

N° 268.

PERSE ET RÉPUBLIQUE
SOCIALISTE FÉDÉRATIVE
DES SOVIETS DE RUSSIE

Traité d'amitié, signé à Moscou le
26 février 1921.

PERSIA AND THE RUSSIAN
SOCIALIST FEDERAL SOVIET
REPUBLIC

Treaty of Friendship, signed at
Moscow, February 26, 1921.

¹ TRANSLATION.

No. 268. — TREATY OF FRIENDSHIP BETWEEN PERSIA AND THE RUSSIAN SOCIALIST FEDERAL SOVIET REPUBLIC, SIGNED AT MOSCOW, FEBRUARY 26, 1921.

The PERSIAN GOVERNMENT of the one part, and the RUSSIAN SOCIALIST FEDERAL SOVIET REPUBLIC of the other part, desiring to establish relations of friendship and fraternity between the two nations, have decided to engage in negotiations for this purpose, and have therefore appointed the following plenipotentiaries :—

For PERSIA : ALI GHOLI KHAN MOCHAVEROL-MEMALEK, and for RUSSIA : O. V. TCHITCHERIN and L. M. KARAKHAN,

who after the verification of their respective powers, have agreed as follows :

Article 1.

In order to confirm its declarations regarding Russian policy towards the Persian nation, which formed the subject of correspondence on January 14, 1918, and June 26, 1919, the R. S. F. S. R. formally affirms once again that it definitely renounces the tyrannical policy carried out by the Colonising Governments of Russia which have been overthrown by the will of the workers and peasants of Russia.

Inspired by this principle, and desiring that the Persian people should be happy and independent and should be able to dispose freely of its patrimony, the Russian Republic declares the whole body of treaties and conventions concluded with Persia by the Tsarist Government, which crushed the rights of the Persian people, to be null and void.

Article 2.

The R. S. F. S. R. expresses its reprobation of the policy of the Tsarist Governments of Russia, which, on the pretext of ensuring the independence of the peoples of Asia, concluded, without the consent of the latter, treaties with European Powers, the sole object of which was to subjugate those peoples.

This criminal policy, which infringed upon the independence of the countries of Asia and which made the living nations of the East a prey to the cupidity and the tyranny of European robbers, is abandoned unconditionally by Federal Russia.

Federal Russia, therefore, in accordance with the principles laid down in Articles 1 and 4 of this Treaty, declares its refusal to participate in any action which might destroy or weaken Persian sovereignty. It regards as null and void the whole body of treaties and conventions concluded by the former Russian Government with third parties in respect of Persia or to the detriment of that country.

¹ Translated by the Secretariat of the League of Nations.

Article 3.

The two Contracting Powers agree to accept and respect the Russo-Persian frontiers, as drawn by the Frontier Commission in 1881.

At the same time, in view of the repugnance which the Russian Federal Government feels to enjoying the fruit of the policy of usurpation of the Tsarist Government, it renounces all claim to the Achouradeh Islands and to the other islands on the Astrabad Littoral, and restores to Persia the village of Firouzeh and the adjacent land ceded to Russia in virtue of the Convention of May 28, 1893.

The Persian Government agrees for its part that the Russian Sarakhs, or "old" Sarakhs, and the land adjacent to the Sarakhs River, shall be retained by Russia.

The two High Contracting Parties shall have equal rights of usage over the Atrak River and the other frontier rivers and waterways. In order finally to solve the question of the waterways and all disputes concerning frontiers or territories, a Commission, composed of Russian and Persian representatives, shall be appointed.

Article 4.

In consideration of the fact that each nation has the right to determine freely its political destiny, each of the two Contracting Parties formally expresses its desire to abstain from any intervention in the internal affairs of the other.

Article 5.

The two High Contracting Parties undertake :

(1) To prohibit the formation or presence within their respective territories, of any organisations or groups of persons, irrespective of the name by which they are known, whose object is to engage in acts of hostility against Persia or Russia, or against the Allies of Russia.

They will likewise prohibit the formation of troops or armies within their respective territories with the afore-mentioned object.

(2) Not to allow a third Party or any organisation, whatever it be called, which is hostile to the other Contracting Party, to import or to convey in transit across their countries material which can be used against the other Party.

(3) To prevent by all means in their power the presence within their territories or within the territories of their Allies of all armies or forces of a third Party in cases in which the presence of such forces would be regarded as a menace to the frontiers, interests or safety of the other Contracting Party.

Article 6.

If a third Party should attempt to carry out a policy of usurpation by means of armed intervention in Persia, or if such Power should desire to use Persian territory as a base of operations against Russia, or if a Foreign Power should threaten the frontiers of Federal Russia or those of its Allies, and if the Persian Government should not be able to put a stop to such menace after having been once called upon to do so by Russia, Russia shall have the right to advance her troops into the Persian interior for the purpose of carrying out the military operations necessary for its defence. Russia undertakes, however, to withdraw her troops from Persian territory as soon as the danger has been removed.

Article 7.

The considerations set forth in Article 6 have equal weight in the matter of the security of the Caspian Sea. The two High Contracting Parties therefore have agreed that Federal Russia shall have the right to require the Persian Government to send away foreign subjects, in the event of their taking advantage of their engagement in the Persian navy to undertake hostile action against Russia.

Article 8.

Federal Russia finally renounces the economic policy pursued in the East by the Tsarist Government, which consisted in lending money to the Persian Government, not with a view to the economic development of the country, but rather for purposes of political subjugation.

Federal Russia accordingly renounces its rights in respect of the loans granted to Persia by the Tsarist Governments. It regards the debts due to it as void, and will not require their repayment. Russia likewise renounces its claims to the resources of Persia which were specified as security for the loans in question.

Article 9.

In view of the declaration by which it has repudiated the colonial and capitalist policy which occasioned so many misfortunes and was the cause of so much bloodshed, Federal Russia abandons the continuation of the economic undertakings of the Tsarist Government, the object of which was the economic subjugation of Persia. Federal Russia therefore cedes to the Persian Government the full ownership of all funds and of all real and other property, which the Russian Discount Bank possesses on Persian territory, and likewise transfers to it all the assets and liabilities of that Bank. The Persian Government nevertheless agrees that in the towns where it has been decided that the Russian Socialist Republic may establish Consulates, and where buildings exist belonging to the Discount Bank, one of these buildings, to be chosen by the Russian Government, shall be placed at the disposal of the Russian Consulate, free of charge.

Article 10.

The Russian Federal Government, having abandoned the colonial policy, which consisted in the construction of roads and telegraph lines more in order to obtain military influence in other countries than for the purpose of developing their civilisations, and being desirous of providing the Persian people with those means of communication indispensable for the independence and development of any nation, and also in order to compensate the Persian people as far as possible for the losses incurred by the sojourn in its territory of the Tsarist armies, cedes free of charge to the Persian Government the following Russian installations :

- (a) The high-roads from Enzeli to Teheran, and from Kazvin to Hamadan, and all land and installations in connection with these roads.
- (b) The rail-road Djoulfa-Tauris-Sofian Urmiah, with all installations, rolling-stock and accessories.
- (c) The landing-stages, warehouses, steamships, canals, and all means of transport of the lake of Urmiah.
- (d) All telegraph and telephone lines established in Persia by the Tsarist Governments, with all moveable and immoveable installations and dependencies.
- (e) The port of Enzeli and the warehouses, with the electrical installation, and other buildings.

Article 11.

In view of the fact that the Treaty of Turkomantchai, concluded on February 10, 1828 (old style), between Persia and Russia, which forbids Persia, under the terms of Article 8, to have vessels in the waters of the Caspian Sea, is abrogated in accordance with the principles set forth in Article 1 of the present Treaty, the two High Contracting Parties shall enjoy equal rights of free navigation on that Sea, under their own flags, as from the date of the signing of the present Treaty.

Article 12.

The Russian Federal Government, having officially renounced all economic interests obtained by military preponderance, further declares that, apart from the concessions which form the subject of Articles 9 and 10, the other concessions obtained by force by the Tsarist Government and its subjects shall also be regarded as null and void.

In conformity with which the Russian Federal Government restores, as from the date of the signing of the present Treaty, to the Persian Government, as representing the Persian people, all the concessions in question, whether already being worked or not, together with all land taken over in virtue of those concessions.

Of the lands and properties situated in Persia and belonging to the former Tsarist Government, only the premises of the Russian Legation at Teheran and at Zerguendeh with all moveable and immoveable appurtenances, as well as all real and other property of the Consulates and Vice-Consulates, shall be retained by Russia. Russia abandons, however, her right to administer the village of Zerguendeh, which was assigned by the ex-Government of the Tsar.

Article 13.

The Persian Government, for its part, promises not to cede to a third Power, or to its subjects, the concessions and property restored to Persia by virtue of the present Treaty, and to maintain those rights for the Persian nation.

Article 14.

The Persian Government, recognising the importance of the Caspian fisheries for the food supply of Russia, promises to conclude with the Food Service of the Russian Socialist Federal Soviet Republic immediately upon the expiry of the legal period of these existing engagements, a contract relating to the fisheries, containing appropriate clauses. Furthermore, the Persian Government promises to examine, in agreement with the Government of the Russian Socialist Federal Soviet Republic, the means of at once conveying the produce of the fisheries to the Food Service of Soviet Russia pending the conclusion of the above contract.

Article 15.

In accordance with the principle of liberty of conscience proclaimed by Soviet Russia, and with a desire to put an end, in Moslem countries, to religious propaganda, the real object of which was to exercise political influence over the masses and thus to satisfy the rapacity of the Tsarist Government, the Government of Soviet Russia declares that the religious settlements established in Persia by the former Tsarist Governments are abolished. Soviet Russia will take steps to prevent such missions from being sent to Persia in the future.

Soviet Russia cedes unconditionally to the nation represented by the Persian Government, the lands, property and buildings belonging to the Orthodox Mission situated at Urmia, together with the other similar establishments. The Persian Government shall use these properties for the construction of schools and other institutions intended for educational purposes.

Article 16.

By virtue of the communication from Soviet Russia dated June 25, 1919, with reference to the abolition of consular jurisdictions, it is decided that Russian subjects in Persia and Persian subjects in Russia shall, as from the date of the present Treaty, be placed upon the same footing as the inhabitants of the towns in which they reside ; they shall be subject to the laws of their country of residence, and shall submit their complaints to the local courts.

Article 17.

Persian subjects in Russia and Russian subjects in Persia shall be exempt from military service and from all military taxation.

Article 18.

Persian subjects in Russia and Russian subjects in Persia shall, as regards travel within the respective countries, enjoy the rights granted to the most favoured nations other than countries allied to them.

Article 19.

Within a short period after the signature of the Present Treaty, the two High Contracting Parties shall resume commercial relations. The methods to be adopted for the organisation of the import and export of goods, methods of payment, and the customs duties to be levied by the Persian Government on goods originating in Russia, shall be determined, under a commercial convention, by a special commission consisting of representatives of the two High Contracting Parties.

Article 20.

Each of the two High Contracting Parties grants to the other the right of transit for the transport of goods passing through Persia or Russia and consigned to a third country.

The dues exacted in such cases shall not be higher than those levied on the goods of the most favoured nations other than countries allied to the Russian Socialist Federal Soviet Republic.

Article 21.

The two High Contracting Parties shall open telegraphic and postal relations between Russia and Persia within the shortest possible period after the signature of the present Treaty.

The conditions of these relations shall be fixed by a postal and telegraphic convention.

Article 22.

In order to consolidate the good relations between the two neighbouring Powers and to facilitate the realisation of the friendly intentions of each country towards the other, each of the High Contracting Parties shall, immediately after the signature of the present Treaty, be represented in the capital of the other by a Plenipotentiary Representative, who shall enjoy the rights of extra-territoriality and other privileges to which diplomatic representatives are entitled by international law and usage and by the regulations and customs of the two countries.

Article 23.

In order to develop their mutual relations, the two High Contracting Parties shall establish Consulates in places to be determined by common agreement.

The rights and duties of the Consuls shall be fixed by a special agreement to be concluded without delay after the signature of the present Treaty. This agreement shall conform to the provisions in force in the two countries with regard to consular establishments.

Article 24.

This Treaty shall be ratified within a period of three months. The exchange of ratifications shall take place at Teheran as soon as possible.

Article 25.

The present Treaty is drawn up in Russian and Persian. Both texts shall be regarded as originals and both shall be authentic.

Article 26.

The present Treaty shall come into force immediately upon signature.

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

Done at Moscow February 26, 1921.

(Signed) G. TCHITCHERIN.
L. KARAKHAN
MOCHAUVEROL-MEMALEK.

No. 2654.

ANNEX I.

TEHERAN, *December 12, 1921.*

SIR,

The Persian Government and the Mejlis have observed that Articles 5 and 6 of the Treaty concluded between our two countries are worded vaguely ; the Mejlis moreover, desires that the retrocession of Russian concessions to the Persian Government should be made without reserve or condition, and, that Article 20 should be so worded as to allow the Persian Government full powers for the transit of imports and exports. Conversations have taken place with you on these questions, and you have given explanations with regard to Articles 5 and 6 and promises concerning Articles 13 and 20, to the effect that if the Treaty were passed by the Mejlis you would give all the assistance in your power to ensure that the two Articles in question should be revised on the lines desired by the Mejlis and the Persian Government. The Persian Government and the Mejlis are most desirous that friendly relations should be re-established between our two Governments, and that the Treaty, which is based upon the most amicable sentiments, should be concluded as soon as possible.

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I have, therefore, the honour to request you to give in writing your explanations with regard to the interpretation of Articles 5 and 6, and to repeat the promises of support which you have already given as regards the revision of Articles 13 and 20, in order that the Persian Government may be enabled to secure the passing of the Treaty by the Mejlis.

I also wish to ask you to take the necessary steps to repair the error which has been made in Article 3, in which the word "commission" was written instead of "treaty", as the only treaty which was concluded in 1881 was a frontier delimitation treaty, and this is the treaty referred to in Article 3.

I have the honour to be, Sir, etc.

(Signed) MOCHAROS-SALTANEH.

No. 1600.

ANNEX II.

TEHERAN, December 12, 1921.

YOUR EXCELLENCY,

In reply to your letter dated 20th day of Ghows, I have the honour to inform you that Articles 5 and 6 are intended to apply only to cases in which preparations have been made for a considerable armed attack upon Russia or the Soviet Republics allied to her, by the partisans of the regime which has been overthrown or by its supporters among those foreign Powers which are in a position to assist the enemies of the Workers' and Peasants' Republics and at the same time to possess themselves, by force or by underhand methods, of part of the Persian territory, thereby establishing a base of operations for any attacks — made either directly or through the counter-revolutionary forces — which they might meditate against Russia or the Soviet Republics allied to her. The Articles referred to are therefore in no sense intended to apply to verbal or written attacks directed against the Soviet Government by the various Persian groups, or even by any Russian émigrés in Persia, in so far as such attacks are generally tolerated as between neighbouring Powers animated by sentiments of mutual friendship.

With regard to Articles 13 and 20, and the small error to which you draw attention in Article 3 with reference to the Convention of 1881, I am in a position to state categorically, as I have always stated, that my Government, whose attitude towards the Persian nation is entirely friendly, has never sought to place any restriction upon the progress and prosperity of Persia. I myself fully share this attitude, and would be prepared, should friendly relations be maintained between the two countries, to promote negotiations with a view to a total or partial revision of these Articles on the lines desired by the Persian Government, as far as the interests of Russia permit.

In view of the preceding statements, I trust that, as you promised me in your letter, your Government and the Mejlis will ratify the Treaty in question as soon as possible.

I have the honour to be, Your Excellency, etc.

(Signed) ROTSTEIN,
*Diplomatic Representative of the
Russian Socialist Federal Soviet Republic.*