

N° 2599.

PAYS-BAS ET PERSE

Traité d'amitié, avec protocole final.
Signés à Téhéran, le 12 mars 1930.

**THE NETHERLANDS
AND PERSIA**

Treaty of Friendship, with Final
Protocol. Signed at Teheran,
March 12, 1930.

¹ TRADUCTION. — TRANSLATION.No. 2599. — TREATY² OF FRIENDSHIP BETWEEN THE NETHERLANDS AND PERSIA. SIGNED AT TEHERAN, MARCH 12, 1930.

French official text communicated by the Permanent Delegate of Persia accredited to the League of Nations and the Netherlands Minister at Berne. The registration of this Treaty took place January 17, 1931.

HIS IMPERIAL MAJESTY THE SHAH OF PERSIA, of the one part, and HER MAJESTY THE QUEEN OF THE NETHERLANDS, of the other part, being equally desirous of strengthening the traditional friendly relations between the two States, have decided to conclude a Treaty of Friendship and have appointed for that purpose as their Plenipotentiaries :

HIS IMPERIAL MAJESTY THE SHAH OF PERSIA :

His Excellency M. Mohammad Ali Khan FARZINE, Minister for Foreign Affairs ;

HER MAJESTY THE QUEEN OF THE NETHERLANDS :

Monsieur Leendert Pieter Johan DE DECKER, Chargé d'Affaires of the Netherlands at Teheran,

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

Article I.

There shall be inviolable peace and sincere and perpetual friendship between the Persian Empire and the Kingdom of the Netherlands, and between the nationals of both States.

Article II.

The High Contracting Parties agree to continue their diplomatic relations in accordance with the principles and practice of general international law. They agree that the diplomatic representatives of each of them shall receive in the territory of the other, subject to reciprocity, the treatment consecrated by the principles and practice of general international law, which treatment shall in no case be less favourable than that granted to the diplomatic 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, December 17, 1930.

Article III.

The High Contracting Parties agree to submit to arbitration all disputes which may arise between them in respect of the application or interpretation of the provisions of all treaties and conventions already concluded or which may be concluded, hereafter, including Article 2 of 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 High Contracting Parties, in the following manner : within three months from the date on which the request has been 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 among the nationals of the defendant State by the President of the Permanent Court of International Justice.

Within a further period of two months the Parties shall agree as to the terms of the submission, 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 submission, 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 submission 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 High Contracting Parties shall, by joint agreement, choose three further arbitrators, unless they have agreed jointly to appoint one single third arbitrator. The said arbitrators must be nationals of one or more States other than the Parties to the dispute. Should the States not agree on the choice of the above-mentioned arbitrators or arbitrator within two months from the date on which the request for the nomination of the said arbitrators or third arbitrator has been made, they shall jointly apply, or failing joint application within a fresh period of two months, whichever of them takes action first shall apply, to the President of the Permanent Court of International Justice to appoint the three arbitrators or the third arbitrator from among nationals of States not parties to the dispute. By mutual agreement between the Parties a list of third States to which his choice should be limited may be communicated to him. The Parties reserve the right to agree beforehand, for a given period, on the appointment of the three arbitrators or the third arbitrator.

Should it have been necessary to nominate the three arbitrators or the third arbitrator, and no submission agreed upon between the two Contracting States has determined the procedure to be followed after such nomination, the three arbitrators shall meet, or 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.

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 submission 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 of September 26, 1928¹, or to the Protocol concerning the compulsory jurisdiction

¹ Vol. XCIII, page 343 ; Vol. C, page 260 ; Vol. CVII, page 529, of this Series ; and page 414, of this Volume.

of the Permanent Court of International Justice of December 16, 1920¹, the provisions of these Acts shall then be applicable, notwithstanding the stipulations of the present Article.

Article IV.

The present Treaty shall be ratified and the ratifications shall be exchanged as soon as possible. It shall enter into force one month after the exchange of the instruments of ratifications.

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

Done at Teheran, March 12, 1930 (solar year 21 esfand mah 1308).

(L.S.) (Signed) M. FARZINE. (L.S.) (Signed) L. P. J. de DECKER.

FINAL PROTOCOL.

On the occasion of signing the Treaty of Friendship concluded to-day between the Persian Empire and the Kingdom of the Netherlands, the undersigned Plenipotentiaries have made the following declaration, which shall constitute an integral part of the Treaty itself.

It is understood that :

Ad Article 3. The High Contracting Parties reserve the right to reexamine the provisions of Article 3 of the present Treaty on the expiry of a period of ten years dating from the exchange of ratifications of this Treaty. Should one of the Contracting Parties notify the other, six months before the expiry of the said period, of its desire not to keep Article 3 in force, the said Article shall cease to take effect on the date on which the period of ten years expires. Failing such denunciation the Article shall remain in force for a further period of five years, and for similar periods thereafter.

TEHERAN, March 12, 1930 (solar year 21 esfand mah 1308).

(L.S.) (Signed) M. FARZINE. (L.S.) (Signed) L. P. J. DE DECKER.

¹ Vol. VI, page 370 ; 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 ; Vol. CVII, page 467, of this Series; and page 402, of this Volume.