

December 2, 1959

DRAFT OF LETTER TO FOREIGN MINISTER OF IRAN

Dear Mr. Foreign Minister:

We have recently had some correspondence with the Government of Afghanistan which you may find interesting. I enclose herewith copies of the items of this correspondence.

I am a member of the Permanent Committee on the Law Governing Use of International Rivers of the Inter-American Bar Association. In preparation for a meeting of this Committee in Miami, Florida, last spring we prepared a document entitled "Survey of International Agreements Providing for Compulsory Adjudication or Other Third-Party Determination of Disputes Concerning the Regulation and Use of International Watercourses." We then wrote to appropriate officials of the states which were mentioned in the survey as having concluded such agreements, requesting any corrections or additional material. Such a letter was sent to the Government of Afghanistan (Enclosure 1). Enclosed with that letter was a copy of the section of our survey (Enclosure 2) dealing with the general arbitration treaty of 1928 between Iran and Afghanistan.

The reply from Afghanistan (Enclosure 3) appears to deny the existence of that treaty. It is possible that the writer of the letter misunderstood us to refer to an arbitration treaty dealing with the Helmand specifically,

but this seems unlikely. It appears that Afghanistan regards the treaty as never having been ratified or for some other reason never having come into effect.

The memorandum also sent us by Afghanistan (Enclosure 4) is interesting as giving the Afghanistan view of the recent negotiations concerning the Helmand. I also enclose our reply to Afghanistan (Enclosure 5).

Yours truly,

John G. Laylin