

## CHAPTER V

CHAPTER - VUNQ And Its Efforts

The purpose of this chapter is to reveal the role played by the United Nations in Iran-Iraq conflict. However, the student of International Politics should not forget the inherent limitations of the United Nations which in day-today situation limits its capacity to solve the conflicts between Nations, placed before it. Hence the inquiry starts from this point. In this chapter after delineating the limitations of the United Nations an attempt is made to analyse how these limitations hinder United Nations to solve the controversy which ultimately lead to war between Iran and Iraq. Hope this exercise will highlight the root factors which hinder United Nations to solve the conflict between Iran and Iraq.

LIMITATIONS OF U.N. :

The United Nations is established from the point of view of maintaining peace and order on the international level. The fear of insecurity and the danger of war, in the minds of leaders and peoples of Sovereign States, were the immediate causes for its establishment. While assessing the role of the United Nations in any international conflict we should know the limits within which it can function. This we can know only when we peep into its background with reference to conflicts which came before it for solution. As far as the United Nations is concerned, one of the fundamental factors that limit its Power is the 'Sovereignty' of the States. " The war syndrome is an inevitable outgrowth of the doctrine of State Sovereignty. As long as states insist that they are the supreme arbiters of their destinies - that as Sovereign entities their decisions are subject to no higher authority - international organisations will never be able to guarantee the maintenance

of peace."<sup>1</sup>

The other defect that limits its capacity is that the framers of the charter of the United Nations may have partially failed, or unable or indeed unwilling to design a system that could be guaranteed to work. Further, even the members of the United Nations failed to make the radical reforms needed to design a system that could be guaranteed to function effectively and efficiently. This is proved by the fact, that the first purpose of the United Nations, as expressed in Article 1, para 1 of its charter is " to maintain international peace and security --- " & the first Principle of the organisation as stated in Article 2, Para 1, is "--- the Sovereign equality of all its members". This means that the organisation operates through the principle of persuasion of Sovereign States and not through compulsion. The General Assembly of the United Nations cannot bind any member against its will and the Powers of the Security Council in most of the conflicts, have almost remained unused. Thus, the United Nations enjoys strictly restricted powers which are not in proportion to the purposes that it wants to accomplish.

Thirdly, "there is a parellel between the punitive settlement at Versailles in 1919 and the Yalta Conference in 1945. The division of the European Continent at that time into two zones, Eastern and Western , just as the ground rules for the U.N. charter were being worked out, has had far reaching, long term effects."<sup>2</sup> Thus , the numerous problems that the world faces today are the result of the division of the European Continent.

"The Yalta Agreement is only one example proving that"<sup>3</sup>  
 "the powers of the day have always preferred deals made

bilaterally, rather than through the use of internationally available multilateral means".<sup>4</sup>

Fourthly, the entire World was divided into two blocks - the capitalist block and the communist block due to the Cold War between the two Superpowers - the U.S.A. and the then U.S.S.R. Further the 51 founder members of the United Nations were composed of two groups - the capitalist group and the Communist group - thus relegating the position of the organisation to a mere platform of rivalry between the two groups.

Fifthly, the growing membership of the United Nations also created certain problems in the effective functioning of the organisation. The membership of the United Nations began to grow rapidly since the year 1955. In 1984, the total membership reached to 158 and today it is 184. The new members were hailed from the Third World Countries. They were newly born sovereign and independent states - which emerged as a result of the process of decolonization. Previously, most of these states were the colonies of " Imperialist Masters " and were put to lot of sufferings and injustice.

"The new arrivals were overwhelmingly non-white, non-Western, under-developed, and unschooled in the practice of national and international governance".<sup>5</sup> "The leaders of the new membership may have lacked experience, but they were politically astute. The Arab Countries, for example, realized that they could forge a firm alliance with other new members by stressing the common interests in certain fundamental principles".<sup>6</sup> Their alliance was based " on the twin charter principles of the self determination of peoples and the

inadmissibility of the acquisition of territory by force. To the new members in Africa, Asia and the Smaller American republics, these principles were critically significant. Self determination justified their national existence, the non-acquisition of territory by force under-girded their independence".<sup>7</sup> " This was the genesis of the Third World grouping".<sup>8</sup> This grouping supported by the U.S.S.R. certainly outnumbered the West but failed to understand the basic realities and difficulties faced by the Organisation. They used their grouping as a means to avenge the injustice done to them by the West in the past and also alleging the wrongs done to them individually or collectively. For instance, at the 6th special session of the United Nations General Assembly in 1974, the call for a New International Economic Order and a plan of action for its implementation was produced. "As rounded out by a charter of Economic Rights and Duties of states, proposed by Luis Echeverria, then President of Mexico, and adopted on December 12, 1974, the General Assembly in that period embraced a broad doctrine of economic revisionism. The proposals of the developing countries tipped the balance of economic relationships".<sup>9</sup> "This all-out attack on existing relationships between the North and the South represented an understandable reaction to past 'imperialist' practices but ignored certain basic realities. Economic development requires capital and technical skills that have to be provided from the North; either through bilateral arrangements with business or governments, or through multi-lateral mechanisms".<sup>10</sup>

However, the U.S.S.R. remained outside this international economic confrontation and preferred to help the developing countries on a bilateral basis and not on a

multilateral basis..

Sixthly, the United Nations is accused of practising dual standard. This is evident from the two cases - the opposition to apartheid in South Africa and the controversy over Israel's policies in the Middle East.

Seventhly, the United Nations is charged of creating a class of pariah states. This is true in case of Arab-Israeli issues. The form in which the case was handled in the United Nations proved more or less futile. The Arab members of the Organisation with twenty votes, worked closely with, other muslim member countries and the entire non-aligned majority to form a solid anti-Israeli bloc within the United Nations. They were also supported by the states belonging to the Soviet bloc and at times some or all of the Western countries also supported it, with the exception of the United States. Such a kind of alliance when marshalled on behalf of extreme and unbalanced measures, the Organisation inevitably suffers and suffers very badly.

Eightly the United Nations is also accused of becoming too politicized to function effectively. This is because most of the times it is preoccupied with few specific problems like Arab-Israeli issues, apartheid in South Africa, Vietnam war etc. This is not a good and healthy indication on the part of the United Nations.

" However, there are signs that the attitudes and alignments are shifting in the United Nations. The invasion of Afghanistan by Soviet forces impaired Soviet credibility among the developing countries".<sup>11</sup> Furthermore, U.N. human rights agencies, which once carefully avoided any mention of the

practices of Marxists regimes, have now begun to discuss problems like the human rights situation in Poland".<sup>12</sup>

"Such incremental changes do make some slight impact, even on the superpowers. The Soviet attitude in the case of Afghanistan is interesting in this connection. At the outset, Soviet Foreign Minister Gromyko would never discuss with me the possibility of multilateral action".<sup>13</sup> Gromyko indicated that the Soviet Union would not accept any of the United Nations proposal relating to the and on the case. However, with the passage of the time the Soviet attitude changed and they became more accommodating towards the United Nations.

The above limits make the Organisation increasingly irrelevant in the real world. Most of the times it is ignored and condemned by the Sovereign states. To some its future appears to be gloomy. The incompatible interests of the Sovereign states threaten to tear it apart. It is also attacked on the ground that it produces more rhetoric than action; that its capacity to cope with international conflict appears to be less and less effective and that its capabilities to deal with other areas of international co-operation have also seemed to dwindle.

Never-the-less, the United Nations has played an important role in many important issues,, (or tasks). It presided and supervised over the process of moving the former Italian Colonies to independence. It played an important role in the creation of the State of Israel. It accelerated many aspects of the process of economic development and at the same time made human rights practices a subject of international concern. The accomplishments of the United Nations though limited, are

recognised and considered a basis and precedents for future progress. This is proved by the fact that after forty-five years of its establishment and working, it still survives.

Moreover, the Organisation has also helped in the prevention of general war. If the Nations understand its vitality and importance, it can still serve as an effective instrument of peace for the containment of national rivalries. It acts as a platform for leaders-where they can meet, can sought out their differences and also reconcile them.

Thus, the question regarding the United Nations is not whether it functions perfectly or imperfectly. It is whether human kind, taken as a whole, is better off, feels secured or insecured with it or without it. And I feel that the Organisation has made people of the Nations feel secure at least to some extent. Further the survival of this Organisation is in the interest of the states, especially those which lack in military capability because today nations live in a pluralistic world system and with nations having incompatible interests.

#### History of Disputes between Iran and Iraq :

After assessing the limits and utility of the United Nations let us try and peep into the history to have an idea of the complexity of the contradictions that have piled up between the two countries i.e. Iraq and Iran. The past 450 years of their history proves that there have always been upheavals in their relationship. Between 1520 and the beginning of the First World War Persia, i.e., Iran and the Ottoman Empire, i.e., Iraq concluded as many as 20 treaties and agreements dealing with various matters and boundary disputes between the two countries. However, the concerned treatates failed to solve the



problems and misunderstandings between them. For example, the Treaty of Zuhab (1639) was concluded in order to determine the demarcation line between Persia and the Iraqi province of the Ottoman Empire. Some work in respect of this Treaty went on till the end of the 18th century. However in 1818, Fath Ali Shah of Persia violated this treaty and made an attempt to grab Iraq. Thus a war started between Persia and Iraq, in which Persia had an upper hand - due to its reorganised and rearmed military especially army - which was modelled on the European Style. But the break-out of cholera epidemic forced the Persians to return to their previous boundary line and then signed the first Treaty of Erzerum in 1823.

However, this Treaty also could not work for a long time. By the mid-19th century again the problem between Iraq and Iran regarding the boundary dispute become a regular phenomenon. Britain and Russia made an effort to reconcile the parties in the conflict. After long sittings and deliberations the Second Treaty of Erzerum containing nine clauses was signed in 1847 by the representatives of Iran and Iraq. "Under Article 2, Paragraph 3 of the Treaty, " The Ottoman Government formally recognizes the unrestricted sovereignty of the Persian Government over the city and port of Muhamara, the island of Khizr, the anchorage and the land on the Eastern bank - that is to say, the left bank - of the Shatt-al-Arab, which are in the possession of tribes recognised as belonging to Persia. Further Persian vessels shall have the right to navigate freely without hinderance on the shatt-al-Arab from the mouth of the same to the point of contact of the frontiers of the two parties.14

On November 4, 1913, after the British and the Russian mediation, a Turco-Persian Protocol was signed between Iran and Iraq. The Protocol dealt with the settlement of the boundary. Immediately the Boundary Delimitation Commission was set up under the Protocol. It was set up in 1914. It delimited the frontier including that in the Shatt-al-Arab. The Basara Port Authorities had acquired jurisdiction over the waterway. This was not liked by the Iranian Authorities and therefore they contested it. On November 4, 1934, Iraq referred the case to the Council of the League of Nations. The Council then appointed Baron Aloisi of Italy as a mediator between Iran and Iraq. Consequently, Iran and Iraq signed a Treaty relating to boundary. The Treaty was signed on July 4, 1937. "The Treaty reaffirmed the Protocol and the frontier as defined by the 1914 commission with an exception laid down in Article 2 which provides as follows: 'The undersigned representatives further declare that Persia will not be entitled to any pretext whatsoever to put forward claims in regard to the regions situated on the right bank of the Shatt-al-Arab, or to the territory on the left bank belonging to Turkey, even where Persian tribes or parts of such tribes are established on the side bank or in the said territory".<sup>15</sup>

"Articles 4 and 5 of the Treaty dealt with the right of navigation in the river Shatt-al-Arab. It provided that the river "shall remain open on equal terms to the trading vessels of all countries and to the vessels of war and other vessels of the two countries ". It also stated that the "circumstances that the frontier - - - sometimes follows the low water mark and sometimes the "thalweg" or "medium filum aquae" shall not

in any way affect the two High Contracting Parties' right of user along the whole length of the river".<sup>16</sup> The Treaty of 1937 extended the right to navigation to "trading vessels of all countries"- these were limited by the Treaty of Erzerum.

In short, according to the Treaty, it was decided that the low water mark on the eastern side excluding the short stretches near the Persian Ports of Khorramshahr and Abadan where it was fixed at the median line in mid channel should be the border between the two countries. The Treaty also made it clear that the parties would conclude a comprehensive agreement on all issues relating to navigation, pilotage etc. The Treaty further provided that the ships using the river would be manned by Iraqi Pilots and would fly the Iraqi flag barring the neighbourhood ports of Khorramshahr and Abadan. This caused lot of tensions and bitterness in the relations of two countries.

Consequently on April 19, 1969. Iran denounced the 1937 Treaty. Iran alleged Iraqi violations, that is to say, its collection of tolls and using it for itself thus keeping Iran in the dark. Iraq was blamed of not sharing the toll with the Iranians etc. Owing to Iraqi violations Iran declared that it would no longer pay a toll to Iraq and that it would also not fly Iraqi flags on its vessels. Iran announced that the Treaty of 1937 was basically in the interests of Britain and that it was concluded "under the Anglo-Russian influence on the Persian court". The main motive behind the conclusion of the Treaty was the convenience of British Naval Vessels using the high water way. It also meant that, in any event, the boundary as fixed by the Treaty was a line that varied with the rise and fall of tide, whereas the actual boundary in Iran's view, should be a thalweg in mid sea as in the case of other rivers which form international boundaries for part of the length. Britain also

secured the right to remain the guaranter of the southern borders of the parties in the conflict. Its ships were also permitted to freely call at the Persian Ports on the left bank of the Shatt-al-Arab River, in the neighbourhood of which huge oil deposits were discovered in 1908. One thing is evident from the above Treaty that Britain's active participation in the Treaty was protection of the interests of its oil corporations in the region - especially Iran and Iraq. Though there were problems between the two countries , the relations between them remained cool and stable till the beginning of 1974.

However, in 1974, again the tension between the two countries flared up on the Shatt-al-Arab frontier. So for the first time in 1974 Iraq brought to the notice of the United Nations Security Council this issue. Owing to the vigorous efforts of the United Nations security council and the OPEC the situation on the Shatt-al-Arab was controlled and was also improved to a great extent. Consequently on March 7, 1974, Iran and Iraq concluded a cease-fire agreement.

The Algiers Accord :

Further , on March 6, 1975, Iran and Iraq also arrived at an accord on the Shatt-al-Arab frontier dispute at Algiers. The Algiers Accord on 6 March 1975 is as follows:-

" During the convocation of the OPEC Summit Conference in the Algerian Capital and upon the initiative of President Houari Boumedienne, the Shah of Iran and Saddam Hussein (Vice-Chairman of the Revolution Command Council) met twice and conducted lengthy talks on the relations between Iraq and Iran. These talks , attended by President Houari Boumedienne, were characterized by complete frankness and a sincere will

from both to reach a final and permanent solution of all problems existing between their two countries in accordance with the principles of territorial integrity, border inviolability and non-interference in internal affairs.

The Two High Contracting Parties have decided to :

First : carry out a final delineation of their land boundaries in accordance with the Constantinople Protocol of 1913 and the proceedings of the Border Delimitation Commission of 1914.

Second : Demarcate their river boundaries according to the thalweg line.

Third : Accordingly, the two parties shall restore security and mutual confidence along their joint borders. They shall also commit themselves to carry out a strict and effective observation of their joint borders so as to put a final end to all infiltrations of a subversive nature wherever they come from.

Fourth : The two parties have also agreed to consider the aforesaid arrangements as inseparable elements of a comprehensive solution. Consequently, any infringement of one of its components shall naturally contradict the spirit of the Algiers Accord. The Two Parties shall remain in constant contact with President Houari Boumedienne who shall provide, when necessary, Algeria's brotherly assistance whenever needed in order to apply these resolutions.

The two parties have decided to restore the traditional ties of good neighbourliness and friendship, in particular by eliminating all negative factors in their relations and through constant exchange of views on issues of mutual interest and promotion of mutual cooperation.

The two parties officially declare that the region ought to be secure from any foreign interference.

The Foreign Ministers of Iraq and Iran shall meet in the presence of Algeria's Foreign Minister on 15 March 1975 in Tehran in order to make working arrangements for the Iraqi-Iranian joint commission which was set up to apply the resolutions taken by mutual agreement as specified above. And in accordance with the desire of the two parties, Algeria shall be invited to the meetings of the Iraqi-Iranian Joint Commission. The Commission shall determine its agenda and working procedures and hold meetings if necessary. The meetings shall be alternately held in Baghdad and Tehran.

His Majesty the Shah and Iran accepted with pleasure the invitation extended to him by his Excellency President Ahmad Hasan al-Bakr to pay a state visit to Iraq. The date of the visit shall be fixed by mutual agreement.

On the other hand, Saddam Hussein agreed to visit Iran officially at a date to be fixed by the two parties.

His Majesty the Shah of Iran and Saddam Hussein expressed their deep gratitude to President Houari Boumedienne who motivated by brotherly sentiments and a spirit of disinterestedness worked for the establishment of a direct contact between the leaders of the two countries and consequently contributed to reviving a new era in the Iraqi-Iranian relations with a view to achieving the higher interest of the future of the region in question".<sup>17</sup>

The Accord was considered to be a final and permanent solution to all the problems existing between the two Conflicting Parties. The accord was followed by a formal Treaty settling the dispute finally. It was signed at Baghdad

on June 13, 1975 by the Foreign Ministers of Iran and Iraq. The Treaty concerning the frontier and neighbourly relations between Iran and Iraq on 13, June 1975 is as follows :-

"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 frontier 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 neighbourliness, expanding their economic and cultural relations and promoting exchange 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 of 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 the 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.

#### 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 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 establish 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 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.

(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 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, Members of the council of the Revolution and Minister for Foreign Affairs of Algeria".<sup>18</sup>

Attached to the Algiers Treaty of June 13, 1975, was a Protocol on the Shatt-al-Arab River Frontier. The Protocol contained nine Articles;

" Protocol concerning the delimitation to the river frontier between Iran and Iraq.

Pursuant to the decisions taken in the Algiers Communique 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 Iraqi-Iranian-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 Iran, Iraq 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 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 Iraqi - Iranian 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 has 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 navigations 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 frontier warships visiting its parts to enter the Shatt Al Arab, provided such vessels do not belong to a country in a state of belligerency, aimed 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 Iraqi - Iranian 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.

Abbas Ali Khalatbary  
Minister for Foreign  
Affairs of Iran

Saadoun Hamadi  
Minister for Foreign  
Affairs of Iraq.

Signed in the presence of His Excellency Abdel - Aziz Bouteflike, Member of the Council Revolution and Minister for



Foreign affairs of Algeria".<sup>19</sup>

However, the Algiers Treaty of June 31, 1975, and the protocol attached to it could not work for a long period. Barely, after five years of its functioning, in September 1980, Iraq tore up the Treaty and invaded Iran, waged a war against it. This was what the western imperialist forces were waiting for. The personal differences between the Iraqi President Saddam Hussein and his Counterpart Ayattollah. Khomeini of Iran played into the hands of the imperialist leaders. They immediately applied maximum efforts to turn the events in both the countries into the channel of worst confrontation, to protect their selfish interests in the region.

After knowing the history of relations and treaties between the two countries - Iran and Iraq let us assess the role played by the United Nations - especially after the breaking out of the War.

Though the clashes between the two countries began from 7th of September 1980, the situation turned severe only on 22nd of September 1980 when Iraq invaded Iran. The situation between the two countries grew severe within twenty four hours - infact it worsened to such an extent that the United Nations could not stay neutral but had to intervene in the affairs between the two countries. On 23rd of September 1980 the issue was taken to the security council and thus a United Nations Resolution on Iran-Iraq war. The Security Council Resolutions and its Analysis ;

" UN Council Resolutions on Iran-Iraq war :

On 23 September 1980, the President of the Council issued the following statement :

Members of the security council have today exchanged views in informal consultations on the extremely serious situation prevailing between Iran and Iraq. They have taken note of the sharp deterioration in relations and of the escalation in armed activity leading to loss of life and heavy material damage.

Members of the council are deeply concerned that this conflict can prove increasingly serious and could pose a grave threat to international peace and security.

Members of the council welcome and fully support the appeal of the Secretary - General, addressed to both parties on 22 September 1980, as well as the offer that he has made of his good offices to resolve the present conflict.

The members of the council have asked me to appeal, on their behalf to the Governments of Iran and Iraq, as a first step towards a solution of the conflict, to desist from all armed activity and all acts that may worsen the present dangerous situation and to settle their dispute by peaceful means.

At its 2247th meeting, on 26 September 1980, the council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled " the situation between Iran and Iraq".

At its 2248th meeting on 28 September 1980, the council decided to invite the representative of Japan to participate without vote, in the discussion of the question".<sup>20</sup>

As decided at its 2248th meeting the council invited the representatvie of Japan to participate, without vote, in

the discussion of the situation between Iran and Iraq. The council also initiated a Resolution 479 in the council.

" Resolution 479 of 28 September 1980

The Security Council

Having begun consideration of the item entitled "The situation between Iran and Iraq",

Mindful that all Member States have undertaken, under the charter of the United Nations, the obligation to settle their international disputes by peaceful means and in such a manner that international peace and security and justice are not endangered.

Mindful as well that all Member States are obliged to refrain their international relations from the threat of or use of force against the territorial integrity or political independence of any state.

Recalling that under Article 24 of the charter of the Security Council has primary responsibility for the maintenance of international peace and security.

Deeply concerned about the developing situation between Iran and Iraq.

1. Call upon Iran and Iraq to refrain immediately from any further use of force and to settle their dispute by peaceful means in conformity with principles of justice and international law;

2. Urges them to accept any appropriate offer of mediation or conciliation or to resort to regional agencies or arrangements other peaceful means of their own choice that would facilitate the fulfillment of their obligations under the charter of the United Nations;

3. 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;
4. Supports the efforts of the Secretary - General and the offer of his good offices for the resolution of this situation;
5. Requests the Secretary - General to report to the Security Council within forty - eight hours.

Adopted unanimously at the 2248th meeting".<sup>21</sup>

After the passing of the United Nations 479th Resolution, the situations between Iran and Iraq stabilized to a certain extent.

At the end of the year 1980, there was not much of the action on the boundary between the two countries. They were busy in artillery exchanges occasional air sorties and rare naval action. Thus the war had settled down to one of attrition. Even though this was an attritional war the motive behind it was a fierce one. Each conflicting party aimed to destroy the other's oil industry by inflicting attacks on oil fields, pipelines, refineries, petro-chemical industries and export terminals.

The initial phase of the war favoured Iraq. However, Iraq failed to dominate on the situation and allowed Iran to improve itself especially militarily. The war with Iraq helped the process of Iran's State - building and furnished on - the spot training for Iran's military forces. Further the revolutionary militias integrated themselves into the regular forces and army volunteers joined the guards. Consequently, Iran resisted very strongly and for the first

year the war went on indecisively . However, in late 1981 the situation changed. Iran went on the offensive scoring a series of victories that turned the tide of the war in its favour. In the spring of 1982, the war further culminated in the battle of Khorramshahr from where Iranians drove the Iraqis back across the disputed Shatt Al Arab waterway. The Iranian offensive forced the Iraqi President Saddam Hussein to go in the defensive.

In June 1982, when Iranian forces crossed the border into Iraq, Iraqi President Saddam Hussein declared a unilateral ceasefire and called for peace. By this time, both sides were suffering from heavy losses, economic weakness and a shortage of military supplies. However, Iran bluntly rejected the Iraqi offer.

The Iranian offensive and Khomeini's attitude caused immediate impact on the interested regional and international powers. They could not remain idle because this was and is the area of vital economic interest to the west and of Central Strategic importance to the Soviet Union.

Thus from the events between June 1981, and the autumn of 1982 it was evident that Iran to a certain extent had an upper-hand in the conflict. Iranian attitude enhanced the anxiety of the United Nations. Once again the United Nations started making serious efforts in the direction of ending the war.

Immediately after the Iranian offensive the security council of the United Nations called its 2383rd meeting on July 12, 1982 to discuss the situation and adopt a resolution.

"Resolution 514(1982) adopted by the Security Council at its 2383rd meeting on 12 July 1982

The Security Council,

Having considered again the question entitled, " The situation between the two countries, resulting in heavy losses of human lives and considerable material damage, and endangering peace and security,

Deeply concerned about the prolongation of the conflict between the two countries, resulting in heavy losses of human lives and considerable material damage, and endangering peace and security,

Recalling the provisions of Article 2 of the charter of the United Nations, and that the establishment of peace and security in the region requires strict adherence to these provisions,

Recalling that by virtue of Article 24 of the charter the Security Council has the primary responsibility for maintenance of international peace and security,

Recalling its resolution 479 (1980), adopted unanimously on 28 September 1980, as well as the statement of its President of 5 November 1980(S/14244),

Taking note of the efforts of mediation pursued notably by the Secretary - General of the United Nations and his representative, as well as by the Movement of Non-Aligned Countries and the organization of the Islamic Conference.

1. Calls for a cease-fire and an immediate end to all military operations;
2. Calls further for a withdrawal of forces to internationally recognized boundaries;

3. Decides to dispatch a team of United Nations observers to verify, confirm and supervise the cease-fire and withdrawal, and requests the Secretary - General to submit to the council a report on the arrangement required for that purpose;

4. Urges that the mediation efforts be continued in a coordinated manner through the Secretary - General with a view to achieving a comprehensive, just and honourable settlement acceptable to both sides of all the outstanding issues, on the basis of the principles of the charter of the United Nations, including respect for sovereignty, independence, territorial integrity and non-interference in the affairs of states;

5. Requests all other states to abstain from all actions which could contribute to the continuation of the conflict and to facilitate the implementation of the present resolution ;

6. Requests the Secretary - General to report to the Security Council within three months on the implementation of this resolution".<sup>22</sup>

The Resolution 514 of July 12,1982 failed to reduce the tension between the two countries. The rigid attitude of Ayattollah Khomeini of Iran paved no way for the negotiated settlement even on the part of the United Nations.

Iran wanted to export its Islamic Revolution to the other Gulf countries. Irans move to invade the Iraqi territory north of Basra was one of the attempts to export Iranian Islamic Revolution to Iraq. It had expected that once its forces moved into Iraq, the Iraqi people would welcome

and embracing their liberating brother at once and also proclaim themselves as an Islamic Republic. But what Iran expected did not happen and the failure of an Iranian offensive came as a severe blow to Iranians.

As for Iraq, the year 1982 posed many obstacles in the path of its ambition. On military front Iraq was a failure. Even on the home front Iraq faced host of problems. Its financial reserves were exhausted because of the destruction of its oil facilities in the Gulf. Further Syria decided to close of its pipeline running through the Syrian territory, which meant further restrictions on its oil exports. At the same time Iraq's Arab supporters, who had willingly extended assistance at the beginning of the war, could not continue to do so, as their oil incomes declined in the slumping world market. In the meantime Iran inflicted two more offensives on the Iraqi territory. However, Iran failed to capitalize on the situation and allowed to Iraq the opportunity to fight back. Once again the tide of the war turned. This time Iraqi forces courageously beat back three massive Iranian assaults inflicting heavy Iranian casualties.

Since the failure of the early 1982 Iranian attacks on Basra, once again the battlefield situation between the two countries turned to a stalemate - with occasional army, air and naval exchanges.

Whatever might be the situation between the two countries, it caused anxiety as far as the regional and international powers were concerned. The upheavals in the war and its impact on the entire world troubled the United Nations



as well . Because, the prolongation of war meant involvement of the Superpowers in the conflict, and involvement of the Superpowers in the conflict meant invitation to more serious confrontation. To prevent the war from taking serious direction, the Security Council called a meeting on October 4, 1982 and adopted a Resolution 522.

"Resolution 522 (1982) adopted by the Security Council at its 2399th meeting on 4 October 1982

The Security Council,

Having considered again the question entitled "The situation between Iran and Iraq",

Deploing the prolongation and the escalation of the conflict between the two countries, resulting in heavy losses of human lives and considerable material damage and endangering peace and security,

Reaffirming that the restoration of peace and security in the region requires all Member States strictly to comply with their obligations under the charter of the United Nations.

Recalling its resolution 479(1980), adopted unanimously on 28 September 1980, as well as the statement of the President of the Council of 5 November 1980 ( S/14244 )

Further recalling its resolution 514 (1982), adopted unanimously on 12 July 1982 and the statement of the President of the council of 15 July 1982 (S/15295)

Taking note of the report of the Secretary - General (S/15293) of 15 July 1982,

1. Urgently calls again for an immediate cease-fire and an end to all military operations;
2. Reaffirms its call for a withdrawal of forces to

internationally recognized boundaries;

3. Welcomes the fact that one of the parties has already expressed its readiness to co-operate in the implementation of resolution 514 (1982) and calls upon the other to do likewise;

4. Affirms the necessity of implementing without further delay its decision to dispatch United Nations observers to verify, confirm and supervise the cease-fire and withdrawal;

5. Reaffirms the urgency of the continuation of the current mediation efforts;

6. Reaffirms its requests to all other states to abstain from all actions which could contribute to the conflict and to facilitate the implementation of the present resolution;

7. Further requests the Secretary-General to report to the council on the implementation of this resolution within 72 hours".<sup>23</sup>

" UN General Assembly Resolution of 22 October 1982

The General Assembly,

Having considered the item entitled " Consequences of the prolongation of the armed conflict between Iran and Iraq",

Noting the Preamble of the charter of the United Nations, in which all states expressed their determination to live together in peace with one another as good neighbours,

Reaffirming the principles that no state should acquire or occupy territories had use of force, that whatever territories had been acquired in this way should be returned, that no act of aggression should be committed against any state, that the territorial integrity and the sovereignty of all states should be respected, that no state should try to interfere or intervene in the internal affairs of other states

and that all differences or claims which may exist between states should be settled by peaceful means in order that peaceful relations should prevail among Member States,

Recalling resolutions 479 (1980) of 28 September 1980, 514 (1982) of 12 July 1982 and 522 (1982) of 4 October 1982 on the question entitled "The situation between Iran and Iraq", unanimously adopted by the Security Council,

Further recalling the statements made by the President of the Security Council on 5 November 1980 and 15 July 1982,

Taking note of the report of the Secretary - General of 7 October 1982,

Considering that the Security Council has already called for an immediate cease-fire and an end to all military operations,

Considering further that the prolongation of the conflict constitutes a violation of the obligations of Member States under the charter,

1. Considers that the conflict between Iran and Iraq and its prolongation and recent escalation, resulting heavy losses in human lives and considerable material damage in a politically and economically strategic region, endanger international peace and security;
2. Affirms the necessity of achieving an immediate cease-fire and withdrawal of forces to internationally recognized boundaries as a preliminary step towards the settlement of the dispute by peaceful means in conformity with the principles of justice and international law;
3. Calls upon all other states to abstain from all actions which could contribute to the continuation of the conflict and to

facilitate the implementation of the present resolution;

4. Requests the Secretary-General to continue his efforts, in consultations with the parties concerned, with a view to achieving a peaceful settlement.

5. Further requests the Secretary-General to keep Member-States informed on the implementation of the present resolution.

- 41st Plenary Meeting  
22nd October 1982".<sup>24</sup>

Resolution 522(1982) and the United Nations General Assembly Resolution of 22nd October 1982 could not do much to reduce the tension between the conflicting countries. Infact the situation between the two countries worsened to a great extent with Iran becoming more and more aggressive.

Attempting to eliminate remaining enclaves of Iraqi troops and taking the war into Iraq, the Iranians launched a succession of major assaults from the south near Basra to the north in Kurdistan. In every case, the Iraqis were able to defend themselves , thanks to their superior weaponry. They not only defended themselves but also administered heavy losses in the form of Young Iranian lives. But the Iraqis did not launch serious counterattacks, might be because they realized that there was no possibility of inflicting a decisive defeat on Iran. Once again the war turned into one of attrition in which the human and material resources of both states were severely damaged. But Iraq faced more risk than Iran, it was at disadvantage. Iraq was not able to move its oil through the Gulf or through the pipeline in Syria-because Syria had hostile attitude towards Iraq. Thus making Iraqi regime increasingly

dependent on financial assistance from Arab allies. However, the Arab allies also could not help Iraq to the extent they could have because of the tight oil market. Consequently, the Iraqi population increasingly felt the effects of the war.

Major and successive assaults on the Iraqi forces, especially on those which were occupying sections of western Iran,,made Iran achieve impressive victories by the mid and end of 1982. " When Khurramsahr was reoccupied, the Iranian military momentum appeared unstoppable. But basic positions did not change. Syrian-Iraqi enmity continued to give definition to inter-Arab relations, Jordan and Saudi Arabia continued to help Iraq, the United States and the Soviet Union continued to see the conflict as dangerous but in its essence well removed from the Soviet-American conflict. In fact, the only anomaly that developed was in French Policy. For whatever, reason, the government of President Francois Mitterrand appeared to see friendship with Iraq and enmity toward Iran as serving French national interests. khomeini, of course was not suprised".<sup>25</sup>

" The internal situation in Iran and Iraq showed remarkable resiliency. Having deflected a leftist challenge in 1981 and 1982, the Khomeini regime has consolidated its position and the internal threat for the time being has seceded. While the revolutionary zeal has diminished;the economic situation appears tolerable despite the cost of the war and inefficient industrial management; Iran even managed to increase its oil exports and Iraq was powerless to carry out repeated threats of attack on the major shipping point at Kharg Island. The Islamic Republican Party has consolidated a strong hold in most sectors of Iranian Society, and the country has

not divided or fractionalized as some hoped or predicted. The scattered opposition of the Mujahedeen has been controlled by ruthless repression and the army has remained, basically non-political while improving its institutional status within the country as a result of its performance in the war".<sup>26</sup>

" In Iraq, the internal situation appeared to be less solid, but Saddam Hussein has not yet had to pay the price for his mistake in starting the war in 1980. The economic cost has been heavy : the country's port is closed and only the pipeline to Turkey is operating since Syria closed the one going through its territory. The shiite majority of Iraq's population, who over the years have benifitted economically from the country's oil produced growth and prosperity, have not taken Khomeini's bait to rise against Saddam Hussein. A reorganization in about mid-year gave the army greater responsibility for conduct of the war, and if a challenge should eventuate against Hussein, it could come from this quarter. As the war continues, Iraq's resources have been depleted, and it has become more dependent on large amounts of borrowing from oil-producing Arab States, which increasingly find such support burdensome and want an end to the war".<sup>27</sup>

" By the end of 1982, no decisive military breakthrough had taken place, and the Ayatollah - in clear control despite reports of increasing infirmity - continued to insist in effect on the removal and humiliation of Saddam Hussein. No cease-fire or settlement seemed likely as long as the Ayatollah lives , and only a major political change in Iraq or Iran could alter the situation".<sup>28</sup> However, this interpretation is proved to be

too pessimistic because the cease-fire between the two countries took place while Ayatollah was alive.

Considering Ayatollah's plight and the escalation of the conflict between the two countries though the United Nations adopted two consecutive resolutions, i.e., Resolution 552 of 4th October 1982, and the UN General Assembly Resolution of 22nd October 1982, adopted in its 41st plenary meeting could not curb the escalation of the conflict between the two warring Nations. Infact, throughout the year 1983 the conflict between the two countries went on increasingly intensifying the situation. For the first time since the beginning of the war, both the superpowers actively participated or figured in the war. The war shook not only the west but also the world.

By the end of the year 1982 and early 1983 Iraq was forced into a " hold-at-all-costs" policy of static defence. Iraq for the first time , since its invasion of Iran, faced a very difficult time. It looked as if the country could be defeated through a sheer force of numbers. Under such circumstances Iraq was helpless. It was unable to find a way out of the static situation and thus resorted to the introduction of chemical weapons. It decided to violate the Geneva Protocol of 1925 signed by Iran and Iraq. According to this Protocol use of chemical weapons was banned.

"Iraqs decision to violate the 1925 Geneva Protocol forbidding the use of chemical weapons ( signed by both Iraq and Iran) was not a hasty one. Indeed, as early as 1981-two full years before chemical weapons were used - the Iraqis had built three giant underground bunker complexes around Baghdad to protect top government and armed forces personnel from

chemical attack ".<sup>29</sup>

However, Iraq used chemical weapons to defend itself and to disrupt Iranian offensives; not to launch Iraqi ones. Under the prevailing conditions, Iraq's use of chemical weapons was quite effective in neutralizing and curbing Irani Operations.

In the meantime a major development relating to Iranian and Soviet relations took place. In February 1983 the Tudeh party's top leadership, including its Secretary-Generals, Nureddin Kianoori, was arrested on charges of spying for the Soviet Union. Until early 1983, the Soviet Union maintained an evenhanded and patient policy. It ignored all Iranian acts due to the importance of the Islamic appeal. Soviet Union also felt that there was no alternative to the Islamic formula. Moreover, from the point of view of Soviet Union Iran was geographically and strategically very crucial region. But later on, the Soviets openly showed their frustration with the Iranian regime, especially in the media.

9 " In the stalemated and horrendously costly war between Iran and Iraq, the flashpoint that set alarms ringing throughout the west was Iraq's threat in July to take the war to the economic heartland of Iran by attacking Iran's oil production capabilities, a threat made more ominous by the revelation a month earlier that France would provide Iraq with Super Etendard jet fighter - bombers carrying the Exocet missiles that Argentina had used successfully against British warships during the Falklands war. Iran counter - threatened that it would answer an Iraqi attack by blocking all oil shipments through the Strait of Hormuz in the Persian Gulf



through which passes 20 percent of the Worlds oil trade, and later hinted that it would attack Arab States supporting Iraq. Washington warned immediately that it was prepared to take whatever action was necessary to keep the straits open ".<sup>30</sup>

④ " By year-end the battlefront stalemate continued, but American policy moved at first gradually and then more conspicuously, toward what was dubbed a "tilt" toward Iraq. Having earlier eased its initial opposition to the French jet deal - the planes were delivered in October - and taken other diplomatic steps in Iraq's direction; the Administration openly declared that an Iraqi defeat would be contrary to U.S. interests. This was Washington's most pointed shift to date, though still a limited one ,from its official posture of neutrality, a shift reinforced by late - year visits to the Gulf by American Planners for consultations over how to deal with Iranian threats, by Ambassador Rumsfeld's December visit to Iraq, and by active consideration of other measures that would strengthen Iraq's economic capacity and restrict American economic dealings with Iran".<sup>31</sup>

④ " The Reagan Administration's private worries were intense at the end of 1983 that the Gulf powdering would explode into a nightmarish strategic crisis, threatening consumption of the global oil trade and a wider military conflict in the region. The United States saw its gestures towards Iraq as a potential deterrent to a slide toward such a crisis. Washington , too, was eager to pressure Syria by these moves towards its enemy in Baghdad, and to respond against Iran, which Washington held responsible for instigating the

attacks by shiite fundamentalist terrorists against American and French targets not only in Lebanon in October but also in Kuwait in December ".<sup>32</sup>

Thus by the end of 1983, Washington started involving itself directly and actively in the crisis. Active involvement of Washington in the crisis meant invitation to the Soviet Union to actively enter into the conflict. In spite of the efforts of the United Nations, the tension between the two countries escalated to the extent that even the superpowers could not remain idle. Their entry in the crisis worsened the situation, because they used the war between Iraq and Iran as a means to carry out their own rivalry. They posed themselves against each other, thus making the situation more complex. By this time even other states in the Gulf started feeling insecure & they also entered into the conflict.

The situation in the Gulf deteriorated to such an extent that the United Nations Security Council also could not remain idle and thus called its 2493rd meeting on 31 October 1983.

"Resolution 540(1983) adopted by the Security Council at its 2493rd meeting on 31 October 1983

The Security Council,

Having considered again the question " The situation between Iran and Iraq",

Recalling its relevant resolutions and statements which, inter alia, call for a comprehensive cease-fire and an end to all military operations between the parties,

Recalling the report of the Secretary - General of 20

June 1983 (S/15834) on the mission appointed by him to inspect civilian areas in Iran and Iraq which have been subject to military attacks, and expressing its appreciation to the Secretary - General for presenting a factual, balanced and objective account,

Also noting with appreciation and encouragement the assistance and co-operation given to the Secretary - General's mission by the Governments of Iran and Iraq,

Deploing once again the conflict between the two countries, resulting in heavy losses of civilian lives and extensive damage caused to cities, property and economic infrastructures,

Affirming the desirability of an objective examination of the causes of the war,

1. Requests the Secretary - General to continue his mediation efforts with the parties concerned, with a view to achieving a comprehensive, just and honourable settlement acceptable to both sides;

2. Condemns all violations of international humanitarian law, in particular, the provisions of the Geneva Conventions of 1949 in all their aspects, and calls for the immediate cessation of all military operations against civilian targets, including city and residential areas;

3. Affirms the right of free navigation and commerce in international waters, calls on all states to respect this right and also calls upon the belligerents to cease immediately all hostilities in the region of the Gulf, including all sea-lanes, navigable waterways, harbour works, terminals, offshore

installations and all ports with direct or indirect access to the sea, and to respect the integrity of the other littoral states;

4. Requests the Secretary - General to consult with the parties concerning ways to sustain and verify the cessation of hostilities, including the possible dispatch of United Nations observers, and to submit a report to council on the results of these consultations;

5. Calls upon both parties to refrain from any action that may endanger peace and security as well as marine life in the region of the Gulf;

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

7. Requests the Secretary - General to consult with the parties regarding immediate and effective implementation of this resolution".<sup>33</sup>

Even after the implementation of Resolution 540 which was adopted on 31st of October 1983, the situation between the two countries did not change. The war remained stalemated even in its fifth year. The process of attacks and counter-attacks continued in the Persian Gulf war.

The year 1984, brought about a change in the strategies of the warring Nations. In 1983, the Iranians followed a strategy of smaller scale, attacks at different points along the Iraqi lines, but their troop dispositions in 1984 clearly pointed to a reversion in their strategy. The Iranians wanted

to achieve one major objective and triumph that would bring about Saddam's ouster. For the same reason, early in the year, the Iranians piled up an imposing force of nearly 250,000 men in the Southern Sector opposite Basra. The objective of the Iranian force was to cut off the communication links between Baghdad and Basra and also to drive a wedge between the two Iraqi army corps defending this sector. At the same time Iran was attempting to " export its Islamic revolution " to the other states in the Gulf. " The outbreak of the first major act of political violence in the region, the multiple bombings in Kuwait in December, 1983, followed by the Iranian capture of part of the Majnoon Islands inside Iraqi territory in February 1984, and the start of the tanker war in earnest in April seemed to intensify the Arab fear that Iran would export its revolution to their societies. Kuwait has expelled more than a thousand Iranians and all the Gulf Arab regimes have been tightening internal security and strengthening external defense ".<sup>34</sup>

" Early in 1984, Iraq repelled a massive attack in the Southern Sector near Basra by untrained Iranians, many of them teenage volunteers - in part by the use of poison gas and in part by inundating the marshes. A subsequent Iraqi counter-offensive was equally indecisive".<sup>35</sup> Iraqi's, like Iranians, also changed their strategy of war in 1984. They adopted the policy of effective mobile defence tactics and brought about a reduction in its use of chemical weapons. Its use was steadily declining. " Generally, since 1984, the Iraqis have been able to stop Iran's offensive without blatant violations of the 1925 Geneva Protocols".<sup>36</sup>

Iraq was able to shift to mobile defence strategy because of the massive influx of Soviet military equipment. The mobile defence strategy called for the less-mobile units to hold the line and the Iranian breakthrough, while mobile reserve units to move in to destroy the attackers. Meanwhile Iraq was also able to build a strong air force with the help of France and Soviet Union. The Soviet Union provided Iraq with aircraft and the French imparted training to the Iraqi pilots, in fact to the entire Iraqi air-force. Air-Force played a vital role in the Iraqi tactics. " Iraq's new ground tactics deliberately allow the Iranians to penetrate a selected area of the front and pour in their reserves. Then, while artillery pins them in place and air strikes interdict their reinforcements, the Iranian Penetration is cut up and annihilated by Iraqi armored and mechanized units attacking from one or both flanks with air, artillery and infantry support".<sup>37</sup> But on ground Iran was powerful and was winning the war; despite horrendous losses. Iraq, however, was powerful as far as air was was concerned. In fact it had decisively won the air war.

" Iraq has used its air force to provide tactical air support for the army and to attack Iran's population centres and economic targets. From a military point of view, the value of the attacks on Iranian population centers, the " war of the cities ", has been virtually nil. The only real value of these attacks has been their effect on morale".<sup>38</sup> "The enemy capital is the preferred target in this kind of exchange and, in this respect , until 1985 Iraq had the advantage because Baghdad was beyond Iranian artillery range. Iran's standard reply to Iraqi

air attacks on Tehran was to shell Basra and other Iraqi towns along the border".<sup>39</sup>

As far as the superpowers were concerned, the United States in early 1984, when the strikes and counter-strikes against shipping in the Gulf began acted to augment the air defences of its Arab allies, especially Saudi Arabia. The United States supplied Stinger anti-aircraft and an additional aerial tanker to permit sustained fighter aircraft operations. The policy of Reagan Administration, however, was criticised as focused primarily on the Soviet Union and only secondarily on peripheral regions in the Middle East. For its part, the Soviet Union had not made any serious effort to challenge American influence in the Gulf, nor had it pressured any Middle East government. On the contrary, the Soviet Union maintained good relations with the Middle East states; especially with Libya, Ethopia, South Yemen, and Syria. As its relations with Iranian Government deteriorated, it provided important military assistance to Iraq. The year 1984 clearly indicates that both the superpowers had tilted in favour of Iraq and Iran was more and more isolated by the international community.

In the meantime, Iran, while assessing the military strength of the Iraqi's was also vigorously trying to export its Islamic revolution to other states in the Gulf. The Iran-directed Islamic Revolution was considered a threat to the security and stability of the region by the Gulf Arab regimes. In 1984, all Gulf Arab regimes were striving to contain Iran's export of revolution. Saudi Arabia and its Gulf partners followed the cautious and conciliatory diplomatic policies since the beginning of the war. But they abandoned their

conciliatory diplomatic policies after the capture of the Majnoon Island by Iran in February, 1984, and the start of the tanker war in earnest in April. On May 20, 1984, a meeting of the Arab League was called, in which Iran was condemned as an "aggressor". by the GCC states. " The GCC states also carried their unusually tough stand into the halls of the United Nations Security Council , where they supported a council resolution adopted on June 1, 1984, that criticized Iran's attack on oil tankers without mentioning it by name and without mentioning Iraq, which had started the tanker war ".<sup>40</sup> To prevent Iran's export of " Islamic revolution ", Iraq resorted to the tanker war in April 1984; and also with a view to cause severe damage to Iran's economic targets. Another reason why Iraq resorted to tanker war, was that, both countries earned all the hard currency which they use to buy arms and ammunition from a single commodity - oil.

However, economic warfare began in earnest in March 1984 when Iraq proclaimed a blockade of all Iranian port, and shipping facilities. In this warfare Iraq's main target was Kharg Island oil terminal, which at the time handled over 80 percent of Iranian petroleum exports. Persistent and effective Iraqi air assaults on the Kharg Island severely reduced or damaged the capacity of the vital Kharg Island oil terminal, which also affected Iranian exports very badly. " Iranian oil exports have fallen to about 1.5 million barrels a day by the most optimistic estimates, and perhaps as low as 500,000 barrels per day. to make matters worse, when Iran was exporting nearly three million barrels a day, oil sold for over \$ 30 per barrel. As of late April, the price of oil stood at \$ 17 per barrel".<sup>41</sup>



"Iraq's economic warfare against Iran has the distinction of being perhaps the sole example in history of a successful economic blockade essentially carried out by air power alone."<sup>42</sup>

Iraq's air blockade made Iran face a desperate situation. Iran had no way to come out of it but to retaliate it. Iran attempted to offset the Iraqi blockade by striking Iraq's allies, especially Kuwait and Saudi Arabia. The tanker war, which actually was started between Iraq and Iran led to an air battle between Iran and Saudi Arabia. "The Saudis shot down an Iranian F-4 fighter plane on June 5, 1984. Iran protested the next day, contending that its plane had been attacked over "international water", while the Saudis said that the plane had been downed in "Saudi territorial Waters ". A dogfight in the air is not a battle, let alone a war. . And although the Saudi F-15's that downed the Iranian plane were flown by Saudi pilots, and United States AWACS (Airborne Warning and Control System) planes and American aerial refueling were involved".<sup>43</sup> America's proximity to the conflict was evident from the fact that two Iranian war planes were shot down by Saudi interceptors only when they received information from the American-manned AWACS; which were on station since the outbreak of the war.

Once again the situation in the Gulf began worsening. When the Security Council saw the escalating situation, it hurriedly called its 2546th meeting on June 1, 1984, in which it adopted Resolution 552.

"Resolution 552 (1984) adopted by the Security Council at its 2546th meeting on 1 June, 1984

The Security Council,

Having considered the letter dated 21 May 1984 from the representative of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates (S/16574) complaining against Iranian attacks on commercial ships en route to and from the ports of Kuwait and Saudi Arabia,

Noting that Member States pledged to live together in peace with one another as good neighbours in accordance with the United Nations Charter,

Reaffirming the obligation of Member States to the principles and purposes of the United Nations Charter,

Reaffirming also that all Member States are obliged to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state,

Taking into consideration the importance of the Gulf region to international peace and security and its vital role to the stability of World economy,

Deeply concerned over the recent attacks on commercial ships en route to and from the ports of Kuwait and Saudi Arabia,

Convinced that these attacks, constitute a threat to the safety and stability of the area and have serious implications for international peace and security,

1. Calls upon all States to respect, in accordance with international law, the right of free navigation;
2. Reaffirms the right of free navigation in international waters and sea lanes for shipping en route to and from all ports and installations of the littoral States that are not parties to the hostilities;

3. Calls upon all States to respect the territorial integrity of the State that are not parties to the hostilities and to exercise the utmost restraint and to refrain from any act which may lead to a further escalation and widening of the conflict;
4. Condemns these attacks on commercial ships en route to and from the ports of Kuwait and Saudi Arabia;
5. Demands that such attacks should cease forthwith and that there should be no interference with ships en route to and from states that are not parties to the hostilities;
6. Decides, in the event of non-compliance with the present resolution, to meet again to consider effective measures that are commensurate with the gravity of the situation in order to ensure the freedom of navigation in the area;
7. Requests the Secretary-General to report on the progress of the implementation of the present resolution;
8. Decides to remain seized of the matter."<sup>44</sup>

After the adoption of the Resolution 522 of June 1, 1984, there was not much of the action between the two countries even though the stalemated war continued. In November 1984 America and Iraq formally resumed diplomatic relations. America, however could not take initiative in the Middle East. And this was clear by the end of the year 1984.

Throughout the year 1984, Iraq proved to be more powerful than Iran, especially because of its aerial prowess and superiority. Moreover its decision to assault major economic targets in Iran helped it to gain an upperhand in the conflict. But Iraq once again failed to capitalize on the situation and allowed Iran to improve itself. In early, 1985,

"Iran acquired Soviet-made Scud-A and Scud-B surface-to-surface missiles from Libya and Syria. With maximum ranges of about 90 miles and 175 miles respectively, these missiles were able to hit Baghdad from Iranian positions some 80 miles distant, and they could not be intercepted. Iraq was unable to retaliate with its own scuds because Tehran is about 320 miles from the front, but several all-out raids on Teheran by the Iraqi air force discouraged further Iranian missile attacks on Baghdad. In any case, the Iranian missiles appeared to be in short supply."<sup>45</sup> Once again the war of attrition continued between the two countries. On the whole, the situation in the Gulf was quiet throughout the year 1985 - with few artillery exchanges between the two countries. On domestic level, however, both the countries were active, they were busy trying to gain help and support from the other countries. At the same time, both the Superpowers also were eager to resume more active role and direct diplomatic ties with the warring Nations.

In the wake of the above situation, the United States government issued a statement of its basic policy on the Iran - Iraq war, on May 1985. The Statement said, "We seek an end to the war that will preserve the sovereignty and territorial integrity of both Iran and Iraq. We welcome constructive international diplomatic efforts for a negotiated conclusion. The US remains committed to freedom of access to the gulf a matter of vital importance to the international community. The United States does not permit its arms and munitions to be shipped to either belligerent and has discouraged all

free-world arms shipments to Iran because, unlike Iraq, Iran is adamantly opposed to negotiations or a mediated end to the conflict."<sup>46</sup> "This Statement, which keeps the United States at arm's length from the war, is nonethelss regarded as strongly supportive of the Iraqi position."<sup>47</sup>

Following the American move, the Soviets also became anxious to resume its relations with Iran, especially from the point of view of preventing Iran from rejoining the United States Camp. At the same time Iran was also eager to resume relations with the Soviet Union. This is proved by the fact that: "An Iranian economic delegation visited the Soviet Union in September 1985. At about that time National Voice of Iran (NVOI) suspended its broadcasts, and the Soviet side agreed to resume supplying spare parts for the Soviet-built Isfahan Power Station. Iran, in turn, played a helpful role in securing the release of Soviet diplomats who were taken hostage in Lebanon in the same month and received a formal expression of gratitude from the Soviet ambassador."<sup>48</sup>

"In early 1985, Rafsanjani announced that it was Iran's intent "to achieve victory with as few casualties as possible," suggesting that the professional military was being heeded."<sup>49</sup> Moreover Iran was prepraring for a major military offensive, for which it had assembled the large military force as well as it had obtained military help especially supplies of arms from Northkorea, China, Libya, Syria, and West European allies of the United States. They called this so-called offensive-a "final" offensive. However: "There is no indication that Iraq intends to resume the intense air war it

waged against Iranian cities in 1985. That campaign evidently had a signal impact inside Teheran, however, and it is probable that it will be resumed if Iran's leaders maintain their present objectives against Iraq, for example, by following through with the so-called 'final offensive'.<sup>50</sup> But, the previous interpretation of Iran's final offensive was proved false by Iraq, with its military performance and proved its capacity of sustenance. Thus Iran's final offensive appeared to be an exaggeration. Hence the deadlock in the war continued.

Compared to year 1985, in the year 1986 the war between the two countries was marked by more upheavals. " The astounding revelation of American arms sales to Iran (and its domestic and international aftermath) provided a fitting capstone to 1986 - a year of highly unsettling surprises in the Iran - Iraq war, most of which seemed to go against Iraq. But the frenzy surrounding the "Irangate" crisis should not be allowed to obscure two basic points. First, unpredictability has been the hallmark of this war. Such sharp twists and turns persist into this , the seventh year of the conflict, that one is hesitant to ascribe permanence to any trend. Second, Iraq has in the past proved its feisty ( if sometimes coarse ) capacity for survival, and again in 1986 it showed that it is determined and probably able to counter Iran's best military, economic and ideological exertions with effective adjustments and pressures of its own".<sup>51</sup>

Before acquainting with the battlefield situation let us peep into the internal situation of both the countries. As far as Iran was concerned there was internal tension and

dispute within the closed circle over the war strategy and foreign policy. This is proved by the fact that : "In July, the Commander of the Iranian ground forces, Colonel Ali Sayyed Shirazi, and the Commander of the Revolutionary Guards, Mohsen Rezaie, clashed violently over policy, Khomeini called them to his residence on July 19, 1986, where he enjoined them to "seek unity". "You must endeavour", he told them, "not to think in terms of being Members of the Armed Forces or those of the Guard Corp's or of the Basij forces - - - we must understand if there were to be any disputes among you - - - not only are we doomed here and now, but we also are guilty before God". Both Shirazi and Rezaie were appointed Members of the Supreme Defence Council, but three weeks later Shirazi was relieved of his post as Commander of the ground forces, while Rezaie retained his operational command. It appeared that Shirazi had been kicked upstairs and the the Revolutionary Guard was once again in the ascendancy".<sup>52</sup> In October 1986, Rafsanjani - the Speaker of the Majlis came up with a definition of "the new war strategy". His "new strategy" appeared to be more compromising than aggressive. According to his "new strategy", Iran was intending to achieve Iranian Victory with less bloodshed and few casualties.

Meanwhile there was dispute between Iran's foreign policy decision - makers due to controversy surrounding the contacts with the United States. The controversy was going on between a group of radical revolutionaries headed by Mehdi Hashemi and a group of moderate forces loyal to Rafsanjani. The conflict between them emerged due to the revelation of arms deal with Washington. The whole thing happens because Hashemi

group was not in favour of arms deal and Rafsanjani's loyal forces were in favour of it. The fact, however, was that after Montazeri's death, both the factions - the so-called radicals and the so-called moderates were struggling to gain power.

"In August and September of 1986, Hashemi and his ultra radical supporters detected what they interpreted as evidence that Rafsanjani and others were softening their position on the war. Also, because of their close ties to radical Shia groups in Lebanon, they were no doubt aware of pressures being exerted to effect the release of U.S. hostages there. In early October, the Hashemi group circulated leaflets in Tehran opposing these policies and advocating resistance. Shortly thereafter, Hashemi and some 40 others were arrested, including several members of the Majlis. In retaliation, associates of Hashemi leaked to the Lebanese magazine details of the McFarlane visit to Tehran in May.

Thus the leak that put the entire U.S. - Iran relationship on the front pages of the world and initiated a crisis of confidence in the United States was the result of a power struggle inside Iran that was only indirectly concerned with the United States or even with the foreign policy".<sup>53</sup>

The Soviet Union-Iranian relationship, on the other hand as Static. The relations were limited to meetings and dialogue between the two countries.

As far as Iraq was concerned, there was worry about the "final offensive in the whole country. Saddam was busy in strengthening his military - both quantitatively and qualitatively to counter Iranian offensive. While Iran's economy was stretched to the limit, Iraq was also under the



most severe economic strain of the War. Though there were political pressures and tension in Iraq, they were not so serious and intense as in Iran.

Now let us understand the battlefield situation between Iran and Iraq. The year 1986 saw the shift for the forth time in the strategic balance in the Iran-Iraq war. The shift was primarily a result of unexpected and successful Iranian military maneuvers that Iran carried out in Iraq's Fao Peninsula and the Iranian border town of Mehran, in February and July 1986, respectively. Iran's daring maneuvers of early 1986 were the result of the inconclusive effect of Iraq's targeting of Iranian economic installations.

"Unlike the usual Iranian attempts to smash through by brute force, the 1986 operation was an amphibious landing behind Iraq's river-line defences. The Iranians took Iraq's main naval base at Fao and threatened to roll up the whole Iraqi line. This threat was only contained at the cost of heavy casualties to Iraq's best mobile units, including the elite Republican Guards Armored Brigade".<sup>54</sup>

Throughout the year 1986 Iran proved to be more powerful than Iraq. It became more energized with its success in Fao and Mehran operations. At the same time Iranian intimidation in Kuwait and Saudi Arabia also was geared up since 1986. Continuous assaults on Kuwait and Saudi Arabia was an attempt to provoke Iraqi air attacks.

Thus by the end of the year 1986, we saw Iraq in a desperate and helpless position and Iran in a more stronger position.

The year 1987, however, began with a good note as far

as Iraq was concerned. Iraq's mobile unit - which costed heavy casualties during the Iranian Fao and Mehran operation - successfully recaptured the Fao Peninsula in April 1987. Iraq's counter-offensive drove the Iranians back to their previous positions, especially which they were holding before 1986, behind the shatt-al-Arab. But the Iraqi offensive of the Fao Peninsula gained very little, militarily. Even after the offensive the Shatt-al-Arab and the Port of Fao were closed to their shipping. At the same time Iraq raided the outposts of an Iranian armoured division around the shush area on the Central front. From this Iraqi move, it seemed that Iraq was willing to enter into offensive warfare and seize the initiative on the ground. Iraq, however, did not resort to offensive warfare, if it had done so Iranians may had to end up getting into the defensive.

Though Iraq did not follow the policy of offensive warfare it changed its attitude and strategy in the year 1987 - which was full of attacks and counter-attacks. Because both the Nations used their entire potential to achieve their own goal, that is, their own triumph. In the quest to accomplish their objective each state subdued the strength and the power of the other. The war took a very serious turn in this year with Iraq initiating the use of chemical weapons on the battlefield; specifically mustard gas and phosgene. Iraqi Strike Planes attacked Iranian targets along the Caspian sea, over 500 miles from their own bases. Iraq's main attack in the war of the cities was centred on and around Tehran. Tehran was severely bombarded by Iraqi missiles Scud-B's with an added booster stage. Nearly 150 of them were used earlier in the year. There

was, however, speculation regarding the type of missiles used by Iraq. The speculation was that the missiles were not Scud-Bs but they might be Soviet SS-12's which, then, were due to be scrapped under the U.S. -Soviet treaty on intermediate range nuclear forces. The SS-12 was similar to that of Scud-B and used the same transporter/launcher. The only difference was, it had the capacity to cover targets 560 miles away from it - this also meant that Tehran was within the range of the SS-12's missiles of Iraq.

Though Iraq threatened to use chemical weapons on a large scale earlier in the year, in actuality it did not do so. Iraq's initiation of chemical weapons in the war worried the United Nations. To prevent further increase of the use of chemical weapons, the United Nations adopted Resolution 598 on July 20, 1987.

"Resolution 598 of 20 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 centers, 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 all military actions between Iran and Iraq,

Convinced that a comprehensive, just, honorable 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 members 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 toward 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 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 cooperate with the Secretary -General in implementing this resolution and in mediation efforts to achieve a comprehensive, just and honorable 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 insure compliance with this resolution."<sup>55</sup>

"The United States also took the lead at the United

Nations to develop means for enforcing Iran to the bargaining table. In fact, United States interests in the region do not require an end to the war - although that would be desirable, in terms of imponderables and in view of the terrible human suffering. United States interests, demand only that neither Iran nor Iraq prevail, that the oil flows, that Soviet influence is contained and that the United States be able to maintain good relations with local Arab States. The UN Security Council Resolution 598 went beyond what the United States needed. In essence, it called on Iran and Iraq to recognize a cease-fire and to enter negotiations. Failing that, further actions were urged to compel compliance. Because Iraq has wanted to negotiate and Iran has not. The resolution was effectively directed toward Tehran."<sup>56</sup>

The Resolution 598 of 1987 was immediately accepted by Iraq. Iraq in its letter dated 23 July 1987 to the Secretary-General agreed to the text of the resolution 598 and welcomed it. He was also ready to co-operate with the Secretary-General to establish peace between the two countries. Iraq, thus, recognized the cease-fire and was ready for negotiations. This suggests that Iraq was in desperate need for somehow ending the war but without losing its face.

Iran, on the other hand, did not recognize the resolution 598 of 1987. It was also not prepared to negotiate on the war. On the contrary Iran accused the United States of formulating and adopting a resolution with the intention of explicit intervention in the Persian Gulf and the region. Iran also accused that the resolution favoured Iraq and its allies. Further it charged the Security Council of drafting the

resolution without consulting the Islamic Republic of Iran. Therefore, Iran declared the resolution as partial, unbalanced and tilting in favour of Iraq. Iran warned that the adoption of this resolution was a prelude to the escalation of tension and further exacerbation of the situation. Iran, further charged Iraq and the United States for violating the terms of the resolution and demanded that Iraq be formally acknowledged as the "aggressor" in the war.

Iran, not only condemned the resolution, 598 of July 1987 but continued unabatedly its intimidation in Kuwait and Saudi Arabia, even after the adoption of resolution 598.

On July 31, 1987, Iran engineered the rioting at Mecca's grand Mosque - the birth-place of Prophet Mohammad and the spiritual centre of Islam. In these riots over 400 people were reported killed. "Iraq's English language Baghdad observer reported that former Iranian Interior Minister Akhund Nateq-Nuri was among those organizing the riot."<sup>57</sup> "The Mecca riots were followed by more violence : Iranian crowds attacked the Saudi and Kuwaiti embassies in Tehran, in August a mysterious bomb destroyed Saudi natural gas complex."<sup>58</sup>

These Iranian moves did not cause much concern to the Iraqi's. On the contrary Kuwait and Saudi-Arabia moved closer to Iraq. However, from the continuous Iranian assaults it appears that Iran's underlying motive was to provoke retaliatory action by one or both the superpowers. It also appears that Iran wanted the U.S. and the then U.S.S.R. to neutralize each other in the Persian Gulf. However that did not happen to the extent Iran had expected.

Thus by the end of the year 1987 also the war did not come to an end. Even after the adoption of the resolution 598 the war continued. The Iranian attitude did not change. On the contrary, they aggravated their military operations in the year 1988.

Despite the northern sector's intrinsic suitability for Iranian operations, Iran did not make any effort in this area. However, in March 1988 Iran finally launched an offensive from the northern sector, the results of which were spectacular. Iranian forces captured several Kurdish towns, including Halabja and penetrated to within 75 miles of Kirkuk and 15 miles of the Darbandikhan Dam. This made the vital Kirkuk oil field fall within the range of Iranian missiles and the dam within Iranian artillery range. The dam is situated on the Southern shore of lake Darbandikhan. It is about 18 miles from Halabja. The dam supplied much of Baghdad's electricity and water. Therefore Iraq could not afford to lose the dam to Iranians. However, Iraq managed to retaliate the Iranian operation because of the timely arrival of Iraqi reinforcements and the massive deployment of air power and chemical weapons. Hence Iraq was saved from the Iranian conquest.

Before further escalation of the conflict the then United Nations Secretary-General Javier Perez de Cullar mediated between the two countries. It was only after his mediation the diplomatic situation paralleled the military stalemate.

Moreover, Iran realized that assaults on the American warships in the Persian Gulf, is a clear manifestation of this contention.

Under these circumstances, Your Excellency's efforts



for the implementation of Resolution 598 is of particular importance.

The Islamic Republic of Iran has always provided you with its assistance and support to achieve this objective.

In this context, we have decided to officially declare that the Islamic Republic of Iran-because of the importance it attaches to saving the lives of human beings and the establishment of justice and religion and international peace and security - accepts Security Council Resolution 598.

We hope that the official declaration of this position by the Islamic Republic of Iran would assist you in continuing your efforts, which have always received our support and appreciation.<sup>59</sup>

Though President Khamenei's letter was sent to the Secretary-General on March 1988, the official announcement of cease firing immediately on all fronts came only, on July 18, 1988. In the period between March 1988 to July 1988 both countries were busy in improving and developing their relations with other countries of the world.

However, Iran's reluctance to declare the cease-fire earlier in the year, and then its surprising announcement of cease-firing on July 18, 1988 pose certain questions like why Iran was prepared for negotiations? and why did it accept the cease-fire? No doubt, the decision to accept a cease-fire was political. It also shows the desperation on the part of Imam Khomeini. At home, Imam Khomeini faced a stark choice between pursuing a revolutionary triumph over Iraq and the survival of Islamic Revolution itself. The choice was difficult. Further, he might have also feared his own death before the war was

over. Because his death would have meant, locking his successor into war policies blessed by the founder and advocate of the Islamic Republic.

However, there are several other reasons behind the decision. According to certain Senior officials the decision came due to the following reasons :-

".the physical exhaustion of the people who were suffering increasing hardships, shortages and deprivations,

. the dwindling number of "volunteers" who could be sent to the front - preventing the regime from launching the kind of "decisive" offensives against Iraq that had led to Iranian breakthroughs like the attacks on the Majnoon Islands and the Fao Peninsula in previous years;

. Iraq's increasingly effective use of air power against Iranian Shipping, oil facilities and economic infrastructure;

. the psychological effect of Iraqi use of poison gas;

. the absence of any external allies or supporters in the world, while a growing informal coalition of the Arab World, the Soviet Union, the European States and the United States was determined to push Iran into a cease-fire;

. the increasing escalation and commitment of the United States military presence in the Gulf which Iran apparently could not deter;

. increasing division within the Iranian leadership about the wisdom of continuing the war in the face of other priorities;

. an increase in major Iranian military setbacks on the battlefield in the first half of 1988."<sup>60</sup>

Thus, all the above mentioned factors prove that the decision was purely political.

Since the beginning of the war, the United Nations played a very significant role to prevent the war between Iran and Iraq. It made efforts to end the conflict through various resolutions, especially when there were chances of escalation of the conflict. And most of the times the United Nations was successful in preventing the escalation of the conflict. Further it was because of the United Nations that the objectives of both the countries were kept at bay; Iran of exporting its Islamic Revolution to other Arab Countries and its quest for Superpower status in the region; and Iraq, of achieving the status of "regional power" and thus controlling the oil of the Persian Gulf.

In this war torn situation the United Nations has also played an important role in moulding world opinion regarding the end of war between Iran and Iraq. This was essential for the purpose of bringing down the oil prices which were soaring high since the beginning of the conflict. In this sense United Nations helped the world in saving their capital which might have been spent on purchasing the oil at sky high rates.

By preventing Iran and Iraq from using large scale chemical weapons, United Nations helped in minimising the environmental hazards which otherwise would have affected the region because of bombing of oil terminal of both the countries. Hence, as a result of the United Nations Organisation's efforts, the danger of environmental pollution was minimised in the region.

Moreover President Khamenei's letter which is cited above points to one very important thing. According to this

letter, even though the Iranian offensive of 1988 was called off and even though Iraq achieved outstanding successes on the battlefield; Iran chose to attribute its submission to the UN Peace Plan and to United States naval attacks and particularly to the destruction of civilian airbus Iran Air 655 by the USS Vincennes. In this incident, the letter said, around 290 passengers were killed. The letter cited above also conveys that Iran was prepared to accept the "equality of military strength" of both the countries. Thus the United Nations is also appreciated by Iran and attributed its submission to it.

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