

des prairies situées au sud et à l'ouest de la ligne frontière dans le rayon dudit lac, et des eaux des sources de Salep, de Kozlu et de Yukari Yarim Kaya.

« Il est entendu que le présent échange de notes constitue partie intégrante de l'accord signé en date de ce jour. » . . .

Iran-Union of Soviet Socialist Republics

102. TREATY¹ OF FRIENDSHIP BETWEEN PERSIA AND THE RUSSIAN SOCIALIST FEDERAL REPUBLIC, SIGNED AT MOSCOW, FEBRUARY 26, 1921²

. . .

Article 3

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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.

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103. CONVENTION³ BETWEEN THE GOVERNMENTS OF U.S.S.R. AND PERSIA REGARDING THE MUTUAL USE OF FRONTIER RIVERS AND WATERS, SIGNED AT ASHKHABAD, FEBRUARY 20, 1926⁴

The Governments of U.S.S.R. and Persia, having realized the necessity for establishing definite quotas and a procedure for the mutual use of frontier rivers and waters extending from the Geri-Roud River to the Caspian Sea, in accordance with Article III of the Peace Treaty between R.S.F.S.R. and Persia signed on February 26, 1921, have decided to conclude a Convention regarding this question.

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I. All the waters of the Geri-Roud (Tedjen) River, down stream from the Pul-i-khatun Bridge and coextensive with the frontier between the Contracting Parties, shall be divided into ten equal parts; three parts shall be utilized by Persia and seven parts by U.S.S.R.

¹ Came into force immediately upon signature, in accordance with article 26. The exchange of ratification took place at Tcheran on February 26, 1922.

² League of Nations, *Treaty Series*, vol. 9, p. 401.

³ Came into force immediately after its signature, in accordance with article 23. The exchange of ratification took place in Tcheran on 24 September 1926.

⁴ L. Shapiro, *Soviet Treaty Series*, vol. I, p. 314.

The measurement of the water of the Geri-Roud (Tedjen) River shall be conducted by technicians of the Contracting Parties at the village of Doulet-Abada and on all the canals diverging from the Geri-Roud River into the territory of Persia, as well as conducted on the territory of U.S.S.R. along the entire distance of the Geri-Roud River from the village of Doulet-Abada up to the Pul-i-khatun Bridge. All the water obtained as a result of said measurements shall be subject to division into ten equal parts.

For the purpose of accurately dividing the water of the Geri-Roud River at Doulet-Abada, technicians of the Contracting Parties will erect a permanent water gauge. The expenses for the erection of this gauge will be borne by the Contracting Parties, in accordance with a mutual agreement concerning this project and proportionately to the quotas received by them at that point.

II. Prior to the construction of a reservoir (in accordance with Article III of the present Convention) the settlement of Garmah on the territory of Persia (15 versts above Pul-i-khatun) and the Pul-i-khatun post on the territory of U.S.S.R. shall each have the right to draw 50 secundo-liters of water from the Geri-Roud River. If one of the Contracting Parties uses more than 50 liters of water for its settlement, the surplus will be charged against that Party below the Pul-i-khatun Bridge.

III. In view of the fact that the division of water from the Geri-Roud (Tedjen) River, as determined by the present Convention, may not satisfy the needs of either Contracting Party due to considerable losses of water from the Geri-Roud (Tedjen) River during the spring floods, both Parties recognize the expediency of installing a reservoir on the Geri-Roud River, above Pul-i-khatun, which would be capable of damming surplus waters for the use of the Contracting Parties.

The Contracting Parties express their agreement to the installation of such a reservoir, to an appropriate technical examination of the region, and to the conclusion of a special agreement concerning the construction and exploitation of a reservoir, and the principles concerning the division of the water therefrom.

IV. All the water of the Chaachaa River, with all its tributaries, shall be divided into two equal parts; one for the benefit of Persia, and the other shall be let into the territory of U.S.S.R.

The measurement of the water of the Chaachaa River will be conducted by technicians of the Contracting Parties on the frontier and on all the canals diverging from the Chaachaa River on the territory of Persia, from the frontier up to the junction point of the Abegarm and Hour Rivers (at the village of Amir-Abad). All the water obtained as a result of said measurements is subject to division into two equal parts.

V. All the water of the river Meana (Kara-Rikan), with all its tributaries, shall be divided into two equal parts, of which one shall pass into Persia's use and the other shall be led into USSR territory.

The volume of the water of the river Meana (Kara-Tikan) shall be measured by technicians of the Contracting Parties on the frontier line and on all channels leading out of the river Meana (Kara-Tikan) in the territory of Persia up to a distance of ten versts from the frontier line. The entire quantity of water ascertained by this measurement shall also be subject to division into two equal parts.

VI. All the water of the Kelat Chai (Nafte) River with all its tributaries shall be divided into two equal parts; one part for the benefit of Persia and the other shall be let into the territory of U.S.S.R.

The measurement of the water of the Kelat Chai (Nafte) River shall be conducted by technicians of the Contracting Parties on the frontier, and on all the canals diverging from the Kelat-Chai river on the territory of Persia, from the frontier up to the village of Derbende-Nafte. All the water obtained as a result of said measurements is subject to division into two equal parts.

VII. All the waters of the Archinian (Archangan) River with all its tributaries shall be divided into two equal parts; one for the benefit of Persia, and the other shall be let into the territory of U.S.S.R.

The measurement of the water of the Archinian (Archangan) River shall be conducted by technicians of the Contracting Parties on the frontier and on all the canals diverging from the Archinian (Archangan) River on the territory of Persia for a distance of 5 versts from the frontier along both tributaries of the Archinian (Archangan) River. All the water obtained as a result of said measurements is subject to division into two equal parts.

VIII. All the water of the Lain-Sou-River with all its tributaries shall be divided into two equal parts; one for the benefit of Persia and the other shall be let into the territory of U.S.S.R.

The measurement of the water of the Lain-Sou-River shall be conducted by technicians of the Contracting Parties on the frontier and on all the canals diverging from the Lain-Sou-River on the territory of Persia, from the frontier to the point where the Hakestar stream flows into the Lain-Sou-River. All of the water obtained as a result of said measurements is subject to division into two equal parts.

IX. All the waters of the Kazgan Chai (Zenginanlou) River shall be divided into five equal parts; two for the benefit of Persia and the other three parts for U.S.S.R.

The measurement of the water of the Kazgan Chai (Zenginanlou) River shall be conducted by technicians of the Contracting Parties on the frontier and on all the canals diverging from the Kazgan Chai (Zenginanlou) River on the territory of Persia, from the frontier to the place above the village of Zenginanlou where the latter receives its water. All the water obtained as a result of said measurements is subject to division into five equal parts; Persia's quota (2.5) shall also include that amount of water which passes through the territory of U.S.S.R. from the Kazgan Chai River for the purpose of supplying the region of Lutfabad.

The Government of U.S.S.R. shall undertake to let pass, without hindrance, along the canal passing through its territory that quantity of water which Persia allocates out of its quota for the use of the Lutfabad region.

For the purpose of supplying water to the Lutfabad region, the Persian Government is extended the right to permit water to flow through the Babadjik canal, instead of through the existing canal, or else to erect a new canal on the territory of U.S.S.R. This right is extended by U.S.S.R. to Persia gratis. The site of the new canal will be determined on agreement with the Government of U.S.S.R. All expenses in connection with the re-establishment of the Babadjik canal, or the erection of a new canal, shall be the responsibility of the Persian Government.

The Government of U.S.S.R. agrees to let through its territory, without

hindrance, Persian citizens who are supplied with appropriate identification cards and are assigned to clearing and repairing the canal which services the region of Lutfabad.

X. The Persian Government shall undertake to allot to U.S.S.R. 10 liters of water per second (one-half senga) for the use of the Artik station, from the Gulriz canal which is on the territory of U.S.S.R.

For the purpose of measuring these waters, U.S.S.R. shall erect on the frontier of its own territory, at its own expense and in the presence of Persian technicians, a new water guage.

XI. All the water from the Durungar River and the salted springs at the river bed of the Durungar river shall pass to the full use of Persia.

XII. All the water of the Kelta-Chinar River shall pass to the use of Persia. The Persian Government shall undertake not to hinder the citizens of U.S.S.R. who are presently using the waters of the springs found on the territory of Persia in the valley of the Kelta-Chinar River (below the Persian settlement of Keltai-Chinar), as well as to let through, without hindrance, the citizens of U.S.S.R. who are provided with the proper identification cards for the purpose of cleaning and maintaining the spring, river beds and channels leading from them.

XIII. All the water of the Firuzinka (Firuza) River after satisfying the needs of the inhabitants of Firuza will pass to the use of the lower village of U.S.S.R.

XIV. All the water of the Chandir (Chandor) River, which is found on the territory of Persia, will be divided into two equal parts; one for the benefit of Persia and the other will be let into the territory of U.S.S.R.

The measurement of the waters of the Chandir (Chandor) River shall be conducted by technicians of the Contracting Parties on the frontier and on all the canals diverging from the Chandir River on the territory of Persia, at a distance of 7 versts from the frontier. All the water obtained as a result of said measurements is subject to division into two equal parts.

XV. All the water of the Soumbar River which is coextensive with the frontier between Persia and U.S.S.R., including the water of the tributaries of the Kouloun-Kalasi-Sou and Daine-Sou Rivers shall be divided into two equal parts; one for the benefit of Persia and the other for U.S.S.R.

The measurement of the water will be conducted by technicians of the Contracting Parties at the point of junction of Kouloun-Kalasi-Sou and Daine-Sou Rivers and on all the canals diverging from Kouloun-Kalasi-Sou on the territory of Persia, for a distance of 7 versts up stream from the frontier, as well as conducted on all the canals diverging on either side of Daine-Sou River along its entire length. All the water obtained as a result of said measurements is subject to division into two equal parts.

In case U.S.S.R., after signing the present Convention, should construct along the Soumbar River on its territory hydrotechnical installations for the purpose of damming the water, the Government of U.S.S.R. shall undertake to let the same amount of water, during the period of irrigation, into the Atreck River as would pass on the basis of meteorological conditions and in the absence of such installations. U.S.S.R. shall forewarn the Persian Government of its decision to establish these installations.

XVI. All the water of the Atreck River which is coextensive with the frontier between the Contracting Parties shall be divided into two equal parts; one part for Persia and the other for U.S.S.R.

The measurement of the water of the Atreck River shall be conducted by technicians of the Contracting Parties for a distance of 14 versts from the frontier up stream on the territory of Persia. All of the water obtained as a result of said measurements is subject to division into two equal parts.

In case Persia should decide, after the signing of the present Convention, to erect hydrotechnical installations along the Atreck River, on its territory, for the purpose of damming the water, the Government of Persia shall undertake to let pass, during the irrigation period, to the frontier between Persia and U.S.S.R., where the division of the water of the Atreck River begins, the same quantity of water that would have been available in accordance with meteorological conditions and in the absence of such installations. Persia shall forewarn U.S.S.R. of its decision to establish such installations.

XVII. The measurement of water mentioned in the present Convention shall be made on request of Persia or U.S.S.R. jointly by technicians and mirabs of the Contracting Parties; simultaneously on each separate river and on the canals diverging therefrom.

Persia and U.S.S.R. shall undertake to let without hindrance, on their territories, the technicians and mirabs who are assigned to conduct the mission indicated in the present Convention, along separate rivers, and who are supplied with adequate credentials which include an indication of the points of the frontier to be crossed.

XVIII. The measurement of the water on the frontier shall be made at the places most adapted for it; within 200 meters from the frontier on the territory of Persia or U.S.S.R. These places shall be established on agreement of the technicians of the Contracting Parties. At the sites of these measurements, the technicians of U.S.S.R., at the expense of U.S.S.R., and in the presence of a technician from Persia, shall establish on each river a hydrometrical post, consisting of three levelling-laths (water), one marker and one service bridge; the bed of the river, in case of necessity, shall be put in a proper state of repair.

The technicians and mirabs of both U.S.S.R. and Persia shall have equal rights in the use of hydrometrical posts.

XIX. In case of disagreement between the mirabs of the Contracting Parties concerning any question of water utilization along the Geri-Roud (Tedjen) River, such disagreements shall be brought to the mutual decision of the following representatives of Persia and U.S.S.R. (with the right to be represented by their deputies):

On the Geri-Roud (Tedjen) River, the Governor of Serakhs, on the part of Persia, and the Serakhs Regional Hydrotechnician, on the part of U.S.S.R.; on the Chaachaa, Meana (Kara-Tikan) and Kelat Chai (Nafte) Rivers, the Governor of Kelat, on the part of Persia, and the Dushak Regional Hydrotechnician, on the part of U.S.S.R.; on the Archinian (Archangan) and Lian-Sou rivers, the Governor of Kelat, on the part of Persia, and the regional hydrotechnician at Ginsburg (Krakhka), on the part of U.S.S.R.; on the Kazgan Chai and Gulriz Rivers, the Governor of Mahmed-Abad, on the part of Persia, and the regional hydrotechnician at Ginsburg (Krakhka), on the part of U.S.S.R.; on the Kelte-Chinar River, the Governor of

Mahmed-Abad, on the part of Persia, and the Poltoratsk Regional Hydro-technician, on the part of U.S.S.R.; on the Firuza River, the Governor of Kucha, on the part of Persia, and the Poltoratsk Regional Hydrotechnician, on the part of U.S.S.R.; on the Chindar (Chandor) and Soumbar-Rivers, the Governor of Bujnor, on the part of Persia, and the Kara-Kalin Regional Hydrotechnician, on the part of U.S.S.R.; on the Atreck River, the Governor of Astrabad, on the part of Persia and the Bayan-Haja Regional Hydro-technician on the part of U.S.S.R.

In case no agreement is reached regarding these disagreements by the regional hydrotechnicians and governors (or their deputies), these questions shall be transferred for a final decision of the chief Karguzar and the consul general of U.S.S.R. at Meshed.

XX. In cases of violation by the citizens of the Contracting Parties of the quotas or procedure for the mutual use of frontier rivers and waters, as established by the present Convention, the above-indicated representatives shall adopt the necessary measures for settling the violations which have arisen and conduct the investigation for bringing those guilty of such infringements before the law.

XXI. Quotas and procedure for the utilization of frontier waters established by the present Convention shall be communicated by the Contracting Parties, on their territories, to the local frontier authorities and population of the regions adjacent to the rivers, within a month's time from the date of signature of this Convention.

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Iraq-Turkey

104. PROTOCOLE¹ RELATIF À LA RÉGULARISATION DES EAUX DU TIGRE ET DE L'EUPHRATE ET DE LEURS AFFLUENTS ANNEXÉ AU TRAITÉ D'AMITIÉ ET DE BON VOISINAGE ENTRE L'IRAK ET LA TURQUIE, SIGNÉ À ANKARA, LE 29 MARS 1946²

L'Irak et la Turquie,

reconnaissant l'importance que présente pour l'Irak la construction d'ouvrages de conservation sur le Tigre et l'Euphrate et leurs affluents, afin d'assurer le maintien d'un approvisionnement régulier en eau et la régularisation du débit des deux fleuves, pour éviter le danger d'inondation pendant les périodes annuelles de crue,

estimant qu'il est probable que, après investigation, les emplacements les plus convenables pour la construction de barrages et autres ouvrages similaires, dont la totalité des frais sera à la charge de l'Irak, soient situés en territoire turc,

d'accord, également, sur la nécessité d'installer des stations permanentes d'observation, en territoire turc, en vue d'enregistrer le débit des fleuves

¹ Entré en vigueur le 10 mai 1948, par l'échange des instruments de ratification à Bagdad, conformément aux dispositions de l'article 7.

² Nations Unies, *Recueil des Traités*, vol. 37, p. 286.