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THIRTIETH SESSION OF THE COUNCIL.

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matters will begin. It appears to the British Government that that will be the appropriate moment for the two Governments concerned — that is to say, the Persian and Iraq Governments — to discuss any reciprocal judicial arrangements which they may consider desirable for the protection of the respective interests of Iraqis in Persia and of Persians in Iraq.

I should like to add that the British Government is desirous that this matter should be settled in a friendly spirit with the Persian Government, and it hopes that on the principle of reciprocity, which was the basis of the old arrangement, this may be carried out. As soon as the Council has accepted the proposals now before it, the position of the Iraq State will have been regularised, and it will then be possible to deal with questions of this kind.

Prince ARFA-ED-DOWLEH said that Persia had a Treaty with the former Turkish Empire which contained the "most-favoured-nation" clause. By that Treaty, Turks all over Persia had enjoyed the same rights as Persians. The Persian police had never been allowed to enter a Turkish house or store without informing the Turkish Consulate and unless accompanied by the Consulate dragoman. Reciprocity had existed. The Turkish police had never been allowed to enter a Persian house either at Constantinople or in Mesopotamia or elsewhere without giving notice to the Persian Consulate and without being accompanied by the dragoman. This regulation had come into force under the Treaty of Erzerum concluded with Turkey.

Moreover, in the East there existed a custom which took the place of procedure and conferred on Persians in Turkey and Mesopotamia the rights which Persia now wished to retain.

Equality between all the Members of the League was what Persia was requesting. The privileges granted by Great Britain to European States on the Council should also be accorded to Persia.

Persia would willingly enter into negotiations with Great Britain to conclude a treaty with her. He asked the Council to make a recommendation that Great Britain should take into consideration the Persian claim.

Lord PARMOOR said: His Excellency the Persian representative has stated quite accurately that it was a question of reciprocal rights in Turkey and Persia. I have stated, on behalf of the British Government, that we are prepared to use our good offices in promoting negotiations as between Iraq and Persia for a similar system. I do not know the exact details; that would have to be considered; but we are willing to encourage negotiations for a similar system of reciprocal rights and will do our best to assist in carrying these negotiations to a successful conclusion. I hope that will satisfy His Excellency.

Prince ARFA-ED-DOWLEH thanked Lord Parmoor for his friendly declaration and asked the Council to recommend the British Government to take steps to bring these negotiations to a successful conclusion as soon as possible in the sense just indicated and in conformity with the principle of equality between the Members of the League of Nations.

M. BRANTING proposed the following resolution:

"The Council:

"Having taken note of the declarations of the representatives of Great Britain and Persia:

"Expresses the hope that, in accordance with these declarations, an agreement will soon be reached on the judicial situation of Persian nationals in Iraq."

The British and Persian representatives accepted the resolution, which was adopted by the Council.

Prince Arfa-ed-Dowleh withdrew.

1305. **British Mandate for Iraq: Adoption of the Draft Instrument submitted by the British Government.**

M. BRANTING said that, as Rapporteur, he had no objection whatever to the draft instrument submitted to the Council by Great Britain concerning the mandate for Iraq. He asked whether any representative on the Council had any observations to offer.

The Council unanimously adopted the following decision:

"The Council of the League of Nations:

"Having regard to Article 16 of the Treaty of Peace signed at Lausanne on July 24th, 1923;

"Having regard to Article 22 of the Covenant of the League of Nations;

"In view of the communication which has been made by the Government of His Britannic Majesty to the Council of the League of Nations on September 27th, 1924, in the following terms:

"Whereas the territory of Iraq which formerly constituted a part of the Turkish Empire passed into the occupation of the military forces of His Britannic Majesty in the course of the recent war, and

"Whereas it was intended by the Principal Allied Powers that the territory of Iraq should, until such time as it might be able to stand alone, be entrusted to a Mandatory charged with the duty of rendering administrative advice and assistance to the

population in accordance with the provisions of Article 22 (paragraph 4) of the Covenant, and that this mandate should be conferred on His Britannic Majesty ; and

“ ‘ Whereas His Britannic Majesty agreed to accept the mandate for Iraq ; and

“ ‘ Whereas His Britannic Majesty has, in view of the rapid progress of Iraq, recognised an independent Government therein and has concluded with the King of Iraq a Treaty with Protocol and subsidiary agreements, as set forth in the schedule hereto, and hereinafter referred to as the Treaty of Alliance ; and

“ ‘ Whereas the purpose of the said Treaty of Alliance is to ensure the complete observance and execution in Iraq of the principles which the acceptance of the mandate was intended to secure :

“ ‘ The Government of His Britannic Majesty is willing to agree as follows :

I.

“ ‘ So long as the Treaty of Alliance is in force, His Majesty’s Government will assume, towards all Members of the League of Nations who accept the provisions of this arrangement and the benefits of the said Treaty, responsibility for the fulfilment by Iraq of the provisions of the said Treaty of Alliance.

II.

“ ‘ During the currency of the Treaty of Alliance the Government of His Britannic Majesty, in consultation with His Majesty the King of Iraq, will take such steps as may be necessary for the conclusion of special extradition agreements on behalf of Iraq. Copies of all such agreements shall be communicated to the Council of the League.

III.

“ ‘ An annual report to the satisfaction of the Council of the League will be made to the Council as to the measures taken in Iraq during the year to carry out the provisions of the Treaty of Alliance. Copies of all laws and regulations promulgated in Iraq during the year will be attached to the said report.

IV.

“ ‘ No modifications of the terms of the Treaty of Alliance will be agreed to by His Britannic Majesty’s Government without the consent of the Council of the League.

V.

“ ‘ If any dispute should arise between the Government of His Britannic Majesty and that of another Member of the League as to whether the provisions of the Treaty of Alliance or of the present decision are being fulfilled in Iraq, or as to their interpretation or application, such dispute, if it cannot be settled by negotiation, shall be submitted to the Permanent Court of International Justice provided for by Article 14 of the Covenant of the League.

VI.

“ ‘ In the event of Iraq being admitted to the League of Nations, the obligations hereby assumed by His Britannic Majesty’s Government shall terminate.

VII.

“ ‘ On the conclusion of the period for which the Treaty of Alliance has been concluded, the Council of the League of Nations shall, if Iraq has not been admitted to the League, be invited to decide what further measures are required to give effect to Article 22 of the Covenant.’

“ ‘ *Accepts* the undertakings of the Government of His Britannic Majesty ;

“ ‘ *Approves* the terms of the above communication as giving effect to the provisions of Article 22 of the Covenant ;

“ ‘ And *decides* that the privileges and immunities, including the benefits of consular jurisdiction and protection formerly enjoyed by capitulation or usage in the Ottoman Empire, will not be required for the protection of foreigners in Iraq so long as the Treaty of Alliance is in force.

“ ‘ The present instrument shall be deposited in original in the archives of the League of Nations, and certified copies shall be forwarded by the Secretary-General of the League of Nations to all Members of the League.

“ ‘ *Done* at Geneva, on the 27th day of September, One thousand nine hundred and twenty-four.