

N° 2495.

ALLEMAGNE ET PERSE

Echange de notes comportant un règlement provisoire des relations entre les deux pays. Téhéran, le 15 mai 1928.

GERMANY AND PERSIA

Exchange of Notes constituting a provisional Settlement of the Relations between the two Countries. Teheran, May 15, 1928.

¹ TRADUCTION. — TRANSLATION.

No. 2495. — EXCHANGE OF NOTES BETWEEN THE GERMAN AND PERSIAN GOVERNMENTS, CONSTITUTING A PROVISIONAL SETTLEMENT OF THE RELATIONS BETWEEN THE TWO COUNTRIES. TEHERAN, MAY 15, 1928.

French official text communicated by the Permanent Delegate of Persia accredited to the League of Nations. The registration of this Exchange of Notes took place October 13, 1930.

I.

TEHERAN, May 15, 1928.

YOUR EXCELLENCY,

My Government, animated by the sincere desire to bring to a conclusion at the earliest possible date the negotiations at present proceeding between our two States for a treaty of friendship and for consular, commercial, Customs and establishment conventions, notes that circumstances have prevented the immediate conclusion of such treaties.

I have accordingly the honour on behalf of my Government to make to you the following declaration constituting a provisional settlement of the relations of Persia with the Reich.

1. As from May 10, 1928, the diplomatic representatives of the Reich on Persian territory shall enjoy, subject to full reciprocity, the privileges and immunities established by ordinary international law.

The consular representatives of the Reich on Persian territory, being duly provided with the exequatur, shall be entitled, subject to full reciprocity, to reside in the places to which they have hitherto been admitted.

They shall enjoy the honorary privileges and personal immunities from jurisdiction and taxation established by ordinary international law subject to full reciprocity.

The treatment accorded to the diplomatic and consular representatives of the Reich on Persian territory, subject to reciprocity, shall not in any case be inferior to the treatment accorded to the most favoured nation.

2. As from May 10, 1928, the Persian Government shall accord most-favoured-nation treatment in the matter of establishment to German nationals in Persia, subject to full reciprocity.

In so far as their personal status is concerned, German nationals in Persia shall remain subject to the provisions of their national law. The term "personal status" shall cover questions relating to marriage, property rights of husband and wife, divorce, legal separation, dowry, paternity, filiation, adoption, legal competency, majority, guardianship and curatorship, deprivation of legal rights — rights of succession under testamentary dispositions or in virtue of intestacy, liquidation and division of successions or patrimonies, and in general all questions of family law, including all questions of personal standing.

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.

3. On and after May 10, 1928, and until otherwise decided, the Persian Government shall subject the natural and manufactured products of Germany on entry into Persian territory to the organic Customs legislation of Persia. It shall give them the benefit of the Persian minimum tariff and of any reductions of that tariff which may be granted to similar products, natural or manufactured, originating in any other country.

The provisions of the present Note shall come into force immediately, and shall remain in force until the expiration of a period of thirty days from the notification by my Government of its intention to terminate them.

I have, etc.

(Signed) F. PAKREVAN.

His Excellency
Count von der Schulenburg
German Minister
Teheran.

No 171.

TEHERAN, May 15, 1928.

YOUR EXCELLENCY,

My Government, animated by the sincere desire to bring to a conclusion at the earliest possible date the negotiations at present proceeding between our two States for a treaty of friendship and for consular, commercial, Customs and establishment conventions, notes that circumstances have prevented the immediate conclusion of such treaties.

I have accordingly the honour on behalf of my Government to make to you the following declaration constituting a provisional settlement of the relations of the Reich with Persia.

1. As from May 10, 1928, the diplomatic representatives of Persia on German territory shall enjoy, subject to full reciprocity, the privileges and immunities established by ordinary international law.

The consular representatives of Persia on German territory, being duly provided with the exequatur, shall be entitled, subject to full reciprocity, to reside in the places to which they have hitherto been admitted.

They shall enjoy the honorary privileges and personal immunities from jurisdiction and taxation established by ordinary international law, subject to full reciprocity.

The treatment accorded to the diplomatic and consular representatives of Persia on German territory, subject to reciprocity, shall not in any case be inferior to the treatment accorded to the most favoured nation.

2. As from May 10, 1928, the Government of the Reich shall accord most-favoured-nation treatment in the matter of establishment to Persian nationals in Germany subject to full reciprocity.

In so far as their personal status is concerned, Persian nationals in Germany shall remain subject to the provisions of their national law. The term "personal status" shall cover questions relating to marriage, property rights of husband and wife, divorce, legal separation, dowry, paternity, filiation, adoption, legal competency, majority, guardianship and curatorship, deprivation of legal rights, rights of succession under testamentary dispositions or in virtue of intestacy, liquidation and division of successions or patrimonies, and in general all questions of family law, including all questions of personal standing.

3. On and after May 10, 1928, and until otherwise decided, the Government of the Reich shall accord most-favoured-nation treatment to the natural and manufactured products of Persia on entry into Germany.

The provisions of the present Note shall come into force immediately, and shall remain in force until the expiration of a period of thirty days from the notification by my Government of its intention to terminate them.

I have, etc.

Count VON DER SCHULENBURG.

His Excellency
Monsieur F. Pakrevan
Acting Minister for Foreign Affairs,
Teheran.

II.

No. 172.

TEHERAN, *May 15, 1928.*

YOUR EXCELLENCY,

I have the honour to acknowledge receipt of the Note of to-day's date in which you were good enough to inform me on behalf of your Government of the latter's decisions in regard to the establishment of German nationals in Persia.

In taking note on behalf of my Government of these decisions of the Imperial Government I have the honour to request you to be so good as to confirm your Government's agreement on the following point.

Law-suits and legal proceedings undecided and pending on May 10, 1928, before German Consular Courts in Persia shall be settled by the said Courts. The provisions of No. 13 of the Imperial Government's decision with regard to law-suits and legal proceedings undecided and pending before the Court attached to the Ministry for Foreign Affairs shall be applicable also to the German Consular Courts in Persia which shall cease to sit after May 10, 1929.

I have, etc.

Count VON DER SCHULENBURG.

His Excellency
Monsieur F. Pakrevan,
Acting Minister for Foreign Affairs,
Teheran.

TEHERAN, *May 15, 1928.*

YOUR EXCELLENCY,

In accordance with the wish expressed by you on behalf of your Government, the Imperial Government accords an extension of one year to May 10, 1929, to the German Consular Courts in Persia, in order to allow of the final settlement of disputes between German nationals which have not yet been decided on May 10, 1928.

I have, etc.

F. PAKREVAN.

His Excellency
Count von der Schulenburg,
German Minister,
Teheran.