

N° 853.

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**AFGHANISTAN ET PERSE**

Traité d'amitié, signé à Téhéran,  
le 22 juin 1921.

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**AFGHANISTAN AND PERSIA**

Treaty of Friendship, signed at  
Teheran, June 22, 1921.

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

## No. 853. — TREATY OF FRIENDSHIP BETWEEN AFGHANISTAN AND PERSIA, SIGNED AT TEHERAN, JUNE 22, 1921.

In the name of God, Clement and All-Merciful ;  
There is no God but God, and Mohammed is the Prophet of God.  
Seek all of ye your refuge in the bosom of God and do not go astray (*Koran*).

HIS IMPERIAL MAJESTY THE SHAH OF PERSIA and HIS MAJESTY THE EMIR OF AFGHANISTAN, being equally of opinion that the relations of Persia and Afghanistan, which spring from unity of religion and race, as well as from ties of neighbourliness, require consolidation by means of a Treaty, have appointed for this purpose as their Plenipotentiaries :

HIS IMPERIAL MAJESTY THE SHAH OF PERSIA :

His Excellency Hadji Mirza HASSAN KHAN MOHTACHEM-OS-SALTANEH, His Minister for Foreign Affairs ;

HIS MAJESTY THE EMIR OF AFGHANISTAN :

His Excellency Sirdar ABDUL AZIZ KHAN, His Envoy Extraordinary and Minister Plenipotentiary at Teheran.

The two Plenipotentiaries, having exchanged their full powers, have agreed on the following articles :

*Article I.*

From this day forward, sincere friendship and a permanent and cordial understanding shall be established between Persia and Afghanistan and their respective nationals.

*Article II.*

The Ambassadors, Ministers Plenipotentiary and Chargés d'Affaires of each of the High Contracting Parties at the Court of the other, shall enjoy all the rights and privileges established by international custom and usage.

*Article III.*

The subjects of each of the High Contracting Parties, whether travelling or residing in the territory of the other, shall be respected by the authorities of that country and fully protected by the representatives of their own country.

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

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

*Article IV.*

The subjects of one of the two High Contracting Parties shall, while in the territory of the other, either as travellers or as residents, be subject to the local jurisdiction of the latter country. Thus, all legal proceedings, law suits and disputes, as well as all penal or criminal proceedings which may be instituted against them, shall be heard in Persia before the Persian tribunals and in Afghanistan before the Afghan tribunals. In connection with the foregoing it shall be clearly understood that the diplomatic and consular officials of one of the two High Contracting Parties in the territory of the other shall in no case intervene in the legal actions of their nationals, whether they be civil or commercial suits or penal proceedings. The local tribunals of the country of residence or passage are alone competent finally to deal with such litigation.

*Article V.*

The two High Contracting Parties reserve to themselves the power to appoint Consuls-General, Consuls, Vice-Consuls and Consular Agents to reside in the principal towns and commercial centres of the two countries.

The Consuls-General, Consuls, Vice-Consuls and Consular agents shall, before entering upon their duties, obtain, in the usual manner, the exequatur of the Government of the country in which those duties are to be performed.

*Article VI.*

The nationals of one of the High Contracting Parties in the territory of the other shall be exempt from military service and from all obligations which are strictly personal to the nationals of that country.

*Article VII.*

In cases where a subject of one of the High Contracting Parties, after having committed a grave offence in his own country, takes refuge in the territory of the other, the representatives of the former are entitled to demand extradition through the diplomatic channel.

The Government of the latter country shall do all in its power to facilitate the extradition, but it is to be clearly understood that persons guilty of political offences may not be extradited.

*Article VIII.*

In order to consolidate their relations of friendship and commerce, the two High Contracting Parties shall, with the least possible delay, draw up treaties and agreements respecting their commercial, Customs, postal and telegraphic relations; the said treaties and agreements shall, after signature and ratification, be put into execution.

*Article IX.*

The relations of cordial understanding between Persia and Afghanistan shall not be affected in the event of one of the High Contracting Parties becoming involved in a war with a third Power. But in this case the other Party shall undertake, in accordance with the rules of neutrality, not to favour this third Power in any respect.

*Article X.*

In order to emphasise the sincere friendship and mutual confidence existing between the Empire of Persia and the Kingdom of Afghanistan, the two Contracting Parties have decided, in conformity with international usage, to submit to arbitration all the difficulties arising between the two countries of which a solution cannot be arrived at by diplomatic negotiations.

Further, the High Contracting Parties undertake loyally to carry out the decisions of the arbitrators.

*Article XI.*

The present Treaty shall be drawn up in duplicate in Persian.

*Article XII.*

The Plenipotentiaries of the two High Contracting Parties undertake to exchange the ratifications of the present Treaty at Teheran or Kabul within three months from this date, or sooner if possible.

In faith whereof the Plenipotentiaries of the two High Contracting Parties have signed the present Treaty and have thereto affixed their seals.

TEHERAN, *the 15 Chaval-ol-Moharram 1339*<sup>1</sup> (*1st Saratan 1330*).

*The Minister for Foreign Affairs,*  
(Signed) HASSAN MOHTACHEM-OS-SALTANEH.

(Signed) ABDUL AZIZ,  
*Minister of Afghanistan.*

## ADDITIONAL ARTICLES.

*Article I.*

The stipulations of Article III, to the effect that "the subjects of each of the High Contracting Parties, whether travelling or residing in the territory of the other, shall be respected by the authorities of that country and fully protected by the representatives of their own country", shall be understood to mean that the representatives of one of the two High Contracting Parties shall have the right, within the limits of the laws in force in the country of residence and on application to the local authorities, to obtain for their nationals certain facilities.

*Article II.*

The tribes and nomads, such as Berberi and others, who emigrated in former times from Afghanistan to Persia, shall remain, as formerly, Persian subjects. The Berberi visiting Afghanistan shall not be permitted to enter Afghan territory without first obtaining a visa for their passports from the diplomatic and consular authorities of Afghanistan in Persia. The nomads living on the frontiers of the two countries who pass the winter in the territory of one of the two

<sup>1</sup> 15 Chaval-ol-Moharram of the Hedjira corresponds to June 22, 1921.

High Contracting Parties and the summer in that of the other, shall be considered as Persians during their sojourn in Persia and as Afghans during their sojourn in Afghanistan.

Persons who, before the establishment of the Afghan Legation at Teheran, emigrated from Afghanistan and established themselves in Persia, shall, as formerly, be considered Persian subjects.

Only merchants who have proceeded to Persia from Afghanistan in the course of their business and are in temporary residence shall be considered as Afghan subjects, on condition that documentary proof is forthcoming that the Persian authorities have not heretofore treated them as Persian subjects.

*The 25 Djamad-el-Awal 1340 (14 Dalw 1300).*

*The Persian Minister for Foreign Affairs,*  
ASSADOLLAH MOCHAR-OS-SALTANEH.

ABDUL-AZIZ, Khan,  
*The Afghan Minister at Teheran.*

NASROLLAH EETELA-OL-MOLK,  
*The Persian Minister at Kabul.*

MOHAMMAD WALI,  
*The Afghan Minister for Foreign Affairs.*

### Article III.

It is likewise agreed that the nomad tribes who have emigrated from Persia to Afghanistan shall remain as formerly under Afghan sovereignty and shall have no right to enter Persian territory without first obtaining a visa from the Persian diplomatic or consular authorities, as laid down *mutatis mutandis* in additional Article II of the present Treaty, and as a measure of reciprocity for the treatment accorded to the nomads and tribes who, in former times, emigrated from Afghanistan to Persia. Persons who, before the establishment of the Persian Legation at Kabul, emigrated from Persia to Afghanistan shall, as formerly, be considered as Afghan subjects.

Only merchants who have proceeded to Afghanistan from Persia in the course of their business and are in temporary residence shall be considered as Persian subjects, on condition that documentary proof is forthcoming that the Afghan authorities have not, heretofore, treated them as Afghan subjects.

*Djamad-el-Sani 1341 (Dalw 1301).*

(Signed) MOHAMMAD WALI,  
*Afghan Minister for Foreign Affairs.*

(Signed) ABDUL AZIZ, Khan,  
*Afghan Minister at Teheran.*

(Signed) NASSROLLAH EETELA-OL-MOLK,  
*Persian Minister at Kabul.*

In the name of God, to Whom be given glory, We, creature and soldier of the Holy Cause of God, Ameer AMANOLLAH, King of Afghanistan, ratify the present Treaty of friendship, consisting of 12 articles and 3 additional articles, which has been concluded by the official Representatives of the two High Powers on our behalf and on that of His Majesty, Sultan Ahmed SHAH KADJAR, Shahinshah of all Persia, at different dates, and We undertake to put it into execution in its entirety.

*15 Somboleh 1302 (25 Moharam 1342).*

(Signed) AMIR AMANOLLAH KHAN.