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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/. . .) are normally published in quarterly *Supplements of the Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

SEVENTEEN HUNDRED AND SIXTY-SECOND MEETING

Held in New York on Friday, 15 February 1974, at 3 p.m.

President: Mr. Louis de GUIRINGAUD (France).

Present: The representatives of the following States: Australia, Austria, Byelorussian Soviet Socialist Republic, China, Costa Rica, France, Indonesia, Iraq, Kenya, Mauritania, Peru, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon and United States of America.

Provisional agenda (S/Agenda/1762)

1. Adoption of the agenda.
2. Complaint by Iraq concerning incidents on its frontier with Iran:
Letter dated 12 February 1974 from the Deputy Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council (S/11216).

The meeting was called to order at 3.50 p.m.

Statement by the President

1. The PRESIDENT (*interpretation from French*): Before we proceed to consider the agenda, I should like to pay a tribute, as is customary, to the President of the Council for the month of January, Mr. Gonzalo Facio, the Minister for Foreign Affairs of Costa Rica, who did us the honour of coming to the United Nations on this occasion and whose eminent qualities we were able to appreciate. My tribute extends also, of course, to our distinguished colleague, Ambassador Fernando Salazar, who himself engaged ably in consultations on the various matters brought to the Council's attention.
2. My predecessor has already duly welcomed the four other new members of the Council. Since I was not in New York to associate myself with those expressions of welcome, I should like, as the representative of France, to associate myself with his congratulations in my turn.

Adoption of the agenda

The agenda was adopted.

Complaint by Iraq concerning incidents on its frontier with Iran

Letter dated 12 February 1974 from the Deputy Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council (S/11216)

3. The PRESIDENT (*interpretation from French*): In a letter dated 15 February 1974, the representative of Iran, under rule 37 of the provisional rules of procedure of the Council, has requested to be allowed to participate, without the right to vote, in the Council's debate on the item before it, in accordance with the pertinent provisions of the Charter. If I hear no objection, I propose, in accordance with the Council's practice and with rule 37 of the provisional rules of procedure, to invite the representative of Iran to participate in the Council's debate without the right to vote.

At the invitation of the President, Mr. F. Hoveyda (Iran) took a place at the Council table.

4. The PRESIDENT (*interpretation from French*): I have also received a letter from the representative of Democratic Yemen asking to be allowed to participate, without the right to vote, in the debate, in accordance with Article 31 of the Charter and rule 37 of the Council's provisional rules of procedure. If I hear no objection, I propose, in accordance with the Council's practice and with rule 37 of the provisional rules of procedure, to invite the representative of Democratic Yemen to participate, without the right to vote, in the Council's debate.

It was so decided.

5. The PRESIDENT (*interpretation from French*): This meeting has been convened in response to the request of the representative of Iraq contained in the letter which is on our agenda. I should like to draw the attention of the Council to another pertinent document, in addition to that letter, namely, the letter addressed to me by the representative of Iran on 12 February 1974 [S/11218 and Corr.1].
6. Mr. EL-SHIBIB (Iraq): Mr. President, allow me first to extend to you, and to the distinguished members of the Council, my sincere thanks for your prompt response to my Government's request to hold an urgent meeting of the Council. I have been delegated by my Government to submit to this august body my country's complaint against Iran. Before I do that, however, allow me to have the honour and the pleasure of extending to you, Sir, our

sincere congratulations on your assumption of the presidency of this Council and to express our confidence that the Council's deliberations will proceed in accordance with your own distinguished qualities and with France's high standards of respect for the rule of law and international obligations.

7. I left Baghdad barely 48 hours ago. I can honestly say that rarely can one witness such a sudden and passionate change in the mood of a country within the span of a few days as I witnessed in Baghdad recently. Only a week ago my Government announced sweeping and wide-ranging financial and economic measures designed to raise the level of income of all the people of Iraq, to reduce the burden of taxation and to increase the purchasing power of all citizens. Those progressive measures were proclaimed to use some of the new revenues to raise the peoples' standard of living and lead the country further on the road of progress and development. The income of all government officers, employees, workers and pensioners was raised considerably. The level and percentage of income tax and those of property, customs and other taxes and duties were reduced. The charges for services rendered by governmental agencies, such as those for electricity and water supply, were considerably lowered.

8. A week ago there was a dominant feeling of joy and optimism among my countrymen, a sense of confidence in the future and in the fact that the country's wealth was being used to ensure the welfare of the people and to raise their economic and social standards. It took less than three days and the news of the Iranian aggression to change this jubilation into a feeling of anger, total condemnation and even surprise. My countrymen could not help wondering at and speculating on this sudden and unprovoked turn of events. Why is it that whenever a new and constructive step is taken by Iraq on the road of prosperity and progress, of national unity and solidarity, something of the nature of the Iranian aggression takes place? This wonderment, however, was accompanied by a renewed determination: never shall we allow others to encroach on our rights or divert our march towards development and national unity.

9. Now I come to the facts of the recent events on my country's borders with Iran in the Badra country region.

10. On 10 December 1973 a group of Iranian technicians crossed the border into Iraqi territory to survey and delineate the area of Al-Sabal Police Post. They were accompanied by irregular Iranian troops. They were driven away, but regular Iranian troops replaced them. They are still there, 5 kilometres inside Iraqi territory.

11. On 24 December 1973 Iranian troops again violated Iraq's territory and attempted to build a road in the Badra country area.

12. On 4 February 1974, one day after Baghdad had dispatched its ambassador to Teheran as a gesture of goodwill, Iranian armoured units supported by heavy artillery launched a premeditated attack on Iraqi border forces, which caused the death of one Iraqi army officer and two privates, wounding seven others.

13. In the early morning of 10 February 1974 Iranian armoured units launched a treacherous attack against the Iraqi border posts at Al-Daraji and Al-Suder. The Iraqi forces confronted them in a battle that resulted in the death of another Iraqi army officer and the injury of four others, and a sixth was reported missing. Seventy-seven Iraqi soldiers were either killed, wounded or reported missing. The death toll we know of so far amounts to 44. It is of course not up to me to enumerate Iranian casualties. There are, as there were, heavy concentrations of Iranian troops along the borders and inside Iraqi territory at several points. Iranian troops are still continuing their military road-building activities in the area. Iran military aircraft are consistently violating Iraqi air space in depth. The Mission of Iraq reported those violations to the United Nations in document S/11216.

14. I should like to draw the attention of members of the Council to two letters [S/10615 of 24 April 1972 and S/9323 of 11 July 1969] which are directly related to the item on our agenda. The letter of 24 April 1972, brought to the attention of members of the Council the details of yet another Iranian incursion in a long list of several into Iraqi territory. The letter dated 11 July 1969, contains a resumé of the history of the Iraqi-Iranian border disputes.

15. The problem is neither new nor simple. It goes back in history to the time when Iraq was part of the Ottoman Empire, in the sixteenth century, and when modern Iraq inherited the old Ottoman boundaries as successor of the Ottoman Empire.

16. The Treaty of Erzerum of 31 May 1847 [S/9323, annex I] was negotiated as the basis for settlement of the boundaries between the Ottoman Empire and Persia. Wars in Europe, however, delayed the demarcation of the boundaries until 1911, when, on 11 December, the Protocol of Teheran was signed by the two parties finally to settle all border disputes. It provided *inter alia* that in the event a divergence of views should arise on any issue the question should be submitted to the Court of Arbitration at The Hague.

17. In 1913 the Ottoman Empire and Persia, together with Great Britain and Czarist Russia acting as mediators, signed the Constantinople Protocol of 4 November [*ibid.*, annex III] which established a boundary delimitation commission composed of commissioners from the four signatory parties. The Delimitation Commission concluded its work in 1914. Its proceedings defined the frontiers in detail. The border dispute was therefore finally settled, as article V of the Constantinople Protocol provided that:

"As soon as part of the frontier has been delimited, such part shall be regarded as finally fixed and shall not be liable to subsequent examination or revision."

18. After the First World War, however, Iran tried to repudiate those boundary treaties, and Iranian violation of Iraqi frontiers reached a breaking-point in 1934, when Iraq was finally forced to submit a formal complaint to the League of Nations in a letter dated 29 November 1934 addressed to the Secretary-General of the League of Nations [see S/9323, sect. IV]. Iraq's position then, as

now, was based on the principles of juridical inheritance, treaty right and equity. The League's Council was requested by Iraq to take up the issue of the Iraqi-Iranian frontier in view of Iran's persistent boundary violations. The Iraqi letter to the Secretary-General of the League stated that the Iraqi Government

"... has left nothing undone in its endeavour to settle the matters at issue direct with the Imperial Persian Government. As will be seen from the correspondence, the numerous conciliatory proposals which it has made, whether for the investigation by joint commissions of particular problems affected by the precise alignment of the boundary, or for the general examination of all causes of inconvenience to either side arising from that alignment, with a view to eliminating the inconveniences by appropriate administrative arrangements, have been consistently rejected or ignored."

19. The Iranian position was conveyed to the Iraqi Government in a note dated 25 March 1934 stating that:

"... the Imperial Persian Government does not acknowledge the official nature of the Boundary Limitation Protocol of 1914, and that it cannot consider the text of the said Protocol as a basis and authority for the definition and fixing of the alignment of the boundary between the two Governments".¹

20. In 1935 direct negotiations between Iraq and Iran were initiated upon the recommendation of the League's Council and ended in the conclusion of the Boundary Treaty of 4 July 1937 [S/9323, annex IV]. Although that Treaty was not favourable to my country, its acceptance demonstrated Iraq's sincere desire to put an end to the dispute which had dragged on for years.

21. The 1937 Treaty, however, confirmed the validity of the past agreements which Iran had previously declared "null and void". Article 1 of the Boundary Treaty of 1937 specifically states that the boundary between the two countries is the same as that delimited in 1914 in accordance with the provisions of the Constantinople Protocol of 1913, which the Frontier Delimitation Commission applied on the ground in 1914 and which was described in the proceedings of the Commission.

22. In spite of the Treaty, the Iranian Government continued its encroachment upon Iraq. In its attempts to seize as much as it could of Iraqi territory, the Iranian Government established frontier guardposts with military strength inside Iraq.

23. Those guardposts were established at the following points—and they are indicated on the map which has been distributed to the members of the Council:

(a) Al-Behailah, in the Qalat Salih administrative area, established one kilometre within Iraqi territory;

(b) Al-Jabal, in the Badra county area, established five kilometres within Iraqi territory. This is the same area where the recent Iranian attacks occurred;

¹ League of Nations, *Official Journal*, 16th Year, No. 2, (February 1935), p. 212.

(c) Al-Ziadi, also in Badra, established at five kilometres within Iraqi territory;

(d) Tek Tek, also in Badra, established seven kilometres within Iraqi territory;

(e) Khalat Ian (Kalahan), in the Mandali administrative area, established one kilometre within Iraqi territory; and

(f) Nee Khedher, in Mandali, also established within Iraqi territory.

24. There were 26 other such posts illegally established over the years in Iraqi territory. Yet my Government chose to pursue diplomatic means to safeguard its rights, but its repeated protests and communications were in vain, since the Iranian Government persisted in its claims, in contravention of the agreements I mentioned earlier. Iran's aggressive policy towards Iraq was discontinued for a while during the Second World War, subsequent to the abdication of the former Shah; the Iranian forces were withdrawn from most of the border posts which had been established inside Iraq. Unfortunately, the Iranian Government reverted to its former policy after the war had ended, and attempted to reoccupy the former guardposts. When the Iraqi authorities stood firm against those moves, the Iranian Government did not hesitate to resort to the use of force.

25. Iran's violations of its treaty obligations culminated in its declaration, made in April 1969 to the effect that it was unilaterally abrogating the Iraqi-Iranian Boundary Treaty of 1937. In this connexion, I would again invite the attention of the members of the Council to document S/9323 wherein the details of the Iranian illegal action and the historical background of the Shatt Al-Arab dispute were amply covered.

26. Since then, the situation along our eastern borders has not been exactly peaceful. My Government drew the attention of the Secretary-General in 1970 and 1971, in several official communications, to the seriousness of the situation on the Iraqi-Iranian border resulting from the continued Iranian concentration of troops and massing of formidable quantities of weapons and war materiel. My Government expressed its readiness to accept a special mission of the Secretary-General to investigate the situation along the eastern borders. It had already on several occasions offered to submit the alleged Iranian complaints regarding the implementation of the 1937 Boundary Treaty to the International Court of Justice. Unfortunately, Iran in both cases turned down our offer.

27. This aggression committed against Iraq is but another step taken in pursuit of Iran's aggressive policy of expansionism and the fulfilment of the grandiose dream of domination and empire, of seeing the Arab Gulf transformed into a Persian lake. And in the pursuit of that dream, massive Iranian forces launched a cowardly attack in 1971 on the three defenceless islands of Abu Musa, the Greater and the Lesser Tunbs, belonging to the United Arab Emirates. Now we learn, from *Le Monde* and the *Manchester Guardian Weekly* of 7 October 1973 that the Shah "has allowed the United States to establish a key electronic listening post on Abu Musa". According to other sources, a

new airstrip for the C-130 troop transport planes also has been established on Abu Musa.

28. When I had the honour to address the Council more than two years ago, on 9 December 1971, regarding the Iranian armed occupation of the three Arab islands in the Gulf, I had to refer to Iran's massive military build-up. I stated then that:

"We have every reason to believe that Iran will use this military build-up to threaten the sole commercial and main oil artery of Iraq, and to bring pressure to bear on my country, and other countries of the area, in fulfilment of Iranian expansionist policies." [1610th meeting, para. 88].

29. The Iranian armament programme during the last two years has received wide news coverage. In the 21 May 1973 issue of *Newsweek*, there was a highly revealing article by the senior editor of that magazine, Mr. Arnaud de Borchgrave, on Iran's role in the area, under the title, "Colossus of the oil lanes". On Iran's armament programme he wrote the following:

"From his command post at Niavaran Palace in the hills overlooking Iran, the Shah has set out to become the guardian of the world's oil lifeline—a role he clearly relishes. In recent months, he has launched the world's biggest military build-up since the American deployment in Viet-Nam. Teheran's brass has been buying up military hardware from the United States (and to a lesser extent from Britain and France) the way most people stock up on a week's supply of groceries at a supermarket. All told, Iran has spent roughly \$3 billion of its oil revenues on military equipment this year alone, and in the next two years Teheran is expected to shell out more for arms than in the past 15 years combined. What's more, the Shah's tastes run to the exotic and the very expensive—from laser-guided bombs and French ground-to-ground missiles to KC-135 jet tankers to refuel his large F-4 Phantom fighter-bomber fleet in mid-air (thereby doubling the jet's effective range to some 1,400 miles). Among the items on the Shah's current shopping list:

"100 F-4 Phantoms to add to the 72 he has now—at a total cost of \$720 million;

"100 F-5E fighters—\$300 million;

"10 KC-135 jet tankers—\$70 million;

"700 helicopters—\$500 million;

"800 British Chieftain tanks—approximately \$480 million;

"8 destroyers, 4 frigates, 12 high-speed gunboats and 7 repair ships—about \$300 million;

"14 new Hovercraft to add to what is already the world's largest operational Hovercraft fleet—\$30 million;

"2 new air-sea bases—\$1 billion.

"The new hardware will give Iran truly awesome firepower. Already, the Shah's Hovercraft fleet, led by the big British-made BH-7 which can carry up to 150 marines at 70 knots, has the capability to land a battalion of troops on the other side of the Gulf in only two hours".

Mr. de Borchgrave goes on:

"The Iranians do not yet control all the traffic in the Gulf, but they are certainly moving in that direction. From their new naval gun emplacements on Abu Musa and the Greater Tunb Islands, which they seized from the United Arab Emirates seventeen months ago, they make spot radio checks of passing vessels. And they are even expanding their foothold in the Gulf of Oman and the Indian Ocean, thus making Iran a potential South-Asian as well as Mid-Eastern power".

Mr. de Borchgrave also quotes the Shah himself on Iran's role, as envisaged by Iran's ruler:

"Not only do we have national and regional responsibilities but also a world role as guardian and protector of 60 per cent of the world's oil reserves."

I repeat: "guardian and protector". The Shah goes on:

"Being strong also means we can afford to let people step on our feet, but they must know there is a point beyond which they cannot monkey with us. What we're buying is a deterrent that will be credible to all our neighbours... The Nixon doctrine says the United States will help those who help themselves. That's what we're doing."

30. The Iranian Government's actions in our area would suggest that its interpretation of the Nixon doctrine is that the United States will help those who help themselves to the territories of other people. There is no longer any doubt that the policies implemented by Iran are clearly those of aggrandizement and territorial expansionism. But the Iranian visions of power and domination are not confined to the Gulf area; they now extend to the Indian Ocean as well. The expansion of the Iranian navy which is now under way is designed to patrol the seas as far as India, and Iran now claims the right to stop and inspect ships 50 miles off the Iranian coast.

31. That is how the explosive situation on Iraq's eastern borders has developed, causing death and suffering to a large number of people. The situation remains tense and fraught with danger. Several Iranian divisions are poised in strategic positions across our frontiers. We are confronted by an ambitious, expansionist and expensively armed war-machine aspiring to play the part of a super-Power. We have suffered from the policies of this covetous neighbour which readily breaks its treaty commitments and obligations in fulfilling its territorial ambitions. Parts of our territory are now under occupation. Although we previously, on several occasions, drew the attention of the Secretary-General to the seriousness of the situation as a result of the Iranian incursions, aggressions and troop concentrations, we did not bring our legitimate complaints

before the Council in the hope that the efforts and the good offices of other parties could improve the situation. My Government has also expressed its readiness to receive a special representative of the Secretary-General to investigate the situation on the eastern frontiers. It has already offered on several occasions to submit the alleged Iranian complaint regarding the implementation of the 1937 Boundary Treaty to the International Court of Justice. Unfortunately, Iran has never reciprocated.

32. The problem has proved itself to be insoluble so far for two formidable and very clear reasons: first, Iran's refusal to renounce its territorial claims against Iraq; and second, Iraq's determined refusal to cede any part of its territory to the Iranian intruders.

33. The Security Council is duty bound to expend its efforts to see that justice is done, the rule of law upheld and peace and stability restored to the region. Or is an expansionist State armed to the teeth to be allowed to encroach upon its neighbours and annex their territories? Iran's policies have already started a dangerous arms race in the region. Perhaps the Iranian Government has realized that it is not the only one which can stockpile an arsenal of weapons, and perhaps that is the reason why the Iranian Government would like to see a show-down sooner rather than later.

34. The PRESIDENT (*interpretation from French*): I now call on the representative of Iran.

35. Mr. HOVEYDA (Iran) (*interpretation from French*): Mr. President, before setting forth my delegation's views I should like to thank all the members of the Council for having kindly agreed to allow me to speak here and also to congratulate you on your assumption of the high post which you occupy today during this debate. My delegation, which represents a country enjoying the best of relations with yours, is sure that you will preside over these debates in a spirit of neutrality and sympathy.

36. There is much irony in the fact that it was Iraq which asked for a meeting of the Security Council on this sorry chapter of the relations between our two countries. For Iran is the victim of a veritable aggression and yet the perpetrators of the aggression claim to occupy here the position of the plaintiff. We know that certain strategists recommend attack rather than defence in order better to hide the truth. But I must warn the representative of Iraq that his manoeuvre designed to sow confusion by turning facts topsy-turvy bespeaks a naiveté which is equalled only by the inconsistency of his arguments.

37. Unlike Iraq, which on one pretext or another has not ceased to provoke disturbances, Iran has constantly tried to show a maximum of self-control and has endeavoured to solve the problems in a spirit of good-neighbourliness, particularly through the recently re-established diplomatic relations.

38. However, since the Government of Iraq has chosen to present here a distorted view of the recent events, I am duty bound to set the record straight.

39. In recent years many incidents have unfortunately broken out along the Iran-Iraq frontier. In a letter which I had the honour of addressing to the President of the Security Council on 1 May 1972 [S/10627], I described some of the many cases of violation of our territory by Iraq. I shall not take up the time of the Council by reverting to those incidents. I shall simply draw the attention of the members of the Security Council to the fact that the recent violations of our frontier by Iraqi troops are part of a long series of provocations that date back a long time.

40. In recent years a number of Iranians—cartographers, road engineers, herdsmen, frontier guards and others—have been constantly harassed by Iraqis, and we have had to deplore extensive human and material losses. Often these incidents have been accompanied by incursions of armed Iraqi elements into our territory.

41. The incursion of Iraqi troops on 10 February last was the climax of this long series of violations. With the leave of the Council, I should like to relate the series of events that preceded this latest attack.

42. On 15 December 1973, at 1530 hours local time, the Iraqi police opened fire on the Kanisakhat frontier post. The skirmish that followed lasted until 10 o'clock at night of the next day.

43. On 24 December 1973, at 1000 hours local time, armed Iraqi elements took up positions on the heights of Zaluab and opened fire on the Iranian frontier guards that were making their way towards Kanisakhat. The exchange of fire lasted until 3 o'clock that day and caused the death of one Iranian. It was approximately at the same moment that the Iraqi Command concentrated heavy forces, reinforced by armoured vehicles, along the heights of the Iranian frontier.

44. On 25 December 1973, at 0800 hours local time, the Iraqi forces started to bomb the Iranian frontier guards in Kanisakhat. The invaders, backed by heavy mortars and machine-gun fire, during the night occupied the three hills of the Zaluab heights that dominate the Kanjan-Cham Dam and the frontier post of Reza Abad. At mid-day, local time, on 25 December, the Iranian frontier guard managed to repel the invaders from Iraq and re-establish its positions on the heights. These incidents caused the death of a soldier.

45. On 26 December 1973, at 0800 hours local time, Iraqi armed elements, established close to the frontier post of Dorraji, in Iraq, opened fire on the Iranian frontier guards.

46. After this series of incidents the manoeuvres of the Iraqi armed forces and the shooting continued sporadically and at different intervals. In the meantime, the Iraqi forces began to set up fortifications to and introduce heavy armament along the Iraqi side of the frontier.

47. On 30 January 1974, while the Iranian herdsmen were taking their livestock for grazing in the Kulak Heights along the frontier line, they were attacked by the Iraqi armed forces.

48. On 31 January 1974, Iraqi armed elements from the north-western heights of Al-Jabil fired with machine guns upon the Iranian frontier guards that were engaged in a patrol mission within Iranian territory.

49. At 1050 hours local time, on Monday, 4 February, while Iranian frontier guards were transporting supply materials along supply routes of the Mahran region, they were caught in the fire of Iraqi forces. The Iranian frontier guards returned the fire and pushed the intruders back. As a result of this encounter, which lasted until the evening of 5 February, one Iranian soldier was killed.

50. The following munitions belonging to the Iraqi intruders were seized inside Iran territory: one automatic weapon, one mortar battery, a large number of cartridges, two boxes containing hand grenades, four artillery batteries, two boxes of R.P.G. ammunition, and two telephone sets.

51. At 0430 hours local time on Sunday, 10 February, Iraqi armed elements, using light and heavy weaponry, artillery, tanks and armoured carriers, shelled Iranian frontier posts at the Zaluab heights, Kanisakhat, Reza Abad, Jazman and the Kanjan-Cham Dam. Faced with these unprovoked attacks, the Iranian armed forces returned the fire and forced the intruders to withdraw.

52. In the meantime the commandant of the frontier guards at Mahran tried to contact its Iraqi counterpart. Parenthetically, the denial of this by the General Staff Radio Baghdad on 11 February is entirely groundless.

53. As a result of this last incursion of 10 February, a certain number of Iranian frontier guards were killed or wounded. The Iraqis left behind on Iranian soil 14 dead and much ammunition and weaponry, which constitutes irrefutable proof of the violation of Iranian territory by the Iraqis.

54. In the note sent to the Embassy of Iraq in Teheran by the Minister for Foreign Affairs of Iran on 11 February [see S/11218 and Corr.1] my Government described the facts that I have just mentioned, drew the attention of the Iraqi Government to the very dangerous consequences of such violations, and demanded of the Iraqi Government that it take the necessary measures to punish those responsible and to assure the compensation of Iran for the losses suffered in human lives and material, and to assure us that in the future such provocations or violations would not be repeated.

55. It must be added that these territorial violations unfortunately are only one aspect of a far vaster and more complex problem which my country has been forced to face in its relations with Iraq.

56. Thus, two years ago, a few tens of thousands of persons of Iranian origin and nationality, whose families had, for the most part, lived in Iraq for several generations, were summarily arrested by the Iraqi police, bundled into trucks and buses and literally dumped on the Iranian frontier without any other form of trial. The practice of expelling Iranians has since been continued, although, after certain appeals, they have not been as massive in number.

57. But there is much more to it. As though the sudden uprooting of these families, established in Iraq for so long, were not sufficient to damage and harm them so tragically, the Iraqi authorities have, furthermore, pushed cruelty to the point of unloading their victims in isolated areas, so that women, children and the aged had to cross mine-fields—and some of them were wounded or crippled—before reaching the nearest posts. This bespoke such contempt for the most elementary human rights that in the course of a series of meetings with the Secretary-General, and in a number of letters, including one of 9 June 1973 addressed to the Commission on Human Rights, I drew the attention of a number of the organs of the United Nations to these acts of atrocity and urged them to take steps and to approach the Iraqi Government in order to put an end to them.

58. Unfortunately, the Iraqi provocations have not been limited only to the frontier violations and the mass deportations of Iranian nationals. I shall put before the Council a mere few examples of specific violations of the norms of international conduct committed by Iraq in its relations with Iran.

59. For a number of years, we have been the victims of incredible hate-campaigns on the part of our neighbour that have acquired quasi-pathological scope and proportions. For days and nights, the press, the radio and the television controlled by the Iraqi State have ceaselessly hurled insults against our legitimate régime and incited our people to rebel.

60. But there is something even more serious. The Iraqi authorities have also set up training camps to train terrorists and send them to Iran to carry out acts of sabotage. They have constantly incited the Iranians, through the radio and television, to plot against the legitimate régime and to overthrow the Government by violence. They have offered asylum to all sorts of movements that are opposed to the constitutional régime of Iran.

61. I would not have mentioned these incredible acts of hostility on the part of a responsible State had I not in my hands tangible proof. For, far from disguising their designs against the security of our nation, the Iraqi authorities have pushed their arrogance to the point of announcing on their government radio and television stations a series of raids carried out within Iranian territory and originating from Iraqi territory. Thus, to take one example at random, on Friday, 23 June 1972, at 10.20 hours local time, the radio of Bassora suddenly interrupted its programme to broadcast a communiqué signed by the so-called National Liberation Front of Ahwaz. The communiqué began as follows:

"Children of our great nation, Arab peoples of Ahwaz, in the light of the efforts of the Shah's régime to turn Ahwaz, our lost land with all its Arab characteristics, into a Persian province, it now is up to us, in our just socialist struggle, to reconquer our beloved land and to unite it to our vast Arab homeland."

62. In using the name of Ahwaz, the capital of our province, the communiqué was speaking of the entire province of Khuzistan where our main oil industries are

located, and a province that includes among its historic glories the city of Susa, the old capital of the Achemenides.

63. In that same radio broadcast, Radio Bassora sent out six bulletins concerning the raids carried out deep into Iranian territory. According to these bulletins, armed elements entered Iran and returned to Iraq after having caused losses and damage to the Iranian armed forces. Let me pick one at random. I quote, for example, bulletin No. 68:

"At 0030 hours local time, on 3 June 1972, one of our detachments of fedayeen attacked an Iranian gendarmerie post in Kharabeh in the very heart of the province of Ahwaz and inflicted the following losses: seven soldiers killed; destruction of the entire ammunition dump; destruction of an automatic field gun that the enemy was using against us.

"Our forces managed to silence the enemy artillery and returned sound and safe to their bases after 20 minutes."

64. Allow me also to quote from the long list of radio Baghdad broadcasts that I have before me, one communiqué put out in the form of a slogan on 13 September 1972, at 2300 hours local time:

"Revolutionary workers, Iranian masses united under the just banner of the fight against the mercenaries of Iran, arise."

65. Members of the Council, I shall not take up your time by quoting all the bulletins that attest to premeditated invasions of Iranian territory or of inciting the people to revolt in Iran. The examples I have quoted are sufficiently clear to reveal the true nature of the acts of that Government of Iraq that today wishes to pose in the Security Council as a victim. I could go on for hours reading cuttings from the press, excerpts from the Iraqi radio and television that would illustrate similar bellicose designs against other provinces of my country, but I shall refrain from doing so. I shall, however, hold at the disposal of the members of the Council that may desire them the documents that I possess. It is, however, interesting, I think, to see in the light of these facts, the accusations of "imperialism", of "aggression", of "expansionism", that the representative of Iraq, following in the footsteps of his own Government, has launched against my country.

66. It should not be believed that Iran alone is exposed to these acts of Iraq that are contrary to the terms of international law. It happens to be a general and current practice in Iraqi circles to carry out these acts. I shall content myself at this moment with citing a few facts.

67. In 1973, the Iraqi troops unleashed a premeditated attack against a neighbouring country and set up their bridgehead on its territory. And it was only after very strong diplomatic pressure that they were forced to withdraw. But what is curious and edifying is to recall the broadcast from Radio Baghdad on 20 March 1973, the day of the invasion that I am referring to. In fact, it was a repetition of its usual claim, in that it accused the other party of having started the firing to which the Iraqi troops were "forced to reply".

68. But I am sure that all members of the Council are fully aware of the events to which I am referring, and therefore, I need not press my case on that.

69. Shortly after these events a surprising revolution was made by the Government of another nation of the region. Large amounts of weapons and ammunition were smuggled in by the Iraqi Government under the cover of diplomatic immunity to be distributed among subversive elements in the country and they were discovered at the Iraqi Embassy in the capital of that country.

70. In a statement of 10 February 1973 the Government of the country concerned expressed the consternation and shock caused by the discovery of a veritable arsenal in the Iraqi Embassy building and by the betrayal of the fraternal relations between two Muslim countries.

71. I shall not multiply these examples, but these acts are not surprising to us because for a long time we have been exposed to the curious activities of our neighbour. These acts prove the origin of the violations of our territory and of international law. These acts indicate who in these cases is the expansionist in our region.

72. The city of Baghdad, formerly known as Madinat-al-Salam—the city of peace—has, in fact, today become a centre of conspiracy against the security of States, and quite justifiably has acquired a notoriety for its training camp for armed groups intended for sabotage in neighbouring countries.

73. Therefore, it can be seen that the plaintive language of the representative of Iraq in this Council is in singular contrast with the aggressive attitude adopted by his Government. And it is hardly the delegation of Iraq that is most indicated to come to give us lessons on international conduct.

74. Obviously, I can put many other facts before the Council. But I think that the few examples I have given will inform the members of this body regarding the contents of the other documents I have in my possession. Nor do I wish to go into consideration of the true reasons hidden behind these acts. I merely wish to reply to some of the comments made by the representative of Iraq in his statement.

75. The representative of Iraq said that we massed troops along the frontier—I think he said numerous troops. Once again he drifted into exaggeration. But I wonder what a responsible Government is expected to do following upon an incident as regrettable as that of 10 February last? Is it not normal for any country to adopt the measures dictated by its defence needs? Furthermore, Iraq had already planned in advance for the defence of its frontier. According to my information, before the incident of 10 February Iraqi troops along the frontier amounted to about two divisions, including one infantry brigade, one armoured brigade, two heavy artillery battalions, four light artillery batteries, three police battalions and, in the first line, a battalion of mechanized cavalry, an armoured battalion, two anti-aircraft battalions and two anti-tank battalions. That was at a time when Iran had only frontier posts and gendarmerie posts. Furthermore, according to my informa-

tion, the Iraqi General Staff could send two additional divisions to the frontier in three hours.

76. The representative of Iraq feels that this situation is dangerous. Certainly it is dangerous. But who provoked it? In the light of the incursions, in the light of the deployment of troops, are we to remain unmoved and to refrain from taking the most elementary precautions? Furthermore, I can assure members that it is not we who will provoke regrettable incidents. As we have proved in the past, we have always shown restraint, and last Wednesday the Iranian Under-Secretary of State for Foreign Affairs reminded the ambassadors of Arab States that the Iranian Government had shown great patience in the face of the actions and the provocations of the Government of Iraq. He added that that patience was considered by us as being in the interests of the two parties and in the interest of peace in the entire region. But, he added, patience has its limits. That is why we clearly warned the Iraqi authorities, in our note, that if another incursion took place on our territory the Iranian armed forces would have to perform their national duty.

77. Moreover, it is not the first time that Iraq has loudly denounced the existence of a dangerous situation provoked by its own actions. The representative of Iraq recalled the letter of his delegation of February 1970 to the Secretary-General warning of what he called the massive concentration of troops along the frontiers and claiming that that constituted a threat and a danger. Obviously the representative of Iraq, then as today, omitted to say that Iraq on its side had set up a number of forces along the frontier and that Iran had proposed in a letter to the Secretary-General a simultaneous withdrawal of the forces, negotiated between the two parties.

78. The sole difference between then and today is that at that time Iraq had not alerted the Security Council, but had only informed the Secretary-General. The representative of Iraq may think that he is in a stronger position today because his country is a member of the Council. But I wish to tell my Iraqi colleague that his calculations on that score are false.

79. The representative of Iraq has contended that Iranian troops were on Iraqi territory to a depth of 5 kilometres, according to the French interpretation to which I listened. Obviously that is entirely false. The bloody encounter of last week took place on hill 343, in Zaluab and on the heights of Reza Abad, that is to say, on Iranian territory. If the Iraqis, in mentioning the 5 kilometre factor, were thinking of the region of Kanisakhat, I must stress the fact that that was not the scene of the bloody incident on 10 February. For a number of years a lot of border incidents have occurred at that point within Iranian territory. If the Iraqis have any claims on that area, that is another question. There then would perhaps be a difference on the question of the drawing of borders. But we have long tried to urge the Iraqis to discuss this matter in order to resolve our points of disagreement, including differences concerning the drawing of the boundaries. But from the procedural point of view it is necessary for the two parties to agree on the modalities of such a discussion in order to resolve these differences. But here—and I repeat—in our discussion the

important point concerns the regions that I have mentioned where the skirmish took place between the frontier guards and the Iraqi armed elements, and where the latter abandoned their dead soldiers as well as their military equipment.

80. In his statement the representative of Iraq referred to the old Iran-Iraq dispute on the river frontier of Shatt Al-Arab. He cited at length the documents that he transmitted either to the Security Council or to the Secretary-General on this subject. We have replied to all those communications.

81. Without trying to re-open the debate on this question, I should like to draw the attention of the Council to the fact that the impasse in which we find ourselves on this matter is the direct result of the intransigent policy of Iraq over a period of 32 years. In fact, despite our numerous representations, Iraq has always refused to implement certain basic clauses of that treaty. I do not wish to take up the time of the Council on this matter since our position was made amply clear in the letters of 1 and 9 May and of 2 September 1969 [S/9190, S/9200 and Add.1 and S/9425] addressed by the representative of Iran to the President of the Security Council at that time.

82. The representative of Iraq also alluded to the three islands of the Persian Gulf over which Iran re-established its sovereignty, the exercise of which had been interrupted during the colonial period. That question was examined by the Security Council on 9 December 1971 [1610th meeting], and the representative of Iraq cited this matter at great length. I shall say that our position was described at that time, and I see no reason whatever to state now what our representative said at that meeting of the Security Council. Suffice it to recall and to stress once again that those Iranian islands had been wrested from the sovereignty of my country during the colonial domination of the region 80 years earlier. All we did was to restore the exercise of our sovereignty over that area that had never ceased to belong to Iran.

83. The representative of Iraq saw fit to criticize our defence policy. He cited at length newspaper articles from various countries. I shall not cite newspaper articles, for I believe that after the summary that I have given of the activities of our neighbour, and of certain extracts from Iraqi State radio and television broadcasts, it would be very difficult for anyone to blame us. Hence, any criticism by the representative of Iraq seems to me to be quite out of place.

84. As I said from the rostrum of the General Assembly in October 1973,

“... the arms expenditure of any country should be measured in the light of its size, population, gross national product and *per capita* income. And I submit that, on the basis of authoritative surveys by the London Institute of Strategic Studies, confirmed by the Swedish International Peace Research Institute (SIPRI) surveys, the arms expenditure in Iraq since 1965, in terms of percentage both of gross national produce and *per capita* income, has been substantially more than Iran's.”²

² See *Official Records of the General Assembly, Twenty-eighth Session, Plenary Meetings*, 2135th meeting, para. 156.

85. The representative of Iraq began his statement by speaking of the measures his Government was adopting to improve the standard of living of his people and of the sorrow that people felt at what he termed Iran's aggression. Need I remind him that for some time now Iran has been improving its standard of living and has been industrializing and developing the country at an extremely rapid rate? Also, need I remind him of what the Iranian people feels regarding the aggression of 10 February, which is in our country known as "bloody Sunday"?

86. Once more I must draw the Council's attention to the fierce hatred of the Iraqi authorities for Iran—a hatred irrefutably proven by the recent events. The magnitude of the recent Iraqi violations was such that the armed forces of that country even attacked the Kanjan Cham Dam, which supplies irrigation waters to the peasants of the region.

87. The new Iraqi attacks are all the more incomprehensible to us, and, I am sure, to the Council also, since they immediately followed the resumption of diplomatic relations between our countries, at a time when conditions propitious for the improvement of relations between the two parties had begun to appear on the horizon. Even more astonishing is the fact that instead of making use of the recently re-established relations, the Iraqi authorities prefer to come to the Security Council and accuse Iran of having initiated those incidents. I have put the truth before the Council. I have explained and proved to the Council who the aggressor was. And I must add that from the end of December until this day the Iranian Embassy in Baghdad has sent three notes and the Ministry of Foreign Affairs in Teheran sent two notes to the Iraqi authorities. Today those five notes are still awaiting a reply.

88. Even so, and to leave the door open to negotiations between the parties—which is the only reasonable and fruitful course—Iran abstained from calling on the Security Council. And today in this august body I repeat that we consider the recent events regrettable frontier incidents, and we trust that such violations will not recur and that the dispute between the parties will be solved peacefully. That is why we have set tomorrow morning as the time for the presentation by the Ambassador of Iraq of his credentials in Teheran. What we are seeking is not confrontation with Iraq but direct negotiation based on the principles of international law and justice, principles which take fully into account the legitimate interests of the two parties, in order to achieve a full settlement of the whole dispute.

89. We trust that the Government of Iraq will also set its feet on the road of reason and will duly consider the contents of our notes as well as our constant and patient offers for negotiation to bring about a complete normalization of our relations.

90. I believe it is in that light that the Security Council can best contribute to the creation of the necessary favourable climate between the parties, by recommending to Iraq that it have recourse to the existing diplomatic relations between the countries.

91. The PRESIDENT (*interpretation from French*): I call upon the representative of Iraq, who wishes to speak in exercise of his right of reply.

92. Mr. EL-SHIBIB (Iraq): I do not wish to take up much of the Council's time, but I feel rather confused by the varied themes contained in the statement of the representative of Iran. Perhaps that is exactly what he was aiming at—confusing not only me but also the members of the Council and the whole issue.

93. I have addressed myself to a clear specific question—the question of an armed incursion into our territory and the military occupation of part of it, resulting from Iran's refusal to abide by its legal obligations and treaty undertakings. But we have been treated to a variety of arguments, evasions and diversions. We have been accused of inciting terrorism, sending arms into other countries, threatening the lives of the innocent. But then those are not arguments that are new to the Council. The Council has heard them before, from another party that was very covetous of Arab territory. I am delighted to say that those arguments were totally and utterly rejected then, as I hope they will be rejected now.

94. My colleague from Iran has been telling the Council that Iraq attacked Iran's borders, and that the Iraqis left their arms and the bodies of their comrades in Iranian territory.

95. Now, let me ask him one very simple question: What line does Iran regard as its boundary? By what means does Iran define what is its territory and what is not its territory?

96. The claim is that when we drive away intruders, we are harassing Iranian engineers and topographers. I must inform the members of the Council that Iranian engineers and topographers have been most industrious on Iraqi frontiers. The typical ploy used for this creeping annexation and the incursions into Iraqi territory has been exactly that of sending these land engineers, topographers, cartographers, escorted by regular armed Iranian troops. If they are not spotted and driven away, a military emplacement is immediately established; then a border post is built, the Iranian flag is raised, and a new claim is made upon Iraqi territory. I have told the Council how many times this has been done in the past. And that is exactly what the Iranians were attempting to do when the clash that is the immediate subject of this discussion took place on 10 February.

97. I have referred, in part, to the armada and armed arsenal which Iran has become. The representative of Iran, quoting the Institute of Strategic Studies, claimed that we spend more *per capita* on armaments. Perhaps that is true. But if we spend more on one gun than they spend on 10, in relation to *per capita* income, does that make us more daring, more covetous, more aggressive? I believe this argument is too spurious to be taken seriously.

98. We have also been accused of carrying out illegal acts in other countries—acts that are contrary to the norms of diplomatic behaviour. Let me ask the representative of Iran: Is Iran trying to punish Iraq for these acts? Has Iraqi territory been set as a fine for these acts? Has Iran become not only the protector—as its ruler claims it to be—but the policeman, judge and executioner of our area? Have the norms of international relations so deteriorated that a State can allot to itself such a role?

99. And why is Iran nibbling at Iraqi territory? And this can be described in no other way. Is it because an imperial title demands the occupation of other people's territory to make it truly imperial or more convincing? Or is there a more sinister, political purpose? Here I am only speculating, but I leave it to the intelligence of the members of the Council to adduce the reasons that are behind the acts of our Iranian neighbours.

100. The whole issue between Iraq and Iran centres on one question: Does Iran recognize its treaty obligations as they are specified and clearly stated in the 1937 Boundary Treaty between Iraq and Iran? If that is the case, and there is no dispute, we are willing to sit down with them today, on the basis of that Treaty, to consider any complaint they may have, regarding navigation, regarding alignment of the border, or any other subject. And we will certainly reach an agreement. They can go to the International Court of Justice and put whatever complaint they have before it, and we will submit to its ruling.

101. But perhaps they are following the very good example of 1935 and 1936, when direct negotiations were going on between Iraq and Iran over the establishment of a new border treaty. I refer here to a meeting that took place between the Iraqi Minister Plenipotentiary in Teheran in 1936 and the Shah, Shah Reza, who is quoted as having said: "Iraq is calling me to account by the centimetre and the millimetre. I want no more than two miles of Shatt-Al-Arab opposite Abadan." He got seven. Now his successor wants more. How much more? Is it only water? Is it land? Where do the Iranian borders stand; where do they end? What rule of law governs them?

102. My country faces a very critical situation. Part of it has been occupied and is still under the occupation of the Iranian armed forces. Heavy artillery and tanks have been introduced into that area. A concentration of six Iranian divisions stand at strategic points on our borders. At the point of the 10 February clash there is a tank battalion and a mechanized regiment in attack and readiness formation. We have taken defensive measures and we have deployed our troops occasionally. We have come to the Council because we do not want war; we do not want bloodshed; we do not want this kind of relations to be the rule between us and our neighbour Iran.

103. But we cannot tolerate occupation; we cannot tolerate humiliation. For five years we have been patient and tolerant. We have explored, as my colleagues well know, every means and every venue for reaching an agreement, either bilaterally or through the good offices of many friendly persons and friendly States. These efforts have been to no avail. On the contrary, the rate of incidents has been increasing; they have become bloodier and bloodier. On 10 February they reached a new pitch and a new height.

104. Unless this Council rules for the establishment of the rule of law, unless it acts for the preservation of the peace, unless it tells the aggressor to desist and the law-breaker to respect international law, then it has been established to no avail, and that would be to the sorrow of everyone, in Iraq and in Iran.

105. The PRESIDENT (*interpretation from French*): I call on the representative of Iran in exercise of his right of reply.

106. Mr. HOVEYDA (Iran) (*interpretation from French*): I really do not want to take up much of the Council's time, but, unfortunately, once again my colleague from Iraq has indulged in his method of accusing me of bringing dissension into the Council.

107. If I made reference to some instances of his country's actions vis-à-vis other countries, it was not at all in order to enter upon problems that are no concern of mine, but merely in order to characterize the customary attitude of his country. The only reply he has made to me has been in the form of slogans, without reference to facts.

108. So far as the frontier is concerned, and what he said about it, I might remind him that my Government has taken every opportunity of repeating its readiness, as of today, to sit down at a table with the representatives of Iraq to consider the totality of the points at issue between the two countries, on the basis of the tried and tested rules of international law and international justice.

109. As usual, the representative of Iraq has sent the ball back to me and claimed that it was always his country that had sought negotiations with mine and that it was my country that had refused. May I remind him that in 1969 my present Minister for Foreign Affairs, who at that time was Under-Secretary of State for Political Affairs, headed a delegation which went to Baghdad to initiate negotiations and that circumstances—which I do not wish to mention now—obliged him to pack his bags and go home again because the Iraqi delegation was unwilling to negotiate.

110. As to the question of the troops purportedly massed along the frontier, there again he sends the ball back to me. I wonder whether in the reply just given by the representative of Iraq to some of my statements there was anything that needs to be taken into consideration.

111. I shall conclude by taking careful note of what he has said, particularly as concerns negotiations between the two countries for the purpose of resolving our disputes. I can only repeat what my Foreign Minister said on this subject at the last session of the General Assembly.

"Iran has repeatedly offered to resolve its problems with Iraq in accordance with accepted norms of international law and practice of States and with due regard to the principles of equity and mutual rights and the interests of both parties."^{3, 4}

112. Mr. EL-SHIBIB (Iraq): I shall say only a few words. I have expressed the readiness of my Government to enter immediately into direct negotiations with the Iranian Government once it recognizes its obligation under the mutually binding border Treaty of 1937. I have not received an affirmative reply.

³ *Ibid.*, 2127th meeting, para. 190.

⁴ Quoted in English by the speaker.

113. Mr. HOVEYDA (Iran) (*interpretation from French*): For the sake of the verbatim record, I must simply say in turn that in my statement I very briefly gave the reasons why we do not consider the 1937 Treaty to be valid. The details of these reasons will be found in the communications sent to the President of the Security Council on a number of occasions from 1969 to the present day. I do

not have to repeat them. I wish simply to repeat that my Government is ready to enter immediately into negotiations with the Government of Iraq on the basis of the accepted principles of international law and justice taking into account the interests of the two parties.

The meeting rose at 5.25 p.m.

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