

N° 3666

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**PERSE ET SUISSE**

Traité d'amitié, et protocole final.  
Signés à Berne, le 25 avril 1934.

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**PERSIA AND SWITZERLAND**

Treaty of Friendship, and Final Pro-  
tocol. Signed at Berne, April  
25th, 1934.

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

No. 3666. — TREATY<sup>2</sup> OF FRIENDSHIP BETWEEN THE EMPIRE OF PERSIA AND THE SWISS CONFEDERATION. SIGNED AT BERNE, APRIL 25<sup>TH</sup>, 1934.

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*French official text communicated by the Swiss Federal Council. The registration of this Treaty took place June 15<sup>th</sup>, 1935.*

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THE SWISS FEDERAL COUNCIL

and

HIS IMPERIAL MAJESTY THE SHAH OF PERSIA,

Being desirous of drawing closer the traditional bonds of friendship between the two States, have resolved to conclude a Treaty of Friendship and have for that purpose appointed as their Plenipotentiaries :

THE SWISS FEDERAL COUNCIL :

Monsieur Giuseppe MOTTA, Federal Councillor, Head of the Federal Political Department ;

HIS IMPERIAL MAJESTY THE SHAH OF PERSIA :

Monsieur Abol-Hassan Khan FOROUGH, Envoy Extraordinary and Minister Plenipotentiary of Persia at Berne ;

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

*Article 1.*

There shall be inviolable peace and sincere and perpetual friendship between Switzerland and the Empire of Persia and between the nationals of the two States.

*Article 2.*

The High Contracting Parties agree to base their diplomatic and consular relations upon the principles and practice of ordinary international law. They agree that the diplomatic and consular representatives of each of them shall receive, in the territory of the other, the treatment prescribed by the principles and practice of ordinary international law, which treatment shall, subject to reciprocity, be not less favourable than that accorded to the diplomatic and consular representatives of the most-favoured nation.

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

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

<sup>2</sup> The exchange of ratifications took place at Berne, June 1st, 1935.

*Article 3.*

The High Contracting Parties agree to settle consular, commercial and Customs relations between their countries, and the conditions on which their nationals may establish themselves and reside in their respective territories, by a convention on establishment, a commercial and Customs convention and a consular convention conforming to the principles and practice of ordinary international law and on the basis of complete equality and reciprocity.

*Article 4.*

The High Contracting Parties agree to submit to arbitration any disputes that may arise between them in regard to the application or interpretation of the terms of any treaties or conventions concluded or to be concluded (including the present Treaty), which are not found capable of settlement in a friendly manner within a reasonable time by ordinary diplomatic procedure.

This provision shall also apply, if need be, to the preliminary 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 arbitral tribunal shall be constituted for each dispute at the request of one of the Contracting Parties and in the following manner : within three months from the presentation of the request, each of the two High Contracting Parties shall appoint an arbitrator, who may be selected from amongst its own nationals or the nationals of a third State.

If on the expiration of the said period of three months the respondent State has not appointed an arbitrator, the latter shall be selected, at the request of the applicant State, by the President of the Permanent Court of International Justice from amongst nationals of the respondent State.

The Parties shall come to an understanding, within a further period of two months, as to the terms of the agreement referring the dispute to the arbitral tribunal, determining the tribunal's competence, stating the points at issue, and laying down the procedure to be followed in settling them. Should the two Parties not have come to an understanding as to the agreement on the expiration of the period of two months, the arbitral tribunal shall, at the request of the applicant State, be instructed to draw up the agreement.

Should the two arbitrators be unable to come to an understanding as to the drawing up of an agreement, within two months from the date on which the arbitral tribunal was instructed to do so, or should the two arbitrators be unable to settle the dispute within a reasonable period, which period shall moreover be laid down in the rules of procedure, the two High Contracting Parties shall select as a third arbitrator a national of a third State. Should the two Parties fail to reach agreement as to the choice of the third arbitrator within two months from the date on which the request for the appointment of a third arbitrator was made, they shall jointly request, or if such joint request is not submitted within a further period of two months, either of them may request, the President of the Permanent Court of International Justice to nominate such third arbitrator from amongst the nationals of third States. The Parties may agree to submit to the President a list of third States to which his choice shall be limited. The Parties reserve the right to agree in advance for a specified period upon the selection of a third arbitrator.

Should it be found necessary to appoint a third arbitrator, and failing agreement between the two Contracting Parties as to the procedure to be followed as from the date of such appointment, the third arbitrator shall sit with the two former arbitrators and the arbitral tribunal thus formed shall determine its own procedure and shall settle the dispute.

All the decisions of the arbitral tribunal shall be reached by majority.

The High Contracting Parties, mindful of their obligations as Members of the League of Nations, undertake to resort only to procedures for the pacific settlement of any dispute other than such disputes, relating to the application or interpretation of treaties or conventions, as it may not have been possible to settle satisfactorily by the normal proceedings of diplomacy. They will decide in each case by a special agreement the procedure which appears to them to be most suitable.

The High Contracting Parties further recognise that the provisions of the present Article in no way preclude the application of the stipulations of the Protocol <sup>1</sup>, dated December 16th, 1920, signed by them with regard to the compulsory jurisdiction of the Permanent Court of International Justice.

*Article 5.*

The present Treaty shall be ratified and the instruments of ratification shall be exchanged at Berne as soon as possible. It shall come into force on the date of the exchange of the instruments of ratification.

In faith whereof the above-named Plenipotentiaries have signed the present Treaty and have thereto affixed their seals.

Done in duplicate at Berne, the twenty-fifth day of April, nineteen hundred and thirty-four.

(L. S.) (Signed) MOTTA.

(L. S.) (Signed) A. H. FOROUGHII.

FINAL PROTOCOL.

On proceeding to sign the Treaty of Friendship concluded to-day between the Swiss Confederation and the Persian Empire, the undersigned Plenipotentiaries have made the following declaration, which shall form an integral part of the Treaty:

The two High Contracting Parties reserve the right to re-examine and even to denounce the provisions of Article 4 of the Treaty of Friendship on the expiration of a period of ten years from the date on which the said Treaty comes into force.

BERNE, *April 25th*, 1934.

(Signed) MOTTA.

(Signed) A. H. FOROUGHII.

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<sup>1</sup> Vol. VI, page 379; Vol. XI, page 405; Vol. XV, page 305; Vol. XXIV, page 153; Vol. XXVII, page 417; 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 461; Vol. CXI, page 402; Vol. CXVII, page 46; Vol. CXXVI, page 430; Vol. CXXX, page 440; Vol. CXXXIV, page 392; Vol. CXLVII, page 318; Vol. CLII, page 282; and Vol. CLVI, page 176, of this Series.