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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 Communiqué of 6 March 1975,² 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 frontier on the basis of the Constantinople Protocol of 19133 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 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, 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 Iraq and Iran 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 annex thereto, attached to this Treaty.



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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 over all 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 Iraqi-Iranian frontier referred to in articles 1 and 2 above and shall take into account the need to maintain security on the Iraqi-Iranian 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 the 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 court of arbitration each of the High Contracting Parties shall, in respect of each dispute to be resolved, appoint one of its nationals as arbitrators 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 arbitration 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. 1

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.



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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 Tehran.

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 for Foreign Affairs
of Iran

[Signed]

SAADOUN HAMADI
Minister for 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]