

PROTOCOL CONCERNING THE SETTLEMENT OF REFUGEES IN BULGARIA. SIGNED AT GENEVA, SEPTEMBER 9, 1926

Whereas the Bulgarian Government has requested the Council of the League of Nations to approve the issue by that Government under the auspices of the League of Nations of a loan, the yield of which shall be applied, under the control of a Commissioner responsible to the Council, for the purpose of promoting the settlement on the land of certain refugees at present in Bulgaria and of thereby transforming them into productive citizens of the Bulgarian State;

And whereas the Council has approved for this purpose the provisions of the present Protocol;

The undersigned, duly authorised for the purpose, accepts on behalf of Bulgaria the following provisions:

Article I.

APPOINTMENT OF A COMMISSIONER.

1. Bulgaria accepts the appointment by the Council of the League of Nations of a Commissioner for the settlement of refugees, who shall carry out the functions ascribed to him in the present Protocol. He shall be responsible to the Council and removable by it. The Council may give any necessary instructions to the Commissioner as to the performance of his functions within the terms of this Protocol and the scheme of settlement as laid down in the reports of the Financial Committee of the League of Nations dated June 9th, July 23rd, and September 6th, 1926, approved by the Council.
2. The Commissioner may provide himself with the necessary technical staff. His expenses and those of his office shall be approved by the Council and defrayed by Bulgaria. The Commissioner and his substitute (if any) shall enjoy diplomatic privileges and immunities.
3. The Commissioner shall submit to the Council of the League of Nations not less frequently than once every three months reports upon the settlement operations.
4. If the Bulgarian Government considers that the Commissioner has abused his authority, it may appeal to the Council of the League of Nations.
5. The Commissioner may appoint a substitute to replace him during any period for which he is himself unable to act, subject to confirmation by the President of the Council for any period exceeding thirty days.
6. The Council shall terminate the functions of the Commissioner as soon as it decides that the services of the Commissioner are no longer required, but in no case before the proceeds of the Settlement Loan have been expended for the purpose contemplated, without prejudice to the control over the assigned revenues hereinafter provided.

Article II.
SETTLEMENT LOAN.

1. For the purpose of the intended settlement of refugees, the Bulgarian Government may issue a settlement loan yielding an effective sum equivalent to not more than two and one-quarter millions sterling.

The expenses of issue, negotiation and delivery shall be added to the capital of the loan as fixed above.

The amount mentioned is also exclusive of any part of the loan which it may be necessary to include in order to satisfy the claim (referred to in sub-paragraph 2 of the second paragraph of Article 139 of the Treaty of Neuilly) of the holders of the Bulgarian Treasury Bills issued in France in 1912 and 1913.

2. The yield of this loan may not be employed except in conformity with the provisions of the present Protocol.

3. The capital and interest of the loan contemplated under paragraph 1 above shall be paid by the Bulgarian Government free of all deduction in respect of taxes, dues or charges for the benefit of the Bulgarian State.

4. The conditions of the loan, the issue price, the rate of interest, the amortisation, the expenses of issue, of negotiation and of delivery, shall be submitted for approval on behalf of the Financial Committee of the League of Nations to a person appointed by the Committee for this purpose; the amount of the annuity necessary for the service of interest and amortisation of the loan shall likewise be so approved.

5. The Bulgarian Government may raise temporary loans in advance of and repayable out of the settlement loan.

6. The yield of the settlement loan or any temporary loans (paragraph 5 above) shall be paid as directed by the Commissioner into a special account or accounts which he alone may control. Interest on any outstanding balances shall be added to such account (or accounts).

7. If the terms on which the loan is issued include a stipulation that the issuing house shall retain any part of the proceeds of the loan for the purpose of the service of the loan, a corresponding amount shall be paid forthwith from other sources by the Bulgarian Government into the settlement account under the control of the Commissioner.

Article III.
SECURITIES AND FIRST CHARGE.

1. The Bulgarian Government will furnish as securities for the settlement loan contemplated under Article II the following revenues:

- (1) The excise duty on salt;
- (2) The excise duty on alcohol;
- (3) The net receipts of the match monopoly;

(4) All sums received after the expiry of two years from the appointment of the Commissioner in respect of rent or interest due from persons assisted out of the yields of the settlement loan. Sums received from such persons as payment for the purchase of land, building or material, or as repayment of advances in cash or in kind shall be applicable to amortisation of the loan;

(5) Such other revenue or revenues (if any) (excluding the Customs) as may from time to time be assigned in accordance with paragraph 5 below.

2. The amounts required for the service of the settlement loan shall be and shall remain, a first charge upon the revenues mentioned in paragraph 1 above, and the Bulgarian Government acknowledges that such revenues shall stand charged accordingly.

3. The revenues mentioned in the preceding paragraph shall not be used as a security for any new loan without the consent of the Trustees of the settlement loan.

4. The Bulgarian Government will not take any measures which, in the opinion of the Trustees, would be such as to diminish the aggregate value of the revenues mentioned in paragraph 1 to such an extent as to threaten the security of the bondholders.

All decisions taken by the Trustees in virtue of this paragraph shall require confirmation by the Council if within 14 days of the notification of any such decision by the Trustees to the Bulgarian Government the latter shall have lodged an appeal against it with the Council.

5. If at any time the total yield of the revenue referred to in paragraph 1 should fall below 150 per cent. of the annual sum required to meet the service of the loan, the Trustees may request the Council to call upon the Inter-Allied Commission established under Article 130 of the Treaty of Neuilly to release from the charge laid down in Article 132 of the Treaty of Neuilly in accordance with the decision taken by the Inter-Allied Commission on July 22nd, 1926, such additional revenues (other than the Customs) as may be sufficient to assure the immediate restoration of the yield to the above percentage, and such additional revenues, so released, shall be forthwith assigned to the service of the settlement loan.

Article IV. ***TRUSTEES.***

1. The Council of the League of Nations will appoint Trustees to represent the interests of the bondholders of the settlement loan, and the Bulgarian Government accepts that the Trustees shall fulfil the functions and perform the acts assigned to them in this Protocol until the loan, and every part thereof, and every claim in respect thereof, shall have been completely discharged.

2. The revenues mentioned in Article III, paragraph 1, will be paid into a special account, as and when collected for the purpose of assuring the service of the settlement loan. The Commissioner and, after the termination of his functions, the Trustees, may alone control this account.

Any balance of the account not retainable in accordance with the following provisions or with the terms of issue of the loan shall be reimbursed to the Bulgarian Government, subject, however, to the powers conferred on the Trustees in the event of a default under paragraph 3 (c) below.

3. The terms on which the loan is issued shall include, among other provisions:

(a) Provisions as to amounts which, at the intervals fixed by such terms, shall be paid out of the special account provided for in the preceding paragraph by the Commissioner to the Trustees, and during such times as the Trustees may be in control of the account, set aside by the Trustees themselves and retained for the service of the loan, including interest, amortisation and all charges, commissions or other payments to be met by the Bulgarian Government in connection therewith.

(b) Provisions for the constitution and for the maintenance by the Bulgarian Government in the hands of the Trustees of the reserve fund applicable at their discretion to make good any default or deficiency on the part of the Bulgarian Government in providing the sums required for the service of the loan.

(c) Power for the Commissioner at the request of the Trustees, or for the Trustees themselves if they shall be in direct control of the account mentioned in Article IV, paragraph 2, to retain, collect or otherwise provide out of the said revenues (including such other revenues as may be brought into charge under the provisions of Article III) sufficient sums to remedy and make good any default of the Bulgarian Government in whole or in part in carrying out any of its obligations contained in the conditions of the loan.

Article V.

EMPLOYMENT OF SETTLEMENT LOAN.

The yield of the settlement loan shall be applicable to and the Commissioner shall permit payments to be made therefrom for the following purposes only:

(1) Supplies in kind to refugees of agricultural implements and other requirements for their settlement on the land;

(2) Housing of refugees to be settled on the land;

(3) Drainage and in general, reclamation of land to be used for the settlement of refugees;

(4) Such improvements in communications as are required for the contemplated settlement of refugees;

(5) In exceptional cases, loans in cash to refugees for the purpose of their settlement on the land provided by the Bulgarian Government in accordance with Article VIII below;

(6) Such other purposes connected with the settlement of refugees on the land as the Commissioner may approve.

All assistance given to refugees out of the loan shall be on terms of repayment and no part of the loan may be used for any charitable purposes or for the acquisition of land.

Nevertheless, when settlements on a large scale are established, e. g., when villages are created, such disbursements of a general or social nature may be made on such terms as the Commissioner may approve as may serve to promote the development of these settlements and improve the health conditions of the population.

Article VI.
CENTRALISATION OF ORGANISATION.

The Bulgarian Government undertakes to centralise all its existing services and organisations at present dealing with refugees under one authority, in such manner as to establish to the satisfaction of the Commissioner the organisation necessary for the proper utilisation of the settlement loan.

Article VII.
WORK OF SETTLEMENT.

1. The settlement of refugees contemplated by this Protocol and the expenditure of the settlement loan for this purpose shall be effected by the organisation contemplated by Article VI in agreement with and under the supervision of the Commissioner. A general plan of settlement shall be drawn up as soon as possible by this organisation, shall be submitted for the approval of the Commissioner and published.

2. All plans for settlement and for expenditure out of the settlement loan shall be drawn up and executed by the organisation contemplated in Article VI subject to the approval of the Commissioner.

He shall release money from the settlement account only for purposes approved by him and he may at any time refuse to release money from the settlement account if he is not satisfied that monies previously released have been expended in accordance with his authorisation.

3. Annual accounts of the expenditure of the settlement loan shall be drawn up and audited in such manner as the Commissioner shall direct and be submitted through him to the Council of the League of Nations and be published.

4. The Bulgarian Government undertakes to give to the Commissioner at its own expense every facility in the execution of this task and to give him all information concerning the work of settlement which he may require. The Commissioner shall at all times be entitled to make enquiries as to the manner in which any part of the loan has been expended; in particular, he shall be entitled to communicate directly with the services carrying out the settlement work. He shall also be entitled to obtain such expert advice as he may require, the expenses of experts being defrayed by Bulgaria.

Article VIII.
LAND ASSIGNED FOR SETTLEMENT.

1. The Bulgarian Government undertakes to provide not less than 132,000 hectares of land which is or may be made suitable for agricultural settlement (exclusive of pasture land) and the character and situation of which must be approved by the Commissioner for the purpose of settling refugees. The land shall be land which is already the unencumbered property of the Bulgarian Government or land of which the Government has acquired the unencumbered property for the aforementioned purpose.

2. The Bulgarian Government undertakes that it will secure the capital payments due in respect of any instalment of purchase price or of any advances in cash or kind by means of mortgages created either by contract or by the operation of law on the land occupied by the refugees.

Article IX.
DESIGNATION OF REFUGEES.

Persons settled on the land or assisted with grants or loans out of the proceeds of the loan or loans contemplated by the present Protocol shall be persons who have been certified to the Commissioner by the Bulgarian Government to be Bulgarian nationals and to have declared in writing that they will consider themselves in future exclusively as such.

Article X.
PROTOCOL ARTICLE.

1. Any difference as to the interpretation of this Protocol shall be settled by the Council of the League of Nations.
2. All decisions to be taken by the Council in execution of this Protocol shall be taken by a majority vote.
3. This Protocol shall be ratified by Bulgaria and the ratification shall be deposited at the Secretariat of the League of Nations as soon as possible, and in any case not later than one month from the date of its approval by the Council of the League of Nations.

In faith whereof the undersigned, duly authorised for the purpose, has signed the present Protocol.

Done at Geneva in a single copy on the eighth day of September, One thousand nine hundred and twenty-six, which shall be deposited with the Secretariat of the League of Nations and be registered by it without delay.

(Signed) WI. MOLLOF,
Bulgarian Finance Minister.

[Quelle: League of Nations, Treaty Series, 1926, vol. 58, p. 247-257.]