



BOUNDARIES IV. WITH IRAQ

BOUNDARIES

iv. With Iraq

In 1921, after the dismemberment of the Ottoman empire, Iraq became a state under British mandate, inheriting the old Ottoman dispute with Iran over the Šaṭṭ al-‘Arab (Figure 24). Relations between Iran and Iraq were thus strained from the beginning.

On 29 November 1934, two years after it had become a fully independent member of the League of Nations, Iraq brought the matter before the League. Iran argued that two sovereign states sharing a river frontier should define the boundary along the thalweg, the median line of the main channel (Ramazani, p. 262; Pārsādūst, pp. 113ff.). On 13 Tīr 1316 Š./14 July 1937 a new treaty partly redrawing the frontier along the thalweg, guaranteeing freedom of navigation through the Šaṭṭ al-‘Arab, and recommending joint maintenance facilities was concluded (see Pārsādūst, pp. 240-43 for the treaty, pp. 119ff. for discussion of its ramifications). Nevertheless, even though the Baghdad government conceded to Tehran sovereignty over anchorage facilities extending approximately 6 km along the shore opposite Ābādān, Iraq retained virtual control of the river until Farvardīn, 1349 Š./April, 1969, when the Ba‘thist regime decided for the first time to check the papers of ships moving up the Šaṭṭ al-‘Arab and demanded that Iranian vessels lower their flags before entering the river. In response Moḥammad-Rezā Shah’s government, on Farvardīn 30/April 19, declared the 1316 Š./1937 treaty legally invalid (*bī-arzeš*



o bâṭel o bī-atar, lit. “without value or effect and without validity”) on the grounds of changed circumstances (following *rebus sic stantibus*, a principle of international law according to which treaties are valid only as long as circumstances remain unchanged; Ramazani, 1975, p. 471; Pārsādūst, pp. 135ff.). The shah was convinced that the 1937 treaty had been forced upon a weaker Iran by a more powerful Iraq, then a client of the British Empire.

Efforts by Algeria to mediate during the summit meeting of OPEC (Organization of Petroleum Exporting Countries) on 15 Esfand 1354 Š./6 March 1975 brought the shah together with Ṣaddām Ḥosayn, then vice-president of the Iraqi Revolutionary Council, to redefine their common frontier (Ismael, p. 61). In the resulting settlement 593 new border points were designated, and it was agreed that the *thalweg* would serve as boundary from the point where the land frontier reaches the Šaṭṭ al-‘Arab to the Persian Gulf (Article 2 of the protocol; see Pārsādūst, p. 251). Iran pledged to abandon its support of the Kurdish rebellion in northern Iraq and Iraq to end its support for separatist Arabs in Kūzestān. Iran also agreed to return several disputed pockets of land between Solaymānīya and Mandalī and to share the river waters along the border more equitably. When the shah was forced from his throne in Bahman, 1357 Š./February, 1979, however, several border issues still remained unresolved. The regime of Ayatollah Komeynī, hoping for revolution among Iraqi Shi‘ites, declared on 19 June 1979 that Iran would no longer be bound by the Algiers agreement (through Dr. Šādeq Ṭabāṭabā‘ī, the government’s official spokesman, according to the Iraqi Ministry of Foreign Affairs, p. 27). Four months later, on 30 October 1979, President Ḥosayn also renounced the treaty, and within a year mutual public denunciations had reached a crescendo, and border intrusions were becoming frequent. On 26 Šahrīvar 1359 Š./17 September 1980 Iraq declared the Algiers agreement null and void on the grounds that Iran had failed to implement key provisions. Claiming the absence of an effective border accord among many other reasons, Iraq invaded Iran on 31 Šahrīvar 1359 Š./22 September 1980, anticipating a quick military victory and final settlement of border disputes on its own terms. (For a detailed discussion of the Algiers agreement and its eventual abrogation, see Pārsādūst, pp. 163-96.) After eight years of war Iran and Iraq agreed to cease-fire on 29 Mordād 1367 Š./20 August 1988 and met under United Nations auspices to settle their border disputes.



BIBLIOGRAPHY

- F. Ādamīyat, *Amīr-e kabīr o Īrān*, 4th ed., 1353 Š./1974.
- W. Barthold, *An Historical Geography of Iran*, tr. S. Soucek, Princeton, 1984, pp. 180-206.
- B. Chubin and C. Tripp, *Iran and Iraq at War*, London, 1988 (not consulted).
- S. Chubin and S. Zabih, *The Foreign Relations of Iran. A Developing State in a Zone of Great-Power Conflict*, Berkeley, 1975, pp. 170-92, 284-89.
- R. W. Cottam, *Nationalism in Iran*, Pittsburgh, 1979, pp. 320-63.
- C. J. Edmonds, "The Iraqi-Persian Frontier 1639-1939," *Asian Affairs* 6/2, June, 1975, pp. 147-54.
- Ministry of Foreign Affairs of the Republic of Iraq, *Selections from the Iraqi-Iranian Dispute*, Baghdad, 1980.
- T. Y. Ismael, *Iraq and Iran. Roots of Conflict*, Syracuse, 1982, pp. 41-68.
- J. G. Lorimer, *Gazetteer of the Persian Gulf, Oman, and Central Arabia*, Calcutta, 1915, IA, pp. 229-30.
- M. Farhād Mo'tamed, *Tārīk-e rawābeṭ-e sīāsī-e Īrān o Oṭmānī*, Tehran, 1336 Š./1947, pp. 25-50.
- A. S. Nowār, *al-'Alāqāt al-'erāqīya al-īrānīya. Derāsāt fī dīblūmāsīyat al-mo'tamarāt, mo'tamar Erzorūm 1843-1844*, Cairo, 1974, pp. 11-147.
- M. Pārsādūst, *Zamīnahā-ye ektelāfāt-e Īrān o 'Erāq*, Tehran, 1365 Š./1986.
- R. K. Ramazani, *The Foreign Policy of Iran, 1500-1941. A Developing Nation in World Affairs*, Charlottesville, Va., 1966, pp. 51-62, 259-66.
- Idem, *Iran's Foreign Policy 1941-1973. A Study of Foreign Policy in Modernizing Nations*, Charlottesville, Va., 1975, pp. 395-438.
- V. J. Sevian, "The Evolution of the Boundary between Iraq and Iran," in *Essays in Political Geography*, ed. C. A. Fisher, London, 1968, pp. 211-23.