

N° 2568.

BELGIQUE ET PERSE

Traité d'amitié, avec protocole final,
Signés à Téhéran, le 23 mai 1929.

BELGIUM AND PERSIA

Treaty of Friendship, with Final
Protocol. Signed at Teheran,
May 23, 1929.

¹ TRADUCTION. — TRANSLATION.No. 2568. — TREATY ² OF FRIENDSHIP BETWEEN PERSIA AND BELGIUM. SIGNED AT TEHERAN, MAY 23, 1929.

French official text communicated by the Permanent Delegate of Persia accredited to the League of Nations. The registration of this Treaty took place December 22, 1930.

HIS IMPERIAL MAJESTY THE SHAH OF PERSIA and HIS MAJESTY THE KING OF THE BELGIANS, being equally desirous of strengthening the traditional friendly relations which so fortunately prevail between Persia and Belgium, have decided to conclude a Treaty of Friendship, and for that purpose have appointed as their Plenipotentiaries :

HIS IMPERIAL MAJESTY THE SHAH OF PERSIA :

His Excellency Mirza Mahomed Ali Kahn FARZINE, in charge of His Ministry of Foreign Affairs ;

HIS MAJESTY THE KING OF THE BELGIANS :

His Excellency M. Maurice CUVELIER, His Envoy Extraordinary and Minister Plenipotentiary in Persia.

Who, having communicated their respective full powers, found in good and due form, have agreed upon the following Articles :

Article I.

There shall be perpetual peace and constant friendship between the High Contracting Parties and their respective subjects.

Article II.

The High Contracting Parties agree to establish diplomatic and consular relations between the two States in accordance with the general principles and practice of international law.

They agree that the diplomatic and consular representatives of each of them shall receive in the territory of the other, subject to reciprocity, the treatment consecrated by general international law, a treatment which shall not be less favourable than that granted to the diplomatic and consular representatives of the most favoured nation.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² The exchange of ratifications took place at Teheran, November 24, 1930.

Article III.

Each of the High Contracting Parties shall be entitled to appoint its consular representatives in the territory of the other Party, who shall reside either in the capital or in the principal towns in which such foreign agents are generally allowed to reside. They may not exercise their functions without having regularly received the exequatur, in accordance with the rules accepted in general international law.

Article IV.

The High Contracting Parties agree to regulate their relations in respect of commerce, Customs and navigation, the admission of consuls to their respective territories, and also the conditions governing the admission to and residence in the territory of each of them of nationals of the other Party, by Conventions which they reserve the right to conclude in accordance with the principles and practice of general international law and on the basis of complete reciprocity and equality.

Article V.

The Contracting States undertake to submit to arbitration all differences which may arise between them in respect of the application or interpretation of the stipulations of all treaties and conventions which have been or may hereafter be concluded, including the present Treaty, and which it has not been possible to settle in a friendly manner within a reasonable period by the normal methods of diplomacy.

This provision shall also apply, if the case arise, to the prior question whether the dispute relates to the interpretation or application of the said treaties and conventions.

The decision of the arbitral tribunal shall be binding on the Parties.

The tribunal shall be constituted for each dispute at the request of one of the Contracting States, in the following manner: within three months from the date on which the demand is notified each of the two States shall nominate an arbitrator, who may be chosen from its nationals or the nationals of a third State.

If, on the expiry of the above-mentioned period of three months, the defendant State has not nominated an arbitrator, the said arbitrator shall be chosen, on application being made by the plaintiff State, from the nationals of the defendant State by the President of the Permanent Court of International Justice.

Within another period of two months the Parties shall agree as to the terms of the special agreement, laying the dispute before the arbitral tribunal, determining its competence, setting forth the points at issue and fixing the procedure to be followed with a view to finding a solution for them. If when the period of two months has expired the two States have not agreed as to the special agreement, the arbitral tribunal before which the plaintiff State has laid the matter shall be responsible for drawing up the submission.

Should the two arbitrators not be able to agree as to the drawing up of a special agreement within two months from the date on which the arbitral tribunal has been asked to do so, or should the two arbitrators be unable to settle the dispute within a reasonable period to be fixed by the rules of procedure, the two States shall choose a national of a third State as third arbitrator. Should the States not agree as to the choice of the third arbitrator within two months from the date on which the request for nomination of a third arbitrator has been made, they shall jointly apply, or failing joint application within a fresh period of two months, whichever takes action first shall apply to the President of the Permanent Court of International Justice to appoint the third arbitrator from among the nationals of States not party to the dispute. By mutual agreement between the Parties a list of third States to which his choice must be limited may be communicated to him. The Parties reserve the right to agree beforehand, for a given period, on the appointment of the third arbitrator.

Should it have been necessary to nominate a third arbitrator and if no special agreement between the two contracting States has determined the procedure to be followed after such

nomination, the third arbitrator shall meet with the first two arbitrators and the tribunal thus formed shall decide on its procedure and settle the dispute.

All decisions of the arbitral tribunal shall be taken by a majority vote.

In the case of any dispute other than those which are connected with the application or interpretation of treaties and conventions and which it has not been possible to settle in a satisfactory manner by the normal methods of diplomacy, the High Contracting Parties, mindful of their obligations as Members of the League of Nations, agree to resort only to means of peaceful settlement. In each case they shall determine by special agreement the procedure which appears to them to be the most suitable,

The High Contracting Parties further agree that should they both accede to the General Act of Arbitration ¹ of September 26, 1928, or to the Protocol ² concerning the compulsory jurisdiction of the Permanent Court of International Justice of December 16, 1920, the provisions of these Acts will then be applicable, notwithstanding the stipulations of the present Article.

Article VI.

The present Treaty shall be ratified and the ratifications shall be exchanged at Teheran as soon as possible. It shall enter into force on the fifteenth day after the exchange of the instruments of ratification.

In faith whereof the respective Plenipotentiaries have signed the present Treaty and have thereto affixed their seals.

Done at Teheran, May 23, 1929.

(Signed) M. FARZINE.

(Signed) Maurice CUVELIER.

FINAL PROTOCOL.

On signing the Treaty of Friendship concluded this day between Persia and Belgium, the undersigned Plenipotentiaries have made the following declaration which shall constitute an integral part of the Treaty itself :

The Persian and Belgian Governments reserve the right to reexamine the provisions of Article 5 of the Treaty of Friendship on the expiry of a period of ten years, dating from the exchange of ratifications of the said Treaty.

Done at Teheran, May 23, 1929.

(Signed) M. FARZINE.

(Signed) Maurice CUVELIER.

¹ Vol. XCIII, page 343 ; Vol. C, page 260 ; and Vol. CVII, page 529, of this Series.

² Vol. VI, page 379 ; Vol. XI, page 404 ; Vol. XV, page 304 ; Vol. XXIV, page 152 ; Vol. XXVII, page 416 ; Vol. XXXIX, page 165 ; Vol. XLV, page 96 ; Vol. L, page 159 ; Vol. LIV, page 387 ; Vol. LXIX, page 70 ; Vol. LXXII, page 452 ; Vol. LXXVIII, page 435 ; Vol. LXXXVIII, page 272 ; Vol. XCII, page 362 ; Vol. XCVI, page 180 ; Vol. C, page 153 ; Vol. CIV, page 492 ; and Vol. CVII, page 461, of this Series.