Appendices
AUTONOMY LAW

In the Name of God,

Great People,

Masses of our Glorious Nation,

In confirmation of the bonds of citizenship and the historical brotherhood between all the sons of Iraq -- Arabs, Kurds and fraternal minorities...

In compliance with the democratic principles of the July 17 Revolution and in fulfilment of its pledge...

In application of the March 11, 1970 Manifesto...

In adherence to the National Action Character...

In consolidation of the common struggle and the common interests of all the sons of the people...

In realization of what the progressive national and nationalist forces demanded and struggled for...

The Revolution Command Council decided to apply autonomy in the Region of Kurdistan.

The application of autonomy, on a democratic basis, in the Region populated with a Kurdish majority provides the adequate means for our Kurdish people to exercise their full legitimate national rights within one homeland and under relations of brotherhood, equality and common responsibility.

It also consolidates national unity and the gains secured by the Revolution in all fields for the benefit of the masses and wards off the intrigues of imperialism and reactionary forces.

Source: Settlement of the Kurdish Problem in Iraq
(Baghdad: Ath-thawra Publications, n.d.)
Furthermore, the exercising of their full rights by the sons of our Kurdish people in national organs together with the guarantee of cultural rights to the fraternal minorities (in accordance with the laws promulgated by the July 17 Revolution and under the Revolution's democratic principles and institutions and within the framework of the joint national action of the National and Nationalist Front) are capable of removing the injustice inflicted on the sons of our Kurdish people and on the fraternal minorities during dictatorial and reactionary regimes that pursued chauvinistic and tyrannic policies. This will also enable introducing an extensive economic, social and cultural development in the Region of Kurdistan and opening wide horizons to all sons of the people to advance forward, in a firm confidence and a spirit of security and constructive work, on the path of progressive democratic transformations to the ultimate goal of building socialism.

LAW No. 33 OF 1974

AUTONOMY FOR THE REGION OF KURDISTAN:

PART ONE

FUNDAMENTALS OF AUTONOMY

Chapter One

GENERAL PRINCIPLES

ARTICLE ONE:

A) The Region of Kurdistan shall enjoy autonomy and be called "the Region" whenever it is mentioned hereinafter.

B) The Region shall be so defined as to be populated by a majority of Kurds and the general census shall specify the demarcation of the Region in accordance with the provisions of March 11 Manifesto and the general census records of 1957 shall be the
foundation for defining the national nature of the absolute population majority in the places where general census is to be conducted.

C) The Region shall be considered an integral administrative unit, enjoying a juridical personality and autonomy within the framework of the legal, political and economic integrity of the Republic of Iraq, and the administrative divisions therein shall be conducted in accordance with the provisions of the Governorate’s Law, with due consideration to the provisions of this Law.

D) The Region is an integral part of the Iraqi territory and its people is an integral part of the Iraqi people.

E) The city of Arbil shall be the Chief-Town for the administration of autonomy.

F) The administrative organs of autonomy shall be part of the administrative organs in the Republic of Iraq.

ARTICLE TWO:

A) The Kurdish language shall be the official language, beside the Arabic language in the Region.

B) The Kurdish language shall be the language of education for Kurds in the Region, and the teaching of Arabic shall be compulsory in all stages and institutions of education.

C) Educational institutions shall be established in the Region for the Arabs, wherein education shall be in Arabic and the Kurdish language shall be taught in a compulsory manner.

D) All citizens in the Region shall enjoy the option to join the schools for their education, regardless of their mother tongue.

E) Education shall be subject, in all stages in the Region, to the general educational policy of the state.
ARTICLE THREE:

A) The rights and liberties of the Arabs and minorities in the Region shall be guaranteed in accordance with the provisions of the Constitution, laws and resolutions promulgated in that connection, and the autonomy administration shall be bound to guarantee their exercise.

B) Members of the Arab nationality and minorities in the Region shall be represented in all autonomous bodies, in proportion of their ratio to the population of the Region, and shall participate in assuming public civil service posts, in accordance with laws and regulations governing them.

ARTICLE FOUR:

Judicature shall be independent and void of any other control of the law and the legal formations in the Region shall constitute an integral part of the legal system in the Republic of Iraq.
ARTICLE FIVE:

The Region shall constitute an autonomous independent financial unit, within the financial integrity of the state.

ARTICLE SIX:

a) The Region shall have a special budget within the consolidated budget of the state.

b) For the preparation and compilation of the budget of the Region the same rules and principles of compiling the consolidated budget of the state shall be adopted.

ARTICLE SEVEN:

The budget of the Region shall consist of the following components:

1) The ordinary budget.

2) The annual investment budget of the Region.

3) The budgets of productive institutions and administrations of a local character established in the Region.

4) The budgets of local administrations and municipalities in the Region.

ARTICLE EIGHT:

The budgetary resources of the Region shall consist of the following components:

a) Self resources, comprising:
1) Revenues from taxes and duties specified for municipalities and local administrations under relevant laws.

2) Values of sales and charges of services.

3) The share appropriated from the profits of administrations and institutions covered by the budget of the Region.

4) Basic and additional estate tax within the Region.

5) The agricultural land tax and share of agrarian reform from proceeds.

6) Government (dead-hand) land tax.

7) Estate tax.

8) Estate registration duties.

9) Charges and fines imposed by courts of justice.

10) Revenue stamp duties

11) Car registration and title-deed transfer charges.

b) Appropriations from the ordinary budget of the state, the annual investment programme and the national development plan, to cover the expenditures of the budget of the Region, so as to guarantee its balanced growth and development in consistency with all other parts of the Republic of Iraq.

**ARTICLE NINE:**

Accounts of the Region shall be subject to the supervision of the Board of the Supreme Auditing and Financial Inspection.
ARTICLE TEN:

The Legislative Assembly is the legislative organ elected for the Region, and its formation, organization and process of work therein shall be defined by law.

ARTICLE ELEVEN:

A) The Legislative Assembly shall elect a chairman, vice-chairman and secretary from amongst its members.

B) Meetings of the Legislative Assembly shall be convened by the presence of the majority of its members, and its decisions shall be adopted by the majority of the present members unless otherwise provided for in this law or in the law of the Legislative Assembly.

ARTICLE TWELVE:

The legislative Assembly shall exercise, within the definition of the Constitution and laws, the following competences:

A) The formulation of its articles of association.

B) The adoption of legislative decisions required for the development of the Region and promotion of its local social, cultural, constructional and economic affairs within the framework of the general policy of the state.

C) The adoption of legislative decisions connected with the development of culture and the nationalist characteristics and traditions of citizens in the Region.
D) The adoption of legislative decisions related to semi-official departments, institutions and administrations of local character after consultation with the competent central authorities.

E) The ratification of projects covered by detailed plans drawn up by the Executive Council on the economic, social and developmental affairs, as well as the educational and health affairs, and the discharge of activity in accordance with the requirements of the general central planning of the state and prerequisites of its implementation.

F) The proposition of the special budget of the Region.

G) The adoption of final statements of accounts, following their auditing by the Board of the Supreme Auditing and submitting them to the Legislative Power for ratification.

H) Amendments to the special budget of the Region after their ratification within the scope of amounts allotted thereto and purposes allotted therefore, provided that such measures shall not contravene with the laws and development plans of the state.

I) Discussion with and questioning of the Executive Council members on the affairs covered by their fields of competence.

J) Withdrawal of confidence from the Executive Council, or one or more of its members, and those from whom confidence is withdrawn shall be relieved. The confidence withdrawal decision shall be adopted by the majority number of the Legislative Assembly’s members.
Chapter Two

EXECUTIVE COUNCIL

ARTICLE THIRTEEN:

A) The Executive Council is the executive organ for the administration of autonomy in the Region.

B) The Executive Council shall consist of the chairman, Vice-chairman and a number of members equal to the number of administrations referred to in Article (14), or two members more.

C) The President of the Republic shall entrust one of the Legislative Assembly’s members to preside over and form the Executive Council.

D) The chairman-designate shall select the vice-chairman and the Executive Assembly’s members from among the members of the Legislative Assembly or from among those who enjoy the qualifications of membership therein, and shall submit to the Legislative Assembly, for confidence. Upon realization of confidence by the majority of the Assembly’s members, a Republican ordinance shall be promulgated to the effect of calling the Executive Council.

E) The chairman and members of the Executive Council shall hold a grade of minister.

F) The President of the Republic may dismiss the Chairman of the Executive Council from his position, in which case the Council shall be considered as dissolved.

G) In the case of dissolving the Executive Council, or withdrawing confidence therefrom, the Council shall carry on with the discharge of current affairs only, pending the formation of a new council provided that this shall take place within a maximum period of fifteen days.
ARTICLE FOURTEEN:

A) The governorates of the Region shall be annexed to the chairman of the Executive Council.

B) The Executive Council shall seek, in the exercise of its powers, the assistance of the following bureaus:

1 -- The Executive Council Bureau.

2 -- The Follow-up and Inspection Bureau.

3 -- The Statistics and Planning Bureau.

C) (i): The following administrations shall be affiliated with the Executive Council:

1 -- The Education and Higher Education Administration.

2 -- The Works and Housing Administration.

3 -- The Agricultural and Agrarian Reform Administration.

4 -- The Internal Affairs Administration.

5 -- The Transport and Communications Administration.

6 -- The Culture and Youth Administration.

7 -- The Municipalities and Summer Resorts Administration.

8 -- The Social Affairs Administration.

9 -- The Economic and Financial Affairs Administration.

10 -- The State Property Affairs Administration.

(ii): The powers of the following administrations shall be defined in the following manner:

1 -- The Internal Affairs Administration: police, civil defence and civil affairs.
2 -- The Social Affairs Administration: health, labour and social affairs.

3 -- The Economic and Financial Affairs Administration: financial departments, and local, trade and industrial facilities.

D) Responsibility in the administrations provided for in the Para above shall be undertaken by Executive Council members, called "the Secretaries-General" each of whom shall have a Vice Secretary-General appointed to a special grade.

ARTICLE FIFTEEN:

The Executive Council shall exercise the following Powers:

A) Securing the implementation of laws and regulations.

B) Abiding by the provisions of Judicature.

C) Realization of justice security and public order, and protection of national and local public amenities and the state public and private properties.

D) Promulgating decisions on all that is required for the implementation of the provisions of the local legislative resolutions.

E) Drawing up projects under the detailed plans for the economic, social and developmental affairs, as well as the educational, health and labour affairs, in accordance with the requirements of the general central planning of the state and prerequisites of its implementation, and submitting the same to the Legislative Assembly for ratification.

F) Supervising the local public amenities and institutions in the Region.

G) Appointing officials for the autonomous administration, whose appointment does not require the promulgation of a Republic ordinance or approval of the President of the
Republic, in accordance with the service and personnel laws. Provisions of the laws applied to the civil servants of the Republic of Iraq shall apply on them, provided that the civil servants in the administration formations where a Kurdish majority resides shall be Kurds or those who are well-versed in the Kurdish language, with due consideration to Article (3) thereof.

H) Implementing the budget of the Region in accordance with the laws and principles adopted in the accounting system of the state.

I) Preparing an annual report on the conditions of the Region, to be submitted to the President of the Republic and to the Legislative Assembly.
PART THREE

RELATIONSHIP BETWEEN THE CENTRAL AUTHORITY AND THE AUTONOMOUS ADMINISTRATION

ARTICLE SIXTEEN:

With the exception of the powers exercised by the autonomous bodies in accordance with the provisions of this law, the exercise of authority in the entire parts of the Republic of Iraq shall revert to the central bodies or their representatives.

ARTICLE SEVENTEEN:

A) Police, security and nationality formations in the Region shall be attached to their directorates general at the Ministry of Interior and their staff shall be subject to the provisions of the laws, regulations and instructions applied in the Republic of Iraq.

B) The President of the Executive Council or his authorized representatives from among the Council members may assign to the formations mentioned under Para (a) of this Article duties within the Region, within the scope of their duties and within the framework of the general policy of the state.

C) The directors of the formations mentioned under Para. (a) of this Article shall be appointed and transferred by order of the Minister of Interior after consultation with the head of the Executive Council.

D) The ranks of police shall be transferred within the Region by the order of the Secretary-General of the Interior Affairs Administration or his authorized representatives, with due compliance with the provisions of Para. (C) of this Article.

E) The ranks of the formations mentioned under Para (a) of this Article shall be appointed and transferred according to the rules and instructions valid in the Republic of Iraq.
with due compliance with the provisions of the previous paragraphs.

**ARTICLE EIGHTEEN:**

A) The offices of the central authority in the Region shall fall under the ministries they are attached to and shall discharge their duties within their jurisdictions. The autonomous bodies may submit reports on them to the respective ministries they are attached to.

B) The central authority may within the scope of its jurisdiction make general guidance to the local administrations mentioned under Article 14 of this law.

C) The central authority shall appoint a minister of state who will coordinate between the activities carried out in the region by both the central authority and the autonomous organs. He may attend all meetings of such organs. The central authority may delegate any other minister to carry out such a mission.

D) The decisions of the autonomous bodies shall be conveyed to the minister of state as soon as they are taken.

E) The head of the Executive Council shall attend the cabinet meetings.

**ARTICLE NINETEEN**

A) Control of the legality of the decisions of the autonomous organs shall be exercised by the Cassation Court of Iraq through a Special Committee made up of the chief judge of the court and other four members selected by the member of the Cassation Court from among themselves for a period of three years renewable for one period only.

B) The Minister of Justice or the Minister of State may object to the decisions of the autonomous organs before the control
committee mentioned under the previous paragraph in case they violate Constitution, laws or regulations within 30 days from the date the Minister of State is notified of them.

C) Objection to the decisions of the autonomous bodies before the supervisory committee shall suspend their implementation pending the result of the settlement.

D) The supervisory committee shall give a ruling on the objection within a maximum period of 30 days from the date such objection is submitted to it and its decisions shall be final.

E) The decisions of the autonomous bodies which the supervisory committee rules as non-legal shall be considered as wholly or partly abrogated from the date of their issue and all legal consequences resulting therefrom shall be null and void.

F) The supervisory committee shall submit its decisions to the objecting authority and to the head of the Legislative Assembly and the head of the Executive Council and the decisions shall be published in the Official Gazette.

ARTICLE TWENTY

A) The President may dissolve the Legislative Assembly in case it is not possible for the Assembly to exercise its authority due to the resignation of half of its members or due to failure of securing the legal quorum within 30 days from the date it is called for a session or due to failure in getting the confidence stipulated under Para (D) of Article 13 of this law for more than two successive times or due to its failure to comply with the decisions of the supervision committee stipulated under Article Nineteen of this law.
B) In case the Legislative Assembly is dissolved, the Executive Council shall continue exercising its assembly until the election of new legislative Assembly in a maximum period of 90 days from date the Republican ordinance has been issued to dissolve it.

ARTICLE TWENTY ONE:

This law shall come into force from the date it is published in the Official Gazette.

Taken in Baghdad this day the 17th of Safar 1394 the 11th day of March 1974.

Ahmed Hassan Al-Bakr
Chairman of the Revolution Command Council.
APPENDIX-II

ALGIERS DECLARATION 6TH MARCH 1975
JOINT COMMUNIQUE BETWEEN IRAQ AND IRAN

During the meeting in Algiers of the Summit Conference of the Member Countries of OPEC and on the initiative of President BOUMEDIENNE. His Majesty the SHAHINSHAH of Iran and H.E. SADDAM HUSSEIN, Vice President of the Revolutionary Command Council of Iraq, held two meetings and had lengthy discussions on the subject of relations between the two countries.

These meetings, which took place in the presence of President BOUMEDIENNE, were marked by great frankness and a sincere wish on both sides to reach a final and permanent solution to all the problems existing between the two countries.

In application of the principles of territorial integrity, the inviolability of borders and non-interference in internal affairs, the two contractual parties have decided:


2. To delimit their fluvial frontiers according to the Thalweg Line.

3. Accordingly, the two parties will restore security and mutual trust along their common boundaries, and hence will commit themselves to exercising a strict and effective control over their common boundaries with a view to putting a definitive end to all acts of infiltration of a subversive character no matter where they originate from.

4. The two parties also agreed to consider the arrangements referred to above as integral elements of the comprehensive solution. Hence any impairment of any of their components shall naturally be contrary to the spirit of the Algiers agreement.

The two parties will remain in permanent touch with President BOUMEDIENNE who will offer, in case of need, the fraternal assistance of Algeria to implement the decisions which have been taken.

The parties have decided to reestablish traditionalities of good neighbourliness and friendship, particularly by the elimination of all negative factors in their relations, the continuous exchange of views on questions of mutual interest and the development of mutual co-operation.

The two parties solemnly declare that the area should be kept free from any outside interference.

The Ministers of Foreign Affairs of Iran and Iraq met in the presence of the Algerian Foreign Minister on 15 March 1975 in Teheran to fix the details of work for the Joint Iraqi-Iranian Commission created to implement the decision reached above by mutual agreement.

In accordance with the wishes of both parties, Algeria will be invited to all the meetings of the Joint Iraqi-Iranian Commission.

The Joint Commission will draw up its timetable and work-plan so as to meet, in case of need, alternatively in Baghdad and Teheran.

His Majesty the SHAHINSHAH has accepted with pleasure the invitation which has been conveyed to him, on behalf of H.E.President AHMED HASSAN ELBAKR, to make an official visit to Iraq; the date of this visit will be fixed by mutual agreement.

Furthermore, H.E.SADDAM HUSSEIN has agreed to make an official visit to Iran on a date to be agreed between the two parties.

His Majesty the SHANINSHAH [sic.] and H.E.Vice President SADDAM HUSSEIN wish to thank particularly and warmly President HOUARI BOUMEDIENNE who, acting from fraternal and disinterested motives, has facilitated the establishment of direct contacts between the leaders of the two countries and, as a result, has contributed to the establishment of a new era in relations between Iran and Iraq in the higher interest of the future of the region concerned.

Algiers, 6 March 1975
TREATY CONCERNING THE STATE FRONTIER AND NEIGHBOURLY RELATIONS BETWEEN IRAN AND IRAQ

His Imperial Majesty the Shahinshah of Iran, His Excellency the President of the Republic of Iraq,

Considering the sincere desire of the two Parties as expressed in the Algiers Agreement of 6 March, 1975, to achieve a final and lasting solution to all the problems pending between the two countries,

Considering that the two Parties have carried out the definitive redemarcation of their land frontiers on the basis of the Constantinople Protocol of 1913 and the minutes of the meetings of the Frontier Delimitation Commission of 1914 and have delimited their river frontier along the Thalweg,

Considering their desire to restore security and mutual trust throughout the length of their common frontier,

Considering the ties of geographical proximity, history, religion, culture and civilization which bind the peoples of Iran and Iraq,

Desirous of strengthening their bonds of friendship and good neighbourliness, expanding their economic and cultural relations and promoting exchanges and human relations between their peoples on the basis of the principles of territorial integrity, the inviolability of frontiers and non-interference in internal affairs,

Resolved to work towards the introduction of a new era in friendly relations between Iran and Iraq based on the full respect for the national independence and sovereign equality of States,

Convinced that they are helping thereby to implement the principles and achieve the purposes and objectives of the Charter of the United Nations,

Source: A Review of Imposed War By the Iraqi Regime Upon the Islamic Republic of Iran (Tehran: Ministry of External Affairs, 1983)
Have decided to conclude this Treaty and have appointed as their plenipotentiaries:

His Imperial Majesty the Shahinshah of Iran:
  His Excellency Abbas Ali Khalatbary, Minister for Foreign Affairs of Iran,

His Excellency the President of the Republic of Iraq:
  His Excellency Saadoun Hamadi, Minister for Foreign Affairs of Iraq

Who, having exchanged their full powers, found to be in good and due form, have agreed as follows:

**ARTICLE 1**

The High Contracting Parties confirm that the State land frontier between Iran and Iraq shall be that which has been redemarcated on the basis of and in accordance with the provisions of the Protocol concerning the redemarcation of the land frontier, and the annexes thereto, attached to this Treaty.

**ARTICLE 2**

The High Contracting Parties confirm that the State frontier in the Shatt al Arab shall be that which has been delimited on the basis of and in accordance with the provisions of the Protocol concerning the delimitation of the river frontier, and the annexes thereto, attached to this Treaty.

**ARTICLE 3**

The High Contracting Parties undertake to exercise strict and effective permanent control over the frontier in order to put an end to any infiltration of a subversive nature from any source, on the basis of and in accordance with the provisions of the Protocol concerning frontier security, and the annexes thereto, attached to this Treaty.
ARTICLE 4

The High Contracting Parties confirm that the provisions of the three Protocols, and the annexes thereto, referred to in articles 1, 2 and 3 above and attached to this Treaty as an integral part thereof shall be final and permanent. They shall not be infringed under any circumstances and shall constitute the indivisible elements of an overall settlement. Accordingly, a breach of any of the components of this over-all settlement shall clearly be incompatible with the spirit of the Algiers Agreement.

ARTICLE 5

In keeping with the inviolability of the frontiers of the two States and strict respect for their territorial integrity, the High Contracting Parties confirm that the course of their land and river frontiers shall be inviolable, permanent and final.

ARTICLE 6

1. In the event of a dispute regarding the interpretation or implementation of this Treaty, the three Protocols or the annexes thereto, any solution to such a dispute shall strictly respect the course of the Iranian-Iraqi frontier referred to in Articles 1 and 2 above, and shall take into account the need to maintain security on the Iranian-Iraqi frontier in accordance with Article 3 above.

2. Such disputes shall be resolved in the first instance by the High Contracting Parties, by means of direct bilateral negotiations to be held within two months after the date on which one of the Parties so requested.

3. If no agreement is reached, the High Contracting Parties shall have recourse, within a three-month period, to the good offices of a friendly Third State.

4. Should one of the two Parties refuse to have recourse to good offices or should the good offices procedure fail, the dispute shall be settled by arbitration within a period of not more than one month after the date of such refusal or failure.
5. Should the High Contracting Parties disagree as to the arbitration procedure, one of the High Contracting Parties may have recourse, within 15 days after such disagreement was recorded, to a court of arbitration.

With a view to establishing such a court of arbitration each of the High Contracting Parties shall, in respect of each dispute to be resolved appoint one of its nationals as arbitrator and the two arbitrators shall choose an umpire. Should the High Contracting Parties fail to appoint their arbitrators within one month after the date on which one of the Parties received a request for arbitrary from the other Party, or should the arbitrators fail to reach agreement on the choice of the umpire before that time-limit expires, the High Contracting Party which requested arbitration shall be entitled to request the President of the International Court of Justice to appoint the arbitrators or the umpire, in accordance with the procedures of the Permanent Court of Arbitration.

6. The decision of the court of arbitration shall be binding on and enforceable by the High Contracting Parties.

7. The High Contracting Parties shall each defray half the costs of arbitration.

**ARTICLE 7**

This Treaty, the three Protocols and the Annexes thereto shall be registered in accordance with Article 102 of the Charter of the United Nations.

**ARTICLE 8**

This Treaty, the three Protocols and the Annexes thereto, shall be ratified by each of the High Contracting Parties in accordance with its domestic law.

This Treaty, the three Protocols and the Annexes thereto, shall enter into force on the date of the exchange of the instruments of ratification in Teheran.
IN WITNESS WHEREOF the Plenipotentiaries of the High Contracting Parties have signed this Treaty, the three Protocols and the Annexes thereto.

DONE at Baghdad, on 13 June, 1975.

(Signed)  
Abbas Ali Khalatbary  
Minister of Foreign Affairs  
of Iran

(Signed)  
Saadoun Hamadi  
Minister of Foreign Affairs  
of Iraq

This Treaty, the three Protocols and the Annexes thereto, were signed in the presence of His Excellency Abdel-Aziz Bouteflika, Member of the Council of the Revolution and Minister for Foreign Affairs of Algeria.

(Signed)

ADDENDUM

On reconsidering para 5 of Article 6 of the Treaty concerning State Frontier and Neighbourly Relations between Iran and Iraq signed in Baghdad on June 13, 1975, the Contracting Parties agreed upon the following:

The last part of para 5 of Article 6 of the above Treaty, that is "in accordance with the procedures of the Permanent Court of Arbitration" should be deleted and the following substituted:

If the president of the International Court of Justice is not able to do so, or if he is a national of one of the parties, the arbitrators or the umpire will be appointed by the Vice-President.

If the Vice-President is also unable to do so, or if he is a national of one of the parties, the arbitrators or the umpire will be appointed by the eldest member of the Court who is not the national of any of the two parties.

Both parties will make an agreement on the subject of disputes and the procedure of its examination.

If such an agreement is not concluded within fifteen days as of the date of the establishment of the court, or if adequate specifications in connection with
the points referred to in the previous paragraph, are not included in the agreement, the provisions of The Hague Convention of October 18, 1907, on the peaceful settlement of international disputes, will be, when necessary, applied.

If the subject of the dispute is not included in the agreement or if such an agreement is not concluded at all, the court will implement the substantial rules provided in Article 38 of the Statute of the International Court of Justice.

The present addendum constitutes an integral part of the Treaty concerning the State Frontier and Neighbourly Relations between Iran and Iraq signed in Baghdad on June 13, 1975, and will be approved simultaneously with the above Treaty.

Baghdad, December 26, 1975

For: The Imperial Government of Iran,
Abbas Ali Khalatbary

For: The Government of the Republic of Iraq,
Saadoun Hamadi

PROTOCOL CONCERNING THE DELIMITATION OF THE RIVER FRONTIER BETWEEN IRAN AND IRAQ

Pursuant to the decisions taken in the Algiers communiqué of 6 March 1975,

The two Contracting Parties have agreed as follows:

ARTICLE 1

The two Contracting Parties hereby declare and recognize that the State river frontier between Iran and Iraq in the Shatt al-Arab has been delimited along the Thalweg by the Mixed Iranian-Iraqi-Algerian Committee on the basis of the following:

1. The Teheran Protocol of 17 March, 1975;

2. The record of the Meeting of Ministers for Foreign Affairs, signed at Baghdad on 20 April, 1975, approving, inter alia, the record of the Committee
to Delimit the River Frontier, signed on 16 April, 1975 on board the Iraqi ship El Thawra in the Shatt al Arab;

3. Common hydrographic charts, which have been verified on the spot and corrected and on which the geographical co-ordinates of the 1975 frontier crossing points have been indicated; these charts have been signed by the hydrographic experts of the Mixed Technical Commission and countersigned by the heads of the Iranian, Iraqi and Algerian delegations to the Committee. The said charts, listed hereinafter, are annexed to this Protocol and form an integral part thereof:

Chart No.1: Entrance to the Shatt al Arab, No.3842, published by the British Admiralty.

Chart No.2: Inner Bar to Kabda Point, No.3843, published by the British Admiralty;

Chart No.3: Kabda Point to Abadan, No.3844, published by the British Admiralty;

Chart No.4: Abadan to Jazirat Ummat Tuwaylah, No.3845, published by the British Admiralty.

ARTICLE 2

1. The frontier line in the Shatt al Arab shall follow the Thalweg, i.e., the median line of the main navigable channel at the lowest navigable level, starting from the point at which the land frontier between Iran and Iraq enters the Shatt al Arab and continuing to the sea.

2. The frontier line, as defined in paragraph 1 above, shall vary with changes brought about by natural causes in the main navigable channel. The frontier line shall not be affected by other changes unless the two Contracting Parties conclude a special agreement to that effect.

3. The occurrence of any of the changes referred to in paragraph 2 above shall be attested jointly by the competent technical authorities of the two Contracting Parties.
4. Any change in the bed of the Shatt al Arab brought about by natural causes which would involve a change in the national character of the two States' respective territory or of landed property, constructions, or technical or other installations shall not change the course of the frontier line, which shall continue to follow the Thalweg in accordance with the provisions of paragraph 1 above.

5. Unless an agreement is reached between the two Contracting Parties concerning the transfer of the frontier line to the new bed, the water, shall be re-directed at the joint expense of both Parties to the bed existing in 1975—as marked on the four common charts listed in article 1, paragraph 3, above—should one of the Parties so request within two years after the date on which the occurrence of the change was attested by either of the two Parties. Until such time, both Parties shall retain their previous rights of navigation and of use over the water of the new bed.

ARTICLE 3

1. The river frontier between Iran and Iraq in the Shatt al Arab, as defined in article 2 above, is represented by the relevant line drawn on the common charts referred to in article 1, paragraph 3, above.

2. The two Contracting Parties have agreed to consider that the river frontier shall end at the straight line connecting the two banks of the Shatt al Arab, at its mouth, at the astronomical lowest low-water mark. This straight line has been indicated on the common hydrographic charts referred to in article 1 paragraph 3, above.

ARTICLE 4

The frontier line as defined in articles 1, 2 and 3 of this Protocol shall also divide vertically the air space and the subsoil.

ARTICLE 5

With a view to eliminating any source of controversy, the two Contracting Parties shall establish
a Mixed Iranian-Iraqi Commission to settle, within two months, any questions concerning the status of landed property, constructions, or technical or other installations, the national character of which may be affected by the delimitation of the Iranian-Iraqi river frontier, either through repurchase or compensation or any other suitable arrangement.

ARTICLE 6

Since the task of surveying the Shatt al Arab had been completed and the common hydrographic chart referred to in article 1, paragraph 3, above has been drawn up, the two Contracting Parties have agreed that a new survey of the Shatt al Arab shall be carried out jointly, once every 10 years, with effect from the date of signature of this Protocol. However, each of the two Parties shall have the right to request new surveys, to be carried out jointly, before the expiry of the 10-year period.

The two Contracting Parties shall each defray half the cost of such surveys.

ARTICLE 7

1. Merchant vessels, State vessels and warships of the two Contracting Parties shall enjoy freedom of navigation in the Shatt al Arab and in any part of the navigable channels in the territorial sea which lead to the mouth of the Shatt al Arab, irrespective of the line delimiting the territorial sea of each of the two countries.

2. Vessels of third countries used for purposes of trade shall enjoy freedom of navigation, on an equal and non-discriminatory basis, in the Shatt al Arab and in any part of the navigable channels in the territorial sea which lead to the mouth of the Shatt al-Arab, irrespective of the line delimiting the territorial sea of each of the two countries.

3. Either of the two Contracting Parties may authorize foreign warships visiting its ports to enter the Shatt al Arab, provided such vessels do not belong to a country in a state of belligerency, armed conflict or war with either of the two Contracting Parties and provided the other Party is so notified no less than 72 hours in advance.
4. The two Contracting Parties shall in every case refrain from authorizing the entry to the Shatt al Arab of merchant vessels belonging to a country in a state of belligerency, armed conflict or war with either of the two Parties.

ARTICLE 8

1. Rules governing navigation in the Shatt al Arab shall be drawn up by a mixed Iranian-Iraqi Commission, in accordance with the principle of equal rights of navigation for both States.

2. The two Contracting Parties shall establish a Commission to draw up rules governing the prevention and control of pollution in the Shatt al Arab.

3. The two Contracting Parties undertake to conclude subsequent agreements on the questions referred to in paragraphs 1 and 2 of this article.

ARTICLE 9

The two Contracting Parties recognize that the Shatt al Arab is primarily an international waterway, and undertake to refrain from any operation that might hinder navigation in the Shatt al Arab or in any part of those navigable channels in the territorial sea of either of the two countries that lead to the mouth of the Shatt al Arab.

DONE at Baghdad, on 13 June, 1975.

(Signed) Abbas Ali Khalatbary, Minister for Foreign Affairs of Iran

(Signed) Saddam Hamadi, Minister for Foreign Affairs of Iraq

Signed in the presence of His Excellency Abdel-Aziz Bouteflika, Member of the Council Revolution and Minister for Foreign Affairs of Algeria.
Pursuant to the provisions of the Algiers communiqué of March 6, the two Contracting Parties have agreed to the following:

ARTICLE 1

A. The Two Contracting Parties affirm and recognize that the redemarcation of the State land frontier between Iran and Iraq was a field operation performed by the mixed Iranian - Iraqi - Algerian Committee on the basis of the following:

1. The Constantinople Protocol of 1913 and the minutes of the meetings of the 1914 Commission to delimit the Turco-Persian frontier;

2. The Teheran Protocol dated March 17, 1975;

3. The record of the meeting of Ministers of Foreign Affairs, signed at Baghdad on April 20, 1975 and approving, inter alia, the report of the Committee to Demarcate the Land Frontier, signed at Teheran on March 30, 1975;

4. The record of the meeting of Ministers of Foreign Affairs, signed at Algiers on May 20, 1975;

5. The descriptive record of operations in the demarcation of the land frontier between Iran and Iraq, prepared by the Committee to Demarcate the Land Frontier and dated June 13, 1975. The record constitutes Annex 1 and is an integral part of this Protocol;

6. Maps on the scale 1:50,000 indicating the land frontier line and the position of the old and new frontier marks. The maps constitute Annex 2 and are an integral part of this Protocol.

7. Record cards of the old and new frontier marks;
8. A document giving the coordinates of the frontier marks.

9. Aerial photographs of the Iranian-Iraqi frontier strip indicating the positions of the old and new frontier marks.

B. The two Parties undertake to complete the demarcation of the frontier between frontier marks No.14A and No.15 within two months.

C. The two Contracting Parties shall cooperate in producing aerial photographs of the Iranian-Iraqi land frontier with a view to using them in plotting the frontier on maps scaled 1:25,000, indicating the position of the frontier marks. This work shall be completed within a period not exceeding one year taking effect May 20, 1975, and shall be without prejudice to the entry into force of the Treaty of which this Protocol is an integral part.

The descriptive record relating to the land frontier and referred to in paragraph 5 above shall be amended accordingly.

The maps produced pursuant to the present section C shall supersede all existing maps.

**ARTICLE 2**

The State and frontier between Iran and Iraq shall follow the line indicated in the descriptive record and the maps referred to respectively in paragraphs 5 and 6 of Article 1 above, with due regard to the provisions of section C of the Article.

**ARTICLE 3**

The frontier line defined in Articles 1 and 2 of this Protocol shall also divide the air space and the subsoil vertically.

**ARTICLE 4**

The two Contracting Parties shall establish a Mixed Iranian-Iraqi Commission to settle, in a neighbourly and cooperative spirit, the status of landed property, constructions, or technical or other installations whose national character may be changed by the redemarcation
of the land frontier between Iran and Iraq. Such settlement shall be by means of repurchase compensation or any other appropriate formula, with a view to eliminating any source of litigation.

The Commission shall settle the status of State property within two months. Claims concerning private property shall be submitted to it within two months. The status of this private property shall be settled within the following three months.

ARTICLE 5

1. A Mixed Commission composed of representatives of the competent authorities of the two States shall be established to inspect the frontier marks and determine their condition.

The Commission shall make this inspection annually, in September, in accordance with a timetable which it shall prepare beforehand within an appropriate period of time.

2. Either Contracting Party may request the other in writing to have the Commission carry out, at any time, an additional inspection of the frontier marks. In the event of such a request, the inspection shall be made within a period not exceeding 30 days after the date of the request.

3. Whenever an inspection is made, the Mixed Commission shall prepare the relevant reports and submit them under its signature to the competent authorities of each of the two States. The Commission may, if need be, call for the construction of new frontier marks according to the specifications of the existing ones, provided that the course of the frontier line is not thereby altered. Where new frontier marks are constructed, the competent authorities of the two States shall check the frontier marks and their coordinates against the relevant maps and documents referred to in Article 1 of this Protocol. The authorities shall then position the frontier marks under the supervision of the Mixed Commission, which shall prepare a record of the operation and submit it to the competent authorities of each of the two States so that it may be annexed to the documents referred to in Article 1 of this Protocol.
4. The two Contracting Parties shall be jointly responsible for the maintenance of the frontier marks.

5. The Mixed Commission shall be responsible for replacing displaced frontier marks and reconstructing destroyed or missing marks, on the basis of the maps and documents referred to in Article 1 of this Protocol, taking care not to alter the position of the marks, under any circumstances. In such cases, the Mixed Commission shall prepare a record of the operation and submit it to the competent authorities of each of the two States.

6. The competent authorities of each of the two States shall exchange information on the condition of the frontier marks with a view to finding the best ways and means of protecting and maintaining them.

7. The two Contracting Parties undertake to take all necessary steps to protect the frontier marks and prosecute individuals who have moved, damaged or destroyed them.

ARTICLE 6

The two Contracting Parties have agreed that the provisions of this Protocol, signed without any reservation, shall henceforth govern any matter relating to the frontier between Iran and Iraq. On this basis, they solemnly undertake to respect their common and definitive frontier.

Done in Baghdad, on June 13, 1975.

Abbas Ali Khalatabary,
Minister of Foreign Affairs of Iran

Saadoum Hamadi,
Minister of Foreign Affairs of Iraq

Signed in the presence of His Excellency Abdel-Aziz Bouteflika, Member of the Council of the Revolution, Minister of Foreign Affairs of Algeria.
In accordance with the decisions contained in the Algiers Agreement of March 6, 1975,

Anxious to re-establish mutual security and trust throughout the length of their common frontier,

Resolved to exercise strict and effective control over that frontier in order to put an end to any infiltration of a subversive nature, and, to that end, to establish close cooperation between themselves and to prevent any infiltration or illegal movement across their common frontier for the purpose of causing subversion, insubordination or rebellion,

Referring to the Teheran Protocol of March 15, 1975, the record of the meeting of Ministers of Foreign Affairs, signed in Baghdad on April 20, 1975, and the record of the meeting of Ministers of Foreign Affairs, signed in Algiers on May 20, 1975.

The two Contracting Parties have agreed as follows:

ARTICLE 1

1. The two Contracting Parties shall exchange information on any movement by subversive elements which may attempt to infiltrate one of the two countries with a view to committing acts of subversion, insubordination or rebellion.

2. The two Contracting Parties shall take the necessary steps with regard to the movements of the elements referred to in paragraph 1 above.

They shall inform each other immediately of the identity of such persons, on the understanding that they shall do their utmost to prevent those persons from committing acts of subversion.

The same steps shall be taken with regard to any persons who may assemble within the territory of one of the two Contracting Parties with the intention of committing acts of subversion or sabotage in the territory of the other Party.
ARTICLE 2

The many forms of cooperation established between the competent authorities of the two Contracting Parties relating to the closing of frontiers to prevent infiltration by subversive elements shall be instituted by the frontier authorities of the two countries, and shall be pursued up to the highest levels in the Ministries of Defense, Foreign Affairs and the Interior of each of the two Parties.

ARTICLE 3

The infiltration points likely to be used by subversive elements are as follows:

1. Northern frontier zone
   From the point of intersection of the Iranian, Turkish and Iraqi frontiers to (and including) Khanaqin-Qasr-e-Shirin: 21 points.

2. Southern frontier zone
   From (but not including) Khanaqin-Qasr e-Shirin to the end of the Iranian-Iraqi frontier: 17 points.

3. The above infiltration points are named in the annex.

4. The points specified above shall be supplemented by any other infiltration point which may be discovered and will have to be closed and controlled.

5. All frontier crossing points except those currently controlled by the customs authorities shall be closed.

6. In the interest of promoting relations of all kinds between the two neighbouring countries, the two Contracting Parties have agreed that, in the future, other crossing points controlled by the customs authorities shall be created by common consent.

ARTICLE 4

1. The two Contracting Parties undertake to provide the necessary human and material resources to ensure the effective closure and control of their frontiers, so as to prevent any infiltration by
subversive elements through the crossing points mentioned in Article 3 above.

2. If, in the light of experience gained in this matter, experts should decide that more effective measures must be taken, the corresponding procedures shall be established at monthly meetings of the frontier authorities of the two countries, or at meetings between those authorities, should the need arise.

The conclusions and records of such meetings shall be communicated to the higher authorities of each of the two Parties. Should there be disagreement between the frontier authorities, the heads of the administration concerned shall meet in either Teheran or Baghdad to reconcile the points of view and draw up a record of the outcome of their meetings.

ARTICLE 5

1. Any subversive persons who may be arrested shall be handed over to the competent authorities of the Party in whose territory they were arrested and shall be subject to the legislation in force.

2. The two Contracting Parties shall inform one another of the measure taken against persons referred to in paragraph 1 above.

3. Should subversive persons cross the frontier in an attempt to escape, the authorities of the other country shall be informed immediately and shall take all necessary steps to apprehend such persons.

ARTICLE 6

In case of need and where the two Contracting Parties so agree, entry to certain areas may be declared prohibited in order to prevent subversive persons from carrying out their intentions.

ARTICLE 7

In order to establish and promote cooperation which is mutually beneficial to both Parties, a permanent Mixed Committee comprising the heads of the frontier authorities and representative of the Ministers of
Foreign Affairs of the two countries shall be
established and shall hold two sessions a year (at the
beginning of each half of the calendar year).

At the request of one of the two Parties, however,
special meetings may be held to consider how
intellectual and material resources might be better used
for the closure and control of the frontiers and to
review the effectiveness and proper implementation of
the basic provisions governing cooperation as provided
for in this Protocol.

**ARTICLE 8**

The provisions of this Protocol relating to the
closure and control of the frontier shall be without
prejudice to the provisions of specific agreements
between Iran and Iraq concerning grazing rights and
frontier commissioners.

**ARTICLE 9**

With a view to guaranteeing the security of the
common river frontier in the Shatt al-Arab and
preventing the infiltration of subversive elements from
either side, the two Contracting parties shall take such
appropriate steps as the installation of lookout posts
and the detachment of patrol boats.

*Done in Baghdad, on June 13, 1975.*

Abbas Ali Khalathary,
Minister of Foreign Affairs
Of Iran

Saadoon Hanadi
Minister of Foreign Affairs
Of Iraq

Signed in the presence of H.E. A.A., Bouteflika,
Minister of Foreign Affairs of Algeria.
RESOLUTION 598 (1987)

Adopted by the Security Council at its 2750th meeting, on 28 July 1987

The security Council,

Reaffirming its resolution 582 (1986),

Deeply concerned that, despite its calls for a cease-fire, the conflict between Iran and Iraq continues unabated, with further heavy loss of human life and material destruction,

Deploring the initiation and continuation of the conflict.

Deploring also the bombing of purely civilian population centres, attacks on neutral shipping or civilian aircraft, the violation of international humanitarian law and other laws of armed conflict, and, in particular, the use of chemical weapons contrary to obligations under the 1925 Geneva Protocol,

Deeply concerned that further escalation and widening of the conflict may take place,

Determined to bring to an end to all military actions between Iran and Iraq,

Convinced that a comprehensive, just, honourable and durable settlement should be achieved between Iran and Iraq,

Recalling the provisions of the Charter of the United Nations, and in particular the obligation of all Member States to settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered,

Determining that there exists a breach of the peace as regards the conflict between Iran and Iraq,
Acting under Articles 39 and 40 of the Charter of the United Nations,

1. Demands that, as a first step towards a negotiated settlement, Iran and Iraq observe an immediate cease-fire, discontinue all military actions on land, at sea, and in the air, and withdraw all forces to the internationally recognized boundaries without delay;

2. Requests the Secretary-General to dispatch a team of United Nations Observers to verify, confirm and supervise the cease-fire and withdrawal and further requests the Secretary-General to make the necessary arrangements in consultation with the parties and to submit a report thereon to the Security Council;

3. Urges that prisoners-of-war be released and repatriated without delay after the cessation of active hostilities in accordance with the Third Geneva Convention of 12 August 1949;

4. Calls upon Iran and Iraq to co-operate with the Secretary-General in implementing this resolution and in mediation efforts to achieve a comprehensive, just and honourable settlement, acceptable to both sides, of all outstanding issues, in accordance with the principles contained in the Charter of the United Nations;

5. Calls upon all other States to exercise the utmost restraint and to refrain from any act which may lead to further escalation and widening of the conflict, and thus to facilitate the implementation of the present resolution;

6. Requests the Secretary-General to explore, in consultation with Iran and Iraq, the question of entrusting an impartial body with inquiring into responsibility for the conflict and to report to the Security Council as soon as possible;

7. Recognizes the magnitude of the damage inflicted during the conflict and the need for reconstruction efforts, with appropriate international assistance, once the conflict is ended and, in this regard, requests the Secretary-General to assign a team of experts to study the question of reconstruction and to report to the Security Council;

8. Further requests the Secretary-General to examine, in consultation with Iran and Iraq and with other States of the region, measures to enhance the security and stability of the region;
9. Requests the Secretary-General to keep the Security Council informed on the implementation of this resolution;

10. Decides to meet again as necessary to consider further steps to ensure compliance with this resolution.