



Nepal No. 1 (1950)

Treaty between the
Government of the United Kingdom
and the Government of Nepal

Katmandu, 30th October, 1950

[This Treaty has not been ratified by the Government
of the United Kingdom]

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

LONDON
HIS MAJESTY'S STATIONERY OFFICE

TWOPENCE NET

Cmd. 8077

TREATY BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM AND THE GOVERNMENT OF NEPAL

Signed at Katmandu, 30th October, 1950

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Nepal ;

Recognising that peace, friendship and goodwill have now happily existed between them since 2nd December, 1815 ;

Considering that in consequence of the establishment of the two independent states of India and Pakistan certain of the provisions of the Treaty signed at Katmandu on 21st December, 1923,⁽¹⁾ and of prior treaties are no longer applicable between the Governments of the United Kingdom and Nepal ;

Desiring still further to strengthen and confirm their good relations which have so long subsisted ; and

Having resolved therefore to conclude a new Treaty for this purpose,

Have agreed as follows :—

ARTICLE I

There shall be perpetual peace and friendship between the Government of the United Kingdom and the Government of Nepal.

ARTICLE II

The two Contracting Parties agree mutually to acknowledge and respect each other's independence both external and internal.

ARTICLE III

In order to secure and improve the relations of peace and amity hereby confirmed between the Government of the United Kingdom and the Government of Nepal, each of the two countries shall continue to be represented in the other by a diplomatic representative duly accredited, with such staff as is necessary for the due performance of his functions.

ARTICLE IV

The two Contracting Parties shall maintain and develop mutually advantageous commercial relations appropriate to their long and cordial friendship and in accordance with the generally recognised principles of international law and practice.

ARTICLE V

(a) The nationals of each Contracting Party shall be entitled to enter, travel and reside in, and to leave any territory of the other to which this Article applies so long as they satisfy and observe the conditions and regulations applicable in that territory to the entry, travel, residence and

⁽¹⁾ "Treaty Series No. 31 (1925)," Cmd. 2453.

departure of all foreigners. The nationals of each Contracting Party shall furthermore be received and treated in any territory of the other to which this Article applies in accordance with the generally recognised requirements of international law and practice and shall enjoy the fullest protection of the laws and authorities of that territory in respect of their persons, possessions and rights; and in respect of all matters relating to commerce, to industry, to the carrying on of any description of business, to the exercise of professions and occupations, to the acquisition, ownership and disposal of property and to the levying of taxes and requirements relating to the levying of taxes, shall not be treated in any manner less favourable than the nationals of any other foreign country.

(b) For the purposes of this Article, in so far as it refers to treatment accorded by the Government of the United Kingdom to nationals of any other foreign country, the term "foreign country" means any country not included in the territories enumerated in the following list:—

The United Kingdom of Great Britain and Northern Ireland,
Canada,
The Commonwealth of Australia,
New Zealand,
The Union of South Africa,
India,
Pakistan,
Ceylon,
Territories for the international relations of which the Governments of the United Kingdom, the Commonwealth of Australia, New Zealand and the Union of South Africa are responsible at the date of signature of the present Treaty, and
The Irish Republic.

(c) The provisions of this Article shall not apply to the advantages now or hereafter accorded by the Government of Nepal to adjacent countries in order to facilitate frontier traffic.

ARTICLE VI

(a) The provisions of Article V shall apply—

- (i) in relation to the Government of the United Kingdom, to the United Kingdom of Great Britain and Northern Ireland and to any territory to which the provisions of Article V have been extended in accordance with paragraph (b) of this Article;
- (ii) in relation to the Government of Nepal, to Nepal.

(b) The Government of the United Kingdom may, at the time of signature or ratification of the present Treaty or at any time thereafter, declare by notification given to the Government of Nepal that Article V thereof shall extend to any of the territories for whose international relations the Government of the United Kingdom are responsible, and Article V shall, from the date of receipt of the notification, extend to the territories named therein.

(c) The Government of the United Kingdom may, at any time after the making of a declaration under paragraph (b) of this Article extending Article V to any territory for whose international relations they are responsible, declare by notification given to the Government of Nepal that Article V shall cease to extend to any territory named in the notification, and Article V shall, from the date of receipt of the notification, cease to extend to such territory.

ARTICLE VII

In the present Treaty the term "nationals" (a) in relation to the Government of the United Kingdom, means—

- (i) all citizens of the United Kingdom and Colonies who derive their citizenship from connexion with any territory to which Article V applies ;
- (ii) all British protected persons who derive their status as such from connexion with any territory to which Article V applies ;
- (iii) all citizens of Southern Rhodesia if Article V shall have been extended to Southern Rhodesia ;

and (b) in relation to the Government of Nepal, means all nationals of Nepal.

ARTICLE VIII

All treaties, engagements and agreements between the Government of the United Kingdom and the Government of Nepal concluded prior to the 21st December, 1923, and the Treaty signed at Katmandu on that date, shall cease to have effect from the date on which the present Treaty comes into force in so far as their application between the United Kingdom and Nepal is concerned.

ARTICLE IX

The present Treaty shall be ratified and shall come into force on the date on which the instruments of ratification are exchanged. Instruments of ratification shall be exchanged at Katmandu as soon as possible.

ARTICLE X

The present Treaty shall remain in force indefinitely, but subject to termination by one year's notice in writing given by either Contracting Party to the other.

In witness whereof the undersigned, duly authorised for the purpose by their respective Governments, have signed the present Treaty in English and Nepali both texts being equally authoritative except in the case of doubt, when the English text shall prevail.

Done in duplicate at Katmandu this 30th day of October, 1950 A.D., corresponding to 14th day of Kartik, 2007 S.E.

(Sd.) GEORGE FALCONER (LT.-COL.),
*His Britannic Majesty's Ambassador
at the Court of Nepal.*

(Sd.) MOHUN SHAMSHER,
*Prime Minister and Supreme Com-
mander-in-chief of Nepal.*