



**TREATY SERIES No. 17 (1925).**

## **TREATY OF ALLIANCE**

BETWEEN

**GREAT BRITAIN AND IRAK,**

Signed at Bagdad, October 10, 1922;

AND

**Protocol to Treaty of Alliance between  
Great Britain and Irak of October 10, 1922,**

Signed at Bagdad, April 30, 1923;

TOGETHER WITH

**Agreements subsidiary to the Treaty of  
Alliance between Great Britain and Irak  
of October 10, 1922,**

Signed at Bagdad, March 25, 1924.

(Ratifications exchanged at Bagdad, December 19, 1924.)

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*Presented by the Secretary of State for Foreign Affairs to Parliament  
by Command of His Majesty.*

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No. 1.

**Treaty between His Britannic Majesty and His Majesty  
the King of Irak.**

*Signed at Bagdad, October 10, 1922.*

[*Ratifications exchanged at Bagdad, December 19, 1924.*]

His Britannic Majesty of the one part, and His Majesty the King of Irak of the other part ;

Whereas His Britannic Majesty has recognised Feisal Ibn Hussein as constitutional King of Irak ; and

Whereas His Majesty the King of Irak considers that it is to the interests of Irak and will conduce to its rapid advancement that he should conclude a treaty with His Britannic Majesty on the basis of alliance ; and

Whereas His Britannic Majesty is satisfied that the relations between himself and His Majesty the King of Irak can now be better defined by such a treaty of alliance than by any other means :

For this purpose the High Contracting Parties have appointed as their plenipotentiaries :—

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India :

Sir Percy Zachariah Cox, G.C.M.G., G.C.I.E., K.C.S.I.,  
High Commissioner and Consul-General of His Britannic Majesty in Irak ;

His Majesty the King of Irak :

His Highness Sir Saiyid 'Abd-ur-Rahman, G.B.E., Prime Minister and Naqib-al-Ashraf, Bagdad ;

Who, having communicated their full powers, found in good and due order, have agreed as follows :—

**ARTICLE 1.**

At the request of His Majesty the King of Irak, His Britannic Majesty undertakes subject to the provisions of this treaty to provide the State of Irak with such advice and assistance as may be required during the period of the present treaty, without prejudice to her national sovereignty. His Britannic Majesty shall be represented in Irak by a High Commissioner and Consul-General assisted by the necessary staff.

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## ARTICLE 2.

His Majesty the King of Irak undertakes that for the period of the present treaty no gazetted official of other than Irak nationality shall be appointed in Irak without the concurrence of His Britannic Majesty. A separate agreement shall regulate the numbers and conditions of employment of British officials so appointed in the Irak Government.

## ARTICLE 3.

His Majesty the King of Irak agrees to frame an Organic Law for presentation to the Constituent Assembly of Irak and to give effect to the said law, which shall contain nothing contrary to the provisions of the present treaty and shall take account of the rights, wishes and interests of all populations inhabiting Irak. This Organic Law shall ensure to all complete freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals. It shall provide that no discrimination of any kind shall be made between the inhabitants of Irak on the ground of race, religion or language, and shall secure that the right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the Government of Irak may impose, shall not be denied or impaired. It shall prescribe the constitutional procedure, whether legislative or executive, by which decisions will be taken on all matters of importance, including those involving questions of fiscal, financial and military policy.

## ARTICLE 4.

Without prejudice to the provisions of articles 17 and 18 of this treaty, His Majesty the King of Irak agrees to be guided by the advice of His Britannic Majesty tendered through the High Commissioner on all important matters affecting the international and financial obligations and interests of His Britannic Majesty for the whole period of this treaty. His Majesty the King of Irak will fully consult the High Commissioner on what is conducive to a sound financial and fiscal policy and will ensure the stability and good organisation of the finances of the Irak Government so long as that Government is under financial obligations to the Government of His Britannic Majesty.

## ARTICLE 5.

His Majesty the King of Irak shall have the right of representation in London and in such other capitals and places as may be agreed upon by the High Contracting Parties. Where His Majesty the King of Irak is not represented he agrees to entrust the protection of Irak nationals to His Britannic Majesty. His Majesty the King of Irak shall himself issue exequators to representatives of foreign Powers in Irak after His Britannic Majesty has agreed to their appointment.

## ARTICLE 6.

His Britannic Majesty undertakes to use his good offices to secure the admission of Irak to membership of the League of Nations as soon as possible.

## ARTICLE 7.

His Britannic Majesty undertakes to provide such support and assistance to the armed forces of His Majesty the King of Irak as may from time to time be agreed by the High Contracting Parties. A separate agreement regulating the extent and conditions of such support and assistance shall be concluded between the High Contracting Parties and communicated to the Council of the League of Nations.

## ARTICLE 8.

No territory in Irak shall be ceded or leased or in any way placed under the control of any foreign Power; this shall not prevent His Majesty the King of Irak from making such arrangements as may be necessary for the accommodation of foreign representatives and for the fulfilment of the provisions of the preceding article.

## ARTICLE 9.

His Majesty the King of Irak undertakes that he will accept and give effect to such reasonable provisions as His Britannic Majesty may consider necessary in judicial matters to safeguard the interests of foreigners in consequence of the non-application of the immunities and privileges enjoyed by them under capitulation or usage. These provisions shall be embodied in a separate agreement, which shall be communicated to the Council of the League of Nations.

## ARTICLE 10.

The High Contracting Parties agree to conclude separate agreements to secure the execution of any treaties, agreements or undertakings which His Britannic Majesty is under obligation to see carried out in respect of Irak. His Majesty the King of Irak undertakes to bring in any legislation necessary to ensure the execution of these agreements. Such agreements shall be communicated to the Council of the League of Nations.

## ARTICLE 11.

There shall be no discrimination in Irak against the nationals of any State, member of the League of Nations, or of any State to which His Britannic Majesty has agreed by treaty that the same rights should be ensured as it would enjoy if it were a member of the said League (including companies incorporated under the laws of such State), as compared with British nationals or those of any foreign State in matters concerning taxation, commerce or navigation, the exercise of industries or professions, or in the treatment of merchant vessels or civil aircraft. Nor shall there be any discrimination in Irak against goods originating in or destined for any of the said States. There shall be freedom of transit under equitable conditions across Irak territory.

## ARTICLE 12.

No measure shall be taken in Irak to obstruct or interfere with missionary enterprise or to discriminate against any missionary on the ground of his religious belief or nationality, provided that such enterprise is not prejudicial to public order and good government.

## ARTICLE 13.

His Majesty the King of Irak undertakes to co-operate, in so far as social, religious and other conditions may permit, in the execution of any common policy adopted by the League of Nations for preventing and combating disease, including diseases of plants and animals.

## ARTICLE 14.

His Majesty the King of Irak undertakes to secure the enactment, within twelve months of the coming into force of this treaty, and to ensure the execution of a Law of Antiquities based on the rules annexed to article 421 of the Treaty of Peace signed at Sèvres on the 10th August, 1920. This law shall replace the former Ottoman Law of Antiquities, and shall ensure equality of treatment in the matter of archaeological research to the nationals of all States members of the League of Nations, and of any State to which His Britannic Majesty has agreed by treaty that the same rights should be ensured as it would enjoy if it were a member of the said League.

## ARTICLE 15.

A separate agreement shall regulate the financial relations between the High Contracting Parties. It shall provide, on the one hand, for the transfer by His Britannic Majesty's Government to the Government of Irak of such works of public utility as may be agreed upon and for the rendering by His Britannic Majesty's Government of such financial assistance as may from time to time be considered necessary for Irak, and, on the other hand, for the progressive liquidation by the Government of Irak of all liabilities thus incurred. Such agreement shall be communicated to the Council of the League of Nations.

## ARTICLE 16.

So far as is consistent with his international obligations His Britannic Majesty undertakes to place no obstacle in the way of the association of the State of Irak for customs or other purposes with such neighbouring Arab States as may desire it.

## ARTICLE 17.

Any difference that may arise between the High Contracting Parties as to the interpretation of the provisions of this treaty shall be referred to the Permanent Court of International Justice provided for by article 14 of the Covenant of the League of Nations. In such case, should there be any discrepancy between the English and Arabic texts of this treaty, the English shall be taken as the authoritative version.

## ARTICLE 18.

This treaty shall come into force as soon as it has been ratified by the High Contracting Parties after its acceptance by the Constituent Assembly, and shall remain in force for twenty years, at the end of which period the situation shall be examined, and if the High Contracting Parties are of opinion that the treaty is no longer required it shall be terminated. Termination shall be subject to confirmation by the League of Nations unless before that date article 6 of this treaty has come into effect, in which case notice of termination shall be communicated to the Council of the League of Nations. Nothing shall prevent the High Contracting Parties from reviewing from time to time the provisions of this treaty, and those of the separate agreements arising out of articles 7, 10 and 15, with a view to any revision which may seem desirable in the circumstances then existing, and any modification which may be agreed upon by the High Contracting Parties shall be communicated to the Council of the League of Nations.

The ratifications shall be exchanged at Bagdad.

The present treaty has been drawn up in English and Arabic. One copy in each language will remain deposited in the archives of the Irak Government, and one copy in each language in those of the Government of His Britannic Majesty.

In witness of which the respective plenipotentiaries have signed the present treaty and have affixed thereto their seals. Done at Bagdad in duplicate this tenth day of October, one thousand nine hundred and twenty-two of the Christian Era, corresponding with the nineteenth day of Sa'far, one thousand three hundred and forty-one, Hijrah.

P. Z. COX,

*His Britannic Majesty's High  
Commissioner in Irak.*

'ABD-UR-RAHMAN,

*Naqib-al-Ashraf of Bagdad and Prime  
Minister of the Irak Government.*

No. 2.

**Protocol to the Treaty of Alliance between Great Britain  
and Irak of October 10, 1922.***Signed at Bagdad, April 30, 1923.**[Ratifications exchanged at Bagdad, December 19, 1924.]*

WE, the undersigned plenipotentiaries of His Britannic Majesty and of His Majesty the King of Irak respectively, having been duly authorised, met together this 30th day of April, 1923, corresponding to the 14th Ramazan, 1341, in order to sign the following protocol to the treaty of alliance concluded between their Majesties aforesaid on the 10th October, 1922, corresponding to 19th Sa'far, 1341, Hijrah, subject to ratification.

## PROTOCOL.

It is understood between the High Contracting Parties that, notwithstanding the provisions of article 18, the present treaty shall terminate upon Irak becoming a member of the League of Nations and in any case not later than four years from the ratification of peace with Turkey. Nothing in this protocol shall prevent a fresh agreement from being concluded with a view to regulate the subsequent relations between the High Contracting Parties; and negotiations for that object shall be entered into between them before the expiration of the above period.

In witness of which the respective plenipotentiaries have affixed their signatures thereto. Done at Bagdad in duplicate this 30th day of April, 1923, of the Christian era, corresponding with the 14th day of Ramazan, 1341, Hijrah.

P. Z. COX,

*His Britannic Majesty's High  
Commissioner in Irak.*

ABDUL MUHSIN AL SA'ADUN,

*Prime Minister of the Irak  
Government.*



No. 3.

**British Officials Agreement made under Article 2 of  
the Treaty of Alliance between Great Britain and Irak  
of October 10, 1922.**

*Signed at Bagdad, March 25, 1924.*

*[Ratifications exchanged at Bagdad, December 19, 1924.]*

WE, the undersigned plenipotentiaries of His Britannic Majesty and of His Majesty the King of Irak respectively, having been duly authorised, met together this 25th day of March, 1924, corresponding to the 19th day of Sha'ban, 1342, in order to sign the following agreement subsidiary to article 2 of the treaty of alliance concluded between their Majesties aforesaid on the 10th day of October, 1922, corresponding to the 19th day of Sa'far, 1341, Hijrah, subject to ratification.

**THE AGREEMENT.**

Whereas a treaty of alliance between His Britannic Majesty and His Majesty the King of Irak was signed at Bagdad on the 10th day of October, 1922, corresponding with the 19th day of Sa'far, 1341, Hijrah, and a protocol to the said treaty was signed at Bagdad on the 30th day of April, 1923, corresponding with the 14th day of Ramazan, 1341, Hijrah; and

Whereas by article 2 of the said treaty His Majesty the King of Irak undertakes that for the period of the same treaty no gazetted official of other than Irak nationality shall be appointed in Irak without the concurrence of His Britannic Majesty; and

Whereas by the same article it is provided that a separate agreement regulating the numbers and conditions of employment of British officials so appointed in the Irak Government shall be concluded between the High Contracting Parties:

Now therefore it is agreed as follows:—

**ARTICLE 1.**

The Irak Government agrees to appoint a British official approved by the High Commissioner as and when it may be requested to do so to any of the posts enumerated in schedule I hereto annexed.

**ARTICLE 2.**

The Irak Government agrees that any British official appointed to serve the Irak Government in any of the posts reserved under article 1 of this agreement or in any of the posts enumerated in schedule II shall be given a contract on the pay and grading prescribed for it in the said schedule and embodying the terms and

conditions of service set forth in schedule III, save and except that British officers seconded or appointed to serve under the Ministry of Defence of the Irak Government shall be given contracts on the pay and grading prescribed in schedule IV and embodying the terms and conditions of service prescribed in schedule IV.

ARTICLE 3.

Subject to the provisions of article 2 of the treaty of alliance nothing in this agreement shall prevent the Irak Government from engaging British technical or scientific experts or British clerical and subordinate staff on special contracts.

ARTICLE 4.

The Irak Government undertakes that the obligations accepted by them under any contract of employment signed and issued in accordance with this agreement prior to the termination of the treaty of alliance, including the payment of contributions to the provident fund as prescribed in schedule III of this agreement shall continue in force during the continuance of such contract and on its termination, notwithstanding the prior termination of the said treaty of alliance.

ARTICLE 5.

For the purpose of contracts of employment entered into before the termination of the treaty of alliance but continuing in force after such termination as provided in article 4 of this agreement, a revision of such clauses in schedules III and IV of this agreement as contain a reference to His Britannic Majesty's High Commissioner or to the Disciplinary Board constituted under clause 17 of schedule III shall be undertaken in connection with the negotiations for the conclusion of a fresh agreement between the High Contracting Parties provided for in the protocol to the treaty of alliance.

ARTICLE 6.

All British officials appointed to posts in the Irak Government under the terms of this agreement shall be in the service of the Irak Government and responsible to that Government and not to the High Commissioner.

SCHEDULE I.

Advisers to the Ministries of Interior, Finance, Justice, Defence and Communications and Works.

Directors or Inspectors-General of Irrigation, Public Works, Agriculture, Tapu, Surveys and Veterinary Services.

Director or Assistant Director of Audit, Inspectors-General of Police, Posts and Telegraphs, Health, Education, Customs and Excise.

President of Court of Appeal.