

[TRANSLATION-TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN IRAN AND IRAQ CONCERNING THE USE OF  
FRONTIER WATERCOURSES

The Imperial Government of Iran and the Government of the Republic of Iraq,

Guided by the spirit of the Algiers Agreement of 6 March 1975,<sup>38</sup>

Desiring to strengthen the ties of friendship and neighbourly relations between their respective countries,  
And with a view to ensuring the optimum use of contiguous and successive watercourses in the best  
interests of both States,

Have agreed as follows:

*Article 1.* The provisions of this Agreement shall apply to the watercourses listed below:

- A. contiguous watercourses which follow the frontier line between the two countries;
- B. successive watercourses which intersect the frontier line between the two countries.

*Article 2.* The two Contracting Parties have agreed that:

(a) The waters of the Bnava Suta, Qurahtu and Gangir Rivers shall be divided into two parts equally between the two countries. This division shall be made at appropriate places, upon which the two Parties shall agree.

(b) The waters of the Alvend, Kanjan Cham, Tib (Mehmeh) and Duverij Rivers shall be divided between the two countries on the basis of the reports of the 1914 Commission on the Delimitation of the Iranian-Ottoman frontier and in accordance with custom.

(c) The flow of contiguous and successive watercourses not listed in paragraphs (a) and (b) above shall be divided between the two countries in accordance with the provisions of this Agreement.

*Article 3.* The two Contracting Parties shall establish a permanent joint technical commission composed of an equal number of experts from both States to conduct technical studies and to supervise matters relating to contiguous and successive watercourses. The studies shall deal with such issues as the preparation of joint projects and the establishment of any hydrometric installations and stations that the two Parties may deem useful or the improvement of existing installations and stations.

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<sup>1</sup> Came into force on 22 June 1976 by the exchange of the instruments of ratification, which took place at Tehran, in accordance with article 7.

*Article 4.* The Commission referred to in article, 3 of this Agreement shall study possible ways of improving the use of contiguous and successive watercourses and, to this end, it shall indicate, within one hydrological year from the date of signature of this Agreement, what proportion of the flow of the watercourses referred to in article 2, paragraph (b), of this Agreement shall be allotted to each Contracting Party.

It shall also indicate, within two hydrological years from the date of signature of this Agreement, the most appropriate procedures for making optimum use of the flow of the watercourses referred to in article 2, paragraph (c), above.

*Article 5.* The two Contracting Parties undertake to assure the normal flow of the water available in contiguous and successive watercourses in accordance with the terms of division set forth in this Agreement.

Each Contracting Party undertakes to refrain from using the contiguous and successive watercourses for purposes that are contrary to the provisions of this Agreement or detrimental to the interests of the other Contracting Party.

*Article 6.* Any disputes which may arise concerning the interpretation or application of this Agreement shall be settled by the two Contracting Parties in accordance with the procedure described in article 6 of the Treaty concerning the State frontier and neighbourly relations between Iran and Iraq, signed on 13 June 1975, <sup>39</sup> at Baghdad.

*Article 7.* This Agreement shall be ratified by each of the Contracting Parties, in accordance with its internal legislation and shall enter into force on the date of the exchange of instruments of ratification.

DONE at Baghdad, on 26 December 1975.

For the imperial Government  
of Iran:  
*[Signed]*  
ABBAS-ALI KHALATBARY

For the Government  
of the Republic of Iraq:  
*[Signed]*  
SAADOUN HAMADI