

N° 890.

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**GRANDE-BRETAGNE  
ET IRAK**

Traité d'alliance, avec protocole,  
signés à Bagdad, les 10 octobre  
1922 et 30 avril 1923 respective-  
ment.

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**GREAT BRITAIN  
AND 'IRAQ**

Treaty of Alliance, with Protocol,  
signed respectively at Baghdad,  
October 10, 1922, and April 30,  
1923.

No. 890. — TREATY<sup>1</sup> OF ALLIANCE BETWEEN GREAT BRITAIN AND 'IRAQ, WITH PROTOCOL, SIGNED RESPECTIVELY, AT BAGHDAD OCTOBER 10, 1922, AND APRIL 30, 1923.

*English and Arabic official texts communicated by His Britannic Majesty's Foreign Office. The registration of this Treaty took place on June 15, 1925.*

HIS BRITANNIC MAJESTY of the one part : and HIS MAJESTY THE KING OF 'IRAQ of the other part :

Whereas His Britannic Majesty has recognised Faisal Ibn Hussein as constitutional King of 'Iraq : and

Whereas His Majesty the King of 'Iraq considers that it is to the interests of 'Iraq and will conduce to its rapid advancement that he should conclude a Treaty with His Britannic Majesty on the basis of alliance : and

Whereas His Britannic Majesty is satisfied that the relations between himself and His Majesty the King of 'Iraq can now be better defined by such a Treaty of Alliance than by any other means :

For this purpose the High Contracting Parties have appointed as their Plenipotentiaries :

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

Sir Percy Zachariah Cox, G.C.M.G., G.C.I.E., K.C.S.I., High Commissioner and Consul-General of His Britannic Majesty in 'Iraq :

HIS MAJESTY THE KING OF 'IRAQ :

His Highness Sir Saiyid 'ABD-UR-RAHMAN, G.B.E., Prime Minister and Naqib-al-Ashraf Baghdad ;

Who, having communicated their full powers, found in good and due order, have agreed a follows :—

*Article I.*

At the request of His Majesty the King of 'Iraq, His Britannic Majesty undertakes subject to the provisions of this Treaty to provide the State of 'Iraq with such advice and assistance as may be required during the period of the present Treaty, without prejudice to her national sovereignty. His Britannic Majesty shall be represented in 'Iraq by a High Commissioner and Consul-General assisted by the necessary staff.

*Article II.*

His Majesty the King of 'Iraq undertakes that for the period of the present Treaty no gazetted official of other than 'Iraq nationality shall be appointed in 'Iraq without the concurrence of His

<sup>1</sup> The exchange of ratifications took place at Baghdad, December 19, 1924.

Britannic Majesty. A separate agreement shall regulate the numbers and conditions of employment of British officials so appointed in the 'Iraq Government.

*Article III.*

His Majesty the King of 'Iraq agrees to frame an Organic Law for presentation to the Constituent Assembly of 'Iraq and to give effect to the said law ; which shall contain nothing contrary to the provisions of the present Treaty and shall take account of the rights, wishes and interests of all populations inhabiting 'Iraq. This Organic Law shall ensure to all complete freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals. It shall provide that no discrimination of any kind shall be made between the inhabitants of 'Iraq on the ground of race, religion or language, and shall secure that the right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the Government of 'Iraq may impose, shall not be denied or impaired. It shall prescribe the constitutional procedure, whether legislative or executive, by which decisions will be taken on all matters of importance, including those involving questions of fiscal and military policy.

*Article IV.*

Without prejudice to the provisions of Articles XVII and XVIII of this Treaty, His Majesty the King of 'Iraq agrees to be guided by the advice of His Britannic Majesty tendered through the High Commissioner on all important matters affecting the international and financial obligations and interests of His Britannic Majesty for the whole period of this Treaty. His Majesty the King of 'Iraq will fully consult the High Commissioner on what is conducive to a sound financial and fiscal policy and will ensure the stability and good organisation of the finances of the 'Iraq Government so long as that Government is under financial obligations to the Government of His Britannic Majesty.

*Article V.*

His Majesty the King of 'Iraq shall have the right of representation in London and in such other capitals and places as may be agreed upon by the High Contracting Parties. Where His Majesty the King of 'Iraq is not represented he agrees to entrust the protection of 'Iraq nationals to His Britannic Majesty. His Majesty the King of 'Iraq shall himself issue exequaturs to representatives of foreign Powers in 'Iraq after His Britannic Majesty has agreed to their appointment

*Article VI.*

His Britannic Majesty undertakes to use his good offices to secure the admission of 'Iraq to membership of the League of Nations as soon as possible.

*Article VII.*

His Britannic Majesty undertakes to provide such support and assistance to the armed forces of His Majesty the King of 'Iraq as may from time to time be agreed by the High Contracting Parties. A separate agreement regulating the extent and conditions of such support and assistance shall be concluded between the High Contracting Parties and communicated to the Council of the League of Nations.

*Article VIII.*

No territory in 'Iraq shall be ceded or leased or in any way placed under the control of any foreign Power ; this shall not prevent His Majesty the King of 'Iraq from making such arrangements as may be necessary for the accommodation of foreign representatives and for the fulfilment of the provisions of the preceding article.

*Article IX.*

His Majesty the King of 'Iraq undertakes that he will accept and give effect to such reasonable provisions as His Britannic Majesty may consider necessary in judicial matters to safeguard the interests of foreigners in consequence of the non-application of the immunities and privileges enjoyed by them under capitulation or usage. These provisions shall be embodied in a separate agreement, which shall be communicated to the Council of the League of Nations.

*Article X.*

The High Contracting Parties agree to conclude separate agreements to secure the execution of any treaties, agreements or undertakings which His Britannic Majesty is under obligation to see carried out in respect of 'Iraq. His Majesty the King of 'Iraq undertakes to bring in any legislation necessary to ensure the execution of these agreements. Such agreements shall be communicated to the Council of the League of Nations.

*Article XI.*

There shall be no discrimination in 'Iraq against the nationals of any State Member of the League of Nations or of any State to which His Britannic Majesty has agreed by treaty that the same rights should be ensured as it would enjoy if it were a Member of the said League (including companies incorporated under the laws of such State), as compared with British nationals or those of any foreign State in matters concerning taxation, commerce or navigation, the exercise of industries or professions, or in the treatment of merchant vessels or civil aircraft. Nor shall there be any discrimination in 'Iraq against goods originating in or destined for any of the said States. There shall be freedom of transit under equitable conditions across 'Iraq territory.

*Article XII.*

No measure shall be taken in 'Iraq to obstruct or interfere with missionary enterprise or to discriminate against any missionary on the ground of his religious belief or nationality, provided that such enterprise is not prejudicial to public order and good government.

*Article XIII.*

His Majesty the King of 'Iraq undertakes to co-operate, in so far as social, religious and other conditions may permit, in the execution of any common policy adopted by the League of Nations for preventing and combating disease, including diseases of plants and animals.

*Article XIV.*

His Majesty the King of 'Iraq undertakes to secure the enactment, within twelve months of the coming into force of this Treaty, and to ensure the execution of a Law of Antiquities based on the rules annexed to Article 421 of the Treaty of Peace signed at Sèvres on the 10th August, 1920. This Law shall replace the former Ottoman Law of Antiquities, and shall ensure equality of treatment in the matter of archæological research to the nationals of all States Members of the League of Nations and of any State to which His Britannic Majesty has agreed by treaty that the same rights should be ensured as it would enjoy if it were a Member of the said League.

*Article XV.*

A separate agreement shall regulate the financial relations between the High Contracting Parties. It shall provide, on the one hand, for the transfer by His Britannic Majesty's Government to the Government of 'Iraq of such works of public utility as may be agreed upon and for the rendering by His Britannic Majesty's Government of such financial assistance as may from time to time be considered necessary for 'Iraq, and, on the other hand, for the progressive liquidation by the Government of 'Iraq of all liabilities thus incurred. Such agreement shall be communicated to the Council of the League of Nations.

*Article XVI.*

So far as is consistent with his international obligations, His Britannic Majesty undertakes to place no obstacle in the way of the association of the State of 'Iraq for Customs or other purposes with such neighbouring Arab States as may desire it.

*Article XVII.*

Any difference that may arise between the High Contracting Parties as to the interpretation of the provisions of this Treaty shall be referred to the Permanent Court of International Justice<sup>1</sup> provided for by Article 14 of the Covenant of the League of Nations. In such case, should there be any discrepancy between the English and Arabic texts of this Treaty, the English shall be taken as the authoritative version.

*Article XVIII.*

This Treaty shall come into force as soon as it has been ratified by the High Contracting Parties after its acceptance by the Constituent Assembly, and shall remain in force for twenty years, at the end of which period the situation shall be examined, and if the High Contracting Parties are of opinion that the Treaty is no longer required it shall be terminated. Termination shall be subject to confirmation by the League of Nations unless before that date Article VI of this Treaty has come into effect, in which case notice of terminating shall be communicated to the Council of the League of Nations. Nothing shall prevent the High Contracting Parties from reviewing from time to time the provisions of this Treaty, and those of the separate Agreements arising out of Articles VII, X and XV, with a view to any revision which may seem desirable in the circumstances then existing, and any modification which may be agreed upon by the High Contracting Parties shall be communicated to the Council of the League of Nations.

The ratifications shall be exchanged at Baghdad.

The present Treaty has been drawn up in English and Arabic. One copy in each language will remain deposited in the archives of the 'Iraq Government, and one copy in each language in those of the Government of His Britannic Majesty.

<sup>1</sup> Vol. VI page 379; Vol. XI page 404; Vol. XV page 304; Vol. XXIV page 152 et vol. XXVII page 416 of this Series.

In witness of which the respective Plenipotentiaries have signed the present Treaty and have affixed thereto their seals. Done at Baghdad in duplicate this tenth day of October, one thousand nine hundred and twenty-two of the Christian Era, corresponding with the nineteenth Day of Sa'far, one thousand three hundred and forty Hijrah.

P. Z. COX,

*His Britannic Majesty's High  
Commissioner in 'Iraq.*

'ABD-UR-RAHMAN,

*Naqib-al-Ashraf of Baghdad and Prime  
Minister of the 'Iraq Government.*

We, the undersigned Plenipotentiaries of HIS BRITANNIC MAJESTY and of HIS MAJESTY THE KING OF 'IRAQ respectively, having been duly authorised, met together this 30th day of April, 1923, corresponding to the 14th Ramazan 1341 in order to sign the following Protocol to the Treaty of Alliance concluded between their Majesties aforesaid on the 10th of October, 1922, corresponding to the 19th Sa'far 1340, Hijrah, subject to ratification.

#### PROTOCOL.

It is understood between the High Contracting Parties that, notwithstanding the provisions of Article 18, the present Treaty shall terminate upon 'Iraq becoming a Member of the League of Nations and in any case not later than four years from the ratification of peace with Turkey. Nothing in this Protocol shall prevent a fresh agreement from being concluded with a view to regulate the subsequent relations between the High Contracting Parties; and negotiations for that object shall be entered into between them before the expiration of the above period.

In witness of which the respective Plenipotentiaries have affixed their signatures hereto. Done at Baghdad in duplicate this thirtieth day of April, one thousand nine hundred and twenty-three of the Christian Era Hijrah corresponding with the fourteenth day of Ramazan one thousand three hundred and forty-one Hijrah.

P. Z. COX.

*His Britannic Majesty's High  
Commissioner for 'Iraq.*

'ABDUL MUHSIN AL SA'ADUN.

*Prime Minister of the 'Iraq Government.*

<sup>1</sup> TRADUCTION. --- TRANSLATION.

## No. 890. — TRAITÉ D'ALLIANCE ENTRE LA GRANDE-BRETAGNE ET L'IRAK, AVEC PROTOCOLE, SIGNÉS, A BAGDAD LES 10 OCTOBRE 1922 ET 30 AVRIL 1923 RESPECTIVEMENT.

SA MAJESTÉ BRITANNIQUE, d'une part, et SA MAJESTÉ LE ROI D'IRAK, d'autre part :

Considérant que Sa Majesté Britannique a reconnu Fayçal Ibn Hussein comme Roi constitutionnel d'Irak ;

Considérant que Sa Majesté le Roi d'Irak estime qu'il est de l'intérêt de l'Irak de conclure avec Sa Majesté Britannique un traité sur la base d'une alliance et que la conclusion de ce traité amènera le développement rapide de son pays ;

Considérant que Sa Majesté Britannique est convaincue que les relations existant entre elle-même et Sa Majesté le Roi d'Irak peuvent être mieux définies par un traité d'alliance de ce genre que par tout autre moyen ;

A cette fin, en leur qualité de Hautes Parties contractantes, ont désigné comme Plénipotentiaires :

Pour SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES DOMINIUMS BRITANNIQUES D'OUTRE-MER, EMPEREUR DES INDES :

Sir Percy Zachariah Cox, G.C.M.G., G.C.I.E., K.C.S.I., Haut Commissaire et Consul général de Sa Majesté Britannique en Irak ;

Pour SA MAJESTÉ LE ROI D'IRAK :

Son Altesse Sir Saïd ABD-UR-RAHMAN, G.B.E., Premier Ministre et Naqib-al-Ashraf, Bagdad ;

Lesquels, s'étant communiqué leurs pleins pouvoirs et les ayant reconnus en bonne et due forme, ont convenu ce qui suit :

*Article I.*

A la requête de Sa Majesté le Roi d'Irak, Sa Majesté Britannique s'engage, conformément aux dispositions du présent Traité, à fournir à l'Etat d'Irak les conseils et l'assistance dont ce dernier pourrait avoir besoin au cours de la durée du présent Traité, sans qu'il soit porté préjudice à sa souveraineté nationale. Sa Majesté Britannique sera représentée en Irak par un Haut Commissaire et Consul général secondé par le personnel nécessaire.

*Article II.*

Sa Majesté le Roi d'Irak s'engage, pendant la durée du présent Traité, à ce qu'aucun fonctionnaire officiellement nommé et appartenant à une nationalité autre que celle de l'Irak ne soit désigné

<sup>1</sup> Traduit par le Secrétariat de la Société des Nations.

<sup>1</sup> Translated by the Secretariat of the League of Nations.