a current account, to the credit of the Government of the Turkish Republic. The National Bank of Roumania shall notify every such deposit to the Turkish Legation at Bucharest as soon as such deposit has been made and passed to the said current account.

The funds deposited in the National Bank of Roumania shall be used by the Government of the Turkish Republic for the purchase of Roumanian goods to be exported to Turkey in the proportions provided for in Article 13. Such goods shall be exempt from all taxes, dues or other charges at the time of export.

It is understood that the regulations provided for by commercial agreements which have been or may hereafter be concluded shall not apply to such exports, which shall only be subject to the provisions of the present Convention.

Article 7.

The Roumanian Government shall take from the yearly instalments provided for in Article 5 the sums necessary for the payment of all debts for which emigrants may be liable to the National Bank, co-operative associations or mortgagees. All other sums in respect of which unsecured creditors (*créanciers chirographaires*) of the emigrants may claim from the Roumanian Government sequestration of rural immovable property of which it has acquired the ownership under the provisions of the present Convention shall also be retained.

Article 8.

The Roumanian Government shall take in equal amounts from the four yearly instalments for each district the value — less 10% — of the sums due to it as taxes, duties or dues of any kind, and all payments of arrears in respect of the said population and its property, income and possessions in general. These sums shall be calculated on the basis of figures taken from the direct or indirect tax returns and representing actual debit accounts at the date on which the names of the persons concerned are placed on the emigration lists. These figures shall be verified in due course by the Special Commission provided for in Article 16, which shall issue to the persons concerned, free of any fees or charges, a certificate in duplicate stating the exact amount of such sums as may be due from each emigrant.

The Roumanian Government shall communicate to the Government of the Turkish Republic at the time of the departure of each group of emigrants the exact amount of the sums in question.

Article 9.

The Roumanian Government shall deduct from the sums which it may have to retain under Articles 7 and 8 any sums which may be due to emigrants from itself, from co-operative associations or from public funds.

Article 10.

Persons desiring to obtain permission to emigrate must, in the application which they make for that purpose to the Special Commission provided for in Article 16 of the present Convention, make an offer to the Roumanian Government of their rural immovable property, including buildings which are their own property, and attach to their application an authenticated act establishing their renunciation of Roumanian nationality and proof that they have applied for and obtained Turkish nationality.

Article 11.

Emigrants shall be entirely free to take with them all their movable property of any kind, such as used personal belongings, cattle or farm animals (the latter may not, however, exceed in number five head of large cattle, or fifteen of small livestock, per head of family), implements, machines, etc., which can be used for agriculture or industry or for the exercise of any trade.

The emigrants shall also be authorised to take with them *bona fide* personal jewellery, particularly the necklaces of gold or silver coins which are customary among the Turkish women of the Dobrudja. No emigrant may, however, take out more than one of these.

Further, each emigrant shall be authorised to take away freely, when leaving Roumania, a sum of 1,000 lei in currency and the equivalent of 2,000 lei in foreign currency.

Article 12.

Emigrants shall be entirely free to make use of any means for the transport and for the loading and unloading of their furniture, without being in any way bound by the usages or regulations of trade unions or associations of stevedores, porters or other workers in ports, unless, of course, the emigrants themselves voluntarily ask such persons for assistance.

Article 13.

The emigrants shall be allowed to purchase on the internal markets with the "lei" which they obtain through the liquidation of their urban movable or immovable property, certain goods intended for export to Turkey, namely :

Wood up to a proportion of 25%, animals up to a proportion of 25%, petroleum products up to a proportion of 10%, and for the rest of the percentage the articles allowed to be exported which appear in list A (Ministerial Decision No. 60955 of October 5th, 1935, published in "Monitorul Oficial" No. 232, of October 9th, 1935), and in addition to that list tiles, glass and nails up to a proportion of 40%.

All these goods shall be exempt from taxes, dues and other charges on export.

The proportions indicated above shall also apply to the purchases to be made in Roumania by the Government of the Turkish Republic, as provided for in Article 6.

Article 14.

The National Bank of Roumania shall open a special current account in the name of the Government of the Turkish Republic, in which every emigrant shall be entitled to deposit all or part of the sums in his possession, with a view to their transfer by the purchase of goods as provided for in Article 13 above. The National Bank of Roumania shall notify the Turkish Legation at Bucharest of each payment thus made to it, giving detailed information as to the depositor.

Article 15.

The funds, movable property and all other valuables belonging to minors under guardianship, and deposited in the public financial establishments of Roumania or entrusted to the courts of guardianship, shall be paid or handed over to the Government of the Turkish Republic, which shall, as from that time, provide for the administration and custody thereof until the persons entitled thereto come of age, in accordance with Turkish legislation.

Article 16.

A Special Commission shall be set up composed of a judge, who shall act as president, of a representative of the Departments of the Interior, of Finance and of Agriculture, and of one or two delegates of the Turkish population of the region to be evacuated.

This Commission shall draw up a detailed list of the emigrants, with precise information as to the acreage of their land, and of community and Evkaf property in each zone. The lists of each particular zone shall be used as a basis to fix, in accordance with the provisions laid down by the present Convention, the sums and the annual payments for which the Roumanian Government shall be responsible.

The said Commission shall also be empowered to record the amount of such sums as may become due to emigrants from the Roumanian Government and from co-operative societies, insurance companies or public financial establishments.

Article 17.

Collective certificates issued free of charge, and prepared on the basis of the lists to be supplied to the Special Commission on the departure of each group, shall be issued to emigrants by the Roumanian authorities. The departure and embarkation of the emigrants shall be carried out on the basis of Turkish passports, either individual or collective, previously issued to them by the representatives of the Government of the Republic Turkish in Roumania.

Article 18.

Young Moslem Turks of the Dobrudja who are on military service at the time of the evacuation of the area to which they belong shall be released from military service if they can prove that their family has carried out all the formalities required for emigration and if they state that they themselves wish to emigrate.

In the same circumstances, young Moslem Turks living in an area the population of which is to emigrate during the current year shall not be called up for military service.

Article 19.

Persons who have already migrated to Turkey before the conclusion of the present Convention, and who have left their property in Roumania, shall enjoy the benefits provided by the present Convention.

Article 20.

The present Convention shall come into force on the date of its ratification by the two Governments.

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

Done at Bucharest in duplicate, in French, this fourth day of September, nineteen hundred and thirty-six.

(Signed) Suphi TANRIÖER.

(Signed) Mircea CĂNCICOV.

EXCHANGES OF NOTES.

I.

BUCHAREST, *September 4th*, 1936.

SIR,

I have the honour to inform you that the Roumanian Government reserves the right, during the execution of the Convention regulating the Emigration of the Turkish Population of the Dobrudja, signed at Bucharest on to-day's date, to change the final clauses of Article 11 concerning the sums in currency which each emigrant shall be entitled to export freely when leaving Roumania.

I avail myself of this opportunity, etc.

(Signed) CĂNCICOV.

His Excellency Monsieur Suphi Tanriöer,
Envoy Extraordinary and
Minister Plenipotentiary of Turkey at Bucharest.

II.

BUCHAREST, *September 4th*, 1936.

YOUR EXCELLENCY,

I have the honour to acknowledge receipt of your letter of to-day's date in which you inform me that the Roumanian Government reserves the right, during the execution of the Convention regulating the Emigration of the Turkish Population of the Dobrudja, signed at Bucharest on to-day's date, to change the final clauses of Article 11 concerning the sums in currency which each emigrant shall be entitled to export freely when leaving Roumania.

In taking due note of this communication, I avail myself of this opportunity, etc.

(Signed) Suphi TANRIÖER.

Monsieur M. Cancicov,
Minister of Finance.

I.

BUCHAREST, *September 4th*, 1936.

SIR,

I have the honour to inform you that the Roumanian Government considers that, should the transport of emigrants from Roumania to Turkey not be provided free of charge through the Turkish Government, such emigrants should be required to pay for their transport out of the sums left at their disposal under Article 11, last paragraph, of the present Convention.

It is also fully understood that the transport of goods acquired in consideration of sums deposited in the National Bank of Roumania under Article 6, paragraph 2, of the present Convention shall be wholly chargeable to the importer. In consequence, if such goods cannot be transported free of charge on Turkish vessels, the foreign currency necessary for the payment of such transport shall be procured by the National Bank of the Turkish Republic.

I avail myself of this opportunity, etc.

(Signed) CANGICOV.

His Excellency Monsieur Suphi Tanriöer,
Envoy Extraordinary and Minister Plenipotentiary
of Turkey at Bucharest.

II.

BUCHAREST, *September 4th*, 1936.

YOUR EXCELLENCY,

I have the honour to acknowledge receipt of your letter of to-day's date in which you are so good as to inform me that the Roumanian Government considers that, should the transport of emigrants from Roumania to Turkey not be provided free of charge through the Turkish Government, such emigrants should be required to pay for their transport out of the sums left at their disposal under Article 11, last paragraph, of the present Convention.

It is also fully understood that the transport of goods acquired in consideration of sums deposited in the National Bank of Roumania under Article 6, paragraph 2, of the present Convention shall be wholly chargeable to the importer. In consequence, if such goods cannot be transported free of charge on Turkish vessels, the foreign currency necessary for the payment of such transport shall be procured by the National Bank of the Turkish Republic.

I avail myself of this opportunity, etc.

(Signed) Suphi TANRIÖER.

Monsieur Mircea Cancicov,
Minister of Finance.