



Treaty Series No. 49 (1939)

Agreement

between His Majesty's Government in the United Kingdom
and the Government of the Turkish Republic

regarding an

Armaments Credit for Turkey

London, May 27, 1938

[Ratifications exchanged at Angora on May 17, 1939]

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

LONDON

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AGREEMENT BETWEEN HIS MAJESTY'S GOVERNMENT IN THE
UNITED KINGDOM AND THE GOVERNMENT OF THE
TURKISH REPUBLIC REGARDING AN ARMAMENTS CREDIT
FOR TURKEY.

London, May 27, 1938.

[*Ratifications exchanged at Angora on May 17, 1939.*]

Whereas the Government of the Turkish Republic have adopted an economic programme, which was approved by the National Assembly of the Turkish Republic on the twenty-third day of December, nineteen hundred and thirty-seven, whereby provision is made for substantial increases in the amount and value of the mineral and certain other products to be exported from the Turkish Republic in future years;

And whereas the Trade and Clearing Agreement, signed on the second day of September, nineteen hundred and thirty-six,⁽¹⁾ between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Turkish Republic, has been supplemented by an Agreement signed on the twenty-seventh day of May, nineteen hundred and thirty-eight,⁽²⁾ providing in Article 4 (2) (iv) (E) thereof for payments to be made to the Government of the United Kingdom, out of the receipts of United Kingdom companies known as the Anglo-Turkish Comptoir, Limited, and Anglo-Turkish Commodities, Limited, in respect of credits granted by that Government to the Government of the Turkish Republic for the purchase in the United Kingdom of material necessary for the defence of Turkey;

Now, therefore, with a view to facilitating such purchases, the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Turkish Republic have agreed, subject to confirmation by the Parliament of the United Kingdom and by the National Assembly of the Turkish Republic, as follows:—

ARTICLE 1.

The Government of the United Kingdom undertake to advance by way of loan to the Government of the Turkish Republic such sums, not exceeding in the aggregate six million pounds sterling, as may be payable by the Government of the Turkish Republic under any

(1) "Treaty Series No. 25 (1936)," Cmd. 5274.

(2) "Treaty Series No. 36 (1938)," Cmd. 5756.

contracts concluded by that Government with the approval of the Government of the United Kingdom for the purchase in the United Kingdom of material necessary for the defence of Turkey.

ARTICLE 2.

(1) There shall be added to each advance, made in accordance with Article 1 of this Agreement, interest, compounded half-yearly, at a rate of one per cent. per annum above the Bank of England discount rate in force from time to time or at a rate of three per cent. per annum, whichever is the greater, from the date on which each such advance is made until the date on which it is repaid or until the first day of January, nineteen hundred and forty-three, whichever date is the earlier, and thereafter at such rate (hereinafter referred to as the "certified rate") not being less than three per cent. per annum as the Lords Commissioners of the Treasury of the United Kingdom shall certify to be the appropriate rate on the first day of January, nineteen hundred and forty-three, for a loan of similar term guaranteed by the Government of the United Kingdom.

(2) The total amount of the advances, together with the interest thereon, unpaid on the first day of January, nineteen hundred and fifty-two (hereinafter referred to as the "principal sum"), shall be repaid by the Government of the Turkish Republic to the Government of the United Kingdom in pounds sterling by means of twenty equal half-yearly instalments, payable on the first day of July and the first day of January, of such amount as will secure the repayment by the first day of January, nineteen hundred and sixty-two, of the principal sum, together with interest on the amount thereof from time to time outstanding at the certified rate.

ARTICLE 3.

After the first day of January, nineteen hundred and fifty-two, the Government of the Turkish Republic shall have the option of discharging in whole or in part its obligations to pay instalments as provided in the preceding article by the repayment to the Government of the United Kingdom on the first day of January or on the first day of July of any year in pounds sterling of the principal sum or any part thereof then outstanding, and after any such repayment of a part of the principal sum the subsequent instalments shall be proportionately reduced.

ARTICLE 4.

The present Agreement shall be ratified and the instruments of ratification shall be exchanged at Angora. The present Agreement shall enter into force on the date of the exchange of ratifications.

In witness whereof the undersigned, duly authorised thereto, have signed the present Agreement and have affixed thereto their seals.

Done in duplicate in London, in the English language, this twenty-seventh day of May, nineteen hundred and thirty-eight.

A translation shall be made into the Turkish language as soon as possible and agreed between the Contracting Governments.⁽³⁾

Both texts shall then be considered equally authentic for all purposes.

(L.S.) HALIFAX.

(L.S.) FETHI OKYAR.

(L.S.) M. ERİŞ.

⁽³⁾ See Exchange of Notes following.

EXCHANGE OF NOTES.

No. 1.

*Bay Fethi Okyar to Viscount Halifax.**Turkish Embassy,**London, June 10, 1938.*

Your Excellency,

WITH reference to the final paragraph of the Anglo-Turkish Armaments Credit Agreement, which was signed in London on the 27th May, 1938, I have the honour to transmit to your Excellency herewith two copies (one of which I have initialled) of the Turkish text of the said Agreement.

I have the honour to request that I may be informed whether your Excellency agrees that the enclosed Turkish text is an accurate translation of the English text, and that it may be considered as equally authentic with the English text for all purposes, as provided in the final paragraph of the said Agreement.

I have, &c.

FETHI OKYAR, *Ambassador.*

Enclosure in No. 1.

Türkiye Cümhuriyeti ile Büyük Britanya ve Şimalî İrlanda Müttehid Krallığı arasında Teslihat Kredi Anlaşması.

Türkiye Cümhuriyeti Hükûmetinin, Türkiye Büyük Millet Meclisi tarafından 1937 senesi Kânunuevvelinin 23ünde tasdik olunan bir iktisadî program kabul etmiş olmasına, ve bu programda Türkiye Cümhuriyetinden ilerideki senelerde ihrac olunacak maadin ve diger bazı maddelerin mikdar ve kıymetlerinin ehemmiyetli bir suretde tezyidi teemmül edilmiş bulunmasına ve Türkiye Cümhuriyeti Hükûmeti ile Büyük Britanya ve Şimalî İrlanda Müttehid Krallığı Hükûmeti arasında 2 Eylül 1936 da akd edilen Ticaret ve Kliring Anlaşmasına, 1938 senesi Mayısının 27nci gününde yapılan bir anlaşmanın tezyil edilmesine ve bu son anlaşmanın 4 üncü maddesinde Türkiyenin müdafaasına lüzumlu mevadın Müttehid Krallıkda satın alınması için İngiltere Hükûmeti tarafından Türkiye Hükûmetine verilen kredilere karşı Anglo-Turkish Comptoir Ltd. ve Anglo-Turkish Commodities Ltd. namile tanınan Müttehid Krallık şirketleri hasılatından İngiltere Hükûmetine tediyeler yapılması mükarrer olmasına binaen, Türkiye Büyük Millet Meclisi ile Müttehid Krallık Parlâmentosunun tasdikine taliken, ve bu mübayaatı kolaylaştırmak maksadile, Türkiye Cümhuriyeti Hükûmeti ile Büyük Britanya ve Şimalî İrlanda Müttehid Krallığı Hükûmeti bervechi âti hususatta anlaşmışlardır.

(Teslihat.)

MADDE 1.

Türkiyenin müdafaası için lüzumlu mevadın Müttehid Krallıkda mübayaasına mütedair ve Müttehid Krallık Hükümetinin tasvibile yapılmış mükavelelere müsteniden Türkiye Cumhuriyeti Hükümetince ödenmesi icab eden mebaligi, mecmuu altı milyon İsterlini geçmemek üzere, Türkiye Hükümetine ikraz eylemegi Müttehid Krallık Hükümeti deruhde eder.

MADDE 2.

(1) Bu Anlaşmanın birinci maddesi mucibince yapılacak her avansa yapıldığı tarihten ödüdüğü tarihe veya 1943 senesi Kânunusanisinin birinci gününe kadar (hangi tarih daha evvelse) zaman zaman carî olan İngiltere Bankası iskonto haddinden senevi yüzde bir fazla ve bundan sonra da Müttehid Krallık Hükümetince garanti edilen müşabih müddetli bir istikraz için münasib bir had olduğu 1 Kânunusani 1943 de Hazine Lordları tarafından tasdik olunacak ve senevi yüzde üçden az bulunmayacak olan bir faiz (buna badema musaddak faiz denilecektir) altı ayda bir resülmale zamedilmek suretile ilâve olunacaktır.

(2) Avansların faizlerle birlikde 1 Kânunusani 1952 de tediye edilmemiş olan mecmuu (ki badema resülmal denilecektir) Türkiye Hükümeti tarafından Müttehid Krallık Hükümetine her senenin 1 Temmuz ve 1 Kânunusanisinde vacibüttekiye yirmi müsavi yarı senelik taksitde İsterlin olarak ödenecektir, Taksitler, 1 Kânunusani 1962 ye kadar resülmalin zaman zaman ödenmemiş bulunan kısmı üzerine musaddak had üzerinden faizle birlikde mezkûr resülmalin tamamen tediyesini temin edecek mikdarlarda olacaktır.

MADDE 3.

1 Kânunusani 1952 den sonra, Türkiye Hükümeti yukarı maddedeki taksitleri ödeme teahhüdünü, Müttehid Krallık Hükümetine her hangi bir senenin 1 Kânunusani veya 1 Temmuzunda o zamana kadar ödenmemiş bulunan resülmali veya bunun bir kısmını İsterlin olarak ödemek suretile tamamen veya kısmen ifa selâhiyetini haizdir. Resülmalden yapılacak böyle bir tediye den sonra müteakib taksitler o nisbetde tenkis olunacaktır.

MADDE 4.

Bu Anlaşma tasdik edilecek ve tasdiknameleri Ankara da teati olunacaktır. Bu Anlaşma tasdiknamelerin teatisi tarihinde mevki meriyete girecektir.

Yukarıdaki ahkâmı tasdiken aşağıda vaziülimza selâhiyetdar murahhaslar işbu Anlaşmayı imza etmişler ve mühürlemişlerdir.

Londra'da, bin dokuz yüz otuz sekiz senesi Mayısının yirmi yedinci günü, iki nusha İngilizce olarak tanzim edilmiştir.

Mümkün olduğu kadar sür'atle Türkçe tercümesi yapılacak ve bu tercüme âkit Hükümetler tarafından kabul edilecektir.

O vakit, her iki metin, her hususda aynı derecede ihticaca salih telâkki olunacaktır.

(İmzalar) HALIFAX.

(İmzalar) FETHİ OKYAR.

(İmzalar) M. ERİŞ.

No. 2.

Viscount Halifax to Bay Fethi Okyar.

Your Excellency, *Foreign Office, London, June 13, 1938.*

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 10th June, 1938, transmitting two copies (one of which you had initialled) of the Turkish text of the Anglo-Turkish Armaments Credit Agreement, which was signed in London on the 27th May, 1938.

2. I have the honour to inform your Excellency that His Majesty's Government in the United Kingdom agree that this text is an accurate translation of the English text, and that it may be considered as equally authentic with the English text for all purposes as provided in the final paragraph of the said Agreement.

3. I have accordingly initialled one copy of the Turkish text and return it to you herewith.

I have, &c.

HALIFAX.