



International Boundary Study

No. 164 – July 13, 1978

Iran – Iraq Boundary

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IRAN - IRAQ BOUNDARY

I. BOUNDARY BRIEF

The Iran–Iraq boundary extends for 1,458 kilometers (906 miles) between the tripoint with Turkey on Kuh-e Dalanper and the terminal point of the Shatt al Arab in the Persian Gulf. From northwest to southeast, the line utilizes a number of high drainage divides, continues along the western edge of the foothills of the Zagros Mountains, and then crosses a broad plain to the Shatt al Arab. It follows the thalweg of the Shatt al Arab downstream for 105 kilometers (65 miles). The boundary is demarcated throughout by pillars or rivers.

II. HISTORICAL BACKGROUND

In a Treaty of Peace and Demarcation of Frontiers signed at Zohab in 1639, Iran (Persia) and the Ottoman Empire, commonly referred to as Turkey (the predecessor state of Iraq in the area), delimited a common boundary in the territory between the Zagros Mountains on the east and the Tigris on the west. The alignment of this initial boundary was somewhat indefinite because towns and sites were allocated primarily on the basis of tribal loyalties. Following a Russo–Turkish agreement in 1724, for the partition of Iran, Turkey invaded Iran. In accordance with the peace treaty concluded at Hamadan in 1727, the westernmost provinces of Iran were ceded to Turkey. Iran and Turkey resumed hostilities in 1743, and a peace treaty signed at Kherden in 1746 reaffirmed the boundary of 1639.

Following the Irano - Turkish war in 1821 - 22, the Treaty of Erzurum, signed in 1823, stipulated that the boundary of 1746 was considered valid. A mixed boundary commission, including Iranian, Turkish, British, and Russian officials, was established in 1843. The work of the commission culminated in a second Treaty of Erzurum signed during the period of May 19 - 31, 1847.

The second Treaty of Erzurum delimited a boundary in the Shatt al Arab for the first time. Iran received the town and port of Khorramshahr (formerly known as Mummarah or Muhammarah), the island of Abadan (Khizr), the Abadan anchorage, and the left bank (eastern bank) of the river. The treaty was commonly interpreted to mean that the river would remain under Turkish sovereignty, but "Persian vessels shall have the right to navigate freely without let or hindrance on the Shatt al Arab from the mouth of the same to the point of contact of the frontiers of the two Parties." Also in this treaty, Iran abandoned all claim to the town and province of As Sulaymaniyah. Iran ceded the lowlands of the province of Zohab to Turkey, and, in return, Turkey ceded the mountainous area of the province and the Kirind valley to Iran.

The Treaty of 1847 provided for a commission to delimit the boundary, and work progressed along the boundary during the period 1848–52. Then the Crimean War halted work relative to the delimitation by the boundary commission. At the conclusion of the war, British and Russian surveyors met at St. Petersburg, and after eight years produced two

separate maps of the boundary. A number of discrepancies were noted between the maps, and five years later, in 1869, a joint map was produced which was known as the Carte identique. Despite the availability of the Carte identique and numerous discussions, Iran and Turkey continued to have disagreements on the exact alignment of their boundary.

An Anglo - Russian Convention in 1907 made a de facto division of Iran with Russia in control in the north, the United Kingdom in control in the south, and a neutral zone between the spheres of influence. In an effort to stabilize the boundary, the United Kingdom and Russia urged Iran and Turkey to agree to a detailed delimitation of their boundary. On December 21, 1911, an Irano - Turkish agreement provided for a technical commission to demarcate the boundary based on the Erzurum Treaty of 1847.

The so-called Constantinople Protocol of November 17, 1913,¹ delimited the entire boundary in detail and provided again for a commission to demarcate the land boundary. The protocol stated that the Shatt al Arab was under Turkish sovereignty with the exception of certain islands and delimited the boundary in the river as follows:

[From a point between the Nahr - Diaiji and the Nahr - Abu'l-Arabid, the boundary] shall follow the medium filum aquae of the Khaiyin canal as far as the point where the latter joins the Shatt al-Arab, at the mouth of the Nahr - Nazaileh. From this point the frontier shall follow the course of the Shatt al-Arab as far as the sea, leaving under Ottoman sovereignty the river and the islands therein, subject to the following conditions and exceptions:

(a) The following shall belong to Persia: (1) the island of Muhalla and the two islands situated between the latter and the left bank of the Shatt al-Arab (Persian bank of Abadan); (2) the four islands between Shetait and Maawiyeh and the two islands opposite Mankuhi which are both dependencies of the island of Abadan; (3) any small islands now existing or that may be formed which are connected at low water with the island of Abadan or with Persian terra firma below Nahr-Nazaileh.

(b) The modern port and anchorage of Muhammara, above and below the junction of the river Karun with the Shatt al-Arab, shall remain within Persian jurisdiction in conformity with the Treaty of Erzerum; the Ottoman right of usage of this part of the river shall not, however, be affected thereby, nor shall Persian jurisdiction extend to the parts of the river outside the anchorage.

(c) No change shall be made in the existing rights, usages and customs as regards fishing on the Persian bank of the Shatt al-Arab, the word "bank" including also the lands connected with the coast at low water.

¹ The delimitation and the subsequent demarcation completed in October 1914 included the boundary between Iran and what would be the present-day territories of both Iraq and Turkey.

(d) Ottoman jurisdiction shall not extend over the parts of the Persian coast that may be temporarily covered by water at high tide or by other accidental causes. Persian jurisdiction, on its side, shall not be exercised over lands that may be temporarily or accidentally uncovered when the water is below the normal low-water level.

(e) The Sheikh of Muhammara shall continue to enjoy in conformity with Ottoman laws his rights of ownership in Ottoman territory.²

In 1914 the land boundary was demarcated with pillars by a commission consisting of members from Iran, Turkey, Russia, and the United Kingdom.³ The water boundary as then determined by the commission followed the low-water mark on the left (Iranian) bank of the Shatt al Arab with the exception of the Muhammarah area. There the line followed the thalweg of the Shatt al Arab from the Rud-e Karun to the point where the boundary departs the river.

Comprised of the three provinces (vilayet) of Baghdad, Mosul, and Al Basrah, Iraq (generally known in the west as Mesopotamia) was administered by the Ottoman Empire through appointed governors (pasha) answerable directly to the sultan-caliph in Istanbul. British troops were in occupation of Iraq at the end of World War I in 1918, when the Ottoman Empire was dissolved. British occupation forces established an Al Basrah Port Authority the following year with jurisdiction over the Shatt al Arab to the Persian Gulf. Only within harbor limits was pilotage assigned to harbor masters. In October 1920, the United Kingdom received a League of Nations Mandate for Iraq, and on October 3, 1932, Iraq was admitted to the League of Nations as an independent state.

Friction between Iran and Iraq over the boundary question and shipping in the Shatt al Arab culminated in a complaint by Iraq to the League of Nations in 1934. In the debate before the League Council, Iran challenged the validity of the Treaty of Erzurum of 1847 and the Constantinople Protocol of 1913.

Following negotiations in 1937, Iran and Iraq concluded a treaty which reaffirmed the boundary in the Shatt al Arab as established by the Constantinople Protocol and the minutes of the boundary commission of 1914 with the exception of the area adjacent to Abadan. There the line was shifted from the low-water mark to the thalweg as follows:

At the extreme point of the island of Choteit (being approximately latitude 30°17'25" North, longitude 48°19'28" East), the frontier shall run perpendicularly from low water mark to thalweg of the Shatt-el-Arab, and shall follow the same as far as a point

² The Shiekh of Muhammara was the ruling sheikh of part of an Arab Shiah tribe inhabiting this area. In practice, administrative powers were delegated to this sheikh until 1924, when Rez Shah brought the region under the control of the central government in Tehran.

³ The Delimitation Commission of 1914 produced a series of maps of the boundary known as Cartes supplementaires, most of which were at a scale of 1:73,050. Insets or Carte detaillees were included on some of the map sheets.

opposite the present Jetty No. I at Abadan (being approximately latitude 30°20'8.4" North, longitude 48°16'13" East). From this point, it shall return to low water mark, and follow the frontier line indicated in the 1914 Minutes.

The change of the boundary to the thalweg at Abadan eliminated one of the main Iranian grievances, which was that the jetties in the area were in Iraqi waters. The 1937 treaty also declared that there should be free navigation for merchant vessels of all countries and stipulated that a convention should be concluded between Iran and Iraq dealing with pilotage, collection of dues, and other administrative questions.

During World War II, Iran was again under Russian influence in the north and British influence in the south. In January 1942, the de facto occupation of Iran was acknowledged in a British–Iranian–Soviet Tripartite Treaty. Between December 1945 and December 1946, a Soviet–sponsored autonomous republic existed in the Azerbaijan area of northwest Iran.

Following World War II, problems continued along the boundary, and Iran was desirous of establishing the thalweg as the boundary in the Shatt al Arab. At the initiative of President Boumediene of Algeria in early 1975, Shahanshah Mohammad Reza Pahlavi of Iran and Saddam Husayn, Vice-Chairman of the Revolutionary Command Council of Iraq, met and discussed relations between their two countries.

On March 6, 1975, a joint communique was issued in Algiers by Iran and Iraq relative to the resolution of the problems of their common boundary as follows: (1) to undertake the final demarcation of their land boundaries on the basis of the Constantinople Protocol of 1913 and the proces verbaux of the Boundary Delimitation Commission of 1914; and (2) to delimit their river boundary according to the thalweg line.

At the conclusion of a meeting between their Foreign Ministers in Tehran, March 15–17, 1975, Iran and Iraq signed a protocol covering the points contained in the Algiers agreement. To implement the provisions of the protocol, individual committees were organized for the demarcation of the land boundary, determination of the riverine boundary on the basis of the thalweg, and the establishment of full control on the boundary. A proces-verbal was signed at Algiers on May 20, 1975, for the drafting of a final boundary treaty that would include the necessary protocols and annexes.

A Treaty Relating to the State Boundary and Good–Neighborliness between Iran and Iraq and three protocols with their annexes were signed at Bagdad on June 13, 1975. A Protocol Relating to the Redemarcation of the Land Boundary between Iran and Iraq was accompanied by two annexes: (1) Description of the Iran Land Border (lists the boundary pillars between the Shatt al Arab and the Turkish tripoint); and (2) Boundary Coordinates (includes both geographic and Universal Transverse Mercator [UTM] coordinates for boundary pillars).

Secondly, a Protocol Relating to the Delimitation of the River Boundary between Iran and Iraq included an annex of four charts of the Shatt al Arab containing the coordinates of the points in the river. Finally, a Protocol Relating to the Security of the Boundary between Iran and Iraq contained an annex listing the infiltration points in both the north and south boundary zones.

On December 26, 1975, a proces-verbal was signed on specific issues. In paragraph 1, it states that "In connection with the description of the border line between boundary marks Nos. 101 and 101/1, it has been agreed that the border line passes midway between two springs both called Tchiftekan." In paragraph 2, it states that between boundary marks Nos. 81 and 82, the boundary "goes around all the currently existing orchards, thereby leaving them in Iranian territory."

III. ANALYSIS OF ALIGNMENT

Shatt al Arab

The boundary in the Shatt al Arab follows the thalweg for 105 kilometers (65 miles) starting at point R (29° 51.20'N., 48° 44.68'E.) "on a straight line joining, at the astronomical lowest low water, the extremity of the banks at the mouth of the Shatt al Arab." It continues upstream, passing through 59 additional points indicating the course of the thalweg. Point 59 (30°26.90'N., 48°06.62'E.) is at the junction of the thalweg of the Shatt al Arab and the Nahr al Khain

The Protocol Relating to the Delimitation of the River Boundary between Iran and Iraq, signed on June 13, 1975, was accompanied by four British Admiralty charts, on which the thalweg⁴ and points (determined by geographic coordinates) were plotted by a Joint Technical Commission as follows: (1) Entrance to Shatt al Arab (No. 3842); (2) Inner Bar to Kabda Point (No. 3843); (3) Kabda Point to Abadan (No. 3844), and Abadan to Jazirat Ummat Tuwaylah (No. 3845). Paragraph 4 of Article 2 in the protocol made provision for the boundary to continue to follow the thalweg in the event "of a shift of the bed of the Shatt al Arab or its mouth caused by natural phenomena." In Article 6, it was agreed that a new joint survey would be made of the Shatt al Arab at least every 10 years.

Article 7 of the same protocol provided for the freedom of navigation for Iranian and Iraqi vessels "regardless of the delimitation of each country's territorial sea."

Shatt al Arab to Turkish Tripoint

The land boundary is 1,353 kilometers (841 miles) long and is demarcated by more than 730 pillars numbered from 1 through 125/12. Annexes to the Protocol Relating to the

⁴ In Paragraph 1 of Article 2, the thalweg was defined as "the median line of the main navigable channel at the lowest level of navigation."

Redemarcation of the Land Boundary between Iran and Iraq contain details on the alignment of the boundary including a description of the pillars and a list of their coordinates. The mixed commission also plotted the boundary on a special series of map sheets at a scale of 1:50,000.

From the junction of the thalweg of the Shatt al Arab and the Nahr al Khaiin, the line extends to boundary pillar (B.P.) No. 1 (30°27'13"N., 48°06'33"E.) on the latter stream. It then follows the median line of the Nahr al Khaiin northwestward for 8.94 kilometers (5.56 miles) to B.P. No. 2 (30°28'40"N., 48°01'27"E.).

The boundary continues northward from B.P. No.2 across a flat plain by a series of straight-line segments for about 57 kilometers (35 miles) to B.P. No. 12 (30°59'53"N., 48°01'56"E.). It then turns westward, continuing by short straight-line segments for about 31 kilometers (19 miles) to B.P. No. 14-A (31°00'01"N., 47°40'54"E.). From this point, the boundary extends northward across a swampy plain by straight-line segments to B.P. No.14-B; it then extends northeastward again by straight-line segments for about 46 kilometers (29 miles) to B.P. No. 15 (31°47'05"N., 47°51'57"E.) at the eastern limit of the Tigris valley.

Northwestward from B.P. No. 15, the boundary follows the relatively low foothills of the Zagros Mountains for about two-thirds of the distance to the Turkish tripoint. It utilizes numerous ridges, ravines, and straight-line segments. The line crosses most of the rivers that flow southeastward to the Tigris valley, leaving their headwaters in Iran. In some cases, the boundary follows for short distances the median line of such rivers as the Nahr at Tib and the Nahr Wadi. In places, drainage divides and roads also determine the boundary alignment.

In the northern third of the land boundary, the line follows the crests of a number of high ranges to the tripoint with Turkey at B.P. No. 125/12 (37°11'40"N., 44°46'E.). The tripoint is located less than 50 kilometers (31 miles) west of Lake Urmia (Daryachen-ye Re Za'iyeh), which has a surface elevation of 1,274 meters (4,180 feet). By utilizing the crests of the ranges, the boundary follows the drainage divide in many places. The line also extends through passes and follows the median line of such rivers as the Little Zab.

DOCUMENTATION

1. Treaty of Peace and Frontiers between Persia and Turkey. Signed at Zohab, May 17, 1639. British and Foreign State Papers (BFSP), Vol. 105 (1912), pp. 763–766.
2. Treaty of Peace between Persia and Turkey. January 1747. Hertslet's Turkish Treaties, p. 373; and Hertslet's Persian Treaties, p. 760.
3. Treaty of Peace between Turkey and Persia. Signed at Erzerum, July 28, 1823. BFSP, Vol. 11 (1823–1824), pp. 836–839.
4. Treaty of Erzerum. May 31, 1847. League of Nations Official Journal, Vol. 39 (1935), No. 2, Annex 1528, Appendix I, pp. 197–199.
5. Protocol Relating to the Delimitation of the Turco–Persian Boundary. Signed at Constantinople on November 4, 1913. League of Nations Official Journal, Vol. 39 (1935), No. 2, Annex 1528, Appendix IIA, pp. 201–206.
6. Frontier Treaty between Iraq and Iran. Signed at Tehran, July 4, 1937. League of Nations Treaty Series, Vol. 190 (1938), pp. 242–58.
7. Joint Communique Between Iraq and Iran. Signed at Algiers, March 6, 1975.
8. Treaty Relating to the State Boundary and Good-Neighborliness between Iran and Iraq. Signed at Baghdad, June 13, 1975.
9. Protocol Relating to the Redemarcation of the Land Boundary between Iran and Iraq. Signed at Baghdad, June 13, 1975.
10. Protocol Relating to the Delimitation of the River Boundary between Iran and Iraq [includes 4 maps]. Signed at Baghdad, June 13, 1975.
11. Protocol Relating to the Security of the Boundary between Iran and Iraq. Signed at Baghdad, June 13, 1975.
12. Proces Verbal [constitutes an annex to the June 13, 1975, Protocol Regarding the Redemarcation of the Land Boundary between Iran and Iraq]. Signed at Baghdad, December 26, 1975.

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