

The Treaty of Peace Between Turkey and Greece

Source: *The American Journal of International Law*, Vol. 8, No. 1, Supplement: Official Documents (Jan., 1914), pp. 46-55

Published by: Cambridge University Press

Stable URL: <https://www.jstor.org/stable/2212405>

Accessed: 08-09-2018 09:46 UTC

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THE TREATY OF PEACE BETWEEN TURKEY AND GREECE <sup>1</sup>

*Signed at Athens, November 11, 1913*

## PREAMBLE

His Majesty the Emperor of the Ottomans, and His Majesty the King of the Greeks, animated by the common desire to strengthen the bonds of peace and friendship happily reestablished between them, and to facilitate the resumption of normal relations between the two countries, have decided to conclude a convention for this purpose, and have named as their plenipotentiaries, to wit:

His Majesty the Emperor of the Ottomans: His Excellency Ghalib Kémal bey;

His Majesty the King of the Greeks: His Excellency M. D. Panas, Minister of Foreign Affairs;

Who, after having communicated to each other their full powers, which were found to be in good and proper form, have agreed upon the following:

## ARTICLE 1

As soon as the present convention shall have been signed, the diplomatic relations between Turkey and Greece shall be resumed, and the respective consulates may be restored and perform their duties in the two countries.

The Imperial Ottoman Government may establish consulates in those portions of the ceded territories where agents of foreign Powers are already to be found, as well as in all places where the Royal Government of Greece sees no objection to their admission.

## ARTICLE 2

The treaties, conventions and acts concluded or in force between the two countries at the time of the breaking off of diplomatic relations, shall be restored in full force upon the signature of the present convention, and the two governments, as well as their respective subjects, shall be placed in the same situation as regards one another, as they were before the hostilities.

<sup>1</sup> Translated from the French text published in the issue of December 1, 1913, of "Questions Diplomatiques et Coloniales," by W. Clayton Carpenter, Washington, D. C.

Protocol No. 3, annexed to the present convention, shall be applicable in all the territories of Greece.

### ARTICLE 3

The two high contracting parties accord full and complete amnesty to all persons involved in the political occurrences prior to the present treaty.

Consequently, no individual shall be pursued, disturbed, or molested in person or property or in the exercise of his rights, because of acts relating in any manner whatever to the war, and all judicial sentences and administrative measures based upon facts of that nature shall be *ipso facto* annulled.

### ARTICLE 4

Persons domiciled in those territories of the Ottoman Empire which pass under the dominion of Greece shall become Greek subjects.

They shall have the right to choose the Ottoman nationality, by making a declaration to the appropriate Greek authorities within a period of three years from this date, the declaration to be followed by registration at the Imperial Ottoman consulates. This declaration shall be sent abroad to the offices of Greek consulates and registered by Ottoman consulates. However, the exercise of this option is subject to the requirement that the persons in question shall transfer their domicile to some place outside of Greece.

Those who, during this period, shall have emigrated to the Ottoman Empire or to foreign countries or shall have established their domicile in such places, shall remain Ottomans. They shall enjoy immunity from export duties on their movable property.

The exercise of the option shall be personal.

During the same period of three years, the Musselmans shall not be required to render military service, and shall pay no military tax.

So far as the minor children are concerned, the period during which the option may be exercised by them shall begin to run from the date when they reach their majority.

### ARTICLE 5

Rights acquired up to the time of the occupation of the ceded territories, as well as judicial decisions and official deeds given by competent

Ottoman authorities, shall be respected and inviolate until legally disproved.

This article does not in any way prejudice the decisions which may be rendered by the Financial Commission on Balkan Affairs, sitting at Paris.

#### ARTICLE 6

Inhabitants of the ceded territories who, in conformity with the provisions of Article 4 of the present convention, and retaining the Ottoman nationality, may have emigrated to the Ottoman Empire or to foreign countries, or may have established their domicile in these places, shall continue to hold their real property situated in the ceded territories, either renting it or administering it through third parties.

Property rights in urban and rural real property held by individuals by virtue of deeds issued by the Ottoman state, or indeed by virtue of the Ottoman law in the localities ceded to Greece, and before the occupation, shall be recognized by the Royal Greek Government.

The same shall be true of property rights in the said real property standing in the name of corporations or held by them by virtue of Ottoman laws prior to the aforesaid occupation.

No one shall be deprived of his property, either in whole or in part, directly or indirectly, except for a duly stated public purpose, and after the payment of a proper indemnity.

#### ARTICLE 7

The private property of his Imperial Majesty the Sultan as well as that of the members of the Imperial Dynasty shall be maintained and respected. His Imperial Majesty and the members of the Imperial Dynasty shall be able to sell or rent it through their agents.

All differences or disputes which may arise in the interpretation or application of the present article, shall be settled by an arbitration at The Hague, by virtue of a *compromis* to be concluded.

#### ARTICLE 8

Prisoners of war as well as all other persons arrested by virtue of military measures or as a matter of public order, shall be exchanged within the period of one month after the conclusion of the present treaty, or sooner if possible

This exchange shall take place under the direction of special commissioners named by each party.

The mutual claims of the high contracting parties relative to prisoners of war shall be submitted to an arbitration at The Hague under a *compromis* to be concluded.

However, the salary of the officers paid by the Royal Government of Greece shall be reimbursed by the state to which they belong.

#### ARTICLE 9

Immediately upon the signature of the present convention, the Imperial Ottoman Government shall release all the ships and boats flying the Greek flag which were seized before the declaration of war and are held by that government.

Claims for damages and losses by interested persons, because of the embargo or seizure of the Greek vessels and their cargoes, shall, in accordance with a *compromis* to be entered into by common agreement, be submitted to an arbitral tribunal composed of four arbitrators named by each party, and three other arbitrators to be chosen from the subjects of maritime nations by the two parties, or, in case of disagreement, by the Swiss Federal Council.

#### ARTICLE 10

The two governments agree, under a *compromis* to be concluded in the future, to submit to an arbitral tribunal at The Hague the settlement of the dispute which has arisen concerning the interpretation of the protocol of surrender of Saloniki, dated October 26, 1912, and the protocol annexed thereto, regarding the arms of Ottoman soldiers of the garrison of that city, which the Imperial Ottoman Government claims should be restored.

#### ARTICLE 11

The life, property, honor, religion, and customs of those inhabitants of the territories ceded to Greece who shall remain under the Greek dominion shall be scrupulously respected.

They shall enjoy in full the same civil and political rights as native Greek subjects. The free and public practice of their religion shall be assured to Mussulmans.

The name of his Imperial Majesty the Sultan, as caliph, shall continue to be pronounced in the public prayers of the Mussulmans.

Neither the autonomy nor hierarchical organization of the existing Mussulman communities, nor of those which may be formed, nor the control of the funds and real property which belongs to them shall be interfered with.

Neither shall any interference be made in the relations of the individual Mussulmans or Mussulman communities with their spiritual chiefs, who shall be subject to the Cheik-ul-Islamat at Constantinople, who shall invest the chief mufti.<sup>2</sup>

The muftis, each within his own community, shall be elected by Mussulman electors.

The chief mufti is named by His Majesty the King of the Greeks from three candidates elected and presented by an electoral assembly composed of all the muftis of Greece.

The Government of Greece shall notify the election of the chief mufti through the Royal legation of Greece at Constantinople, to the Cheik-ul-Islamat who shall forward to him a *menchour* and the *murassalé* authorizing him to exercise his functions and grant to the other muftis of Greece the right to exercise jurisdiction and to confer *fetvas*.

The muftis, in addition to their authority over purely religious affairs and their supervision of the administration of vakouf property, shall exercise jurisdiction between Mussulmans in matters of marriage, divorce, alimony (*néfaca*), guardianship, trusteeship, emancipation of minors, wills of Ottomans, and succession to the office of Mutevelli (*tebliet*).

The judgments rendered by the muftis shall be executed by the proper Greek authorities.

As to matters of inheritance, the interested Mussulman parties may, after agreeing thereto, resort to the mufti as an arbitrator. All methods of appeal practiced before the courts of the country shall be applicable to the arbitral decision thus rendered unless there is a clause expressly providing to the contrary.

## ARTICLE 12

The vakoufs Idjarié-Vahidé, Idjarétein, Mouhatas, whether they be Mazbouta, Mulhaka, or Mustesna, in the ceded territories, as they were established by the Ottoman laws at the time of the military occupation, shall be respected.

<sup>2</sup> Webster says: "An official expounder of Mohammedan law."

They are governed by the Mussulman communities in the ceded territories, which shall respect the rights of Mutévelli and Gallédars.

All of the vakouf real property, urban and rural, Mazbouta or Moulhaka, situated in the territories ceded to Greece and of which the revenues belong to religious and charitable institutions located in Turkey, shall also be managed by the aforesaid Mussulman communities until they are sold by the ministry of the Evkaf.

It is well understood that the rights of Gallédars over the vakoufs aforesaid, shall be respected by the said ministry.

The control of the vakoufs shall not be modified without previous and just compensation.

If as a result of the abolition of the vakouf tithes certain Tekkés, mosques, Médressés, schools, hospitals and other religious institutions of a charitable character located in the territories ceded to Greece do not have sufficient revenues in the future to maintain themselves, the Royal Government of Greece shall grant to them the necessary subsidies for this purpose.

All controversies as to the interpretation or application of the provisions of the present article shall be decided by arbitration at The Hague.

#### ARTICLE 13

The high contracting parties agree to issue orders to their provincial authorities to respect the cemeteries and particularly the tombs of soldiers who fell upon the field of honor.

The authorities shall not prevent relatives and friends from removing the bones of victims buried in foreign ground.

#### ARTICLE 14

The Royal Government of Greece having been subrogated to the rights, duties and obligations of the Imperial Ottoman Government as regards the Saloniki-Monastir railroad companies, the Oriental railroads and the railroad from the Saloniki-Dédéagatch junction, over such portions of these roads as fall within the territories ceded to Greece, all questions relating thereto shall be referred to the Financial Commission on Balkan Affairs sitting at Paris.

#### ARTICLE 15

The two high contracting parties agree to uphold, so far as the same

concern them, the provisions of the Treaty of London, May 20, 1913, including the provisions of Article 5 of the said treaty.

#### ARTICLE 16

The present treaty shall become effective immediately upon its signature.

Ratifications shall be exchanged within two weeks from this day.

#### APPENDICES

##### *His Excellency Ghalib Kémal bey to His Excellency M. D. Panas*

Athens, November 1/14, 1913.

I beg you to be so kind as to inform me whether the "Union and Progress" is comprised within the designation "corporations" mentioned in Article 6 of the convention concluded on this day, and consequently, whether the rights of this association in real property which it holds in Saloniki will also be recognized and respected.

Accept, etc.,

##### *His Excellency M. D. Panas to His Excellency Ghalib Kémal bey*

Athens, November 1/14, 1913.

In response to the letter of your Excellency dated November 1/14, 1913, I have the honor to inform you that the "Union and Progress" is comprehended within the designation of "corporations" mentioned in Article 6 of the convention concluded on this day, and consequently the rights of this association in real property which it holds in Saloniki will also be recognized and respected.

Accept, etc.

#### PROTOCOL No. 1

Natives of the ceded territories who are domiciled outside the Ottoman Empire shall have a period of six months within which to decide in favor of Greek nationality.

The declaration and its effects shall be the same as those provided in Article 4.



## PROTOCOL No. 2

Since the Imperial Ottoman Government claims that the private property of the state situated in the ceded territories should still belong to it, and the Royal Government of Greece does not accept this view and claims that these properties should belong to it, the two contracting parties have agreed to submit this question to an arbitral tribunal at The Hague under a *compromis* to be concluded.

The number and extent of the possessions in question are given in the list annexed to this protocol.

*I. Province of Saloniki*

## A. Property which has passed to the state by inheritance

The number of these possessions is not yet known; but they are of little importance, and approximately of the value of 2,000 Turkish pounds, that is 2,000 Turkish pounds.<sup>3</sup>

## B. Property which has passed to the state from the civil list

1 farm, 46,210 deunums . . . . .	450	Turkish pounds		
23 parcels of land, including the 288,290 meters located in Saloniki upon which buildings have been erected, 128,024 deunums. . . . .	312,139	“	“	
Parcel of land situated on the port of Saloniki, 410 meters . . . . .	30,000	“	“	

*II. Province of Janina*

## A. Property which has passed to the state by inheritance

916 parcels of land, 109,732 deunums . . . . .	15,175	Turkish pounds		
319 parcels with buildings, 48.48 deunums. . . . .	12,105	“	“	

## B. Property which has passed to the state from the civil list

119 parcels of land, 2,672 deunums . . . . .	235	Turkish pounds		
193 farms, 550,380 deunums . . . . .	200,000	“	“	
48 buildings (value not estimated)				

<sup>3</sup> This repetition of “2,000 Turkish pounds” would seem to be an error. It would be natural for the last phrase to be a statement of the value in the terms of money of another country.

III. *14 fishing-places in the province of Saloniki.* 12,506 Turkish pounds  
 Tax concessions and enterprises which have passed to the state from  
 the civil list

I. *Province of Saloniki*

Mines, village of Lania, nahié of Vardar.

Mines, farms, Bochnak and Stanova, same nahié.

Gold mines, caza of Avrat-Hissar.

Oil tanks, Saloniki.

Drainage of the marshes of Sadova.

Land reclaimed from the sea, eastern coast of Saloniki.

Construction of docks and harbor in the gulf of Saloniki.

Steamship navigation in the gulfs of Cassandra and Saloniki.

II. *Province of Janina*

Soft coal mines, Lénitché; oil wells on the farm of Lénitché, leased for forty years to Mr. Frédéric Spadoll. The zinc mine alone has been worked.

PROTOCOL No. 3

1. No claim of any kind whatever shall be made by the Imperial Ottoman Government for the ancient Christian churches converted into mosques in times past, and given up during the course of hostilities to their original faith.

2. Every claim of the Imperial Ottoman Government that the converted mosques were not originally churches shall be examined by the Royal Government of Greece.

3. However, the revenues of vakouf property belonging to the mosques mentioned in paragraph 1, if any, shall be respected and remitted to the Mussulman communities in the newly annexed territories, in order that they may be freely used by them for the same purposes for which they were originally created.

4. The Royal Government of Greece shall, at its own expense, have a mosque constructed in the capital and four other mosques in the poor villages where need is felt therefor.

5. All disputes as to the interpretation or application of the preceding provisions shall be decided by an arbitration at The Hague under the provisions of a *compromis* to be concluded in the future.

6. A special establishment shall also be created for the formation of Naïbs.

7. The chief mufti and the muftis, as well as the members of their offices, shall have the same rights and duties as other public officers of Greece.

8. The chief mufti shall ascertain whether the mufti elected possesses all the qualities required by the law of Chéri.

9. The muftis cannot be displaced except in accordance with the provisions of Article 86 of the Constitution of the Kingdom of Greece.

10. The Mussulman communities being also charged with the administration and supervision of the vakoufs, the chief mufti shall have as one of his principal powers, that of requiring statements of account from them, and of prescribing the method of book-keeping to be followed.

11. No vakouf property shall be taken by expropriation except for a duly announced public purpose and after the payment of a just indemnity.

12. The public cemeteries of the Mussulmans shall be recognized as vakouf property.

13. The corporate character of the Mussulman communities is recognized.

14. The *heudjets* and decisions rendered by the muftis shall be examined by the chief mufti, who shall affirm them if he finds them in accordance with the provisions of the law of Chéri.

When these *heudjets* and decisions relate to religious questions other than the wills of Ottomans, or concern purely material matters, the chief mufti, as well as the parties, may have recourse to the Cheik-ul-Islamat.

15. The private Mussulman schools, among others the school of arts and crafts named Midhat-Pasha at Saloniki, shall be recognized, and the revenue-producing property controlled by them since their creation for the payment of their expenses shall be respected.

The same treatment shall be accorded all private Mussulman schools now existing or which may be created by individuals or local committees of prominent Mussulmans.

The chief mufti, the muftis and instructors of public instruction of Greece may inspect the schools. Instruction shall be in the Turkish language and shall conform to the official program, but the study of the Greek language is obligatory.