

No. 1064

AFGHANISTAN
and
INDIA

Treaty of Friendship. Signed at New Delhi, on 4 January 1950

Official texts: English and Persian.
Registered by Afghanistan on 28 February 1951.

AFGHANISTAN
et
INDE

Traité d'amitié. Signé à New-Delhi, le 4 janvier 1950

Textes officiels anglais et persan.
Enregistré par l'Afghanistan le 28 février 1951.

No. 1064. TREATY¹ OF FRIENDSHIP BETWEEN THE GOVERNMENT OF INDIA AND THE ROYAL GOVERNMENT OF AFGHANISTAN. SIGNED AT NEW DELHI, ON 4 JANUARY 1950

The Government of India and the Royal Government of Afghanistan recognising the ancient ties which have existed between the two countries for centuries and their mutual need for co-operation in strengthening and developing these ties and urged by their mutual desire to establish peace between the two countries with a view to the common benefit of their people and the development of their respective countries, wish to enter into a Treaty of Friendship with each other and to this end have appointed as their plenipotentiaries the following persons, viz.,

The Government of India:

The Honourable JAWAHARLAL NEHRU, Prime Minister and Minister for External Affairs.

The Royal Government of Afghanistan:

His Excellency NADJIBULLAH KHAN, Ambassador to India,

who having examined each other's credentials and found them good and in due form have agreed as follows:

Article 1

The two Governments recognise and respect the independence and rights of each other.

Article 2

There shall be everlasting peace and friendship between the two Governments who will further strive to maintain and strengthen the cordial relations existing between the people of their respective countries.

Article 3

(1) In order to establish and maintain the relations referred to in Article 2, the parties agree to continue diplomatic relations with each other by means of representatives with all such suitable staff as the representatives may require for the due performance of their functions and to such extent as may be mutually agreed on from time to time by the respective Governments.

¹ Came into force on 30 September 1950, by the exchange of the instruments of ratification at New Delhi, in accordance with article 8.

(2) Such representatives and their agreed staff shall have such diplomatic privileges and immunities as are customarily granted by international law on a reciprocal basis:

Provided that in no case shall these be less than those granted to persons of a similar status of any other State having diplomatic relations with either Government.

Article 4

The two Governments agree to appoint Consuls-General, Consuls, Vice Consuls and Consular Agents, who shall reside in towns, ports and other places in each other's territory as may be agreed to.

Consuls-General, Consuls, Vice Consuls and Consular Agents shall be provided with exequaturs or other valid authorisation of their appointment. Such exequatur or other authorisation is liable to be withdrawn by the country which issued it, if considered necessary. The reasons for the withdrawal shall be indicated wherever possible.

The persons mentioned above shall enjoy on a reciprocal basis all the rights, privileges, exemptions, and immunities that are accorded to persons of corresponding status of any other State.

Article 5

The two Governments agree that such trade agencies of either Government as already exist in the territories of the other shall be continued and others may be established in the future.

Article 6

The two Governments agree to strengthen and develop cultural ties between their respective countries and to assist in each other's industrial and agricultural progress.

Article 7

Any differences arising out of the interpretation or application of this Treaty shall be settled by negotiations through the ordinary diplomatic channels. If no settlement is arrived at within a reasonable time the matter shall be referred to arbitration in such manner as may be mutually agreed upon.

Article 8

The Treaty shall be subject to ratification and shall come into force from the date of the exchange of the instruments of ratification, which shall take place as soon as possible at New Delhi.

Article 9

This Treaty shall continue in force for five years after coming into force as provided in Article 8 and shall thereafter continue in force:

Provided that after the said period of five years either Government may give to the other not less than six months' notice of its intention to terminate the Treaty, and on the expiry of the period of such notice the Treaty shall cease to be in force.

IN FAITH WHEREOF, the said plenipotentiaries have signed the present Treaty in the English and Persian languages, both texts being equally authentic, and have affixed thereto their seals.

DONE in duplicate in New Delhi on the fourth day of January 1950.

For the Government of India:

JAWAHARLAL NEHRU

Prime Minister and Minister for External Affairs

In the presence of: I. S. CHOPRA

For the Royal Government of Afghanistan:

NADJIBULLAH

Ambassador of Afghanistan to India

In the presence of: A. KAYOUM
