

1936 CONVENTION REGARDING THE REGIME OF THE STRAITS

Adopted in Montreux, Switzerland on 20 July 1936

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Desiring to regulate transit and navigation in the Straits of the Dardanelles, the Sea of Marmora and the Bosphorus comprised under the general term " Straits " in such manner as to safeguard, within the framework of Turkish security and of the security, in the Black Sea, of the riparian States, the principle enshrined in Article 23 of the Treaty of Peace signed at Lausanne on the 24th July, 1923;

Have resolved to replace by the present Convention the Convention signed at Lausanne on the 24th July, 1923, and have appointed as their Plenipotentiaries

HIS MAJESTY THE KING OF THE BULGARIANS:

Dr. Nicolas P. NICOLAEV, Minister Plenipotentiary, Secretary-General of the Ministry of Foreign Affairs and of Cults;

M. Pierre NEICOV, Minister Plenipotentiary, Director of Political Affairs at the Ministry of Foreign Affairs and of Cults -

THE PRESIDENT OF THE FRENCH REPUBLIC

M. PAUL-BONCOUR, Senator Permanent Delegate of France to the League of Nations former President of the Council, former Minister for Foreign Affairs, Chevalier of the Legion of Honour, Croix de Guerre;

M. Henri PONSOT, Ambassador Extraordinary and Plenipotentiary of the French Republic at Angara, Grand Officer of the Legion of Honour;

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

FOR GREAT BRITAIN AND NORTHERN IRELAND AND ALL PARTS OF THE BRITISH EMPIRE WHICH ARE NOT SEPARATE MEMBERS OF THE LEAGUE OF NATIONS:

The Right Honourable Lord STANLEY, P.C., M.C., M.P., Parliamentary Secretary to the Admiralty;

FOR THE COMMONWEALTH OF AUSTRALIA:

The Right Honourable Stanley Melbourne BRUCE, C.H., M.C., High Commissioner for the Commonwealth of Australia in London;

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. Raoul BIBICA ROSETTI, Permanent Delegate of Greece to the League of Nations

His MAJESTY THE EMPEROR OF JAPAN:

M. Naotake SATO, Jusammi, Grand-Cordon of the Order of the Rising Sun, Ambassador Extraordinary and Plenipotentiary in Paris;

M. Massa-aki HOTTA, Jushii, Second Class of the Order of the Rising Sun, Envoy Extraordinary and Minister Plenipotentiary at Berne;

HIS MAJESTY THE KING OF ROUMANIA:

M. Nicolas TITULESCO, Minister Secretary of State for the Department of Foreign Affairs;

M. Constantin CONTZESCO, Minister Plenipotentiary, Delegate of Roumania to the European and International Commissions of the Danube;

M. Vespasien PELLA, Envoy Extraordinary and Minister Plenipotentiary at The Hague;

THE PRESIDENT OF THE TURKISH REPUBLIC

Dr. Ruştu ARAS, Minister for Foreign Affairs, Deputy for Smyrna;

M. Suad DAVAZ, Ambassador Extraordinary and Plenipotentiary of the Turkish Republic in Paris;

M. Numan MENEMENCIOĞLU, Ambassador of Turkey, Secretary-General of the Ministry for Foreign Affairs;

M. Asim GÜNDÜZ, General Commanding an Army Corps, Deputy Chief of the General Staff;

M. Necmeddin SADAK, Permanent Delegate of Turkey to the League of Nations, Deputy for Sivas, Rapporteur for the Committee of Foreign Affairs

THE CENTRAL EXECUTIVE COMMITTEE OF THE UNION OF SOVIET SOCIALIST REPUBLICS

M. Maxime LITVINOFF, Member of the Central Executive Committee of the Union of Soviet Socialist Republics, People's Commissar for Foreign Affairs

HIS MAJESTY THE KING OF YUGOSLAVIA:

M. Ivan SOUBBOTITCH, Permanent Delegate of the Kingdom of Yugoslavia to the League of Nations;

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

ARTICLE 1

The High Contracting Parties recognise and affirm the principle of freedom of transit and navigation by sea in the Straits.

The exercise of this freedom shall henceforth be regulated by the provisions of the present Convention.

SECTION I. MERCHANT VESSELS

ARTICLE 2

In time of peace, merchant vessels shall enjoy complete freedom of transit and navigation in the Straits, by day and by night, under any flag any and with any kind of cargo, without any formalities, except as provided in Article 3 below. No taxes or charges other than those authorised by Annex I to the present Convention shall be levied by the Turkish authorities on these vessels when passing in transit without calling at a port in the Straits.

In order to facilitate the collection of these taxes or charges merchant vessels passing through the Straits shall communicate to the officials at the stations referred to in Article 3 their name, nationality, tonnage, destination and last port of call (provenance). Pilotage and towage remain optional.

ARTICLE 3

All ships entering the Straits by the Aegean Sea or by the Black Sea shall stop at a sanitary station near the entrance to the Straits for the purposes of the sanitary control prescribed by Turkish law within the framework of international sanitary regulations. This control, in the case of ship possessing a clean bill of health or presenting a declaration of health testifying that they do not fall within scope of the provisions of the second paragraph of the present Article, shall be carried out by day and by night with all possible speed, and the vessels in question shall not be required to make any other stop during their passage throughout the Straits.

Vessels which have on board cases of plague, cholera, yellow fever, exanthematic typhus or smallpox, or which have had such cases on board during the seven days, and vessels which have left an infected port within less than five times twenty-four hours shall stop at the sanitary stations indicated in the preceding paragraph in order to embark such sanitary guards as the Turkish authorities may direct. No tax or charge shall be levied in respect of these sanitary guards and they shall be disembarked at a sanitary station on departure from the Straits.

ARTICLE 4

In time of war, Turkey not being belligerent, merchant vessels, under any flag or with any kind of cargo, shall enjoy freedom of transit and navigation in the Straits subject to the provisions of Articles 2 and 3.

Pilotage and towage remain optional.

ARTICLE 5

In time of war, Turkey being belligerent, merchant vessels not belonging to a country at war with Turkey shall enjoy freedom of transit and navigation in the Straits on condition that they do not in any way assist the enemy.

Such vessels shall enter the Straits by day and their transit shall be effected by the route which shall in each case be indicated by the Turkish authorities.

ARTICLE 6

Should Turkey consider herself to be threatened with imminent danger of war, the provisions of Article 2 shall nevertheless continue to be applied except that vessels must enter the Straits by day and that their transit must be effected by the route which shall, in each case, be indicated by the Turkish authorities.

Pilotage may, in this case, be made obligatory, but no charge shall be levied.

ARTICLE 7

The term "merchant vessels" applies to all vessels with are not covered by Section II of the present Convention.

SECTION II. VESSELS OF WAR

ARTICLE 8

For the purposes of the present Convention, the definitions of vessels of war and of their specification together with those relating to the calculation of tonnage shall be as set forth in Annex II to the present Convention.

ARTICLE 9

Naval auxiliary vessels specifically designed for the carriage of fuel, liquid or non-liquid, shall not be subject to the provisions of Article 13 regarding notification, nor shall they be counted for the purpose of calculating the tonnage which is subject to limitation under Articles 14 and 18, on condition that they shall pass through the Straits singly. They shall, however, continue to be on the same footing as vessels of war for the purpose of the remaining provisions governing transit.

The auxiliary vessels specified in the preceding paragraph shall only be entitled to benefit by the exceptional status therein contemplated if their armament does not include: for use against floating targets, more than two guns of a maximum calibre of 105 millimeters; for use against aerial targets, more than two guns of a maximum calibre of 75 millimeters.

ARTICLE 10

In time of peace, light surface vessels, minor war vessels and auxiliary vessels, whether belonging to Black Sea or non-Black Sea Powers, and whatever their flag, shall enjoy freedom of transit through the Straits without any taxes or charges whatever, provided that such transit is begun during daylight and subject to the conditions laid down in Article 13 and the Articles following thereafter.

Vessels of war other than those which fall within the categories specified in the preceding paragraph shall only enjoy a right of transit under the special conditions provided by Articles 11 and 12.

ARTICLE 11

Black Sea Powers may send through the Straits capital ships of a tonnage greater than that laid down in the first paragraph of Article 14, on condition that these vessels pass through the Straits singly, escorted by not more than two destroyers.

ARTICLE 12

Black Sea Powers shall have the right to send through the Straits, for the purpose of rejoining their base, submarines constructed or purchased outside the Black Sea, provided that adequate notice of the laying down or purchase of such submarines shall have been given to Turkey.

Submarines belonging to the said Powers shall also be entitled to pass through the Straits to be repaired in dockyards outside the Black Sea on condition that detailed information on the matter is given to Turkey.

In either case, the aid submarines must travel by day and on the surface, and must pass through the Straits singly.

ARTICLE 13

The transit of vessels of war through the Straits shall be preceded by a notification given to the Turkish Government through the diplomatic channel. The normal period of notice shall be eight days; but it is desirable that in the case of non-Black Sea Powers this period should be increased to fifteen days. The notification shall specify the destination, name, type and number of the vessels, as also the date of entry for the outward passage and, if necessary, for the return journey. Any change of date shall be subject to three days' notice.

Entry into the Straits for the outward passage shall take place within a period of five days from the date given in the original notification. After the expiry of this period, a new notification shall be given under the same conditions as for the original notification.

When effecting transit, the commander of the naval force shall, without being under any obligation to stop, communicate to a signal station at the entrance to the Dardanelles or the Bosphorus the exact composition of the force under his orders.

ARTICLE 14

The maximum aggregate tonnage of all foreign naval forces which may be in course of transit through the Straits shall not exceed 15,000 tons, except in the cases provided for in Article 11 and in Annex III to the present Convention.

The forces specified in the preceding paragraph shall not, however, comprise more than nine vessels.

Vessels whether belonging to Black Sea or non-Black Sea Powers, paying visits to a port in the Straits, in accordance with the provisions of Article 17, shall not be included in this tonnage.

Neither shall vessels of war which have suffered damage during their- passage through the Straits be included in this tonnage; such vessels, while undergoing repair, shall be subject to any special provisions relating to security laid down by Turkey.

ARTICLE 15

Vessels of war in transit through the Straits shall in no circumstances make use of any aircraft which they may be carrying.

ARTICLE 16

Vessels of war in transit through the Straits shall not, except in the event of damage or peril of the sea, remain therein longer than is necessary for them to effect the passage.

ARTICLE 17

Nothing in the provisions of the preceding Articles shall prevent a naval force of any tonnage or composition from paying a courtesy visit of limited duration to a port in the Straits, at the invitation of the Turkish Government. Any such force must leave the-Straits by the same route as that by which it entered, unless it fulfils the conditions required for passage in transit through the Straits as laid down by Articles 10, 14 and 18.

ARTICLE 18

- (1) The aggregate tonnage which non-Black Sea Powers may have in that sea in time of peace shall be limited as follows:
- (a) Except as provided in paragraph (b) below, the aggregate tonnage of the said Powers shall not exceed 30,000 tons;
 - (b) If at any time the tonnage of the strongest fleet in the Black Sea shall exceed by at least 10,000 tons the tonnage of the strongest fleet in that sea at the date of the signature of the present Convention, the aggregate tonnage of 30,000 tons mentioned in paragraph (a) shall be increased by the same amount, up to a maximum of 45,000 tons. For this purpose, each Black Sea Power shall, in conformity with Annex IV to the present Convention, inform the Turkish Government, on the 1st January and the 1st July of each year, of the total tonnage of its fleet in the Black Sea; and the Turkish Government shall transmit this information to the other High Contracting Parties and to the Secretary-General of the League of Nations;
 - (c) The tonnage which any one non-Black Sea Power may have in the Black Sea shall be limited to two-thirds of the aggregate tonnage provided for in paragraphs (a) and (b) above;
 - (d) In the event, however, of one or more non-Black Sea Powers desiring to send naval forces into the Black Sea, for a humanitarian purpose, the said forces, which shall in no case exceed 8,000 tons altogether, shall be allowed to enter the Black Sea without having to give the notification provided for in Article 13 of the present Convention, provided an authorisation is obtained from the Turkish Government in the following circumstances: if the figure of the aggregate tonnage specified in paragraphs (a) and (b) above has not been reached and will not be exceeded by the despatch of the forces which it is desired to send, the Turkish Government shall grant the said authorisation within the shortest possible time after receiving the request which has been addressed to it x if the said figure has already been reached or if the despatch of the forces which it is desired to send will cause it to be exceeded, the Turkish Government will immediately inform the other Black Sea Powers of the request for authorisation, and if the said Powers make no objection within twenty-four hours of having received this information, the Turkish Government shall, within forty-eight hours at the latest, inform the interested Powers of the reply which it has decided to make to their request.
- Any further entry into the Black Sea of naval forces of non-Black Sea Powers shall only be effected within the available limits of the aggregate tonnage provided for in paragraphs (a) and (b) above.
- (2) Vessels of war belonging to non-Black Sea Powers shall not remain in the Black Sea more than twenty-one days, whatever be the object of their presence there.

ARTICLE 19

In time of war, Turkey not being belligerent, warships shall enjoy complete freedom of transit and navigation through the Straits under the same conditions as those laid down in Articles 10 to 18.

Vessels of war belonging to belligerent Powers shall not, however, pass through the Straits except in cases arising out of the application of Article 25 of the present Convention, and in cases of assistance rendered to a State victim of aggression in virtue of a treaty of mutual assistance binding Turkey, concluded within the framework of the Covenant of the League of Nations, and registered and published in accordance with the provisions of Article 18 of the Covenant.

In the exceptional cases provided for in the preceding paragraph, the limitations laid down in Articles 10 to 18 of the present Convention shall not be applicable.

Notwithstanding the prohibition of passage laid down in paragraph 2 above, vessels of war belonging to belligerent Powers, whether they are Black Sea Powers or not, which have become separated from their bases, may return thereto.

Vessels of war belonging to belligerent Powers shall not make any capture, exercise the right of visit and search, or carry out any hostile act in the Straits.

ARTICLE 20

In time of war, Turkey being belligerent, the provisions of Articles 10 to 18 shall not be applicable; the passage of warships shall be left entirely to the discretion of the Turkish Government.

ARTICLE 21

Should Turkey consider herself to be threatened with imminent danger of war she shall have the right to apply the provisions of Article 20 of the present Convention.

Vessels which have passed through the Straits before Turkey has made use of the powers conferred upon her by the preceding paragraph, and which thus find themselves separated from their bases, may return thereto. It is, however, understood that Turkey may deny this right to vessels of war belonging to the State whose attitude has given rise to the application of the present Article.

Should the Turkish Government make use of the powers conferred by the first paragraph of the present Article, a notification to that effect shall be addressed to the High Contracting Parties and to the Secretary-General of the League of Nations.

If the Council of the League of Nations decide by a majority of two-thirds that the measures thus taken by Turkey are not justified, and if such should also be the opinion of the majority of the High Contracting Parties signatories to the present Convention, the Turkish Government undertakes to discontinue the measures in question as also any measures which may have been taken under Article 6 of the present Convention.

ARTICLE 22

Vessels of war which have on board cases of plague, cholera, yellow fever, exanthematic typhus or smallpox or which have had such cases on board within the last seven days and vessels of war which have left an infected port within less than five times twenty-four hours must pass through the Straits in quarantine and apply by the means on board such prophylactic measures as are necessary in order to prevent any possibility of the Straits being infected.

SECTION III. AIRCRAFT

ARTICLE 23

In order to assure the passage of civil aircraft between the Mediterranean and the Black Sea, the Turkish Government will indicate the air routes available for this purpose, outside the forbidden zones which may be established in the Straits. Civil aircraft may use these routes provided that they give the Turkish Government, as regards occasional flights, a notification of three days, and as regards flights on regular services, a general notification of the dates of passage.

The Turkish Government moreover undertake, notwithstanding any remilitarisation of the Straits, to furnish the necessary facilities for the safe passage of civil aircraft authorised under the air regulations in force in Turkey to fly across Turkish territory between Europe and Asia. The route which is to be followed in the Straits zone by aircraft which have obtained an authorisation shall be indicated from time to time.

SECTION IV. GENERAL PROVISIONS

ARTICLE 24

The functions of the International Commission set up under the Convention relating to the regime of the Straits of the 24th July, 1923, are hereby transferred to the Turkish Government.

The Turkish Government undertake to collect statistics and to furnish information concerning the application of Articles 11, 12, 14 and 18 of the present Convention.

They will supervise the execution of all the provisions of the present Convention relating to the passage of vessels of war through the Straits. As soon as they have been notified of the intended passage through the Straits of a foreign naval force the Turkish Government shall inform the representatives at Angora of the High Contracting Parties of the composition of that force, its tonnage, the date fixed for its entry into the Straits, and, if necessary, the probable date of its return.

The Turkish Government shall address to the Secretary-General of the League of Nations and to the High Contracting Parties an annual report giving details regarding the movements of foreign vessels of war through the Straits and furnishing all information which may be of service to commerce and navigation, both by sea and by air, for which provision is made in the present Convention.

ARTICLE 25

Nothing in the present Convention shall prejudice the rights and obligations of Turkey, or of any of the other High Contracting Parties members of the League of Nations, arising out of the Covenant of the League of Nations.

SECTION V. FINAL PROVISIONS

ARTICLE 26

The present Convention shall be ratified as soon as possible.

The ratifications shall be deposited in the archives of the Government of the French Republic in Paris.

The Japanese Government shall be entitled to inform the Government of the French Republic through their diplomatic representative in Paris that the ratification has been given, and in that case they shall transmit the instrument of ratification as soon as possible.

A process-verbal of the deposit of ratifications shall be drawn up as soon as six instruments of ratification, including that of Turkey, shall have been deposited. For this purpose the notification provided for in the preceding paragraph shall be taken as the equivalent of the deposit of an instrument of ratification.

The present Convention shall come into force on the date of the said process-verbal.

The French Government will transmit to all the High Contracting Parties an authentic copy of the process-verbal provided for in the preceding paragraph and of the process-verbal of the deposit of any subsequent ratifications.

ARTICLE 27

The present Convention shall, as from the date of its entry into force, be open to accession by any Power signatory to the Treaty of Peace at Lausanne signed on the 24th July, 1923.

Each accession shall be notified, through the diplomatic channel, to the Government of the French Republic, and by the latter to all the High Contracting Parties.

Accessions shall come into force as from the date of notification to the French Government.

ARTICLE 28

The present Convention shall remain in force for twenty years from the date of its entry into force.

The principle of freedom of transit and navigation affirmed in Article I of the present Convention shall however continue without limit of time.

If, two years prior to the expiry of the said period of twenty years, no High Contracting Party shall have given notice of denunciation to the French Government the present Convention shall continue in force until two years after such notice shall have been given. Any such notice shall be communicated by the French Government to the High Contracting Parties.

In the event of the present Convention being denounced in accordance with the provisions of the present Article, the High Contracting Parties agree to be represented at a conference for the purpose of concluding a new Convention.

ARTICLE 29

At the expiry of each period of five years from the date of the entry into force of the present Convention each of the High Contracting Parties shall be entitled to initiate a proposal for amending one or more of the provisions of the present Convention.

To be valid, any request for revision formulated by one of the High Contracting Parties must be supported, in the case of modifications to Articles 14 or 18, by one other High Contracting Party, and, in the case of modifications to any other Article, by two other High Contracting Parties.

Any request for revision thus supported must be notified to all the High Contracting Parties three months prior to the expiry of the current period of five years. This notification shall contain details of the proposed amendments and the reasons which have given rise to them.

Should it be found impossible to reach an agreement on these proposals through the diplomatic channel, the High Contracting Parties agree to be represented at a conference to be summoned for this purpose.

Such a conference may only take decisions by a unanimous vote, except as regards cases of revision involving Articles 14 and 18, for which a majority of three-quarters of the High Contracting Parties shall be sufficient.

The said majority shall include three-quarters of the High Contracting Parties which are Black Sea Powers, including Turkey.

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

Done at Montreux the 20th July, 1936, in eleven copies, of which the first copy, to which the seals of the Plenipotentiaries have been affixed, will be deposited in the archives of the Government of the French Republic and of which the remaining copies have been transmitted to the signatory Powers.

(L.S) N. P. NICOLAEV.

(L.S) Pierre NEICOV.

(L.S.) J. PAUL-BONCOUR.

(L.S.) H. PONSOT.

(L.S.) STANLEY.

(L.S.) S. M. BRUCE.

(L.S.) N. POLITIS.

(L.S.) Raoul BIBICA ROSETTI.

The undersigned, Plenipotentiaries of Japan, declare, in the name of their Government, that the provisions of the present Convention do not in any sense modify the position of Japan as a State not a member of the League of Nations, whether in relation to the Covenant of the League of Nations or in regard to treaties of mutual assistance concluded within the framework of the said Covenant, and that in particular Japan reserves full liberty of interpretation as regards the provisions of Articles 19 and 25 so far as they concern that Covenant and those treaties.

(L. S.) N. SATO.

(L. S.) Massa-aki HOTTA.

(L. S.) N. TITULESCO.

(L. S.) Cons. CONTZESCO.

(L. S.) V. V. PELLA.

(L. S.) Dr. R. ARAS.

(L. S.) Suad DAVAZ.

(L. S.) N. MENEMENCIOĞLU.

(L. S.) Asim GÜNDÜZ.

(L. S.) N. SADAK.

(L. S.) Maxime LITVINOFF.

(L. S.) Dr. I. V. SOUBBOTITCH.

ANNEX I

1. The taxes and charges which may be levied in accordance with Article 2 of the present Convention shall be those set forth in the following table. Any reductions in these taxes or charges which the Turkish Government may grant shall be applied without any distinction based on the flag of the vessel:

| Nature of service rendered | Amount of tax or charge to be levied on each ton of net register tonnage |
|--|--|
| | Francs gold |
| (a) Sanitary Control Stations | 0.075 |
| (b) Lighthouses, Light and Channel Buoys: | |
| Up to 800 tons | 0.42 |
| Above 800 tons | 0.21 |
| (c) Life Saving Services, including Life-boats, Rocket Stations Fog Sirens, Direction-finding Stations, and any Light Buoys not comprised in (b) above, or other similar installations | 0.10 |

2. The taxes and charges set forth in the table attached to paragraph 1 of the present Annex shall apply in respect of a return voyage through the Straits (that is to say, a voyage from the Aegean Sea to the Black Sea and return back to the Aegean Sea or else a voyage through the Straits from the Black Sea to the Aegean Sea followed by a return voyage into the Black Sea), if, however, a merchant vessel re-enters the Straits with the object of returning into the Aegean Sea or to the Black Sea, as the case may be, more than six months after the date of entry into the Straits for the outward voyage, such vessel may be called upon to pay these taxes and charges a second time, provided no distinction is made based on the flag of the vessel.
3. If, on the outward voyage, a merchant vessel declares an intention of not returning, it shall only be obliged as regards the taxes and charges provided for in paragraphs (b) and (c) of the first paragraph of the present Annex, to pay half the tariff indicated.
4. The taxes and charges set forth in the table attached to the first paragraph of the present Annex, which are not to be greater than is necessary to cover the cost of maintaining the services concerned and of allowing for the creation of a reasonable reserve fund or working balance, shall not be increased or added to except in accordance with the provisions of Article 29 of the present Convention. They shall be payable in gold francs or in Turkish currency at the rate of exchange prevailing on the date of payment.
5. Merchant vessels may be required to pay taxes and charges for optional services, such as pilotage and towage, when any such service shall have been duly rendered by the Turkish authorities at the request of the agent or master of any such vessel. The Turkish Government will publish from time to time the tariff of the taxes and charges to be levied for such optional services.

6. These tariffs shall not be increased in cases in the event of the said services being made obligatory by reason of the application of Article 5.

ANNEX II

A. STANDARD DISPLACEMENT

- (1) The standard displacement of a surface vessel is the displacement of the vessel, complete, fully manned, engined, and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel or reserve feed water on board.
- (2) The standard displacement of a submarine is the surface displacement of the vessel complete (exclusive of the water in non-watertight structure), fully manned, engined and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel, lubricating oil, fresh water or ballast water of any kind on board.
- (3) The word "ton" except in the expression "metric tons" denotes the ton of 2,240 lb (1,016 kilos).

B. CATEGORIES.

- (1) Capital Ships are surface vessels of war belonging to one of the two following sub-categories:
 - (a) Surface vessels of war, other than aircraft-carriers, auxiliary vessels, or capital ships of sub-category (b), the standard displacement of which exceeds 10,000 tons (10,160 metric tons) or which carry a gun with a calibre exceeding 8 in. (203 mm.);
 - (b) Surface vessels of war, other than aircraft-carriers, the standard displacement of which does not exceed 8,000 tons (8,128 metric tons) and which carry a gun with a calibre exceeding 8 in. (203 mm.).
- (2) Aircraft-Carriers are surface vessels of war, whatever their displacement, designed or adapted primarily for the purpose of carrying and operating aircraft at sea. The fitting of a landing on or flying off deck on any vessel of war, provided such vessel has not been designed or adapted primarily for the purpose of carrying and operating aircraft at sea, shall not cause any vessel so fitted to be classified in the category of aircraft-carriers.

The wording of the present Annex is taken from the London Naval Treaty of March 25th, 1936.

The category of aircraft-carriers is divided into two sub-categories as follows:

- (a) Vessels fitted with a flight deck, from which aircraft can take off, or on which aircraft can land from the air;
 - (b) Vessels not fitted with a flight deck as described in (a) above.
- (3) Light Surface Vessels are surface vessels of war other than aircraft-carriers, minor war vessels or auxiliary vessels, the standard displacement of which exceeds 100 tons (102 metric tons) and does not exceed 10,00 tons (10,160 metric tons), and which do not carry a gun with a caliber exceeding 8 in. (203 mm).

The category of light surface vessels is divided into three sub-categories as follows:

- (a) Vessels which carry a gun with a caliber exceeding 6.1 in. (155 mm.);

- (b) Vessels which do not carry a gun with a caliber exceeding 6.1 in. (155 mm.) and the standard displacement of which exceeds 3,000 tons (3,048 metric tons);
 - (c) Vessels which do not carry a gun with a caliber exceeding 6.1 in. (155 mm.) and the standard displacement of which does not exceed 3,000 tons (3,048 metric tons).
- (4) Submarines are all vessels designed to operate below the surface of the sea.
- (5) Minor War Vessels are surface vessels of war, other than auxiliary vessels, the standard displacement of which exceeds 100 tons (102 metric tons) and does not exceed 2,000 tons (2,032 metric tons), provided they have none of the following characteristics:
- (a) Mount a gun with a caliber exceeding 6.1 in. (155 mm.);
 - (b) Are designed or fitted to launch torpedoes;
 - (c) Are designed for a speed greater than twenty knots.
- (6) Auxiliary Vessels are naval surface vessels the standard displacement of which exceeds 100 tons (102 metric tons), which are normally employed on fleet duties or as troop transports, or in some other way than as fighting ships, and which are not specifically built as fighting ships, provided they have none of the following characteristics:
- (a) Mount a gun with a caliber exceeding 6.1 in. (155 mm.);
 - (b) Mount more than eight guns with a caliber exceeding 3 in. (76 mm.);
 - (c) Are designed or fitted to launch torpedoes;
 - (d) Are designed for protection by armour plate;
 - (e) Are designed for a speed greater than twenty-eight knots;
 - (f) Are designed or adapted primarily for operating aircraft at sea;
 - (g) Mount more than two aircraft-launching apparatus.

Vessels of the following categories and sub-categories shall be deemed to be "over-age" when the undermentioned number of years have elapsed since completion:

- (a) Capital ships 26 years;
- (b) Aircraft-carriers..... 20 years;
- (c) Light surface vessels, sub-categories (a) and (b):
 - (i) If laid down before 1st January, 1920.....16 years
 - (ii) If laid down after 31st December, 1919.....20 years
- (d) Light surface vessels, sub-category (c)..... 16 years
- (e) Submarines..... 13 years

ANNEX III

It is agreed that, of the three over-age training ships, as indicated below, belonging to the Japanese Fleet, two units may be allowed to visit ports in the Straits at the same time.

The aggregate tonnage of these two vessels shall in this case be considered as being equivalent to 15,000 tons.

| | Date when laid down | Date of entry into service | Standard displacement (tons) | Armaments |
|--------|---------------------|----------------------------|------------------------------|-----------------------|
| Asama | 20-X-1896 | 18-III-1899 | 9,240 | IVx200mm XIIx150mm |
| Yakumo | 1-IX-1898 | 20-VI-1900 | 9,010 | IVx200mm XIIx150mm |
| Iwate | 11-XI-1898 | 18-III-1901 | 9,180 | IVx200mm XIVx150mm |

ANNEX IV

1. The categories and sub-categories of vessels to be included in the calculation of the total tonnage of the Black Sea Powers provided for in Article 18 of the present Convention are the following:

Capital Ships:

Sub-category (a);

Sub-category (b).

Aircraft-Carriers:

Sub-category (a);

Sub-category (b).

Light Surface Vessels:

Sub-category (a);

Sub-category (b);

Sub-category (c).

Submarines:

As defined in Annex II to the present Convention.

The displacement which is to be taken into consideration in the calculation of the total tonnage is the standard displacement as defined in Annex II. Only those vessels shall be taken into considerations which are not over-age according to the definition contained in the said Annex.

2. The notification provided for in Article 18, paragraph (b), shall also include the total tonnage of vessels belonging to the categories and sub-categories mentioned in paragraph I of the present Annex.

PROTOCOL

At the moment of signing the Convention bearing this day's date, the undersigned Plenipotentiaries declare for their respective Governments that they accept the following provisions:

- (1) Turkey may immediately remilitarise the zone of the Straits as defined in the Preamble to the said Convention.
- (2) As from the 15th August, 1936, the Turkish Government shall provisionally apply the regime specified in the said Convention.
- (3) The present Protocol shall enter into force as from this day's date.

Done at Montreux, the 20th July, 1936.

N. P. NICOLAEV.

Pierre NEICOV.

J. PAUL-BONCOUR.

H. PONSOT.

STANLEY.

S. M. BRUCE.

N. POLITIS.

Raoul BIBICA ROSETTI.

N. SATO. (ad referendum).

Massa-aki HOTTA (ad referendum).

N. TITULESCO.

Cons. CONTZESCO.

V. V. PELLA.

Dr. R. ARAS.

Suad DAVAZ.

N. MENEMENCIOĞLU.

Asim GÜNDÜZ.

N. SADAK.

Maxime LITVINOFF.

Dr. I. V. SOUBBOTITCH.