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Central Intelligence Agency



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DIRECTORATE OF INTELLIGENCE

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Iran-Iraq: Determining Who Started the Iran-Iraq War [redacted]

Summary

Iran insists that it will not consider a ceasefire in its war with Iraq until an international tribunal determines who started the war. Each side argues that the other was responsible for initiating hostilities, and [redacted] both parties contributed to the conflict's origins. Whatever the merits of each side's arguments, Tehran and Baghdad are unlikely to agree on the formation of a tribunal in the near term since both insist on "sympathetic" members. For the foreseeable future Iran will not be content with a tribunal ruling in its favor; it will insist on the punishment of Saddam Husayn and reparations as well. Iran realizes that such an outcome is highly unlikely, but supporting the idea of a tribunal strings along the current UN diplomatic effort, and avoids outright rejection of UN Resolution 598 and the imposition of UN sanctions. [redacted]

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Iran and Iraq have agreed since the early 1980s on the concept of an international tribunal to determine the aggressor in the conflict, but the issue has come to the fore since the passage of UN Resolution 598 last July. The resolution's sixth article stipulates that the UN Secretary General explore, in

This paper was prepared by [redacted] the Persian Gulf Division, Office of Near Eastern and South Asian Analysis. Comments and queries are welcome and may be directed to the Chief, Persian Gulf Division, NESA [redacted]

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consultation with the two belligerents, the formation of such a body. Iran, however, insists that the tribunal reach a determination, punish the aggressor, and assess reparations before the resolution's other provisions on a cease-fire and an Iranian withdrawal from Iraqi territory are implemented. Iraq argues that the resolution should be implemented sequentially, in which case the tribunal would be constituted only after a cease-fire and Iranian withdrawal. [redacted]

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The Iraqi Case Against Iran

Baghdad argues that its invasion of Iran in September 1980 was justified because Tehran had been trying since early 1979 to overthrow the Iraqi regime. Baghdad contends that Tehran repeatedly called for uprisings against President Saddam Husayn in radio broadcasts and provided material and financial support to Iraqi Shia and Kurdish dissidents. (Shias comprise 60 to 65 percent of the Iraqi population, but Sunnis dominate the government.) According to the Iraqis, Shia assassins engaged in an Iranian-directed terrorist campaign in Baghdad that culminated in an attempt to kill then Deputy Prime Minister Tariq Aziz and another Iraqi minister in April 1980. [redacted]

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Iran also sought to undermine the Iraqi regime through a campaign of diplomatic and military harassment, according to Iraqi officials. Tehran allegedly took over two Iraqi consulates in western Iran in November 1979, frequently shelled Iraqi border posts, and violated Iraqi air space. The border violations culminated in the shelling of three Iraqi border towns on 4 September--an incident Baghdad claims marked the beginning of the war. [redacted]

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Despite these provocations, Iraq asserts that it made a sustained effort to establish better relations with Tehran. Iraq claims it sent a congratulatory message to Khomeini in February 1979 immediately after his return from exile to Tehran and in subsequent months offered to meet with top Iranian officials. [redacted]

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The Iranian Case Against Iraq

Iran asserts that its attempt to undermine the Iraqi regime was a justified response to hostile Iraqi policies. According to Iranian officials, Iraq provided material and financial aid to Iran's Arab and Kurdish minorities, and to former officials of the Shah's regime. They allege that this hostile campaign involved direct support for the takeover of the Iranian Embassy in London by Iranian Arab dissidents and assassination attempts against Iranian officials, including Foreign Minister Ghotbzadeh in April 1980. Tehran also argues that Iraqi military forces violated the Iranian border frequently in 1979 and 1980, prior to the Iraqi invasion in September 1980. [redacted]

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The Iranians claim that their attempts to undermine Saddam's regime were also justified by his discriminatory policies towards Iraq's Shia population. Iraq systematically excludes the Shias from power and executed their leader Ayatollah Muhammad Baqr al-Sadr and 70 Shia activists in 1980. [redacted]

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A Review of the Evidence

Iraq initially sought an accommodation with Iran after the Shah's departure in January 1979. Although Baghdad regretted that Khomeini returned to Iran from Paris later in the same month, it hoped that it could work with Iranian moderates such as Prime Minister Bazargan to prevent a resurgence of Iranian support for Iraqi Kurds. According to reporting at the time from the US Interests Section in Baghdad, Iraq frequently called in the Iranian ambassador in Baghdad during the first half of 1979 to express concern about political turmoil in Iran and to urge Tehran to implement the provision of the 1975 Algiers Accord in which the Shah agreed to end support for Iraqi Kurdish guerrillas. [redacted]

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Relations between the two countries began to deteriorate sharply after Iraq arrested al-Sadr in June 1979 on suspicion of fomenting Iraqi Shia unrest with Iranian support. Khomeini had known al-Sadr during the Iranian cleric's exile in the Iraqi city of Najaf from 1965 to 1978. In retaliation for the arrest, Tehran broadcasted repeated calls for the overthrow of Saddam's regime. Baghdad responded with its own hostile propaganda broadcasts, but did not call for the overthrow of the Iranian government. [redacted]

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Both sides almost certainly were providing significant amounts of material and financial support to each other's dissidents by late 1979. [redacted]

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During 1980, both sides almost certainly conducted terrorist operations against the other's officials. We suspect--but have no evidence--that Iran gave direct support to Iraqi dissidents [redacted]

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who were involved in a major campaign to assassinate Iraqi officials that culminated in attempts to kill Iraqi Deputy Prime Minister Tariq Aziz on 2 April and the Iraqi Minister of Information twelve days later.

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As bilateral relations deteriorated, Iraq began preparing for war during the first half of 1980.

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Iraq did not begin to mobilize its troops until after the Iranian shelling of the Iraqi border towns of Khanaqin, Badrah, and Zurbatiyah on 4 September. Although this was the most serious border violation committed by either side since the deterioration of relations began in mid-1979, the speed with which Iraq mobilized strongly suggests that Baghdad was looking for a pretext to attack. On 22 September, nine Iraqi divisions invaded Iran along a 700-kilometer front.

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The Tribunal's Prospects

Whatever the merits of each side's case, we believe that the UN Secretary General will have an extremely difficult time setting up an international tribunal satisfactory to both sides. Iran almost certainly will insist on approving prospective panel members and will expect that they will reach a verdict quickly, punish Saddam Husayn, and assess reparations. Even if a panel issues a verdict generally favorable to Iran, Tehran probably will continue to seek a military victory over Iraq unless the panel unexpectedly manages to extract reparations and arranges for Saddam's removal from office. Because Iran realizes such an outcome is highly unlikely, we believe that its near term goal in supporting the idea of an international tribunal probably is to string along the current UN diplomatic effort to avoid outright rejection of UN Resolution 598 and the imposition of UN sanctions.

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Iraq will also insist on choosing sympathetic panel members who believe Iran shares responsibility for the war. Iraq almost certainly will not pay reparations to Iran, but might encourage the wealthy Gulf Arab states to do so if Iran helps end the war.

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A panel, assuming that one is ever created, would face the prospect of reaching a Solomon-like decision to determine the causes of the war. It probably would stress the seminal event--the Iraqi invasion. If it did, Tehran might be encouraged to end the war. But panel members would also likely feel obligated to take into consideration Iran's hostile acts toward Iraq prior to the war, in part to avoid totally alienating Baghdad and its Persian Gulf allies, some of whom might be willing to pay reparations to Iran as part of a settlement that ends the war.

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Short History of Past Iran-Iraq Border Disputes

Border clashes between the predecessor states of Iran and Iraq date back centuries. Wars between the Ottoman and Persian Empires ended in treaties demarcating new borders in 1639, 1727, 1746, and 1823. The Shatt al Arab sovereignty issue first arose in 1837, when the Turks destroyed the present-day Iranian city of Khorramshahr because they feared that its growing commercial importance would threaten the port of Basrah. Great Britain and Russia intervened to halt the escalating tensions and forced Persia to sign a treaty in 1847 that granted the Ottoman Empire sovereignty over the river, but allowed Persian ships to use it. Persia, and subsequently Iran, chafed under this arrangement and Tehran began increasingly to ignore Iraqi sovereignty over the Shatt after the collapse of the Ottoman Empire in 1918. [redacted] 25X1

The border dispute was temporarily resolved by an Algerian-sponsored agreement in 1975. Iraq formally agreed to move the border from the east bank of the river to the middle of the maritime channel. In return, the Shah agreed to end his support for Iraqi Kurdish dissidents and to evacuate a thin 130-mile strip of disputed territory along the central border. Iraq renounced the Algiers accord on 17 September 1980, asserting that Iran had continued to support the Kurds and had failed to evacuate the disputed territory. US Interests Section sources at the time indicated that both charges were true. [redacted] 25X1

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