



Treaty Series No. 39 (1956)

Pact  
of Mutual Co-operation between  
His Majesty the King of Iraq and  
the President of the Republic of Turkey

Bagdad, February 24, 1955

[The United Kingdom accession was deposited on April 5, 1955]

*Presented by the Secretary of State for Foreign Affairs to Parliament  
by Command of Her Majesty  
September 1956*

LONDON  
HER MAJESTY'S STATIONERY OFFICE  
NINEPENCE NET

## PACT OF MUTUAL CO-OPERATION BETWEEN IRAQ AND TURKEY

Whereas the friendly and brotherly relations existing between Iraq and Turkey are in constant progress, and in order to complement the contents of the Treaty of friendship and good neighbourhood concluded between His Majesty the King of Iraq and His Excellency the President of the Turkish Republic signed in Ankara on the 29th of March, 1946, which recognised the fact that peace and security between the two countries is an integral part of the peace and security of all the Nations of the world and in particular the Nations of the Middle East, and that it is the basis for their foreign policies;

Whereas Article 11 of the Treaty of Joint Defence and Economic Co-operation between the Arab League States provides that no provision of that Treaty shall in any way affect, or is designed to affect any of the rights and obligations accruing to the contracting parties from the United Nations Charter;

And having realised the great responsibilities borne by them in their capacity as members of the United Nations concerned with the maintenance of peace and security in the Middle East region which necessitate taking the required measures in accordance with Article 51 of the United Nations Charter<sup>(1)</sup>;

They have been fully convinced of the necessity of concluding a pact fulfilling these aims and for that purpose have appointed as their Plenipotentiaries:—

His Majesty King Faisal II.  
King of Iraq;  
His Excellency Al Farik Nuri As-Said,  
Prime Minister;  
His Excellency Burhanuddin Bash-Ayan,  
Acting Minister for Foreign Affairs;  
His Excellency Jalal Bayar,  
President of the Turkish Republic;  
His Excellency Adnan Menderes,  
Prime Minister;  
His Excellency Professor Fuat Koprulu,  
Minister for Foreign Affairs;

who having communicated their full powers, found to be in good and due form, have agreed as follows:—

### ARTICLE 1

Consistent with Article 51 of the United Nations Charter the High Contracting Parties will co-operate for their security and defence. Such measures as they agree to take to give effect to this co-operation may form the subject of special agreements with each other.

### ARTICLE 2

In order to ensure the realisation and effect application of the co-operation provided for in Article 1 above, the competent authorities of the High Contracting Parties will determine the measures to be taken as soon as the

(1) "Treaty Series No. 67 (1946)," Cmd. 7015.

present Pact enters into force. These measures will become operative as soon as they have been approved by the Governments of the High Contracting Parties.

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### ARTICLE 3

The High Contracting Parties undertake to refrain from any interference whatsoever in each other's internal affairs. They will settle any dispute between themselves in a peaceful way in accordance with the United Nations Charter.

### ARTICLE 4

The High Contracting Parties declare that the dispositions of the present Pact are not in contradiction with any of the international obligations contracted by either of them with any third State or States. They do not derogate from, and cannot be interpreted as derogating from, the said international obligations. The High Contracting Parties undertake not to enter into any international obligation incompatible with the present Pact.

### ARTICLE 5

This Pact shall be open for accession to any member State of the Arab League or any other State actively concerned with the security and peace in this region and which is fully recognised by both of the High Contracting Parties. Accession shall come into force from the date on which the instrument of accession of the State concerned is deposited with the Ministry of Foreign Affairs of Iraq.

Any acceding State Party to the present Pact may conclude special agreements, in accordance with Article 1, with one or more States Parties to the present Pact. The competent authority of any acceding State may determine measures in accordance with Article 2. These measures will become operative as soon as they have been approved by the Governments of the Parties concerned.

### ARTICLE 6

A Permanent Council at Ministerial level will be set up to function within the framework of the purposes of this Pact when at least four Powers become parties to the Pact.

The Council will draw up its own rules of procedure.

### ARTICLE 7

This Pact remains in force for a period of five years, renewable for other five-year periods. Any Contracting Party may withdraw from the Pact by notifying the other Parties in writing of its desire to do so, six months before the expiration of any of the above-mentioned periods, in which case the Pact remains valid for the other Parties.

### ARTICLE 8

This Pact shall be ratified by the Contracting Parties and ratifications shall be exchanged at Ankara as soon as possible. Thereafter it shall come into force from the date of the exchange of ratifications.

+ April 15, 1955.

## IRAK ILE TURKIYE ARASINDA KARSILIKLI ISBIRLIGI ANDLASMASI

Irak ile Türkiye arasında mevcut dostluk ve kardeşlik münasebetlerinin daimî bir inkisaf halinde bulunması hasebile ve iki memleket arasındaki sulh ve emniyetin bütün dünya milletlerinin ve bilhassa Orta Dogu milletlerinin sulh ve emniyetlerinin ayrılmaz bir parçasını taskil eyledigini kabul eden ve Majeste Irak Kralı ile Türkiye Cumhuriyeti Reiscumhuru arasında Ankara'da 29 Mart 1946 da akdedilen Dostluk ve iyi Komsuluk Andlasmasını tamamlamak maksadile hareket ederek ve bunun her iki memleketin harici siyasetlerinin esasını teskil ettigine kani olarak.

Ve yine Arap Birliği devletleri arasındaki Müsterek Güvenlik Paktı ve Iktisadi Isbirligi Andlasmasının 11 inci maddesinin, bu Andlasmanın her hangi bir hükmünün Akit Tarafların Birlesmis Milletler Anayasasından dogan hak ve vecibelerinin hiç birine her hangi bir sekilde hanel getirmeyecegini veya tesir icra eylemegi tasmin eylemedigini âmir bulundugunu kabul ederek,

Birlesmis Milletler Anayasasının 51 inci maddesi geregince lüzumlu tedbirlerin alınmasını icap ettiren Orta Dogu Bölgesinin sulh ve emniyetinin muhafazası ile ilgili Birlesmis Milletler âzası oimnak sıfatile yüklendikleri büyük mes'uliyetleri müdrük olarak,

Irak ve Türkiye bu gayelerin tahakkuku için bir andlasma akdi lüzumuna tamamen kanaat getirmisler ve bu maksatla asagida adlari yazılı tam selâhiyetli murahaslarını tayin eylemislerdir :

Majeste II inci Faysal,

Irak Kralı :

Basvekil,

Ekselâns Nuri Es Said;

Hariciye Vekil Vekili,

Ekselâns Burhanettin Basayan;

Ekselâns Celâl Bayar,

Türkiye Reiscumhuru :

Basvekil,

Ekselâns Adnan Menderes;

Hariciye Vekili,

Ekselâns Profesör Fuat Köprülü;

Bu murahaslar usulüne uygun selâhiyetnamelerini ibraz ettikten sonra asagidaki hükümleri kararlasmislardır :

### MADDE. I

Yüksek Akit Taraflar, emniyet ve müdafaaları için Birlesmis Milletler Anayasasının 51 inci maddesine uygun sekilde isbirligi yapacaklardır. Bu isbirliginin tahakkuku için ittihaz etmegi kararlasmislacakları tedbirler aralarında hususi anlasma mevzuu olabilir.

### MADDE. II

Isbu Andlasma yürürlüğe girer girmez Yüksek Akit Tarafların selâhiyetli muakamlari I inci maddede derpis olunan isbirliginin tahakkuku ve tatbikini temin maksadile alınması gereken tedbirleri tayin ve tesbit edeceklerdir. Bu tedbirler, Yüksek Akit Tarafların hükümetlerince tasvibini müteakip derhal tatbik mevkiine girmis addedileceklerdir.

### MADDE. III

Yüksek Âkid Taraflar yekdiglerinin dahili islerine her hangi bir müdahalede bulunmamayı taahhüd ederler. Yüksek Akit Taraflar aralarında zuhur edecek bütün ihtilâfları Birleşmiş Milletler Anayasası gereğince sulh yolu ile halledeceklerdir.

### MADDE. IV

Yüksek Akit Taraflar bu Andlaşma hükümlerinin, içlerinden bir tarafından üçüncü bir devlet veya devletlerle gıstikleri beynelmilel taahhütlerden hiç birisi ile taaruz teskil etmedigini beyan ederler. Bu hükümler Âkit Tarafların yukarıda maruz beynelmilel taahhütlerine mugayir degildir ve mezkür beynelmilel taahhütlere mugayir oldukları sekinde de tefsir edilemezler. Yüksek Akit Taraflar isbu Andlaşma ile gayri kabili telif her hangi bir beynelmilel mükellefiyet yüklenmeyi taahhüt ederler.

### MADDE. V

Isbu Andlaşma Arap Birliği azasi devletlerden her hangi birisinin veya bu Bölgede emniyet ve sulhu ile faal sekilde ilgili ve Taraflarca mutlak olarak taninan her hangi diger bir devletin iltihakina açık bulunacaktır. İltihaknamenin ilgili devlet tarafından Irak Hariciye Vezaretine tevdi tarihinden itibaren iltihak keyfiyeti tahakkuk etmiş addedilir.

Isbu Andlaşmaya iltihak eden her hangi bir devlet, Andlaşmaya Taraf olan bir veya daha fazla devletlerle birinci maddeye tevfiikan hususî anlaşmalar yapabilir.

İltihak eden devletin selahiyetli makami II inci maddeye göre tedbirler tayin ve tesbit edebilirler. Bu tedbirler ilgili tarafların hükümetlerince tasvip edilir edilmez tatbik mevkiine girmiş addedilirler.

### MADDE. VI

Âkitlerin adedi asgari 4ü bulduğu andan itibaren Andlaşmayı alakadar eden maksatlar dairesinde çalışmak üzere vekiller seviyesinde bir daimi konsey kurulacaktır.

### MADDE. VII

Bu Andlaşma beser senelik müddetlerle yenilesebilmek üzere bes sene için mer'idir. Taraflardan her hangi birisi isbu Andlaşmayı nihayete erdirmek arzusunda bulunduğunu diger taraflara yazili olarak, yukarıda maruz müddetlerden her hangi birisinin hitamından alti ay evvel bildirmek suretile bu Andlaşmadan çekilebilir. Bu takdirde Andlaşma diger taraflar için mer'iyyette kalir.

### MADDE. VIII

Isbu Andlaşma Âkit Taraflarca tasdik olunacak ve tasdiknameler en kışa bir zamanda Ankara'da teati edilecektir. Tasdiknamelerin teatisi tarihinden itibaren Andlaşma mer'iyyete girecektir.

هذا الميثاق وذلك عندما يبلغ عدد الدول الاطراف في  
هذا الميثاق ما لا يقل عن الاربعة . ويقوم المجلس بوضع  
نظامه الداخلي .

### المادة السابعة

يكون هذا الميثاق نافذا لمدة خمس سنوات ويعتبر مجددا  
لعدد اخرى كل منها خمس سنوات . ولاى طرف متعاقد ان  
ينسحب من الميثاق باابلغ الاطراف الاخرى تحريفا برغبته في  
ذلك قبل ستة اشهر من انتهاء اية من العدد المذكورة اعلاه .  
ويبقى الميثاق في هذه الحالة نافذا بالنسبة للاطراف الاخرى .

### المادة الثامنة

يتم ابرام هذا الميثاق من قبل كل من الفريقين الساميين  
المتعاقدين ويجرى تبادل وثائق الابرام في انقرة باسرع  
ما يمكن ويعتبر نافذا من تاريخ تبادل وثائق الابرام .

## المادة الخامسة

يكون هذا الميثاق هتوحا للانضمام اليه من قبل اية دولة من دول الجامعة العربية وغيرها من الدول التي يههها امر السلم والامن في هذه المنطقة بصورة فعالة والمعترف بهسا اقرافا كاملا من كلا الفريقين السامين المتعاقدين . ويصبح هذا الانضمام نافذا اعتبارا من تاريخ ايداع وثائق انضمام الدولة التي يخصها الامر لدى وزارة الخارجية العراقية .

لاية دولة منضمة الى هذا الميثاق ان تعقد اتفاقات خاصة بموجب المادة الاولى منه مع دولة أو اكثر من الدول الاطراف في هذا الميثاق . وللسلطة المختصة لاية دولة منضمة ان تحدد التدابير بموجب المادة الثانية وتصبح هذه التدابير معمولا بها حال اقترانها بصادقة حكومات الفرقاء الذين يخصهم الامر .

## المادة السادسة

يشكل مجلس دائم من الوزراء للعمل ضمن نطاق اهداف

الفريقين الساميين المتعاقدين بتحديد التدابير التي ينبغي اتخاذها عند وضع هذا الميثاق حيز التنفيذ • وتصبح هذه التدابير معمولاً بها حال اقترانها بصادقة حكومي الفريقين الساميين المتعاقدين •

### المادة الثالثة

يتعهد الفريقان الساميان المتعاقدان بالامتناع عن التدخل بأى شكل من الأشكال في الشؤون الداخلية لاحدهما الآخر ويقومان بغض اى نزاع بينهما بالطريقة السلمية وفقاً لميثاق هيئة الامم المتحدة •

### المادة الرابعة

يوكد الفريقان الساميان المتعاقدان ان ليس في احكام هذا الميثاق ما يتناقض والالتزامات الدولية التي يرتبط بهما احدهما مع دولة او دول ثالثة كما انها لا يمكن ان تخل او ان تفسر بما يفهم منه الاخلال بتلك الالتزامات الدولية • ويتعهد الفريقان الساميان المتعاقدان بان لا يدخلوا في أية التزامات دولية تتعارض وهذا الميثاق



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يمس بأية حال من الاحوال الحقوق والالتزامات المترتبة  
او التي قد تترتب للدول الاطراف فيها بعقوض ميثاق  
هيئة الام المتحدة .

ونظرا لادراكهما عظم المسؤولية المطلقة على عاتقهما  
بوصفهما عضوين في هيئة الام المتحدة يههما استتباب  
الامن والسلم في منطقة الشرق الاوسط مما يوجب اتخاذ  
التدابير اللازمة لذلك وفقا لاحكام المادة ٥١ من ميثاق  
الام المتحدة .

فقد اقتنعا بضرورة عقد ميثاق يحقق هذه الاهداف وعينا  
لهذا الغرض مندوبين مفوضين .

عن حضرة صاحب الجلالة الملك فيصل الثاني

ملك العراق

صاحب الفخامة السيد نوري السعيد رئيس الوزراء

صاحب المعالي السيد برهان الدين باش اعيان وكيل

وزير الخارجية

ميثاق

التعاون المتبادل

بين

العراق وتركيا

لما كانت علاقات الصداقة والاخوة السائدة بين العراق  
وتركية في نحو مطرد واستكمالا لما جاء في معاهدة  
الصداقة وحسن الجوار المعقودة بين حضرة صاحب الجلالة  
ملك العراق وحضرة صاحب الفخامة رئيس الجمهورية التركية  
الموقع عليها في انقرة في ٢٩ آذار ١٩٤٦ التي اقرت  
ان السلم والامن بين البلدين جزء لا يتجزأ من السلم  
والامن لشعوب العالم وخاصة شعوب الشرق الاوسط  
واساسا لسياستهما الخارجية .

ولما كانت المادة الحادية عشرة من معاهدة الدفاع  
المشترك والتعاون الاقتصادي بين دول الجامعة العربية  
تنص على ان ليس في احكامها ما يمس او يقصد به ان

In witness whereof the said Plenipotentiaries have signed the present Pact in Arabic, Turkish and English, all three texts being equally authentic except in the case of doubt, when the English text shall prevail.

Done in duplicate at Bagdad this second day of Rajab 1374 Hijri corresponding to the twenty-fourth day of February 1955.

Yukarıdaki hususları tasdik maksadile adları geçen selâhiyetli murahhaslar isbu Andlaşmayı, her üç metin de aynı derecede muteber olmak ve ihtilâf halinde İngilizce metin hüküm ifade etmek üzere Türkçe, Arapça ve İngilizce olarak imza eylemişlerdir.

İki nüsha olarak Bagdad'da 1374 hicri senesinin 2 Recep tarihine tekabül eden 24 Subat 1955 Perşembe günü yapılmıştır.

كتب بنسختين في بغداد في اليوم الثاني من شهر

رجب سنة ١٣٧٤ الهجرية الموافق لليوم الرابع والعشرين

من شهر شباط سنة ١٩٥٥ الميلادية باللغات العربية

والتركية والانكليزية ويكون النص الانكليزي هو المعول عليه

في حالة الاختلاف .

NURI AS-SAID,

For His Majesty the King of Iraq.

BURHANUDDIN BASH AYAN,

For His Majesty the King of Iraq.

ADNAN MENDERES,

For the President of the Turkish Republic.

FUAT KOPRULU,

For the President of the Turkish Republic.

NURI AS-SAID,

Irak Krali adına.

BURHANUDDIN BASAYAN,

Irak Krali adına.

ADNAN MENDERES,  
Türkiye Reisiscumhuru adina.

FUAT KÖPRÜLÜ,  
Türkiye Reisiscumhuru adina.

نورى السعيد

من صاحب الجلالة ملك العراق

برهان الدين باش اعيان

من صاحب الجلالة ملك العراق

عدنان مندرس

عن صاحب الفخامة رئيس الجمهورية التركية

فؤاد كوبرولو

عن صاحب الفخامة رئيس الجمهورية التركية

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