THE VERSAILLES SYSTEM OF PEACE TREATIES AND THE MINORITY PROTECTION IN SOUTHEAST EUROPE - THE BULGARIAN-GREEK CONVENTION FOR THE EXCHANGE OF POPULATION OF 1919[1]

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1. INTRODUCTION

Among the profound changes that the Paris Peace Conference of 1919 brought to the international relations, the most notable are probably the new states' borders it has determined. These borders remained largely undisturbed throughout the subsequent decades. They become subject of change only after the occurrence of the events caused by the collapse of the Soviet bloc. The borders were determined in accordance with the newly proclaimed principle of self-determination of nations. This principle was complemented with the guarantees for the protection of minority rights. Thus, the protection of minority rights was given an important role and several mechanisms for its implementation were established. It is interesting to inquire into the contrast among these proclamations and the treatment of minorities in the region of Southeast Europe. For that reason, this article centers around the Convention for the exchange of population concluded between Greece and Bulgaria in 1919.

The work is divided in two parts. The first part offers an insight into the general developments with regard to the protection of minority rights during the Paris Peace Conference of 1919. Equally, it inquires into the instruments of the international law concerning the protection of minorities in the region of Southeast Europe.

The second part of the article begins with a brief insight into the relations between Greece and Bulgaria concerning the Macedonian question. In this part, the position of these powers during the Peace Conference is explained. The following section concerns the obligations for the protection of the minority rights undertaken by Bulgaria and Greece in the Peace Treaties. Further on, the content of these documents is compared with the provisions of the Convention for exchange of population concluded between Bulgaria and Greece in 1919. The last section examines another layer of the international legal instruments: the Treaties for the exchange of population concluded between Turkey and Greece, as well as between Turkey and Bulgaria in the aftermath of the Balkan Wars.

The article ends with few remarks on the place of the Convention for an exchange of population concluded between Bulgaria

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and Greece in 1919 in the system of the international law instruments concerning the minority issues. Also, it points briefly to some of its consequences which influenced the treatment of minorities in this region.

2. THE PROTECTION OF THE MINORITY RIGHTS IN THE AFTERMATH OF THE GREAT WAR

The right of self-determination of nations was proclaimed for the first time by Woodrow Wilson, a United States President and a former Professor of Jurisprudence.[3] Due to the political power of the United States of America during the Paris Peace Conference of 1919,[4] all of the Allied Powers accepted this right as the leading principle of the international relations. However, once the drafting of the borders began, it proved difficult to implement the right of the nations for self-determination in practice. Namely, the "ancient right of the winners"[5] to obtain favorable borders had also to be taken into account. A challenge was also posed in the areas where the state borders could not match the lines of nationality, due to the mixed character of its population. In those cases the drawing of a just border formed an impossible deed. The Southeast corner of Europe offered an example of a region where a variety of religions and ethnicities have lived since centuries.[6]

The peace makers decided to complement the principle of self-determination of nations with the international mechanisms for the protection of the minority rights. These mechanisms were supposed to be guaranteed by the newly formed League of Nations.[7] Several forms of protection of minority rights were envisaged. With some states, a separate bilateral Minority Treaty has been concluded, such as the Treaty with Poland.[8] A similar form was envisaged for the protection of the

[3] The principle of self-determination was proclaimed during the World War I. It forms one of the basis of the "progressivism", asserted in the famous "Fourteen Points" declared by Woodrow Wilson in a speech to a joint session of Congress on January 8, 1918. P. Renouvin, *Histoire des relations internationales,* Hachette Livre, Paris 1994, 435-461; T.D. Musgrave, *Self Determination and National Minorities,* Oxford University Press, Oxford 2000, 15-31; A. Cassese, *Self-Determination of Peoples: A Legal Reappraisal*, Cambridge University Press, Cambridge 1996, 11-36; M. Jovanović, *Constitutionalizing Secession in Federalized States: A Procedural Approach,* Utreht 2007.

[4] The Paris Peace Conference has been remembered by its contemporaries as "Versailles Conference", due to the fact that the Treaty with Germany was concluded in Versailles on June 28, 1919. Actually, the Treaty of Versailles was only one in the system of Peace Treaties concluded after the war, albeit the most famous. M. Dockrill, J. Fisher, *The Paris Peace Conference 1919, Peace without Victory,* Palgrave, New York 7-35; R. Henig, *Versailles and After 1919-1933,* Routledge, London and New York 1995, 1-25; A. Sharp, *The Versailles Settlement - Peacemaking in Paris, 1919,* Macmillan, London 1991, 19-41.

[5] This expression has been employed by A. Mitrovic, *Jugoslavija na konferenciji mira 1919-1920* [Yugoslavia at the Peace Conference 1919-1920], Beograd 1969, 80.

[6] The complex ethnic and religious landscape of the Southeast Europe posed a challenge for the policy makers and lawyers since the times of the great empires - Austria-Hungary and Turkey. L. Stavrijanos, *Balkan posle 1453. godine [The Balkans since 1453],* Equilibrium, Beograd 2005, 211 etc.; A.J.P Taylor, *The Habsburg Monarchy, 1809-1918: A History of the Austrian Empire and Austria-Hungary,* The University of Chicago Press, Chicago 1976, 189 etc.

[7] Renouvin, 420-675; A. Sharp, 42-76; R. Henig, 15-16, 45-47.

[8] This Treaty has been remembered as "The Little Treaty of Versailles", as it has been the first Minority Treaty signed in the aftermath of the war. It served as a template for the subsequent Minority Treaties. C. Fink "*The Minorities Question at the Paris Peace*

minority rights in the Kingdom of Serbs, Croats and Slovenes,[9] as well as for Romania[10] and Greece[11]. In other cases, separate chapters concerning the minority rights were included in the Peace Treaties. The Peace Treaty with Bulgaria, concluded in Neuilly contained a chapter regulating the minority rights.[12] Equally, a chapter concerning the minority rights was inserted in the Treaty of Lausanne.[13] Other states, as Albania, submitted declarations on the protection of minorities before they were admitted in the League of Nations.[14] In addition to these legal instruments, all of which had similar content, some states concluded conventions for an exchange of the minority population. Such was the case of the Convention between Greece and Bulgaria for a voluntary exchange of population[15] and the Convention between Greece and Turkey for an obligatory exchange of population,[16] concluded in the aftermath of the Greek-Turkish War .

All of the legal instruments concerning the protection of minority rights contained provisions obliging the Governments to introduce "an absolute and complete protection of the life and the freedom of all people regardless of their birth, nationality, language, race or religion".[17] They stated that "the difference of religion, creed, or confession shall not prejudice any inhabitant in matters relating to the enjoyment of civil or political rights, as for instance the admission to public employment, functions and honors, or the exercise of professions and industries".[18] Further on, restrictions were forbidden for the free use of any language by any national in the private intercourse, in the commerce, in the religion, in the press or in the publications of any kind, or during the public meetings. Notwithstanding any establishment by the Government of an official language, adequate facilities were promised to all nationals for the use of their own language, either orally or in writing before the courts.[19] The nationals who belonged to racial, religious or linguistic minorities were promised the same treatment and security in

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Conference: The Polish Minority Treaty, June 28, 1919" in M.F.Boemeke at al, *The Treaty of Versailles: A Reassesment after 75 Years,* Cambridge University Press, Cambridge 1998, 249-274; J.M. Jovanovic, *Diplomatska istorija nove Evrope 1918-1939 /Diplomatic History of New Europe 1918-1939/,* I, Beograd 1938, 93 etc.

[9]The Treaty of Saint Germain was concluded with the Kingdom of Serbs, Croats and Slovenes on September 10, 1919. M. Stojkovic, *Balkanski ugovorni odnosi, 1876-1996 /Balkan Treaty Relations, 1876-1996/,* volume 2, JP Sluzbeni list SRJ, Beograd 1998, document no 220, 34-49. I.J.Lederer, *Yugoslavia at the Paris Peace Conference: A Study in Frontier Making,* Yale University Press, New Haven and London 1963, 218-276.

[10]Romania signed the Treaty of Saint Germain, the Treaty of Neuilly and the Minority Treaty on December 9, 1919. V. Ortakovski, *Megunarodnata polozba na malcinstvata /The International Treatment of the Minorities/,* Misla, Skopje 1996, 107-108.

[11]Greece signed the Minority Treaty on August, 10, 1920. M. Stojkovic, document no 228, 113-119. Ortakovski, 118-122.

[12]M. Stojkovic, document no 222, 63-65, articles 49-57; V. Ortakovski, 144-145.

[13]The Treaty of Lausanne was concluded on July 24, 1923, in the aftermath of the Greek-Turkish War (1919-1922). M. Stojkovic, document no 248, 193; A. Sharp, 168 etc.

[14] M. Stojkovic, document no 238, 141-144; J.Swire, Albania, *A Rise of a Kingdom,* Williams and Norgate ltd, London 1929, 338-340.

[15] M. Stojkovic, document no 223, 94-97.

[16] M. Stojkovic, document no 242, 155-162.

[17] Minority Treaty with Poland, article 2, *Protection of Linguistic, Racial, and Religious Minorities by the League of Nations,* Geneva: Publications de la Societe des Nations, I.B., Minorities, *1927, I.B.2, 39-45.*

[18] *Ibid.,* article 7.

[19] *Ibid.,* article 7.

law and in fact. In particular, they were promised an equal right to establish, manage and control at their own expense charitable, religious and social institutions, schools and other educational establishments, with the right to use their own language and to exercise their religion freely therein.[20] The Governments were under obligation to provide in the public educational system, in towns and districts in which a considerable proportion of nationals of other than majority speech were residents, adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such nationals through the medium of their own language. The Governments could make the teaching of the official state language obligatory in these schools.[21] These provisions formed "obligations of international importance" and were guaranteed by the League of Nations. They could not be changed "without consent of the majority of the League of Nations Council".[22] In addition, the national minorities could submit their complaints directly to the Council of the League of Nations.

In this way the principle of the self-determination of nations gave way to the system of protection of minorities. Despite of the proclamations, the envisaged measures did not change profoundly the position of minorities. It is interesting to observe that the Treaties avoided to name the minorities. Rather, they refer to the citizens that belong to ethnic, racial, linguistic or religious groups. In this way, it was ensured that the protection would center around the person and not around the rights of the minority group. The political rights of these groups were not envisaged. The questions of regional autonomy, secession or opting for another state was avoided, as well as the eventual possibility of secession. The list of rights was general and the entire concept remained quite unclear. The implementation in practice proved difficult and there was little possibility for an appeal. The League of Nations could take into consideration only the petitions which derive from a suitable source. These petitions were not supposed to contain any reference to secession and the spirit of loyalty had to prevail in them.[23] The complex nature of the system for the protection of minorities, as well as the complicated procedures it required, did little against the politics of assimilation which suited the Governments. The minorities did not benefit much. The League of Nations did not have at its disposal the kind of political power necessary to guarantee their enforcement.[24]

The reasons for the limitations of the protection of the minority rights were obvious. It was feared that the international regulation concerning the protection of minority rights could easily turn into a pawn of the interstate politics. In this way, the fragile settlement of the post-war Europe could have been severely disturbed. Namely, the minority rights could serve as a pretext for the most sensitive political questions, such as the changes of the states' borders. Thus, it was important to ensure that the protection of minority rights is not going to turn into an

[20] *Ibid.*, article 8.
[21] *Ibid.*, article 9.
[22] *Ibid.*, article 12.
[23] Resolution of the League of Nations adopted by the Council on September 5th, 1923. S. Julius, *The Legal Nature of Minorities Petition*, The British Yearbook of International Law, 12/1931, 76-94.
[24] See: P. Renouvin, 435-461; T.D. Musgrave, 37-59.

instrument weakening the internal coherence of the states and into creation of new political entities.

3. GREECE AND BULGARIA

3.1. Background

The development of the relations among Greece and Bulgaria with regard to the Macedonian question will be outlined here briefly. Then, the position of these powers during the Peace Conference of 1919 will be explained. This brief outline is supposed to show that there was a full consensus with regard to the reciprocal emigration between the signatories of the Convention, as well as among the high representatives of the Allied Powers.

Until the XIX century, both Greece and Bulgaria formed part of the Turkish Empire. They acquired statehood only during the XIX century.[25] Their main point of disaccord was the region of Macedonia, which remained a part of the Turkish Empire until 1912. Apart from Bulgaria and Greece, Serbia was also interested in Macedonia. For several decades, these three states were fighting each other over the possession of Macedonia. Apart of the diplomatic pressure, they sent in Macedonia numerous irregular bands. During the Balkan Wars, they managed to defeat the Turkish army. Soon, the region of Macedonia was divided among them.[26] Bulgaria was discontented, as the territory of Macedonia it acquired was smaller then the gains of the others. The disappointment was emphasized by the fact that in the decades before the Balkan Wars it orchestrated a huge propaganda in order to back its claim that the population of Macedonia is Bulgarian by nationality. Once the World War I began, Bulgaria aligned with the Central Powers. She believed that the victory of the Central Powers may provide her with an opportunity to correct her borders in the region of Macedonia. For this reason, during the Peace Conference of 1919, Greece insisted on strengthening its position in the southern part of Macedonia which it has already acquired during the Balkan Wars.[27]

The first analysis of the Convention for an exchange of the population concluded between Greece and Bulgaria in 1919 was provided by Stefan Ladas.[28] His inquiry relies on the Minutes of the "Committee on New States and the Protection of the Rights of the Minorities". Ladas reports that in July 1919 the President of the Greek delegation at the Peace Conference, Venizelos suggested forming a

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[25] B. Jelavich, *The Establishment of the Balkan National States*, University of Washington Press, Seattle and London, Washington DC 1977, 68-84, 158-170.
[26] *Ibid.,* 207-222.
[27] N. Petsalis-Diomidis, *Greece at the Paris Peace Conference (1919),* Institute for Balkan Studies, Thessaloniki 1978, 135-139; D. Pentzopoulos, *The Balkan Exchange of Minorities and its Impact upon Greece*, Mouton and Co, Paris and Hague 1962, 125-140.
[28] S. Ladas, *The Exchange of Minorities: Bulgaria, Greece and Turkey,* The Macmillan Company, New York 1932. The other accounts on these Conventions encompass: A.Wurfbain, *L'echange Greco-Bulgare des minorites ethniques,* Lausanne 1930; A. Devedji, *L'echange obligatoire des minorites grecques et turques en vertu de la Convention de Lausanne du 30 Janvier 1923,* Paris 1929. A recent account: *Population exchange in Greek Macedonia -The rural settlement of refugees 1922-1930,* E. Kontogiorgi, Clarendon Press, Oxford 2006.

Mixed Commission entrusted with the task to supervise the reciprocal emigration of the Greeks from Bulgaria and the Bulgarians from Greece. During the 37th and the 38th meeting of the Committee on New States it was decided that the exchange may involve several Balkan states - Greece, Bulgaria and Turkey. Serbia could not be forced to accept it, although its involvement would be welcomed.[29]

The plan was submitted to the Committee of Five. According to it, the exchange was not supposed to involve only the inhabitants of the territories acquired during the War, but also those who live in the other regions. The Committee on New States suggested the involvement of Serbia, Bulgaria, Turkey and Greece. Each inhabitant of these states would be able to move to any of these states. The entire process would be supervised by a Commission appointed by the League of Nations. After the approval of the Supreme Council has been obtained, Politis, a Greek representative at the Peace Conference, prepared the text of the Convention. This document was supposed to be signed by the Kingdom of Serbs, Croats and Slovenes, as well as by Bulgaria, Greece and Turkey.[30] After the Kingdom of Serbs, Croats and Slovenes denied its interest in the arrangement, it has been decided to limit temporary the exchange on Greece and Bulgaria. Later, Turkey would also join.[31] The Convention provides the possibility that the Convention may be joined by any state bordering one of the signatories, in the course of one year.[32] This opportunity has never been employed. According to the historian of diplomacy Jovan Jovanovic, Greece had proposed it to the Kingdom of Serbs, Croats and Slovenes, but the later refused.[33]

The draft of the Convention suffered very few changes. Soon, a final version was submitted to the Supreme Council. The Bulgarian consent was also obtained.[34] The Minutes show that this Convention was the reason for the last-minute change of the article 56, paragraph 2 of the Treaty of Neuilly. The provision envisaged "mutual and voluntary emigration of ethnic minorities" between Greece and Bulgaria.[35]

It is important to inquire into the political considerations of the signatory states. Namely, after the defeats in 1913 and 1918, Bulgaria believed that this Convention will provide her with guarantees that no unilateral action will be undertaken against her. As it was explained above, the proposal for an exchange of population came from Greece. Namely, Greece wanted to ensure its territorial gains in Macedonia. The long lasting Macedonian struggle, as this problem is named by the modern Greek historiography, made the Greek politicians believe that despite of the provisions of the peace settlement, the gains in southern Macedonia will prove difficult to protect. They considered that the reconciliation with Bulgaria is not possible.[36]

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[29]V. Ortakovski, 157; J.M. Jovanovic, 95-98.
[30]The draft of the Agreement submitted by Mr. Politis in S. Ladas, 32-35.
[31]*Ibid.*, 36.
[32]M. Stojkovic, document no 223, 94, article 16.
[33]J. M. Jovanovic, 98.
[34]M. Stojkovic, document no 49, 54-55.
[35]*Ibid.*, document no 222, 55; S. Ladas, 37.
[36] D. Dakin, *The Unification of Greece 1770-1923*, Ernest Benn Limited, London, s.a, 221-224.

3. 2. Greece and Bulgaria: The Treatment of Minorities

In this section the obligations for the protection of the minority rights undertaken by Bulgaria and Greece will be analyzed. Further on, a comparison will be made between the spirit prevailing in these documents and the solutions provided therein, and the provisions of the Convention for exchange of population.

The Peace Treaty which the Allies concluded with Bulgaria formed a foundation for the postwar relations between this state and Greece.[37] In 1919, Bulgaria was among the defeated nations. During the Great War, however, it held large portions of Greek, as well as Serbian territories.[38] The Peace Treaty specified that it "renounced in favor of Greece all rights and title over the territories of the Bulgarian Monarchy situated outside the frontiers of Bulgaria".[39] In this way, the territories occupied by Bulgaria during the Great War remained a part of Greece. The Treaty also contained provisions on the treatment of the minorities. It envisaged that the Bulgarian nationals habitually resident on the territories assigned to Greece may obtain Greek nationality and that *ipso facto* they will lose their Bulgarian nationality.[40] However, Bulgarian nationals who became residents on these territories after January 1, 1913, may not acquire Greek nationality without a Greek permission.[41] According to another provision, the Bulgarian nationals who reside on the territories assigned to Greece may freely choose between the Greek and Bulgarian nationality.[42] In this case, they must transfer their place of residence to the state for which they have opted.[43] A further provision states that the Bulgarian nationals "will be entitled to retain their immovable property on the territory of the other state where they had their place of residence before they have exercised their right to opt. They may carry with them their movable property. No export or import duties will be imposed upon them."[44] Further on, Greece declared its agreement to embody in a Treaty with the Principal Allied and Associated Powers "such provisions as may be deemed necessary by these Powers to protect the interests of inhabitants which differ from the majority of the population in race, language or religion."[45] Bulgaria also accepted obligations with regard to the protection of the rights of minorities.[46] These were largely repeating the provisions of the Minority Treaty with Poland.

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[37] It was concluded at November 27, 1919 at Neuilly-sur-Seine, France. An account on the negotiations leading to the conclusion of this Treaty in: E. Aleksandrov, *Istoria na Blgarite: Blgarskata diplomacia od drevnosta do nasi dni, [History of the Bulgarians: the Bulgarian Diplomacy since the Ancient Times until Our Time],* volume IV, Trud, s. l., 2003, 334-339.

[38] R.J. Crampton, *A Short History of Modern Bulgaria*, Cambridge University Press, Cambridge 1987, 59-71.

[39] These provisions concern the territories in Macedonia and Thrace, articles 42 and 48. The new borders of Bulgaria were defined in the article 27. M. Stojkovic, document no 222, 55- 93.

[40] *Ibid.,* article 44.

[41] *Ibid.,* article 44.

[42] *Ibid.,* article 45.

[43] *Ibid.,* article 45.

[44] *Ibid.,* article 45.

[45] *Ibid.,* article 46.

[46] *Ibid.,* article 49-57.

The Greek obligations toward the protection of the minority rights were embodied in the "Treaty between the Allied Powers and Greece on its Independence and the Rights of Minorities".[47] The Treaty envisaged that Greece was liberated from the obligations toward Britain and France that she undertook in accordance with several Agreements concluded during the XIX century. Her responsibility was transferred toward the League of Nations.[48] The provisions of this Treaty had the power of a fundamental law. No other regulation could prevail over them.[49] Greece guaranteed the protection of the minority rights. This provision included the life and the freedom of all inhabitants, regardless of their birth, nationality, language, race or religion.[50] These persons were entitled to equal treatment as the Greek nationals, with an exemption of those who have applied to the Commission for the exchange of population.[51] Similarly as the Treaty of Neuilly, this Treaty envisaged that the persons who have opted for a Bulgarian nationality may retain their immovable property in Greece.[52]

According to the Treaty, Greece was supposed to introduce an electoral system which would take into consideration the rights of the ethnic minorities. This provision concerned only the territories obtained after August 1914.[53] It did not concern Macedonia, as it has been acquired in 1913. The further guarantees for the protection of minorities resembled the provisions of the Minority Treaty with Poland.[54] The Treaty of Sevres and the additional Treaties have never been ratified, due to the beginning of the Greek-Turkish War.[55] Nevertheless, the Treaty with Bulgaria, as well as the Treaty with Greece strongly resemble the features of the Minority Treaty with Poland. Despite of the limited scope of rights they envisage and the difficulties with their application, both Treaties oblige the signatory Governments to undertake some policies in order to protect the persons belonging to minorities.

3. 3. Greece and Bulgaria: The Convention for an exchange of population

The provisions of the Convention for the exchange of population between Greece and Bulgaria, concluded in Neuilly in 1919 also requires an examination. This Convention has been qualified as the most radical

[47]It was concluded on the same day as the famous Treaty of Sevres whose provisions served as one of the immediate causes of the Greek-Turkish War (August 10, 1920). After the Greek-Turkish War, the Treaty of Sevres was replaced by the Treaty of Lausanne. M. Stojkovic, document no 228, 113-119.

[48]V. Ortakovski, 120-122; L.Trnjegorski, *Jugoslovenske manjine u inostranstvu [Yugoslav Minorities Abroad],* Beograd 1938, 112-129; J.M. Jovanovic, 196-198; R. Klog, *Istorija Grcke novog doba [Modern History of Greece],* Clio, Beograd 1996, 103-108.

[49]M. Stojkovic, document no 228, 113-119, article 1.

[50]*Ibid.,* article 2.

[51] *Ibid.,* articles 2-6.

[52]*Ibid.,* article 3.

[53]*Ibid.,* article 7; V. Ortakovski, 118-132; R. Veatch *"Minorities and the League of Nations"* in H. Waldner et al, *"The League of Nations in Retrospect: proceedings of the Symposium",* By United Nations Library, Geneve 1983, 369-383.

[54]H. Seton-Watson, *Eastern Europe between the Wars 1918-1941,* Cambridge University Press, Cambridge 1945, 268-288.

[55]E. Aleksandrov, 390; Klog, 103-108.

of all mechanisms concerning the minorities. According to Ladas, this "transfer of whole populations from the one country to the other as a result of war and by virtue of international agreements is unique, at least in modern times".[56]

The Convention on the exchange of population between Bulgaria and Greece was signed on the same day as the Treaty of Neuilly, November 27, 1919. According to it, the right to emigrate is permitted to the nationals belonging to racial, religious or linguistic minorities.[57] The contracting parties were supposed to facilitate the emigration. The emigration could not influence the property rights of the emigrants.[58] The Governments were obliged to avoid all indirect and direct restrictions of the right to emigrate, including the laws and regulations.[59] Each person above the age of 18 was entitled to voluntary emigration in a period of 2 years after the forming of a Mixed Commission.[60] It was agreed that the persons who emigrate loose the nationality of the state they leave, but at the same time they could acquire the nationality of the other state. [61] The emigrants were enabled to take with them their entire movable property. [62] The members of the communities (churches, monasteries, schools, hospitals and all kinds of foundations) could also take their movable property, but the community itself was supposed to be closed. [63] The provisions of the Convention regarding the property of emigrants also applied to the persons who have emigrated before the Convention has been concluded.[64]

The envisaged Commission obtained wide discretionary powers. One representative of the signatory states and two representatives of neutral states had to become its members. They were supposed to be appointed by the Council of the League of Nations.[65] The Commission had to ensure that the Governments would be responsible for the payments of the immovable property of all emigrants.[66] The Commission had full competences to execute the Convention and to decide on all issues deriving from it. [67]

It is remarkable that the spirit of the Convention on the exchange of population between Greece and Bulgaria and the provision on the protection of minority rights in the Treaties signed with Bulgaria and Greece are conflicting. It is probably a consequence of the fact that all of the Peace Treaties had identical provisions concerning minorities, copied from the Minority Treaty with Poland. It is still surprising that thorough corrections were not made after the Convention for an exchange of population was drafted. Thus, for example, the Peace Treaties envisaged that the emigrants may keep their property in the state they intend to leave. The article 45 of the Treaty of Neuilly follows this

[56] Ladas, 1.
[57] M. Stojkovic, document no 223, 94-97, article1.
[58] *Ibidem.,* article 2.
[59] *Ibidem.,* article 3.
[60] *Ibidem.,* article 4.
[61] *Ibidem.,* article 5.
[62] *Ibidem.,* article 6.
[63] *Ibidem.,* article 6.
[64] *Ibidem.,* article 12.
[65] *Ibidem.,* article 8.
[66] *Ibidem.,* articles 10 - 11.
[67] *Ibidem.,* article 9.

template. On the contrary, the Convention insists on the full liquidation of the property. Equally, the articles 3 and 4 of the Treaty between the Allied Powers and Greece on its Independence and the Rights of Minorities specifically mentions that the persons of Bulgarian minority[68] which currently hold a refugee status in Bulgaria, but who were born in Macedonia or Thrace, can freely return to Greece. This is also contrary to the spirit of the Convention for the exchange of population concluded between Greece and Bulgaria. Unlike the Treaty between the Allied Powers and Greece on its Independence and the Rights of Minorities, the formulation it employs is rather general - "ethnic, religious and linguistic minorities".[69] It is also interesting to note that the Convention guarantees the right to emigrate, although it has no provisions concerning the protection of the inhabitants in the opposite case - against the forced migration. In this way, the League of Nations actually formed a legal foundation for massive changes of the demographic map of the region.[70]

3. 4. Predecessors

This section aims to discover another layer of the international legal mechanisms in the region of Southeast Europe. It searches the origins of Convention for the exchange of population between Greece and Bulgaria in similar arrangements among Turkey, Greece and Bulgaria, made after the Balkan Wars 1912-1913.[71] In the aftermath of the Balkan Wars, there was large migration of the Turkish population from the Balkans toward Turkey. Thus, in 1913, Turkey proposed agreements for mutual exchange of populations. Apart from Bulgaria, all of the Balkan states refused to participate in such an agreement. The Annex to the Treaty of Constantinople, which ended the war hostilities in September (16-29) 1913, introduced this idea for the first time. It established the conditions for the exchange of population between Turkey and Bulgaria. It envisaged guarantees for an obligatory payment of the property left by 48.570 Muslims and 46.764 Bulgarians who have migrated and who have previously lived 15 km from the both sides of Bulgarian-Turkish border in Thrace. In the reality, the population has already migrated in huge numbers and the agreement regulated a fait

[68] The Convention names the population in Macedonia as Bulgarian. The Balkan historiographies largely differ on the issue of the nationality of these people. The Greek historians name them Slavs, or Slavophones, the Bulgarian historiography invariably names them Bulgarians. The Macedonian historiography argues in favor of their distinct Macedonian nationality. According to Misha Glenny, the Macedonian question is "the unyielding philosopher's stone of Balkan nationalism." M. Glenny, *The Balkans 1804-1999, Nationalism, War and the Great Powers*, Granta Books, London 1999, 156. A recent account on Balkan historiographies: R. Carsten, *Religion, Politics and Historiography in Bulgaria*, New York, 2002.

[69] M. Stojkovic, document no 223, 94-97, article 1.

[70] S. Nestor, *Greek Macedonia and the Convention of Neuilly*, Balkan Studies 3 (1962), 173-181. J.H.Simpson, *The Work of the Refugee Settlement Commission*, Journal of the Royal Institute of International Affairs Volume 8, no 6, (1929), 583-604; Atle Grahl-Madsen *"The League of Nations and the Refugees"* in H. Waldner et al, *"The League of Nations in Retrospect: proceedings of the Symposium"*, By United Nations Library, Geneve 1983, 358-368.

[71] R.C.Hall, *The Balkan Wars 1912-1913: Prelude to the First World War*, Routledge, London and New York 2000, 125-127.

accompli.[72] The Government of the Young Turks was satisfied by this arrangement. It hasted to persuade Greece on a similar exchange through a forced migration of the Greek population in Turkey. Soon, an agreement between Greece and Turkey was concluded. This agreement envisaged a voluntary emigration of the Muslims from the Greek part of Macedonia and Epiros, as well as an emigration of the Greeks from Thrace and the vilayet of Smirna. However, the work of the Commissions which were supposed to supervise these migrations was interrupted as soon as Turkey entered the Great War.[73]

4. SOME CONCLUDING REMARKS

A thorough insight into the consequences of the Convention for an exchange of population concluded between Greece and Bulgaria in 1919 would require a further elaboration. In this article, I focused on the provisions of the Convention itself and I compared it with the contemporary legal instruments concerning the minorities. The legal analysis of the provisions of the international agreements had to be complemented with the examination of the political context which permitted the codification of a transfer of an entire population.

It should be pointed out that the Versailles Conference was a deed of the winners in the Great War. The postwar settlement was a result of the compromise among their wider political interests. The ancient principles of the rights of the winners and the realities of the mixed ethnic landscape in Europe largely compromised the principle of self determination of nations proclaimed by Wilson. Thus, this value was complemented with the mechanisms for protection of the minority rights. The Minority Treaties, as well as the other legal instruments, guaranteed the observance of certain rights of the minorities. Although the Convention was proclaimed as an instrument for the protection of minorities, in comparison with the Treaty of Neuilly and the Treaty between the Allied Powers and Greece on its Independence and the Rights of Minorities, the solution it proposed is far more radical. In this way, it compromises the entire concept for the protection of minorities declared after the Great War.

The Convention for the exchange of minorities Greece signed with Bulgaria was deemed as a solution to the painful Macedonian question which caused lots of difficulties in the international relations throughout the previous decades. Its final aim was stabilizing the postwar relations in this region. Thus, it was not envisaged as an additional pressure for the defeated Bulgaria.

The inquiry into the work of the Committee entrusted with the task of application of the Convention would also require a further elaboration. The Commission was formed in December 1922 and the analysis of its work shows the immediate consequences of the Convention. The available accounts reveal the efforts of the League on the Nations and its bodies to balance the protection of the minority rights

[72]The Mixed Commission met in November (2-15) 1913 in Adrianopolis where it signed a Convention on the exchange of population. E.C. Helmreich, *The Diplomacy of the Balkan Wars 1912-1913,* Harvard University Press, Cambridge, Mass 1938, 409-410, 415-416.

[73] S. Ladas, 20-23.

with the interests of the two weak and impoverished Balkan states which cared little for the human tragedy happening under their auspices.

It is important to note that a complete insight into the postwar regulation of the protection of minority rights must encompass the developments with regard to Turkey. Namely, after the Greek failure in the war with Turkey in Asia Minor, these two countries concluded a Convention for an obligatory transfer of population. Thus, it is important to read the Conventions Greece signed with Bulgaria and with Turkey together, as their cumulative effect was a thorough demographic change of the Greek part of Macedonia and especially its eastern area. As the emigrants moved to Bulgaria, the Greeks from Turkey populated this region.[74] The Greek state managed to Hellenize the area through concerted efforts of its state apparatus, including the education and a thorough change of the Slavic toponymy.[75] In the following years, the region was pacified.

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[74]A recent account: *Population exchange in Greek Macedonia -The rural settlement of refugees 1922-1930,* Elisabeth Kontogiorgi, Clarendon Press, Oxford, 2006.

[75]A decade ago, the anthropological study into the Greek Macedonia conducted by Anastasia Karakasidou and the violent reactions she encountered arose a huge interest in the community of the Balkanologists. Karakasidou pursued an inquiry into the ethnical origin of the inhabitants of this region. A. Karakasidou, *Fields of Wheat, Hills of Blood: Passages to Nationhood in Greek Macedonia 1870-1990,* The University of Chicago Press, 1997.

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