

[TRANSLATION — TRADUCTION]

INTERNATIONAL FRONTIER TREATY¹ BETWEEN THE KINGDOM OF SAUDI ARABIA AND THE REPUBLIC OF IRAQ

The Governments of the Kingdom of Saudi Arabia and the Republic of Iraq,

Proceeding from the ties of fraternity, the simple destiny and the common interest which link their two countries and peoples,

Prompted by the desire to strengthen bonds of fraternity and cooperation between them,

Bearing in mind the agreed minutes of the Baghdad meeting, dated 6 Rabi' II A.H. 1395, corresponding to 18 April A.D. 1975, and of the Riyadh meeting, dated 23 Jumada II A.H. 1395, corresponding to 2 July A.D. 1975,

And in view of the completion of surveys, the fixing of frontier points and the erection of boundary markers, as set forth in the final report of the Joint Saudi-Iraqi Technical Commission, signed at Riyadh on 19 Dhu'lga'da A.H. 1400, corresponding to 28 September A.D. 1980,

Have decided to conclude this Treaty and have appointed their authorized representatives who, having exchanged their full powers, found to be in good and due form, have agreed on the following provisions:

Article 1

The High Contracting Parties avow and acknowledge that their international frontier is that which has been delimited by the Joint Saudi-Iraqi Boundary Commission formed in accordance with the agreed minutes signed at Riyadh on 23 Jumada II A.D. 1395, corresponding to 2 July A.D. 1975, which has been established on the ground by two hundred and sixty-five markers, of which the coordinates have been stipulated in the schedules of coordinates, which has been drawn on the 1:25,000-scale maps² and which is set forth in the final report of the said Commission, signed at Riyadh on 19 Dhu'lqa'da A.H. 1400, corresponding to 28 September A.D. 1980, all of the foregoing being annexed to this Treaty and to be considered as an integral whole.

Article 2

The international frontier between the Kingdom of Saudi Arabia and the Republic of Iraq begins at the junction of Wadi al-Aujah with Al-Batin, indicated by marker No. 1, and ends at marker No. 265, located at Jabal Anazah, as follows:

1. From marker No. 1 along a straight line in a south-westerly direction to marker No. 6, called Al-Wifaq.

2. From marker No. 6 along a straight line in a north-westerly direction to marker No. 58 at Bir Ansab.

¹ Came into force on 24 February 1982 by the exchange of the instruments of ratification, which took place at Riyadh, in accordance with article 10.

² See insert in a pocket at the end of this volume.

3. From marker No. 58 along a straight line in a north-westerly direction to marker No. 125 at Bir al-Lifiyah.

4. From marker No. 125 along a straight line in a north-westerly direction to marker No. 167, called Al-Ikhwah.

5. From marker No. 167 along a straight line in a north-westerly direction to marker No. 189 at Judydat Ar'ar.

6. From marker No. 189 along a straight line in a north-westerly direction to marker No. 228 at Mukur.

7. From marker No. 228 along a straight line in a north-westerly direction to marker No. 265 at Jabal Anazah.

Article 3

The High Contracting Parties acknowledge that the boundary markers established on the ground, whose total number is 265 and whose coordinates are set forth in the schedules of coordinates signed by the authorized representatives of the two parties and annexed to this Treaty, were erected by the Joint Saudi-Iraqi Boundary Commission referred to in article 1 of this Treaty.

Article 4

The High Contracting Parties acknowledge that the international frontier between the Kingdom of Saudi Arabia and the Republic of Iraq was drawn by the Joint Saudi-Iraqi Boundary Commission referred to in article 1 above, in accordance with the sequence of markers, on the 35 1:25,000-scale maps signed by the authorized representatives of the two parties and annexed to this Treaty.

Article 5

The schedules of marker coordinates and the 1:25,000-scale maps referred to in articles 3 and 4, respectively, of this Treaty and signed by the representatives of the High Contracting Parties and annexed to this Treaty are to be considered an integral part thereof.

Article 6

The High Contracting Parties shall complete the process of transferring the property and installations of which ownership has changed as a result of the delimitation of the international frontier between their two countries under the terms of this Treaty within three months of the date of the entry into force of this Treaty, in accordance with the following principles:

- There shall be transferred to the Kingdom of Saudi Arabia the Faris, Jumaymah, Samah and Ta'mim control posts, the foundations of the Jumaymah control post and the Iraqi Al-Sadah water pump; and there shall be transferred to the Republic of Iraq, by way of exchange, the Frontier Force position at Ma'aniyah, together with the village and 25 reinforced concrete pillars in the said area, and the Saudi Gharbah water pump.
- There shall be transferred to the Kingdom of Saudi Arabia, without recompence, the Mugur al-Na'am control post together with two dwelling houses, the Mugur al-Na'am Customs Police post, the Umm al-Hashw control post together with two dwelling houses, the Al-Abyad control post together with two dwelling

houses, the Hamir control post and the Suwayf control post together with two dwelling houses.

Article 7

The High Contracting Parties shall conclude two Protocols, one regulating frontier authorities¹ and other regulating rights to pasture, movement and the use of water sources in the frontier zone.²

Article 8

The following shall be abrogated by this Treaty:

1. The Treaty of Friendship and Bon-Voisinage between the two countries, signed at Mohammerah on 7 Ramadan A.H. 1340, corresponding to 5 May A.D. 1922.
2. Uqair Protocols No. 1 and No. 2, signed by the two countries at Bandar al-Uqair on 12 Rabi' II A.H. 1341, corresponding to 2 December A.D. 1922.
3. The annex to Uqair Protocol No. 1, signed at Baghdad on 13 March A.D. 1923.
4. The Bahra Agreement between the two countries, signed at Bahra Camp on 14 Rabi' II A.H. 1344, corresponding to 1 November A.D. 1925.
5. The Agreement between the two countries relating to the administration of the Neutral Zone, signed at Baghdad on 19 Rabi' I A.H. 1357, corresponding to 19 May A.D. 1938.

Article 9

This Treaty shall be subject to ratification in accordance with the constitutional procedures in force in the countries of the High Contracting Parties.

Article 10

This Treaty shall enter into force with effect from the date of the exchange of instruments of ratification, which shall take place at Riyadh. The authorized representatives of the High Contracting Parties have accordingly signed this Treaty and the documents annexed hereto.

DONE at Baghdad in two original copies in the Arabic language, each copy being equally authentic, and signed at Baghdad on the thirtieth day of Safar A.H. 1302, corresponding to the twenty-sixth day of December A.D. 1981.

For the Government
of the Republic of Iraq:
SA'DUN SHAKIR MAHMUD
Minister of the Interior

For the Government
of the Kingdom of Saudi Arabia:
NAYIF BIN ABDUL-AZIZ
Minister of the Interior

¹ See p. 92 of this volume.

² See p. 98 of this volume.

IN THE NAME OF GOD, THE MERCIFUL, THE COMPASSIONATE

Agreed Minutes

On the basis of previous contacts between the Government of the Kingdom of Saudi Arabia and the Government of the Republic of Iraq with a view to establishing markers on their mutual frontier in accordance with the provisions of the Moham-merah Treaty between the Kingdom of Saudi Arabia and Iraq of 5 May 1922, corre-sponding to 7 Ramadan A. H. 1340, and Uqair Protocol No. 1, signed on 2 December A.D. 1922, corresponding to 12 Rabi' II A.H. 1341.

There met at Baghdad on 1 Rabi' A.H. 1395, corresponding to 12 April A.D. 1975, a Saudi delegation under the chairmanship of Lieutenant General Abd Allah Abd al-Rahman Al al-Shaykh, Director-General of the Frontier and Coast Guard, and consisting of:

1. Sulayman al-Rubayshi
2. Mansur al-Dakhil
3. Colonel Ahmad Abd al-Muhsin al-Bahlal
4. Colonel Yusuf Abd al-Rahman al-Rashid
5. Lieutenant Colonel Ahmad Muhammad Bilal
6. Muqbil al-Isa
7. Ahmad al-Ghazzawi,

with an Iraqi delegation under the chairmanship of Mr. Ali Ahmad al-Naqib, Director-General of the Ministry of the Interior, and consisting of :

1. Hashim Ibrahim al-Ani
2. Colonel Ghanim Abd Allah
3. Ala'al-Din al-Saqqal
4. Zuhayr al-Umar
5. Rafid Abd al-Halim
6. Talib al-Barrak
7. Major Rashid Hamid al-Zuhayri
8. Ammanu'il Ilyas,

and, after discussing in a brotherly spirit the delimitation of the frontier pursuant to the provisions of the Treaty and of the Protocol annexed thereto, referred to above, the Saudi and Iraqi sides agreed on the following:

1. *Junction of Madi al-Aujah with Al-Batin*

The frontier between the Kingdom of Saudi Arabia and the Republic of Iraq from the east begins from the junction of Wadi al-Aujah with Al-Batin at the geo-graphical location of approximately

29° 06' 4.5" North Latitude
36° 33' 18.9" East Longitude,

which is the intersection of the two lines representing the deepest point in the junc-tion of the said wadis.

2. *Bir al-Wuqubah (al-Wukabbah)*

The frontier point at the Wukabbah wells shall be established at a distance of 44 (forty-four) metres to the south of the most southerly well (Al-Ghadir) indicated

on the *joint survey map*, it being understood that all of the Wukabbah wells shall be included within the Neutral Zone.

3. *Bir Ansab*

A point shall be established 400 (four hundred) metres to the west of Bir Nakhilan, it being understood that this point shall ensure that both wells at Azu Zuwayr and Al-Ud remain in Iraqi territory, that both wells at Al-Arsh (Muraghah and Al-Ars (Mushayrafah) remain in Saudi territory and that both wells at Nakhilan and Al-Wahid remain in the Neutral Zone. If, following the technical survey, it should transpire the such is not the case, then the point shall be brought closer to Bir Nakhilan in order to ensure that it is.

4. *Al-Amghar*

The frontier point shall be established at a distance of about 1,100 (one thousand one hundred) metres to the north of the triangulation point located on southern Jabal al-Amghar. This is the additional point shown on the joint map certified by the Chairmen of the two delegations, and its approximate geographical coordinates are as follows:

29° 27' 23.35" North Latitude

45° 29' 58.14" East Longitude

5. *Birkat al-Jumaymah*

The frontier point at Birkat al-Jumaymah shall be established at the intersection of the two axes.

6. *Al-Uqbah (Al-Akabah)*

The frontier point at Al-Akabah shall be established at the triangulation point located approximately at the north-eastern edge of the cistern, as shown on the joint survey map certified by the Chairmen of the two delegations and having the following approximate geographical coordinates:

30° 08' 20.02" North Latitude

43° 37' 19.15" East Longitude

7. *Qasr Aythamin (Athamin)*

The frontier point shall be established at the mid-point of the straight line between the location of the fort as described in the Saudi gazeteer and that as described in the Iraqi gazeteer, as shown on the joint map certified by the Chairmen of the two delegations and having the following approximate geographical coordinates:

30° 22' 13.77" North Latitude

43° 39' 37.88" East Longitude

8. *Bir Lifiyah (Al-Lifiyah)*

The frontier point shall be established at the mid-point of the line between well No. 1 and the south-west end of water-hole No. 3, as shown on the joint survey map certified by the Chairmen of the two delegations and having the following approximate geographical coordinates:

30° 24' 52.56" North Latitude

43° 03' 49.80" East Longitude

9. *Al-Mana'iyah (Al-Ma'aniyah)*

The frontier point shall be established at the mid-point of the line between well No. 1 and well No. 3, as shown on the joint survey map certified by the Chairmen of the two delegations and having the following approximate geographical coordinates:

30° 44' 16.14" North Latitude

42° 59' 00.00" East Longitude

10. *Judaydat Ar'ar*

The frontier point at Judaydat Ar'ar shall be established at the point indicated on the joint map certified by the Chairmen of the two delegations and having the following geographical coordinates:

31° 22' 16.01" North Latitude

41° 26' 25.75" East Longitude

11. *Mukur*

The frontier point at Mukur shall be established at a point falling half-way between the two points, one of which is Mugur al-Na'am, shown on the attached sketch, taken from the 1:500,000-scale map of Rutba published in 1937 (second edition), as certified by the Chairmen of the two delegations and the geographical coordinates of which are as follows:

31° 56' 14.04" North Latitude

40° 25' 51.00" East Longitude

12. *Jabal Anazan (Anazah)*

The frontier point at Jabel Anazan (Anazah) shall be established on the 940 (nine hundred and forty) metre elevation summit of the said mountain at which is located triangulation point AS-4, as shown on the joint map, and the coordinates of which are as follows:

32° 09' 06.46" North Latitude

39° 14' 04.58" East Longitude

13. Following approval by the Saudi and Iraqi Governments of the agreements reached by the Saudi and Iraqi sides, a joint technical team shall be formed to place boundary markers at the point indicated in these minutes.

14. A further meeting shall be held in the Kingdom of Saudi Arabia between the Saudi and Iraqi sides to consider the division of the Neutral Zone between the two countries and the possibility of making the frontier line as straight as possible, given that the Saudi side presented a plan to that effect to the Iraqi delegation which visited Riyadh on 23 Muharram 1393, corresponding to 26 February A.D. 1973.

It is God who reconciles.

DONE at Baghdad on the sixth day of Rabi' II A.H. 1395, corresponding to the eighteenth day of April A.D. 1975.

ALI AHMAD AL-NAQIB

Director-General
of the Ministry of the Interior
Chairman of the Iraqi delegation

General ABD ALLAH ABD AL-RAHMAN
AL AL-SHAYKH

Director-General
of the Frontier and Coast Guard
Chairman of the Saudi delegation

IN THE NAME OF GOD, THE MERCIFUL, THE COMPASSIONATE

Agreed Minutes

Pursuant to the agreed minutes of the Baghdad meeting dated 6 Rabi' II A.H. 1395, corresponding to 18 April A.D. 1975,

There met at the city of Riyadh on 19 Jumada II A.H. 1395, corresponding to 28 June A.D. 1975, a Saudi delegation under the chairmanship of Lieutenant-General Abd Allah Bin Abd al-Rahman Al al-Shaykh, Director-General of the Frontier and Coast Guard, and consisting of:

1. Muhammad Jabir Nadir
2. Sulayman al-Salih al-Rubayshi
3. Mansur Uthman al-Dakhil
4. Colonel Yusuf Abd al-Rahman al-Rashid
5. Colonel Ahmad Abd al-Muhsin al-Bahlal
6. Lieutenant-Colonel Ahmad Muhammad Bilal
7. Ahmad Muhammad al-Ghazzawi,

with an Iraqi delegation under the chairmanship of Mr. Ali Ahmad al-Naqib, Director-General of the Ministry of Interior, and consisting of :

1. Hashim Ibrahim al-Ani
2. Colonel Ghanim Abd Allah
3. Ala'-al-Din al-Saqqal
4. Zuhayr al-Umar
5. Rafid Abd al-Halim
6. Talib al-Barrak
7. Major Rashid Hamid al-Zuhayri
8. Abd al-Wahhab al-Shaykh Qadir
9. Manu'il Ilyas,

and, after discussing paragraph 14 of the minutes referred to above, concerning the division of the Neutral Zone between the two countries and the possibility of making the frontier line as straight as possible, the two sides agreed in that connection on the following:

I. Division of the Neutral Zone

1. The Saudi-Iraqi Neutral Zone shall be divided definitively at the frontier points (junction of Wadi al-Aujah with Al-Batin, Al-Wuqubah (Al-Wukabbah), Ansab, Al-Amghar) into two parts of equal area, and the frontier line running between the two parts of the Neutral Zone and bisecting its area shall constitute the frontier between the Kingdom of Saudi Arabia and the Republic of Iraq.

The frontier shall begin from the junction of Wadi al-Aujah with Al-Batin specified in the agreed minutes of the Baghdad meeting. The frontier shall extend in a straight line from that point to a point to be established subsequently on the straight line running between the point at the junction of Wadi al-Aujah with Al-Batin and the point at Al-Wuqubah (al-Wukabbah) specified in the Baghdad minutes referred to above. From the latter point the frontier shall run in a straight line to the point at Ansab specified in the Baghdad minutes referred to above.

2. The half lying to the south of the line bisecting the Neutral Zone shall become part of the territory of the Kingdom of Saudi Arabia and the half lying to the north of the line bisecting it shall become part of the territory of the Republic of Iraq.

II. *Adjustment of the frontier line between the point at Ansab and the point at Judaydat Ar'ar*

The frontier line between the Kingdom of Saudi Arabia and the Republic of Iraq between Ansab and Judaydat Ar'ar shall be adjusted as follows:

1. The frontier shall run in a straight line from the point at Ansab specified in the Baghdad minutes to the point at Al-Lifiyah specified in the said minutes.

2. From the point at Al-Lifiyah the frontier shall run in a straight line between the two countries to a point falling on the straight line joining the points at Al-Ma'aniyah and Judaydat Ar'ar specified in the Baghdad minutes.

3. The point mentioned in paragraph 2 above shall be established subsequently in such a way as to ensure that the area of the territory included as a result of this adjustment in the Kingdom of Saudi Arabia is equal to the area of the territory included in the Republic of Iraq.

III. The frontier shall run in a straight line from the above-mentioned point to the point at Judaydat Ar'ar specified in the Baghdad minutes. From there the frontier shall run in a straight line to the point at Makur specified in the Baghdad minutes. From there the frontier shall run in a straight line between the two countries to the point at Jabal Anazan (Anazah) on the summit of the mountain at an altitude of 940 metres, as described in the Baghdad minutes.

IV. The territory that comes within the territory of the Kingdom of Saudi Arabia as a result of the division of the Neutral Zone and the adjustment of the frontier shall become an indivisible part of its territory in respect of which it shall enjoy full sovereign rights. Likewise, the territory that comes within the territory of the Republic of Iraq as a result of the division of the Neutral Zone and the adjustment of the frontier shall become an indivisible part of its territory in respect of which it shall enjoy full sovereign rights.

V. A joint technical commission of the two sides shall be set up to prepare detailed surveys, to fix the frontier points, to determine all work needing to be undertaken in that connection and to supervise its execution.

VI. The technical commission referred to in section V above shall select a specialized surveying company from among four specialized international companies to carry out the work of surveying the frontier points, fixing them, placing the necessary markers and preparing final boundary maps.

VII. Following approval by the Governments of the Kingdom of Saudi Arabia and the Republic of Iraq of the content of these minutes and completion of the work of surveying and establishment of the frontier points, a meeting shall be held to draw up a new Treaty to replace the Mohammerah Treaty concluded between the two countries on 7 Ramadan A. H. 1340, corresponding to 5 May A.D. 1922, and Uqair Protocol No. 1 signed on 12 Rabi' II A.H. 1341, corresponding to 2 December 1922.

These minutes are accompanied by a copy of a sketch map signed by the Chairmen of the two delegations and showing what was agreed upon in these minutes.

It is God who reconciles.

DONE at Riyadh on the twenty-third day of Jumada II A.H. 1395, corresponding to the second day of July A.D. 1975.

ALI AHMAD AL-NAQIB
Director-General
of the Ministry of the Interior
Chairman of the Iraqi delegation

Lieutenant-General ABD ALLAH BIN
ABD AL-RAHMAN AL AL-SHAYKH
Director-General
of the Frontier and Coast Guard
Chairman of the Saudi delegation

[For the list of geographic coordinates, see pp. 15 to 49 of this volume.]

PROTOCOL¹ BETWEEN THE KINGDOM OF SAUDI ARABIA AND
THE REPUBLIC OF IRAQ CONCERNING THE ORGANIZATION
OF FRONTIER AUTHORITIES

IN THE NAME OF GOD, THE MERCIFUL, THE COMPASSIONATE

The Government of the Kingdom of Saudi Arabia and the Government of the Republic of Iraq,

In implementation of article 7 of the International Frontier Treaty between the Republic of Iraq and the Kingdom of Saudi Arabia, signed at Baghdad on 30 Safar A.H. 1302, corresponding to 26 December A.D. 1981,²

And desiring to arrange the terms of reference of the frontier authorities.

Have agreed as follows:

Article 1

The parties have agreed that disputes, violations and incidents occurring in the frontier zone covered by this Protocol shall be resolved in accordance with the provisions contained herein.

Article 2

For the purpose of the implementation of this Protocol, the frontier zone shall extend to a depth of 10 kilometres inside the territory of each of the Contracting Parties from the common boundary line.

2. With the exception of such official installations as those for frontier forces and other government installations, neither Contracting Party may erect any installations, encampments or the like in the zone extending to a depth of 1 kilometre from the common boundary line.

Article 3

1. Each of the Contracting Parties shall appoint the frontier authorities set forth hereunder in order to effect the implementation of the provisions of this Protocol.

(a) First-level frontier authorities

For the Kingdom of Saudi Arabia:

Deputy Governor of the Northern Borders Province

Deputy Commander of the Frontier Guard at Ar'ar

For the Republic of Iraq:

Administrative Officer, Rutba District

Administrative Officer, Salman District

¹ Came into force on 24 February, 1982 by an exchange of notes giving notice of the ratification, in accordance with article 21.

² See p. 83 of this volume.

(b) Higher-level border authorities:

For the Kingdom of Saudi Arabia:

Governor of the Northern Borders Province

Commander of the Frontier Guard at Ar'ar

For the Republic of Iraq:

Governor of Anbar

Governor of Muthanna

2. The frontier authorities mentioned in paragraph 1 of this article may be changed or other authorities introduced by agreement of the Contracting Parties through the diplomatic channel.

Article 4

The Contracting Parties shall, within one month of the entry into force of this Protocol, provide each other through the diplomatic channel with the full names and functional titles of the members of the border authorities and a copy of their letters of appointment. The letter of appointment shall contain a photograph of its holder and his signature. Any change subsequently made in this regard shall be communicated in the same manner.

Article 5

Each authorized member of the frontier authorities of a Contracting Party shall be entitled to appoint the assistants that he requires, and he shall provide their names, functional titles and letters of appointment to the border authorities of the other Contracting Party.

Article 6

Frontier "violations" and "incidents" included within the scope of the provisions of this Protocol shall mean:

1. Unauthorized crossing of the frontier by nationals of the Contracting Parties.
2. Interference with or destruction of boundary markers or the destruction of buildings or other installations directly relating to the frontier.
3. Shooting at control posts and frontier guards, or at persons, or at boundary markers, or at frontier installations located in the territory of the other Party.
4. Flight by those charged with committing a crime in accordance with the law of the Contracting Party to which they belong into the frontier zone in order to take refuge in the frontier zone of the other Contracting Party.
5. Incidents of robbery and theft involving nationals of one of the Contracting Parties in the frontier zone of the other Party.
6. Acts of smuggling by a person or persons from the territory of one of the Contracting Parties to the territory of the other Contracting Party.
7. Hunting of wild animals within the frontier zone.
8. Misuse or pollution of well water or anything which may impair its use.

9. Disputes arising out of the crossing of the frontier of one of the Contracting Parties by frontier officials of the other Party.

Article 7

The members of the frontier authorities of each of the Contracting Parties shall, in the frontier zone, have the terms of reference set forth below:

1. To take the necessary measures to prevent the occurrence of incidents.
2. To take the necessary measures and inform the frontier authorities of the other Contracting Party in order to preclude the commission of crimes by persons in the frontier zone of the other Contracting Party and to prevent them from crossing the frontier. In the event that such persons should cross the boundary line from the frontier zone of one of the Contracting Parties to the frontier zone of the other Contracting Party, the frontier authorities of the former shall inform the frontier authorities of the latter, which shall take the necessary measures to arrest them and hand them over to the frontier authorities of the Party in question.
3. To take the necessary measures to combat smuggling and to exclude smugglers from the frontier zone.
4. To exchange information in the event of disasters in the frontier zone and to cooperate in containing them.
5. To take preventive measures against the spread of livestock diseases or epidemics or agricultural parasites into the territory of the other Contracting Party. For this purpose, the frontier authorities of the Contracting Party in whose territory a livestock disease or epidemic has appeared shall notify the frontier authorities of the other Contracting Party accordingly. In the event that there is a suspicion of disease in livestock that must cross the frontier from the territory of one Party to the territory of the other Party, the frontier authorities of the Contracting Parties shall take the necessary measures to prevent the spread of such disease in accordance with the hygiene and veterinary inspection regulations of each of the two Parties.
6. To investigate all border incidents.
7. To settle such conflicts as may arise in connection with the violations and incidents mentioned in article 6 of this Protocol, and to consider, within the limits of their powers, applications for compensation consequent on a border incident that may be submitted by one of the Contracting Parties or by persons present in the frontier zone that come within their jurisdiction.

Article 8

1. Should a national of one of the Contracting Parties take refuge in the frontier zone of the other Contracting Party after committing a crime under the law of the Party to which he belongs in the frontier zone of that Party, the frontier authorities of the Party in whose territory the crime was committed may request that the suspect be arrested. The frontier authorities of the other Contracting Party shall do all in their power to apprehend the person being sought and, on apprehending him, shall inform the frontier authorities of the Contracting Party making the request.
2. The frontier authorities of a Contracting Party which are requested to make an arrest may return the suspect within a period of not more than 10 days from the date of his arrest.

3. Should be frontier authorities to which the request is made be prevented for any reason from handing over the suspect within a 10-day period, they shall keep him under arrest until such time as the documents relating to his return are delivered through the diplomatic channel. The period for which the criminal is detained may not, in any circumstances, exceed two months.

Article 9

The members of the frontier authorities and their assistants may, by prior agreement, undertake the joint on-site investigation of a frontier incident with a view to establishing the facts. In such a case, and if required, they may bring with them experts, witnesses and victims of the incident. The investigation shall be supervised by the Contracting Party in whose territory it takes place. A report on the investigation shall be drawn up containing a summary of the facts and deliberations and the results reached by the investigation, which shall be transmitted to the judicial authorities having jurisdiction over the area.

Article 10

The frontier authorities of the Contracting Parties shall, by common accord, designate points for meetings and the exchange of letters, points for the transferral of persons and property and crossing-points.

Article 11

The members of the frontier authorities, their assistants and experts may cross the boundaries in order to exercise the functions stemming from the provisions of this Protocol. Members of the frontier authorities and their assistants shall cross the boundaries on presentation of the letters of appointment mentioned in articles 4 and 5 of this Protocol, following notification of the competent authorities of the other Contracting Party.

Article 12

The closest frontier post of the other Contracting Party shall be notified of the day and hour of the crossing of such persons as are required to cross the boundaries in accordance with the provisions of this Protocol at least 24 hours before the time requested.

Article 13

Members of the frontier authorities and their assistants shall, in the performance of their functions, enjoy the immunity necessary for them to carry out their duties, and the materials that they require for that purpose shall not be subject to taxes or customs duties.

Article 14

The persons mentioned in article 11 of this Protocol, while present in the frontier zone of one of the Contracting Parties, shall have all the necessary assistance possible, including means of transportation, accommodation and the means for communicating with their authorities.

Article 15

The frontier authorities shall not have the right to discuss matters relating to the boundary line, and they may not, under any circumstances, interfere in the internal affairs of the other Contracting Party.

Article 16

1. The frontier authorities for which provision is made in paragraph 1 (a) of article 3 of this Protocol shall meet, in rotation, in the territory of each of the Contracting Parties once every six months or whenever there is need for a meeting, with the approval of the two Contracting Parties in order to settle outstanding issues within their competence. If the said authorities do not succeed in resolving such issues, they shall be submitted for settlement to the frontier authorities for which provision is made in paragraph 1 (b) of article 3 of this Protocol.

2. The frontier authorities for which provision is made in paragraph 1 (b) of article 3 of this Protocol shall meet, in rotation, in the territory of each of the Contracting Parties once a year or if the frontier authorities for which provision is made in paragraph 1 (a) of article 3 of this Protocol should otherwise propose that a special meeting be held for consultation and the resolution of outstanding issues.

Article 17

For the purposes of keeping border markers in position and of their maintenance, the frontier authorities of the Contracting Parties for which provision is made in paragraph 1 (a) of article 3 of this Protocol shall exchange information relating thereto and shall undertake an on-site inspection thereof prior to their semi-annual meeting, referred to in paragraph 1 of article 16 of this Protocol, so that they may there discuss the matter and submit the necessary reports to the frontier authorities for which provision is made in paragraph 1 (b) of article 3 of this Protocol.

2. Should it appear to the frontier authorities for which provision is made in paragraph 1 (b) of article 3 of this Protocol that the positions of markers have been changed or that their condition requires maintenance or repair as a result of damage by natural or non-natural causes, those authorities shall notify the competent agencies of the Contracting Parties so that the necessary technical arrangements may be made to restore the markers to their positions or to maintain or repair them in accordance with the technical specifications agreed upon by the Contracting Parties, as set forth in the reports of the Joint Iraqi-Saudi Boundary Commission and endorsed by the International Frontier Treaty between the Republic of Iraq and the Kingdom of Saudi Arabia signed at Baghdad on 30 Safar A.H. 1302, corresponding to 26 December A.D. 1981.

Article 18

The following shall be abrogated by this Protocol:

1. The Rawdat al-Tanhat Agreement between Iraq and the Kingdom of Saudi Arabia, signed at Rawdat al-Tanhat on 28 Safar A.H. 1359, corresponding to 6 April A.D. 1940.

2. The provisions of articles 8, 9, 10 and 12 of the Treaty of Friendship and Bon Voisinage between the two countries, signed at Makkah on 20 Dhu'lqa'da A.H. 1349, corresponding to 7 April A.D. 1931.

Article 19

This Protocol shall remain in force for a five-year period with effect from the date of its entry into force and shall be renewed automatically for the same term unless one of the Parties notified the other through the diplomatic channel of its desire to amend or denounce it within six months of the date of expiry of the aforementioned term.

Article 20

This Protocol shall be subject to ratification in accordance with the constitutional procedures in force in the countries of the Contracting Parties.

Article 21

This Protocol shall enter into force with effect from the date on which the Contracting Parties exchange diplomatic notes giving notice of ratification.

DONE at Riyadh in two original copies in the Arabic language, each copy being equally authentic, and signed at Riyadh on the twenty-eighth day of Rabi' II A.H. 1402, corresponding to the twenty-second day of February A.D. 1982.

For the Government
of the Republic of Iraq:

SA'DUN SHAKIR MAHMUD
Minister of the Interior

For the Government
of the Kingdom of Saudi Arabia:

NAYIF BIN ABDUL-AZIZ
Minister of the Interior

PROTOCOL¹ BETWEEN THE KINGDOM OF SAUDI ARABIA AND
THE REPUBLIC OF IRAQ CONCERNING THE REGULATION
OF RIGHTS TO GRAZING, MOVEMENT AND THE USE OF
WATER SOURCES IN THE FRONTIER ZONE

IN THE NAME OF GOD, THE MERCIFUL, THE COMPASSIONATE

The Government of the Kingdom of Saudi Arabia and the Government of the Republic of Iraq,

In implementation of article 7 of the International Frontier Treaty between the Republic of Iraq and the Kingdom of Saudi Arabia signed at Baghdad on 30 Safar A.H. 1302, corresponding to 26 December A.D. 1981,²

Desiring to lay down specific principles to ensure that their nationals may make use of the rangelands and waters located in the frontier zone of their two countries,

And desiring to regulate matters relating to grazing and access to water,

Have agreed as follows:

Article 1

FRONTIER ZONE

The frontier zone is the zone extending from the boundary line to a depth of 10 kilometres inside the territory of each of the Contracting Parties, and grazing and movement shall not be permitted in this zone.

Article 2

GRAZING ZONE

For the purposes of this Protocol, the grazing zone shall be defined as a depth of 30 kilometres from the furthestmost part of the frontier zone indicated in article 1 of this Protocol in the direction of the territory of each of the two countries.

Article 3

Herdsmen who are nationals of the Contracting Parties and who reside in the vicinity of the frontier zones may make use of the rangelands and water sources in the grazing zone defined in article 2 of this Protocol.

Article 4

Should nationals of either Contracting Party wish to make use of the rangelands and water sources, they must submit an application to the frontier authorities in the country to which they belong within a period of not more than 30 days before the grazing season. Such an application must include details of the number of persons (men, women and persons under 18 years of age), the number of households, the

¹ Came into force on 24 February 1982 by an exchange of notes giving notice of the ratification, in accordance with article 17.

² See p. 83 of this volume.

names of heads of household, the number of livestock of each species (together with an indication of those that are gravid), the place of grazing, the route to be followed, the date of entry, the duration of sojourn in the territory of the other Party and the approximate date of exit.

Article 5

The frontier authorities shall forward the application mentioned in article 4 of this Protocol to the frontier authorities of the other Contracting Party, and the latter authorities shall communicate their reply within a period of not more than 15 days from the date the grazing application is received.

Article 6

When the frontier authorities have communicated an affirmative response to the applicant Party and issued a grazing permit, each of the Parties shall send a representative or representatives to the crossing-points for the purpose of supervising and facilitating the crossing procedures, and the representatives of the two sides shall prepare a report on the subject. The same procedures shall be followed on the return of persons and herds to their country of origin.

Article 7

In the event that there is a grazing season, it shall run from mid-February to mid-May each year. Following the end of the grazing season, persons together with their herds shall be returned to the frontier authorities of the Party of which they are nationals.

Article 8

The frontier authorities of the Contracting Parties shall establish the crossing-points that may be used for the purposes of this Protocol through consultation, on an annual basis, in the light of grazing requirements.

Article 9

On being granted permission to pasture and to make use of water sources in the grazing zones, the nationals of the Contracting Parties to whom this Protocol refers shall be exempt from:

1. The laws and regulations of either Contracting Party with regard to residence and passports. They shall be issued with a transit document by the frontier authorities of the Party of which they are nationals permitting them to cross the frontier.
2. Taxes and duties on their livestock, tents and related equipment, customarily necessary household articles and the foodstuffs and consumer goods that they carry with them, without prejudice to the rights of the two Parties to impose customs duties on livestock or goods destined for trade in the territory of the other Party.

Article 10

Each Contracting Party reserves the right to limit the number of such vehicles as herdsmen may wish to bring into its territory and the number and types of firearms that they are permitted to carry. The frontier authorities shall issue to them documents concerning the bearing of such arms, and should the number of firearms exceed that permitted, they shall hand them over, in exchange for a receipt, to the

responsible authorities at the crossing-point, which shall restore the firearms to them on their return.

Article 11

Should a contagious livestock disease, an epidemic or the like break out, each Contracting Party may impose the necessary veterinary or sanitary measures and invoke orders prohibiting importation and exportation. The competent authorities in each of the two countries shall cooperate in this field.

Article 12

The persons indicated in this Protocol shall, in the territory of the receiving country, have the right to make use of health services, and they shall be permitted to supply themselves with the necessary foodstuffs and consumer goods.

Article 13

The persons indicated in this Protocol shall be permitted to roam in areas other than those designated for grazing only in the event of *force majeure* or with the permission of the competent authorities.

Article 14

The following shall be abrogated by this Protocol:

1. The Agreement between Iraq and the Kingdom of Saudi Arabia regulating matters relating to grazing and access to water, signed at Baghdad on 19 Rabi' I A.H. 1357, corresponding to 19 May A.D. 1938.
2. The provisions of article 6 of the Treaty of Friendship and Bon Voisinage between the two countries, signed at Makkah on 20 Dhu'lqa'da A.H. 1349, corresponding to 7 April A.D. 1931.

Article 15

This Protocol shall remain in force for a period of five years with effect from the date of its entry into force, and it shall be renewed automatically for the same term unless one of the Parties informs the other through the diplomatic channel of its desire to amend or denounce it within six months of the date of expiry of the aforesaid period.

Article 16

This Protocol shall be subject to ratification in accordance with the constitutional procedures in force in the countries of the two Contracting Parties.

Article 17

This Protocol shall enter into force on the date of the exchange by the two Contracting Parties of diplomatic notes giving notice of ratification.

DONE at Riyadh in two original copies in the Arabic language, each copy being equally authentic, and signed at Riyadh on the twenty-eighth day of Rabi' II A.H. 1402, corresponding to the twenty-second day of February A.D. 1982.

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