

04SA 1777, Kapsel (31)



Treaty Series No. 37 (1930)

## Exchange of Notes

*between*

THE GOVERNMENT OF INDIA AND  
THE TURKISH GOVERNMENT

*regarding*

## Commercial Relations between India and Turkey

Angora, September 3, 1930

Presented by the Secretary of State for Foreign Affairs  
to Parliament by Command of His Majesty

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1930

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Cmd. 3685

Exchange of Notes between the Government of India  
and the Turkish Government regarding Commercial  
Relations between India and Turkey.

Angora, September 3, 1930.

No. 1.

Sir George Clerk to Dr. Tevfik Rüştü Bey.

British Embassy in Turkey,  
September 3, 1930.

Your Excellency,

I HAVE the honour to inform you, under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, that, pending the negotiation and conclusion of a treaty regulating the commercial relations of the two countries, the Government of India, in order to avoid any impediment to the trade and commerce between India and Turkey on the lapse of the *modus vivendi* brought into force by an exchange of notes on the 2nd July, 1929, to which India adhered on the 1st August, 1929, undertake, on condition of reciprocity, to accord, as from the expiration of the above-mentioned *modus vivendi*, to goods the produce or manufacture of Turkey a treatment in India which shall be as favourable in all respects as that accorded to goods the produce or manufacture of the most favoured foreign country. This treatment shall be accorded in all matters of commerce and navigation and as regards importation, exportation and transit, and in general all that concerns customs duties and formalities and commercial operations.

2. It is understood that the treatment of the most favoured foreign country stipulated in the preceding paragraph will not embrace the special advantages which are or may in the future be accorded in customs matters by Turkey to countries detached from the Ottoman Empire under the Treaty of Lausanne of the 24th July, 1923.

3. In India and in the territories under the administration of the Government of India Turkish nationals, and in Turkey nationals of British India and of territories under the administration of the Government of India, will have the right to travel freely, to establish themselves and to acquire moveable and immoveable property under the same conditions as the nationals of the most favoured foreign country.

4. The undertakings contained in this note will take effect as from the expiration of the *modus vivendi* mentioned in paragraph 1 above, and will remain in force for a period of six months at least, it being understood that the undertakings may



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be terminated by either party by giving three months' notice at the end of the third month or at any time subsequently. Failing such notice and subject to the aforesaid right of termination they will remain in operation until the entry into force of the Treaty of Commerce which is now to be negotiated, as from which date they will *ipso facto* cease to be effective.

I avail, &c.

GEORGE R. CLERK.

No. 2.

*Dr. Tefik Rüştü Bey to Sir George Clerk.*

*Hariciye Vekâleti,*

Büyük Elçi Hazretleri,

Ankara, 3 Eylül, 1930.

TÜRKİYE ile Hindistan arasındaki ticaret münasebetlerini tanzim edecek olan muahedenin müzakere ve akdine intizaren ve 2 Temmuz 1929 tarihinde nota teatisi suretile meriyete konup Hindistan'ın 1 Ağustos 1929 tarihinde iltihak eylediği Modüs Vivendi müddetinin hitamında iki memleket arasındaki ticareti sektedar edebilecek her türlü manayı bertaraf etmek üzere, Türkiye Cumhuriyeti Hükümetinin, mütekabiliyet sartı ile yukarıda zikredilen Modüs Vivendinin inkızasından itibaren Hindistan'da müstahsal veya mamul emtiaya, her hususta, Türkiye'de en ziyade müsadeye mazhar ecnebi memlekette müstahsal veya mamul emtiaya bahşedilen muamele kadar müsait bir muamele tatbik etmeği taahhüt eylediğini Zatiâlinize bildirmekle kesbi şeref eylerim. Bu muamele ticaret ve seyrisefaine, ithalât, ihracat ve transite, ve alelumum gümrük rüsum ve muamelâtile ticarî muamelelere müteallik bütün hususlarda tatbik edilecektir.

2. Şurası mukarrerdir ki yukarıdaki fıkrada yazılı en ziyade müsadeye mazhar ecnebi memleket muamelesi, 24 Temmuz 1923 tarihli Lozan Muahedesi mucibince Osmanlı İmparatorluğundan ayrılmış olan memleketlere gümrük hususlarında Türkiye tarafından bahşedilmiş veya ileride edilebilecek olan hususî men faatları tazammun etmiyecektir.

3. Hindistan'da ve Hindistan Hükümetinin idaresi altındaki memleketlerde Türk tebeası, Türkiye'de İngiliz Hindistanı "British India" ile Hindistan Hükümetinin idaresi altındaki memleketler tebeası en ziyade müsadeye mazhar ecnebi devlet tebeası ile aynı şerait dairesinde, serbestçe seyahat, ikamet etmek ve menkul ve gayrimenkul emval tasarruf eylemek hakkını haiz olacaklardır.

4. Bu notanın ihtiva eylediği taahhütler yukarıdaki birinci fıkrada zikredilen Modüs Vivendinin inkızasından itibaren meriyete girecek ve lâakal altı ay meri olacaktır. Şurası mukarrerdir ki, Taraflardan her biri mezkûr taahhütleri—fesh, ihbar tarihinden üç ay sonra muteber olmak üzere—üçüncü ayın nihayetinde veya bu tarihten sonra her an feshedebilecektir. Böyle bir ihbar vukubulmadığı takdirde mezkûr taahhütler elyevm müzakeresine başlanacak olan Ticaret muahedesinin tatbiki tarihine

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kadar—salifüzzikir fesih hakkı mahfuz kalmak şartile—meri ve bu tarihte bilfiil hükümden sakıt ola caktır.

Bilvesile, Büyük Elçi Hazretleri, Zatiâlinize ihtiramata faikamı teyit eylerim.

DR. RÜŞTÜ.

(Translation.)

Ministry for Foreign Affairs,

Ankara, September 3, 1930.

Your Excellency,

I HAVE the honour to inform you that, pending the negotiations and conclusion of a treaty regulating the commercial relations between Turkey and India, the Government of the Turkish Republic, in order to avoid any impediment to the trade and commerce between the two countries on the lapse of the *modus vivendi* brought into force by an exchange of notes on the 2nd July, 1929, to which India adhered on the 1st August, 1929, undertake, on condition of reciprocity, to accord, as from the expiration of the above-mentioned *modus vivendi*, to goods the produce or manufacture of India a treatment in Turkey which shall be as favourable in all respects as that accorded to goods the produce or manufacture of the most favoured foreign country. This treatment shall be accorded in all matters of commerce and navigation and as regards importation, exportation and transit, and in general all that concerns customs and formalities and commercial operations.

2. It is understood that the treatment of the most favoured foreign country stipulated in the preceding paragraph will not embrace the special advantages which are or may in the future be accorded in customs matters by Turkey to countries detached from the Ottoman Empire under the Treaty of Lausanne of the 24th July, 1923.

3. In India and in the territories under the administration of the Government of India Turkish nationals, and in Turkey nationals of British India and of territories under the administration of the Government of India, will have the right to travel freely, to establish themselves and to acquire moveable and immoveable property under the same conditions as the nationals of the most favoured foreign country.

4. The undertakings contained in this note will take effect as from the expiration of the *modus vivendi* mentioned in paragraph 1 above, and will remain in force for a period of six months at least, it being understood that the undertakings may be terminated by either party by giving three months' notice at the end of the third month or at any time subsequently. Failing such notice and subject to the aforesaid right of termination they will remain in operation until the entry into force of the Treaty of Commerce which is now to be negotiated, as from which date they will *ipso facto* cease to be effective.

I avail, &c.

DR. T. RÜŞTÜ

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