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LEBANESE AMERICAN UNIVERSITY

INTERNATIONAL AFFAIRS

**A HISTORY OF THE CONFLICT OVER THE THREE ISLANDS
AND
THE UAE DIPLOMACY OF APPEASEMENT
TOWARD
RESOLVING THE CONFLICT**

**PRESENTED
BY
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**IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE
DEGREE OF MASTER IN INTERNATIONAL AFFAIRS**

SPRING 2002

A History of the Conflict over the Three Islands and the UAE Diplomacy of Appeasement Toward Resolving the Conflict

Thesis submitted in partial fulfillment of the Masters degree in International Affairs

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INTRODUCTION

On November 30, 1971, Iranian forces occupied the two islands of Greater Tunb and Lesser Tunb. In August 1992, Iran made another similar move when it attempted to declare its sovereignty over the island of Abu Musa. With this final move, Iran thus practically occupied the three islands over which it has had a long dispute dating back to the early 19th century with the islands' Arab rulers and the British Empire.

The recent history of the Middle East, specifically the region known as the Arab Gulf also known as the Persian Gulf, has been characterized by territorial disputes, rivalries and various forms of tensions, several of which involved the Persian state, Iran today, with the Arab Sheikdoms in the Gulf area. Such disputes involved Persia with her claim over Bahrain before the latter became an independent state, over the area of Shatt-al-Arab with Iraq, and over the three islands known as Abu Musa, Greater Tunb and Lesser Tunb with the United Arab Emirates.¹

The objective of this thesis is to discuss the historical, political, and legal origins of the dispute between the United Arab Emirates and Iran over the three islands. The paper will also discuss the nature of the diplomacy adopted by the United Arab Emirates with Iran to resolve the dispute, and to assess the future outlooks, especially in the light of the

¹ Mohamad Al-Kaabi. "The question of Iranian occupation of the islands." P.1.

continued efforts invested by the UAE to achieve a peaceful and friendly resolution to this dispute while maintaining ties with Iran.

Geopolitical Background

The three disputed islands enjoy a common geopolitical characteristic, namely their strategic importance for general maritime trade passing through the Strait of Hormuz, but more importantly, for their strategic location with respect to international oil trade trafficked through the Gulf. Whatever power controls the three islands practically controls the flow of more than 40% of the world oil exports and reserves.²

Strategically, any power maintaining control over the three islands enjoys the capacity of blocking the Strait of Hormuz, practically preventing any tankers or ships from passing into or out of the Gulf. The strategic importance of the three islands was witnessed during the tanker war in 1987 and 1988 when Iran, in control of the islands, easily disrupted the oil trade by sinking a number of tankers.³

Abu Musa, the largest of the three islands, is a four-sided island, located in the middle of the Gulf, almost bordering the virtual line that divides the naval distance between Sharjah on the UAE coast and the port of Lengeh on the Iranian coast. The island lies 50 km east of Sirri island, 67 Km south of Bandar Lengeh and about 64 km from the port of Sharjah. The island has historically been mined for red oxide and in

² Al-Kaabi, p.1

³ Dan Caldwell. "Flashpoints in the Gulf: Abu Musa and the Tunb Islands" Middle East Policy, p.55.

recent times, the Mubarak oilfield that was discovered on its offshore area added to its economic importance. Still, the importance of the island is not derived from its economic resources, but rather, primarily from its strategic location in the middle of the Gulf, and practically almost within the Strait of Hormuz. Historically, the island has always been known as Abu Musa except for some official British correspondences and writings that named the island Bu Musa or Bomusa, obvious derivatives of the original Arab name.⁴

The Greater Tunb and Lesser Tunb, both typically known as the Tunbs, are located half way between Abu Musa and the Iranian mainland, and are thus almost precisely located in the middle of the directed lanes for tanker traffic. Greater Tunb is located 17 miles away from the Iranian island, Qeshm. It lies from to the northeast of Abu Musa almost by the same distance. The island is circular in shape with a diameter of 2.5 miles only.⁵

Lesser Tunb is located almost eight miles away to the west of Greater Tunb. Unlike Greater Tunb, however, Lesser Tunb has never been permanently inhabited, partly due to its extremely small size as it is a small hill 35 meters high, and the lack of water or living resources on the island. In fact, Lesser Tunb is almost of no economic or strategic

⁴ Walid Al-A'thami The Conflict between the UAE and Iran over the Three Islands Abu Musa, Tonb al-Kobra, and Tong al-Soghra in the British Archives: 1964-1971. Dar al Hikma, p.14.

⁵ Al-Kaabi, p.2.

significance and its control has historically been enjoyed by whichever party claimed control over the Greater Tunb. Both islands, furthermore, are of very little economic importance. Their importance comes from their strategic location almost in the heart of the entrance of the Strait of Hormuz. The location of Greater Tunb, it must be added, is the more strategic than that the rest of the other two islands [Please See Map in Appendix].⁶

Demographic Background

The significance of the demographic background for this study is derived from the fact that modern applications of international law have become accustomed to taking into consideration the national sentiments of the inhabitants of disputed territories. More importantly, however, the significance of considering the demographic characteristics of the population inhabiting the islands only lends more credibility to the claims made by the UAE to the islands since these inhabitants are not only ethnically Arabs, but also connected directly with family and tribal ties to the inhabitants of al-Sharjah and Ras al-Khaimah Sheikhdoms of the United Arab Emirates.⁷

As mentioned earlier, Lesser Tunb has never been permanently inhabited since it lacks water resources. Its temporary inhabitants have

⁶ Al-Kaabi, pp. 2-3.

⁷ Al-A'thami, p.18.

often been fishermen and to a lesser extent pearlers running their trade or business on a seasonal basis.

Greater Tunb and Abu Musa, on the other hand, have been permanently inhabited for over two centuries. The demographic characteristics of the two islands were best described by British historian J. G. Lorimer in his publication *Gazeteer of the Persian Gulf, Oman and Central Arabia* that was published in Calcutta in 1915.⁸

According to Lorimer's personal account, the island of Abu Musa was permanently inhabited by 20 households of Sudan tribe from the village of Khan in Sharjah, of today UAE. Lorimer also adds that in addition to the permanent inhabitants of the island, fishermen and pearlers temporarily inhabited the island as part of their business seasons. In fact, Lorimer also provides a detailed account of the ways of living of the permanent inhabitants of Abu Musa, pointing out for example that they lived in huts and mud houses, owning four camels, forty cattle, two hundred sheep and goats, in addition to seven pearling boats. The shifting and temporary inhabitants, on the other hand, came mostly from Sharjah for the purpose of fishing and occasionally bringing their sheep and goats to graze.⁹

More importantly, the account also distinguishes between the Arab and non-Arab inhabitants. Lorimer specifically describes the fact that a

⁸ Al-Kaabi, p.24.

⁹ Al-Kaabi, pp. 24-25.

Persian contractor from Lengeh had his employees and their families, a total of 100 people, living on the island to mine its red oxide. The Persian contractor had gained the right to extract 40,000 bags of red oxide in the form of a concession from Salim bin-Sultan, the uncle of the Sheikh of Sharjah in return of \$250 per year as a royalty. Finally, Lorimer also mentioned that the Sheikh of Sharjah visited the island of Abu Musa occasionally as a summer resort on hot days.¹⁰

Lorimer's account of the demographic characteristics of the population of Greater Tunb is also precise. He points out that six huts were stationed on the island one of which belonged to the representative of the Sheikh of Sharjah, the owner of the island. The representative of the Sheikh of Sharjah was responsible for maintaining the flag and was assisted by flag staff, Arabs from the Sheikdom of Dubai, who occupied two other huts. One of the huts, moreover, had been long inhabited by a Persian family, originally from Lengeh, and who worked for the Sheikh of Sharjah.¹¹

The population of Greater Tunb increased and declined with time depending on immigration from neighboring islands, especially Abu Musa and Sirri, where tribal disputes among the Arab inhabitants often forced some individuals to seek refuge in Greater Tunb. Despite these changes, almost the entire population of the island had been of Arab

¹⁰ Al-Kaabi, p.40.

¹¹ Al-Kaabi, p.39.

origin with direct links to the tribes and families on the mainland Sheikhdoms that today constitute the United Arab Emirates. Finally, according to Lorimer's account, the inhabitants of Greater Tunblived in poverty and earned a living out of pearling and fishing, in addition to keeping small herds and flocks and a small date grove.¹²

When Iran invaded Lesser and Greater Tunbs in 1971, it drove the entire Arab population of Greater Tunb out of the island. Abu Musa, on the other hand, maintained its Arab population since its control was shared by the United Arab Emirates and Iran between 1971 and 1992, that is, until Iran finally decided to occupy the entire island. Throughout this period, the Arab population on the island exceeded 120 people whereas the Persian population was mostly temporary and shifting, as the majority were government employees.

It is also significant to mention that over the past four centuries, the Persian coast was dominated by Arab inhabitants as well as by Persian inhabitants of Arab origin or affiliation. This is mostly due to the fact that the Persian plateau heartland and the coastal areas are separated by rocky mountainous regions. As a result, Arab inhabitants often settled along the Persian coast and the majority of the Persians who settled there were

¹² Al-Kaabi, p.39.

predominantly Sunni in contrast with the majority of the Shiite population of the Persian heartland.¹³

Historical Background

Historically, the Qasimi tribal family, also known as the Qawasim, dominating the Sheikhdoms of Ras al-Khaima and Sharjah had controlled the three islands as early as the 1720s. The rising power of the Qawasim was mostly owed to their expanding maritime activity, especially their dominance of the pearling and fishing industry. They also levied taxes on the boats that transported goods across their waters in the Gulf, a practice common back then among the tribes and rulers who controlled the maritime areas.

The dominance of the Qawasim continued until 1737 when Iran finally invaded Ras al-Khaima in retaliation against the naval activities of the Qawasim raiders against its maritime trade. The Persian control of Ras al-Khaima, however, was short-lived and soon the Qawasim reasserted their control over most of the activities in the Gulf.

In fact, by 1760, the Qawasim had also controlled Qeshm, a large island very close to the Persian mainland, in addition to the Port of Lengeh itself, apparently reflecting the disintegration of central authority in Persia and the ascendance of the Qawasim tribe in the region.

¹³ Al-A'thami, p.20.

Whereas the Qawasim maintained the three islands of Abu Musa, Lesser Tunb and Greater Tunb for decades after that in addition to the island of Sirri, Iran made its first claim to all the islands in the Gulf in the 1840s, that is, after the British had extended their authority over the entire region in an effort to protect their trade.

Before that, Great Britain had almost been at war with the Qawasim for decades as their boats raided British vessels crossing the Gulf and disrupting British trade in India. Still, even after the British had succeeded to control the Gulf and protect their Indian trade through the Trucial System, they rejected Iran's claims to the three islands and asserted the sovereignty of the Qawasim over them.

Throughout the second half of the 19th century, Iran continued in vain to press the matter with the British, only to be rebuffed by the British as well as by the assertiveness of the rulers of Sharjah and Ras al-Khaimah.

In 1904, the Iran's customs officers removed the Qawasim flag on the islands and instead hoisted the Iranian flag on all three islands. Britain immediately threatened with the use of force, coercing Iran to remove its flags.¹⁴

Although Iran continued to assert its claims following the events of 1904, it was not until 1923 that Persia officially suggested turning the

¹⁴ Al-Kaabi, p.38.

matter over for deliberation in the League of Nations, a suggestion that was firmly refused by the Britain and the Qawasim Sheikhs. The British rejection, interestingly, came at a time when Britain was trying to win over Iran in long trade agreements.

Between 1925 and 1928, Iran deliberately interfered with the customs at Abu Musa but neither the British nor the Sheikhs protested, especially as Britain was still involved in ongoing negotiations with the Iranian government, and hence did not want to increase tension. Nevertheless, in 1928, Iranian naval forces captured an Arab dhow, an event that immediately spurred angry responses from Britain and the Qawasim Sheikhs.¹⁵

During the 1930s, Iran repeatedly offered to drop its claim over the island of Bahrain in return for full sovereignty over the three islands, proposals that were continuously rejected by the British and the Qawasim. The British, however, through the efforts of their good offices between the two sides, made a proposal in 1955 by virtue of which Britain and the Sheikh of Sharjah would recognize the permanent Persian sovereignty over the island of Sirri. In return, Sharjah maintains its undisputed sovereignty over Abu Musa and at the same time sells Greater Tunab and Lesser Tunab to Iran. The offer, however, was refused by Iran, thus underscoring the strategic importance of the island of Abu Musa.

¹⁵ Al-A'thami, p.21.

In 1968, the British finally decided to put an end to the Trucial System and to their presence in the Gulf region by the end of 1971.¹⁶ This was a turning point in the history of the region, especially that Great Britain had been the key player to maintain political and military stability in the region for more than a century. From that point on, Iran began to assert its claims to the three islands, occasionally using aggressive rhetoric and threats.¹⁷

Despite the similarity of the Iranian claim to the three islands during the 19th and 20th centuries, Abu Musa faced a different fate from that of Greater Tunb and Lesser Tunb. Whereas Greater Tunb and Lesser Tunb were occupied by Iranian forces on November 30, 1971, that is, one day before Britain terminated its Trucial Treaty System with the Gulf Sheikhdoms, control over Abu Musa was peacefully divided between Iran and the ruler of Sharjah through a Memorandum Of Understanding reached on November 29, 1971, that is, one day before the invasion of Greater Tunb and Lesser Tunb.¹⁸

The Tunbs remained under Iranian control after 1971. Abu Musa, on the other hand, remained under the shared control of Iran and Sharjah until 1992 when Iran suddenly extended its control over the entire island and then announced its permanent annexation in August of that year

¹⁶ Al-Kaabi, p.56.

¹⁷ Richard Schofield. "Abu Musa and the Tunbs: The Historical Background.", p.11.

¹⁸ Schofield, p.11.

when it blocked the return over 120 Arab inhabitants who were returning from their summer vacations, requiring them to obtain Iranian visas before they were allowed to land on the island.

In 1987 and 1988, Iran constructed military installations on the Tunbs, especially on Greater Tunb, including a military airport. The two islands were actively used by Iran in what was known as the tanker war in which numerous oil transporting vessels were sunk in the war between Iran and Iraq. Following the occupation of Abu Musa in 1992, Iran built a military airport and a number of other military installations, in addition to building Silkworm missile platforms on the island.¹⁹

¹⁹ Al-Kaabi, p.8.

CHAPTER I. PERSPECTIVES OF CLAIMANTS

Before discussing the legal and historical claims of the disputing parties to the three islands, it is important to point out that three major players were involved in this conflict whereas today, two parties only remain active in pursuing a resolution after the British terminated the Treaty System in 1971 and ended their political influence and presence in the region entirely. Britain's presence was highly significant because almost all the documentations of the conflict after the 17th century were made and maintained by the British officials in India and the region. This is not to mention the fact that it was through Britain that the claims of the two disputing sides expressed their complaints and asserted their claims.

Iran's Perspective

The Iranian claim is based on the assumption that it had owned the islands long before the British finally decided to occupy the islands in the 1820s.

More importantly, Iran bases its claim on the fact that for ten consecutive years during the 19th century, Abu Musa was administered by the Qawasim of Lengeh who acted as provisional rulers and tax collectors on behalf of the Iranian government on the Persian coast, that is, between 1872 and 1882. The Iranian government also claims that prior to their assuming their functions as rulers and tax collectors in Lengeh and along

the coast, the Qawasim of Lengeh had already become Persian subjects and were paying tributes to the central government in Teheran.²⁰

Another side of the Iranian claim is based on the fact that in 1887, the Iranian government forced the Qawasim of Lengeh out of the region and imposed its authority of the coastal areas while at the same time annexing the island of Sirri without any objections from Britain, thus implicitly implying that the Qawasim had no right to claim any of the islands since they had assumed their roles and functions as Persian subjects until they were finally forced out of the Persian mainland.

In addition to all these claims, Iran often cites a map that in 1888 was sent to the Shah of Iran by the British War Minister in Teheran as a gift, in which all the islands in the Gulf bore Persian colors.²¹

Regardless what perspective the different Iranian governments have had over the past century, Iran has been adopting a rather pragmatic approach toward the two islands. Shortly after the landing of troops in Greater Tunb, Shah Reza Khan of Iran spoke in an interview to a Swiss magazine saying, "Historic facts and documents prove that these islands belong to us. We are not here to watch the annexation of a part of our territory to please no matter which country. Furthermore, it was in our

²⁰ Richard Schofield, p.6.

²¹ Richard Schofield, P.6. .

interest as well as in the interest of other countries that the Islands that could have had 'nuisance value' would have it no longer."²²

A similar statement was made in 1970, shortly before Iran occupied the islands when an Iranian official stated, "Look to the Chinese Communists in Aden. If these islands go, all our interests will be damaged."²³

Neither the Shah nor his government have ever provided such historic evidence and documents and the only language that was used by the Persian side when describing the decisions and actions by the Iranian government, was one that based the claims on strategic interests and needs rather than on historical rights of any form.

UAE Perspective

Before listing the claims made by the Qawasim, that is, the official claim by the government of the United Arab Emirates, it must first be pointed out that the Qawasim who had ruled over Sharjah and Ras al-Khaimah are still ruling these two Sheikhdoms, both members of the union that constitutes the United Arab Emirates today. In other words, there has been a continuity of rule by the parties laying claim to the three islands for more than three centuries, a claim that Iran, on the other hand cannot equal due to the turbulent historical changes in Persia over the same period. Furthermore, the Qawasim of Lengeh who had dominated

²² Al-Kaabi, p.66.

²³ Al-Alkim. "The UAE perspective on the islands' question." p.29.

the Persian coastal area are also related by familial and tribal ties to the Qawasim of Sharjah and Ras al-Khaima.²⁴

The claim by the Qawasim on the three islands is based on the historical fact that Britain had long recognized their sovereignty over these islands since the end of the 18th century.²⁵ As a matter of fact, in the late 18th century and in the early 19th century, Britain was almost at the brink of war with the Qawasim whose naval power and continuous attacks on British commercial fleets was a major source of annoyance and disruption for Britain's trade with India. Accordingly, in the first two decades of the 19th century, Britain launched military activities against the Qawasim until it finally brought the three islands under its control in the 1820s. All three islands, for this matter, had been under the control of the Qawasim for years. This apparently challenges the Iranian claim that the islands were taken away by the British from Persian sovereignty. In fact, Iran's presence in the maritime activities in the Gulf during that period was almost nonexistent since the central authority was extremely weakened due to inner conflicts whereas at the same time, the Persian coast was practically under the control of the Qawasim of Lengeh, direct relatives of the Qawasim of Sharjah and Ras al-Khaimah.²⁶

²⁴ Schofield, p.5.

²⁵ Al-Kaabi, p.57.

²⁶ Schofield, p.6.

Furthermore, although the islands were first controlled by the British, Iran did not make its first claims over them until the 1840s, that is, over two decades later.

The dispute over the sovereignty by Iran was not pushed forward seriously with the British until the 1870s, but even then Britain made it clear and obvious to the Iranian government that the sovereignty over the islands belonged to the Qawasim Sheikhs, specifically in 1872 when Britain officially refused the Persian claims in this respect.

With regard to the claim that Iran had maintained sovereign control over Greater Tunb and Lesser Tunb between 1878 and 1887, the UAE asserts the historical facts that control over Greater Tunb and Lesser Tunb was actually shared between the Qawasim of Lengeh and their cousins, the Qawasim of the Sheikhdoms and that the Qawasim of Lengeh were actually independent of the central authority in Teheran, a claim that is actually noted by Lorimer in his earlier mentioned publication. Indeed, if the Qawasim of Lengeh were Persian subjects maintaining control over the coastal areas and collecting taxes on behalf of the central government in Teheran, then why would this central authority eventually launch war against them and force them out of the coastal areas and the island of Sirri? Furthermore, why would the Qawasim of Lengeh, which the government of Iran claims were Persian subjects representing the Persian government, seek refuge in the Sheikhdoms ruled by their kinsmen?

As for the island of Abu Musa, it was completely under the control and sovereignty of the Sheikh of Sharjah and has continuously remained as such until 1971 when al-Sharjah agreed to share control over the island with Iran through the earlier mentioned Memorandum Of Understanding.

With respect to the alleged claim by the Iranian government that Great Britain had recognized Iran's sovereignty over the islands by presenting the Shah with a map in which the islands have the same colors as Iran's territories, both Britain and the United Arab Emirates have long refuted this argument.²⁷ To start with, the map was prepared by the Intelligence Branch of the British War Office, that is, a military branch of the government with no capacity whatsoever to recognize any party's sovereignty to any territories.²⁸

Since late in the 19th century, and whenever Britain had been pressured by Iran to recognize Iran's sovereignty over the island on the basis of the map, the British have asserted the fact that the British officers who had prepared the map were mistaken in assuming that the Qawasim of Lengeh were subjects of the Persian state. Furthermore, the British authorities have also pointed out that the details of the western borders of Persia at the time of the preparation of the map were not precise or of

²⁷ Al-Kaabi, p.33.

²⁸ Mohammed Abdallah Al-Rokn. The historical and legal dimensions to the conflict between the UAE and Iran over the Three Islands. UAE University, 1996: p.18.

great significance since the focus of the British War Office at the time was on the borders between Persia and Afghanistan.²⁹

Thus, according to documents reflecting British negotiations and talks with the various Iranian governments in relation to the map, have repetitively and clearly shown that the map does not amount to the level of evidence of recognition by the British of Iranian sovereignty over the islands. Needless to mention, the entire map cannot be used as any form of evidence since it was intended to discuss the border details between Persia and Afghanistan and not the details of Iran's claims to the islands in the Gulf.

British Perspective

The perspective of the British government is perhaps of great significance because of three important facts. First of all, the administration of the majority of the Gulf region was more or less under British control or protection throughout most of the 19th century and for several decades during the 20th century. Secondly, the British had witnessed the rise of the conflicting claims from the very beginning and on various occasions were directly involved in the discussions over the islands.³⁰ More importantly, however, the significance of the British perspective arises from the fact that the British had documented all the official correspondences and historical events taking place in the region

²⁹ Al-Kaabi, p.35.

³⁰ Al-Rokn, p.9.

of the Gulf in general, and with respect to the conflict between Persia and the Qawasim on the other hand.³¹

Whereas the Persian and Qawasim perspectives on the conflict over the two islands are ultimately influenced by national, political, economic, strategic and other interests, the interest of the British also had their motives, motives that should be considered carefully to evaluate the British perspective.

Evidently, the British seized control of the islands in the 1820s for a short time after having successfully launched a limited naval campaign against the Qawasim. The objective of the campaign was to put an end to the Qawasim's harassment that occasionally disrupted and threatened Britain's trade routes and activities to India. Hence, the paramount interest of the British early in the 19th century was to turn the Gulf area into a safe and secure trade path.³²

Although the British managed to defeat the Qawasim, they nonetheless recognized the power of the Qawasim and their sovereignty over their territories. This recognition apparently included the three islands. In the mid-19th century, the concern of the British regarding the three islands as well as the islands of Sirri, was not over a dispute over Persian or Arab sovereignty, but rather, over settling the various disputes that broke out among the Arab Qawasim over who had the rights to rule

³¹ Al-Rokn, p.9.

³² Al-Kaabi, p.17.

the islands. Thus, in a memo dating back to 1875, the British First Assistant Resident mentions an agreement that dates back to 1835 that the Greater Tunb and Sirri belonged to the Qawasims ruling in Lengeh. The dispute among the Qawasim broke out in 1871 when the ruler of Sharjah decided to take control over Abu Musa. The British documents then note that following the disputes among the Qawasim, the ruler of Sharjah recognized the rule of the Qawasim of Lengeh over Greater Tunb. The ruler of Ras al-Khaimah, who was also involved in the dispute, argued that Tunb, Sirri and Abu Musa were ruled from the Arab side of the Qasimi Empire rather than from the Persian side. The British Resident Ross then ruled that Greater Tunb was shared equally between the Qawasim of Ras al-Khaima and Lengeh in a document dated in 1879.³³

Hence, up to the early 1880s, the British were mainly concerned in settling the disputes among the Arab rulers of the islands without any involvement by any Persian rulers or state in making any claims to these islands. For the British, the most important political and strategic need at this point was to assure that the Gulf was stable and calm and that their interests were not threatened.³⁴

The British position, however, became controversial in 1887 when the Persian state was consolidated and then managed to take control over Lengeh. Persia then took control of Sirri Island in the same year. The

³³ Al-Rokn, pp. 7-8.

³⁴ Al-Rokn, p.7.

British government immediately defended the claim of the Qawasim to the island of Sirri but was faced by the fact that the Qawasim on the Arabian side were not interested in the island and had long recognized it to be under the sole sovereignty of the Qawasim of Lengeh. Since the Qawasim of Lengeh were not under the British protection system, and seeing that the protected Qawasim of the Arabian side had no claims to the island of Sirri, the British government eventually recognized the Persian occupation of Sirri.³⁵

Two years before these events, however, the British War Office had presented the Shah of Iran with a map of the Gulf. The map was prepared by intelligence officers. The map showed the islands of Sirri, Abu Musa and the Tunbs in Persian colors. The British perspective on the map, however, has been very clear. First of all, the British government has made it clear that the map was prepared for purely military and strategic purposes and hence did not reflect any political position by the British government over the recognition of the Persian sovereignty over the islands. Secondly, the officers used Persian colors for the islands simply as a result of their linking the rule of the Qawasim of Lengeh to Persia, a link that was never true, neither historically nor politically.³⁶

The British perspective and position suddenly changed dramatically in 1890 when the Trucial system became officially effective

³⁵ Schofield, p.6.

³⁶ Schofield, p.6.

and complete. Under this system, the Gulf states on the Arabian side came under the full protection of the British Empire and were not allowed to give up any of their territories without British approval. In fact, Britain became even responsible for the foreign affairs of these states. Whereas the island of Sirri was not under this system of protection since it was already under Persian control since the earlier dispute in 1888, the Tunbs and Abu Musa were now officially recognized by the British as Qawasim territories. This explains the 1903 recommendation by the British government in India to the ruler of Sharjah to hoist his flag over the islands of Abu Musa and Greater Tunb as a sign of his sovereignty and to reassert his control over these islands. The recommendation was strongly made by the British because there were British fears of Iranian interests in occupying the islands. It is important to mention that during this period, both Great Britain and Iran were on friendly terms. Hence, in recommendation the assertion of Qawasimi rule over the islands, the British were simply fulfilling their responsibility toward two allies; namely the Arab Sheikdoms in the west and Persia in the east.³⁷

Hence, when the Iranian government tried to impose its control over the islands of Abu Musa on Greater Tunb in 1904 by hoisting the Persian flag over the islands, probably under Russian influence, the British government sent a gunboat to remove the Iranian flags and to

³⁷ Al-Kaabi, p.37.

assert the Qawasim sovereignty and control over the islands. The Iranian government, meanwhile, did not even protest the British move. In fact, the British government at this point in history even resorted to revisiting the Sirri issue and started to claim the return of the island, by then under Persian control for almost twenty years, to the Qawasim.

The British position toward the conflict remained unchanged throughout the twentieth century up to 1971, that is, the independence of the United Arab Emirates. Several confrontations took place between the British and the Iranian governments over the islands but the British position was clear and resolved. For example, in 1921, Britain clearly warned the Iranian against taking the dispute over Abu Musa and Bahrain to the League of Nations. Another confrontation took place in 1928 when the Iranian government intercepted an Arab dhow and confiscated the belongings of the passengers, including the jewelry of the women. This resulted in arousing the sentiments of the Qawasim who considered this as an insult.³⁸

The British government intervened intensely until the issue was settled, resulting in a proposed British treaty by virtue of which Britain would recognize Iran's sovereignty over Sirri in return to Iran ending its claims to Abu Musa and the Tunbs. The Iranian government, however, responded by a counter proposal in which it offered to recognize Arab

³⁸ Al-Kaabi, p.46.

sovereignty over Abu Musa in return for recognition of Iranian sovereignty over the Tunbs. The British Resident, under instructions from the Foreign Office responded to the Persian side that his government could not hand over Arab territory without Arab permission, clearly asserting the British position toward the dispute.

In fact, the British Resident tried to settle the issue by convincing the Qasimi Sheikh of Ras al-Khaimah to lease the Tunbs but to no avail, "I do not think he will accept any sum of money which Persia is likely to offer for Tanb. He is a man of obstinate and suspicious temper and will suspect the motive of any offer he may receive."³⁹ As a result, the Iranian government rejected the proposed treaty and ended the negotiations.

Interestingly, the British position up to the early 1930s supported the Arab claims although Britain was not particularly supportive of the Arab interests at that time. All the British Government was interested in, was to keep the Gulf under control, and it was more likely to compromise in favor of Iran rather in favor of the divided Sheikhs on the Arab side. In fact, "Britain's failure to resolve the question of the disputed islands – militarily, diplomatically or otherwise – was strongly indicative of the nature of its policy in the Gulf area. Unlike in other parts of the world, it did not, in applying its policy, have to say much in regard to public opinion, whether British or Arab: Because of the strong control it

³⁹ Al-Kaabi, p.46.

exercised over the area, news of events there was unlikely to reach any further than the desks of officials in Delhi or London; the military weakness of the Shaykhs made them irrelevant in terms of power politics; and there was still no sign of oil on the Coast, and thus, of the area's acquiring economic importance."⁴⁰

What this means is that up to the pre-oil period, the British position in the Gulf was generally one of compromise. The Qawasim Sheikhs, now divided and militarily weakened, were not in a position to make military claims to new territories. Rather, they were more in a position of defending the territories over which they already had an existing sovereignty. The British government, interested in maintaining the status quo, simply wanted things to remain as they are, and hence its recognition of the Qawasim control and sovereignty over the islands.

At any rate, following the collapse of the talks in 1930, the dispute remained dormant until the 1960s when Britain started considering an end to its presence in the Gulf. The Shah of Iran immediately began to reassert the Iranian claims again over the islands.

Although the British position still remained clearly in favor of the Qawasim Sheikhs, new political developments were taking place in the region. In specific, the Shah of Iran was considered as the strong ally of the west in the region. Meanwhile, the Sheikhs were militarily weak and

⁴⁰ Al-Kaabi, p.52.

thus despite their strong pro-British sentiments, their significance for Britain's future strategy in the region was already in decline. The British were specifically interested in a strong ally in the west to keep the rise of Egypt's Nasser in check. Hence, in 1970, Britain resorted to shuttle diplomacy and negotiations in an attempt to resolve the conflict before it withdrew from the Gulf after ending its Protectorate Trucial system. Sir William Luce, the British envoy to the region wrote in that year, "The British Government has since its entry into the Gulf considered Abu Musa to be Arab, and according to old documents in possession of the British Government, the Island was Arab."⁴¹

Nevertheless, the British government still pressured the Sheikhs of Ras al-Khaimah and Sharjah to settle the dispute through compromise because it had an interest in maintaining strong relations with the pro-western Shah. As a result, Sir Luce brought to the rulers of Sharjah and Ras al-Khaimah an Iranian offer through which Iranian forces would land on the islands without any military opposition whereas any Arab forces would be withdrawn from the islands within 12 months, all in return for Iran's financial support to the two Sheikhdoms. The offer, however, was strongly rejected by the rulers of Sharjah and Ras al-Khaimah. At this point, Sir Luce warned the ruler of Sharjah that if he refused to negotiate and settle, Iran would take the island of Abu Musa anyway and that

⁴¹ Al-Kaabi, p.58.

Britain would not be able to support his claims to the island since it was ending its Protectorate system in the Gulf region.

Whereas the ruler of Sharjah and the Iranian government led negotiations in November 1971 to settle the dispute peacefully, Persian forces landed on Greater Tunb on November 23, that is, right before the British Protectorate system in the Gulf was ended. Legally, therefore, Britain was supposed to protect the two islands since it was still obliged under the Protectorate system.⁴²

However, the outbreak of the Indian-Pakistani war at the time, and the fact that Britain did not want to come to a clash with Iran prevented the British from fulfilling their obligations toward the ruler of Ras al-Khaimah. Hence, on December 6, Sir Alec Douglas-Home, the Foreign and Commonwealth Secretary announced in the House of Commons the agreement between Sharjah and Iran over Abu Musa as well as the independence of the United Arab Emirates but not yet including Ras al-Khaimah at the time, stating, "Her Majesty's Government regret that, in spite of the efforts which were made through long negotiations, it was not possible to achieve an agreed solution to the problem of the Tumbs also. Iran landed troops on them on November 23, and I understand that one Arab policeman and three Iranians were killed. We regret the loss of

⁴² Al-Kaabi, p.12.

life.”⁴³ Sir Douglas-Home, however, made no mentioning of the fact that Iran had made a serious violation while the British Protectorate system was still intact and that the British government was under a legal obligation to protect the sovereignty of Ras al-Khaimah over the Tunbs.

⁴³ Al-Kaabi, p.63.

CHAPTER II. LEGAL CLAIMS & ARGUMENTS

From the description of the various perspectives, the historical events involving the islands and the parties making claims to them, and from the events that followed the termination of the British Protectorate Trucial System in the Gulf region, it is apparent that the Qawasim were basing their claims to the islands on the basis that they had ruled the islands for over two hundred years. On the other hand, the Persian side has based its claims on the fact that the islands are Persian, resorting to unfounded legal evidences to support its claims, and practically relying on the use of force to assert its claims. An evaluation of the legal situation of the islands and the parties laying claims to these islands is indispensable to help provide an understanding of the position of international law regarding the dispute.

The UAE Legal Claims

Before dwelling onto the legal claims made by the UAE regarding the three islands, it is important to mention that the historical records and documents of the British government clearly show that when the British forces clashed with the Qawasim and occupied the islands, these islands had been under the control of the Qawasim for several years. The fact that the islands were at times under the rule of the Qawasim of Lengeh but most commonly under the rule of the Qawasim on the Arabian side is of

little relevance because the rulers on both sides of the Gulf were members of the same family and neither of them had allegiance to the Persian government in any form.

Secondly, it is also apparent from the historical evidences, documents and correspondences that the British government had held a clear official position in which it asserted the Qawasim sovereignty over Abu Musa and the Tunbs, as well as over the island of Sirri. The Qawasims, however, gave their claim to Sirri up in 1888 which but never ended their actual control over Abu Musa or the Tunbs until Iran forcibly occupied the Tunbs and eventually took Abu Musa over despite the existence of a sharing agreement over the island.

The United Arab Emirates since its independence in 1971 has made its legal claims to the islands on the basis of clear legal evidences, specifically three fundamental legal proofs.

The first proof put forward by the government of the United Arab Emirates is that the islands are inhabited by Arabs with obvious tribal, familial, religious, cultural, and traditional links with the families of the United Arab Emirates. Hence, the population of the islands has always been Arab, and this is also clear from Lorimer's *Gazetteer* in which he shows that the permanent populations of the islands were Arab for over a century and probably for much longer before his arrival to write his publication in 1915.

The fact that the population of the islands is obviously Arab and has historically been Arab with such close ties to the families and people of the United Arab Emirates, especially the inhabitants of Sharjah and Ras al-Khaimah, is particularly relevant in the area of international law because of the attention that international law gives to the nature and wishes of the existing population when such territorial disputes emerge.

Secondly, the historical records show that the three islands had belonged to the Sheikhdoms of Ras al-Khaimah and Sharjah for over two centuries. This claim is based on a large number of documents, correspondences and letters in the archives of the British government. This is also effectively seen in the fact that the British government had always dealt with the Qawasim rulers on the Arabian side as the legal owners of the island. Moreover, in matters related to economic activities, the British government had always resorted to taking permission from the Qawasim rulers and not from the Iranian government. For example, in relation to the construction of a lighthouse on Greater Tunb, the British government asked for permission from the ruler of Ras al-Khaimah. Similarly, when a German company sought to start mining for oxide on Abu Musa, it sought the concession from the ruler of Sharjah, and immediately after that, the British had to exert pressures on the ruler of Sharjah to end this particular concession as they feared that German

economic activity in the area would eventually result in expanding German influence in the entire region.⁴⁴

Thus, between 1820 and until 1971, all matters related to the management, control, and economic activities regarding the three islands were related directly to the Qawasim rulers of Sharjah and Ras al-Khaimah rather than to Iran despite the fact that since the second half of the 19th century, Iran had emerged into a major regional power.

Thirdly, the government of the United Arab Emirates asserts its legal right over the three islands on the basis of enjoying and exercising sovereignty over these islands for the period of two centuries, citing at least five supportive evidences to back this claim. First of all, the three islands had long hosted the flag of both Ras al-Khaimah and Sharjah, a fact showing that despite the separation between Ras al-Khaimah and Sharjah early in the 20th century, the two sheikhdoms continued to exercise their common sovereignty over the islands. Secondly, during a period of almost two centuries, the rulers of the two emirates always had representatives on the islands, either in the capacity of official representatives or custodians and keepers of the islands. Thirdly, the rulers of Sharjah and Ras al-Khaimah had historically received financial payments on annual basis in the form of fees for any economic activities conducted over the islands. Fourthly, the rulers of the Sharjah and Ras al-

⁴⁴ Al-Kaabi, p.41.

Khaimah had for many decades permitted the construction of public utilities for the service of the residents as well as for their own benefit when using the islands as summer resorts. Finally, in the late 1960s, the governments of Ras al-Khaimah and Sharjah had signed concessions with a number of oil companies to explore for oil onshore and offshore which implies international recognition of the sovereignty of the two sheikhdoms over the islands.

Iran's Legal Claims

Iran's legal claims to the three islands is based on the argument that the islands had historically been under Persian sovereignty and control, and that except the period that witnessed the British presence in the region, Iran had never lost control of or sovereignty over the islands. The Iranian government also asserts that even during the British presence in the region, Iran never ceased to claim the three islands.

The official Iranian argument points out that in 1747, Nader Shah's assassination resulted in the outbreak of disputes and conflicts within the Persian empire, resulting eventually in the deterioration of the administrative and political system.⁴⁵ The Qawasim sent troops to the Iranian coast to support Mulla Ali Shah, the ruler of Hormuz against Karim Khan Zand who ruled over the hinterland. By the end of this conflict which lasted for three years, the Qawasim had established control

⁴⁵ Pirouz Zadeh. "The issue of Abu Musa Island from an Iranian Point of View" p.23.

over Bandar Lengeh, Kish, Sirri, Greater and Lesser Tunbs, and Abu Musa.⁴⁶ The Iranian version, therefore, argues that the sovereignty of the Qawasim over the three islands was only very recent in history and that it was the result of occupation through conquest.

The consecutive Iranian governments have also claimed that the British had recognized their sovereignty over the three islands in a number of official maps in which the islands had the same color as other terrain under the sovereignty of Iran, hence asserting the fact that the islands were Persian, irrespective of the fact that they were under the control of the Qawasim.

Iranian officials also claim that they had always rejected the sovereignty of the Qawasim over the islands. Thus, when the British recognized the sovereignty of the Qawasim of Sharjah over the islands in 1902, the Iranian government did not know of this development until 1904 and its customs officers immediately responded by removing the Qawasim flag from the islands and hoisting the Persian flag instead. Needless to mention, the British government also recognized the sovereignty of the Qawasim over the island of Sirri.

In addition to this, the Iranian government claims that the Qawasim of Lengeh managed and controlled the port of Lengeh and other areas including the three islands as officials of the Iranian government, and

⁴⁶ Zadeh, p.23.

hence, they did not possess these islands nor did they have the capacity to enjoy sovereignty over any terrain since they were merely officials representing the Iranian government in Lengeh.⁴⁷

Analysis of Legal Claims

The Iranian claims are in contradiction with the historical and legal claims made by the UAE and substantiated by the British government on a number of accounts.

The Iranian claims have to be analyzed from an international legal perspective, taking into consideration the various evidences of territorial possession as noted in international public law. According to international legal jurors, there are five recognized ways for a state to claim sovereignty over territory; these are occupation, conquest, acquisitive prescription, cession, and accretion.⁴⁸

Occupation

According to the Berlin Treaty of 1885, for a state to claim sovereignty over territory through occupation, the territory should be classified as *res nullius*, implying that no other state should have sovereign claims over the land in question. This certainly does not apply to the three islands since they were under the direct sovereignty of the

⁴⁷ Pirouz Zadeh, p.22.

⁴⁸ Al-Rokn, p.13.

Qawasim for around two and a half centuries before Iran occupied the Tunbs in 1971 and Abu Musa in 1992.⁴⁹

Conquest

Conquest, on the other hand, is considered an illegal and unacceptable means of claiming and extending sovereignty over territories by any state, a legal fact stated in the UN Charter and revived in a variety of UN Security Council Resolutions condemning various conquests by different states since 1945. Hence, Iran cannot claim sovereignty over the three islands on the illegal basis of conquest.⁵⁰

Acquisitive Prescription

Acquisitive prescription, on the other hand, relates to situations when a state claims sovereignty over a territory after expressing overt sovereign practices on the territory in peaceful manners and without protestation or rejection by another state over a period of time. Iran cannot make claim to the three islands on the basis of peaceful acquisitive prescription since 1971 because the required conditions to make acquisitive prescription applicable in the case of the three islands do not exist.⁵¹

Iran's recognition of Sharjah's sovereignty over Abu Musa denies any Persian claims to the island on the basis of acquisitive prescription

⁴⁹ Al-Rokn, pp.13-14.

⁵⁰ Al-Rokn, p.14.

⁵¹ Al-Rokn, p.15.

because Iran's recognition of Sharjah's sovereignty nullifies acquisitive prescription. Secondly, Iran had extended control over the three islands through the use of armed occupation and violence, thus violating the condition that requires peaceful exercise of sovereignty to make acquisitive prescription viable.

Thirdly, acquisitive prescription requires that territorial acquisition be overt and continuous over a long period of time, usually between fifty to one hundred years. Iran apparently fails to meet this condition for acquisitive prescription on the basis since its control over the islands is very recent.⁵²

Fourthly, acquisitive prescription requires that the exercise of possession should not be protested, resisted, or contested by another state. Iran fails to meet this condition for acquisitive prescription either. Immediately following the Iranian occupation of the Tunbs, the UAE sent a memo to the United Nations to protest the occupation. This is not to mention that the occupation was faced by armed resistance by the Arab inhabitants of Greater Tunb, several of whom were killed during the incident. Furthermore, the UAE has over the years raised the issue of the three islands in the United Nations and other international circles to reassert its right and sovereign claim over the islands.⁵³

⁵² Al-Rokn, p.15.

⁵³ Al-Rokn, p.16.

Cession

The extension of sovereignty over territories through cession is when a state gives up its claims to these territories in favor of another state according to an agreement between the two states. Such an agreement may involve the sale of the territory in question by one state to another, or, the agreement may follow a war after which the victorious side forces the defeated state to give up its sovereignty on the territory in question. International public law sets a number of conditions to recognize the legality of cession.⁵⁴

First of all, cession can only be exercised by a state that exercises sovereignty over the territories. Thus, Iran cannot claim sovereignty over the islands on the basis of cession by Britain before the termination of the Trucial system in the Gulf because Britain never exercised any form of sovereignty over the islands.⁵⁵

Secondly, the consequences of cession can only be recognized as legal under peaceful conditions and mutual agreement among the two states, but neither of these two conditions apply to the case of the Tunbs since Iran occupied them by force.

Thirdly, cession is the giving up of sovereignty and not of administrative control over territory. Hence, in the case of Abu Musa, Sharjah's agreement to share control over the island does not involve a

⁵⁴ Al-Rokn, p.16.

⁵⁵ Al-Rokn, p.16.

case of cession since Sharjah gave up its administrative control over part of the island to Iran but not its territorial sovereignty.⁵⁶

Accretion

Extension of territorial sovereignty through accretion is when new territories are created and acquired by a state as a result of natural or artificial changes affecting territory. This may involve the emergence of new territory due to volcanic activities or territorial changes resulting from the creation of artificial lakes. Neither of these two cases, however, apply to the three islands since they had existed for centuries without any change. Therefore, no claims for sovereignty can be made by Iran to the three islands on the basis of accretion.⁵⁷

Based on the above analysis of international public law for legally recognized claims of sovereignty over territory, it is apparent that Iran has no legal basis in international public law to support its claims to or occupation of the three islands.

As for the historical evidences presented by the Iranian government, the Qawasim of Lengeh were not government officials representing the Iranian state or operating on its behalf, but rather, they were sovereign and maintained a powerful grip over the Eastern side of the Gulf while remaining contact with their cousins on the western side of the Gulf. The Qawasim families on both sides, moreover, intermittently

⁵⁶ Al-Rokn, p.16.

⁵⁷ Al-Rokn, p.17.

were in conflict with each other over the control of the islands as well as over marine interests. Iran was never involved in these conflicts. This shows that the Qawasim of Lengeh were sovereigns just as their cousins in Sharjah. Furthermore, the Qawasim of Lengeh never enjoyed sovereignty over Abu Musa or the two Tunbs, and whenever they tried to extend their control over these islands, this often resulted in conflicts with the Qawasim of Sharjah.

Secondly, the British maps in question that are used by the Iranian government to support their claims to the islands cannot be considered as legal evidence in any form as contested by the government of UAE, a position supported and substantiated by the British government regarding the nature and purpose of these maps. As discussed in this paper earlier, these maps were prepared by the British intelligence officers and were of no political value or validity, not to mention that the main purpose they were specifically designed to illustrate the Iranian-Afghani borders. Moreover, the British government has over and over again pointed out that the maps were never intended to represent political divisions in the Gulf or the sovereignty of the states in that region.

More importantly, however, the legal claim made by the Iranian government based on the historicity of its sovereignty over the islands is not valid either. To start with, Iran as a sovereign state did not exist until the establishment of the Safavid dynasty in 1502. Before that, Persia was

divided into a number of provinces that changed hands and masters and that were frequently ruled from Baghdad in Iraq. It was during the Safavid dynasty that Iran was converted from the Sunni sect to the Shiite sect and later the foundation of Iranian nationalism. The Safavids were not always successful in imposing their sovereignty on their coasts which had remained predominantly Sunni with considerable Arab populations. Even when the Safavids controlled the Persian coast, the Gulf was generally under the control of the Sheikdoms and at the mercy of piracy activities.⁵⁸

Hence, even if the Iranian claims over the historicity of their sovereignty over the islands were to be taken into consideration, the fact is that Persian sovereignty over the islands never extended for more than two centuries or 250 years at most. Yet at the same time, the Qawasim too had held the islands under their sovereignty for almost the same period and this refutes the entire Iranian government that the islands should be considered Persian based on the historicity of control and sovereignty.

Although Iran has forwarded and asserted claims for the islands during the British presence in the Gulf, especially after 1904, even to the extent of bringing the matter in front of the League of Nations, the Iranian government has never agreed to take the matter to the International Court

⁵⁸ Al-Kaabi, p.13.

of Justice. The United Arab Emirates, on the other hand, has continuously proposed that the two parties present their claims, documents and evidences at the International Court of Justice because all the evidences show beyond doubt that the islands rightly belong to the UAE.

Iran's Legal Violations of the MOU

As presented earlier, just before the withdrawal of Britain from the Gulf, thus ending the Protectorate system, Iran and Sharjah reached a Memorandum of Understanding to put an end to the dispute between Sharjah and Iran over the island of Abu Musa. The Sheikh of Sharjah agreed to sign the MOU because he was under pressure from the British officials who had warned him that Iran was going to land forces on the island of Abu Musa anyway if an understanding was not reached. Apparently, the British warning was clear and true about the Iranian threats because when the Sheikh of Ras al-Khaimah refused to sign a similar agreement, Iran immediately landed its troops on both Tunbs and had occupied them since then.⁵⁹

The MOU, therefore, was signed under the threat of the use of force, a fact that makes it illegal in the first place.⁶⁰ The MOU constituted five major provisions. According to the MOU, Sharjah agrees to the stationing of Iranian troops in the northern part of Abu Musa, Iran having full jurisdiction over them and with the Iranian flag flying over there.

⁵⁹ Al-Alkim, p.30.

⁶⁰ Al-Kaabi, p.69.

Secondly, Sharjah maintains jurisdiction over the rest of the island with its flag flying there. Thirdly, both Iran and Sharjah recognize a 12-mile limit of territorial waters around the island. Fourthly, revenues derived from oil exploration, both onshore and offshore, are to be divided between Sharjah and Iran.⁶¹ Finally, Iran pays Sharjah one and a half million pounds sterling annually until Sharjah's annual receipts from oil reach three million pounds sterling annually.⁶²

Although the MOU was not legal in the first place since the Sheikh of Sharjah was forced to sign it under the threat of occupation, Iran repeatedly violated the agreement until it finally extended its full occupation over the island in 1992, thus annulling the MOU altogether.

Between 1917 and 1992, Iran violated the MOU with Sharjah in a number of ways. To start with, it interfered in the affairs of the Arab population, that is, citizens of Sharjah, and prevented them from constructing new buildings or expanding existing builds. Secondly, Iranian troops continuously harassed the Arab population on the island under all kinds of pretexts and reasons in the hope of forcing them to leave the island and thus changing the identity of the island by encouraging Persian subjects to move to Abu Musa for permanent residence. Moreover, the Iranian government forced the Arab residents to close down their existing businesses and to launch new businesses only

⁶¹ Al-Alkim, p.29.

⁶² Schofield, p.13.

after obtaining Persian permits, thus reflecting an act of encroachment over the side in which Sharjah enjoyed sovereignty.

In addition to this, the Iranian government erected a number of military constructions and installations on the island, including an airport, clearly in violation of the spirit of the MOU that aimed at maintaining the island as a civilian territory without any military presence. Furthermore, in 1983 when Iran was involved in its war with Iraq, it set up missile installations on the three islands, not only violating the MOU but also threatening the entire region and the international oil trade.⁶³

In August 1992, Iran finally decided to bring the MOU by occupying the entire island. The Iranian government took advantage of the summer vacation when the majority of the Arab residents were away on the mainland. A boat carrying 110 Arab schoolteachers and their families on board was stopped by the Iranian authorities and Iranian visas were required, clearly implying that the entire island had come under Iranian sovereignty.⁶⁴

Thus, in 1992, Iran finally came to violate the Memorandum of Understanding that it had signed with the ruler of Sharjah in 1971. The MOU itself was controversial from the legal perspective since the ruler of Sharjah was forced to sign it under the threat of occupation by Iran. At any point, Iran's occupation of Abu Musa practically terminated the

⁶³ Dan Caldwell, p.55.

⁶⁴ Al-Rokn, p.11.

MOU, leaving the UAE to consider and seek legal, political and diplomatic means to resolve the conflict over the three islands.

CHAPTER III. THE POLITICAL DIMENSION

Although the dispute between Iran and the UAE often focuses on the legal claims regarding the three islands, the reality is that the conflict is more of a political nature, especially for the Iranian government whose legal claims barely have any merit.

The strategic location of the islands and their geopolitical importance are the major factors that stand behind the Iranian assertiveness to control and occupy these islands. Hence, Iran's political perspective on the conflict is whether there is legal merit to the Iranian claims, this would make no difference to Iran's willingness and intention to occupy and control the islands. On September 28, 1971, the Shah of Iran summarized the policy of his government regarding the islands saying, "We need them; we shall have them; no power on earth will stop us."⁶⁵ Apart from the fact that such a statement represents a clear defiance to international laws and to the sovereignty of other nations, it also reflected the strategic importance of the islands to Iran and the need for the Iranian government to have control over these islands at any expense.

The Shah's government needed the islands because it realized that controlling the islands would enable it to control and protect the oil export trade through the Strait of Hormuz, a mere 25-mile stretched channel between the Indian Ocean and the Gulf. The islands, being

⁶⁵ Al-Alkim, p.28.

geographically very close to the Strait of Hormuz, were necessary according to the Shah to protect the international oil trade and to assure that exports flowed through the Gulf to Europe and the United States without communist threats back then.

Ironically, Britain and the US seemed to acquiesce with the Iranian decision to occupy the islands because the Shah was a powerful pro-western leader who was believed to be capable of keeping communism in check in the region, especially at a time when the communists were growing increasingly strong in Aden. Less than eight years after the Shah had made his statement on Iran's need to control the islands, the Islamic Revolution broke out and the islands came under the control of the new regime, especially the two Tunbs. The Islamic regime adopted an extremely anti-western hostile position from the very beginning. By controlling the three islands, Iran became a major threat to the international oil trade, especially as it erected missile installations on the Tunbs during its war with Iraq.⁶⁶

Pre-1979 Iranian Interests

Before the outbreak of the Iranian Revolution in 1979, Iran's strategic interests in the islands was mainly aimed at asserting Iran's power in the region. After the discovery of oil in the region, the islands became too strategically important for Iran to let go. Hence, the Iranian

⁶⁶ Dan Caldwell, p.55.

claim to the islands began to increase in intensity. Indeed, it is mainly during the 20th century that the Iranian government ever made official claims of sovereignty over the islands, and more intensely when oil fields were discovered in the Gulf region. Abu Musa in specific became extremely important after oil fields were discovered onshore and offshore.

While in power, the Shah claimed that it was in the interest of the west to maintain Iranian control over the three islands because Iran was the only stable pro-western regime in the region, and hence, the only patron that could assure the stability of oil exports to the world, a very sensitive economic and national security need for western countries and the US.⁶⁷

The Shah was also interested in turning Iran into a major power, an objective that he tried to attain by building a huge military arsenal that turned Iran into one of the largest military powers in the world. The Shah, therefore, considered controlling the islands to increase Iran's influence as a regional power, by increasing its ability to have control over 40% of the world oil, and far beyond the actual economic capabilities of this country. Hence, the Shah's aggressive position regarding the islands was an extension of the Shah's ambitions to turn Iran into a major power and

⁶⁷ Al-Kaabi, p.65.

the three islands were certainly an important component to help achieve this objective.

Iran's Interests after the Revolution

Following the Islamic Revolution in Iran, the scenario that the Shah claimed he was preventing by asserting Iran's claim to the islands came true. It is an irony that Iran herself became the threat to the world oil trade by controlling the islands combined with a hostile political attitude toward the west and its neighbors.⁶⁸

The government of Iran after the Islamic Revolution did not only assert its claims over the islands, but it also took one step forward by erecting military installations on the Tunbs in 1984 during its war with Iraq, hence threatening to completely disrupt the entire world oil trade. The Iranian government also used the islands as military basis for its naval forces and also added more threats to the international oil industry by destroying a number of oil tankers in the Strait of Hormuz in an attempt to block the Strait and impose a military embargo on the oil industry altogether during the 1987 military escalation known as the tanker war.⁶⁹

The actions of the Iranian government throughout the 1990s show that Iran's claims that it is interested in the three islands to protect the oil industry and to assure that oil exports were protected from any threats is

⁶⁸ Dan Caldwell, p.56.

⁶⁹ Dan Caldwell, p.56.

not serious since Iran herself has been the source of all threats to the oil exports ever since it took control of the islands.

There exists no doubt today that Iran's need for the three islands is purely strategic, both during the rule of the Shah and after the Islamic Revolution. Iran simply needs the islands to increase its leverage and its ability to blackmail the west and the US through owning the card to blocking or controlling oil exports out of the Gulf and accordingly, enjoying much more economic power than its actual oil exports would allow her to.⁷⁰

It is also important to mention that both the Shah and the officials of the Islamic Republic of Iran after the Revolution claimed that controlling the islands was a matter of national security for Iran. This claim, however, is easy to refute. The Iranian government claims that controlling the islands is important to protect the flow of its oil to the international markets. However, the reality is that Iran has the capability of exporting its oil with or without controlling the islands and even if a hostile power controlled the islands because Iran can easily build pipelines to its long coastline along the Indian Ocean and hence avoid any possible threat or harassment that may result from a hostile power controlling the islands. Hence, Iran's national security claims are not realistic but rather, exaggerated to justify the Iranian occupation of the

⁷⁰ Dan Caldwell, p.56.

three islands to increase its leverage by controlling the path of more than 40% of the international oil exports.

In fact, by controlling the three islands and by engaging in hostile activities from the islands as the case was when Iran sank a number of tankers in the Gulf show that it is the United Arab Emirates and the other Arab states of the Gulf whose economic and strategic interests are threatened directly, not to mention the interests of the United States, Europe, Japan and the entire global economic system.

The American & British Position

When the Shah made his aggressive statements regarding the occupation of the islands at any cost, the west remained silent. In fact, Britain did not even intervene to honor its legal commitment to Ras Al-Khaimah when the Tunbs were occupied by force although the Protectorate Treaty system was still in effect and despite the fact that the British government had historically and continuously maintained a clear position in favor of Sharjah and Ras al-Khaimah regarding the legitimacy of their sovereignty claims over the three islands.

In fact, the British even attempted to reach a compromise and avoid a conflict in the Gulf by pressuring the Sheikdoms to reach a compromise over the islands instead of insisting on their legitimate rights. The position of the British government was legally on the side of Sharjah and Ras al-Khaimah but politically with the Shah because Iran in 1971

was perceived as the only power capable of protecting western oil interests in the region.

The US was even more pressures to support Iran's position politically especially that Iran was the major component of the pro-US alliance against communism and the USSR in the region, together with Pakistan and Turkey. Hence, the US was willing to accept the Iranian position as long as this resulted in strengthening the pro-American alliance in the region. Since Iran's control of the three islands did not comprise a threat to American and western interests, the US was willing to accept the Iranian position.

The Iranian Revolution in 1979 brought Iran and the west to a face-to-face confrontation. Suddenly the US, Britain and other western countries realized that Iran's control of the Tunbs and part of Abu Musa could comprise a direct threat to American and western interests and to destabilize oil exports and trade.

Since the Iranian revolution, the US has in particularly developed a number of policies toward the situation of the islands. The American policy of "dual containment" toward both Iran and Iraq has aimed at preventing both sides from involving in any expansionist policies. The US, however, has generally restricted its actions to criticisms and economic sanctions on Iran. The US foreign policy, however, has not been specific toward the occupation of the islands despite the obvious

concerns about the threat that Iran can create to US national security interests as well as to the global economy as a whole. Nonetheless, American policy has generally supported the UAE claims to the islands on a number of levels, especially after the Iranian revolution and in the light of the military and strategic abuse of the islands.

Political Positions of Arab States

Before 1971, the conflict between Sharjah and Ras al-Khaimah on the one hand, and Iran on the other hand, was mainly restricted to the three parties as well as the British government. Following the Iranian occupation of the Tunbs, the Arab governments immediately responded to this step, considering it a threat to the Arab nation as the Iraqi government announced. Iraq also called onto the Arab government to form an alliance and to pressure Great Britain to honor its moral, historical, legal and political responsibilities toward the righteous owners of the islands.

In fact, Iraq even forwarded a severe criticism to the MOU signed between the ruler of Sharjah and the Iranian government over the island of Abu Musa, considering it a threat to the Arab identity of the island and the Gulf as a whole, and a compromise to the interests of the Arab nation. Other Arab governments also followed suit as they called for an immediate meeting for the Security Council. Moreover, Libya responded harshly to Britain's failure to protect the sovereignty of Sharjah and Ras

al-Khaimah by nationalizing a major British oil company. All in all, the Arab governments responded to the occupation of the islands with strong and assertive statements condemning the Iranian occupation and calling for the liberation of the islands.

CHAPTER IV. UAE DIPLOMACY OF APPEASEMENT

TOWARD THE CONFLICT

Political Background

Iran occupied Greater Tunb and Lesser Tunb on November 28, 1971 and one day later, the Memorandum of Understanding with Sharjah went into effect over Abu Musa. Iran exploited the MOU to land troops on the side of the island over which it enjoyed control. Iran had intentionally engineered to set a foot in the islands right days before the end of the British Trucial system and before the declaration of independence by the United Arab Emirates in order to avoid raising an issue of occupying the territories of a United Nations member. Although this Iranian strategy does not bestow any legality on Iran's occupation of the Tunbs nor does it give Iran any rights of sovereignty over Abu Musa, the fact is that Iran successfully exploited the prevailing conditions in the region through military and political escalation.

A few days after the occupation, the union known as the United Arab Emirates, constituting seven sheikhdoms that included both Sharjah and later Ras al-Khaimah was declared independent. The new state, however, did not have the human and military capabilities or the economic and diplomatic resources to fight back the Iranian hegemony and occupation. Moreover, the United Arab Emirates itself was born out

of the womb of territorial conflicts in the region, especially conflicts with Saudi Arabia.

Thus, from the beginning, the UAE was faced with numerous difficulties since it faced challenges to have its existence recognized by some of its powerful neighbors in the region. Moreover, other regional issues and considerations also played against the interest of the UAE. Neither Britain nor Saudi Arabia was willing to take a hostile position against Iran's occupation of the islands or its aggressive attempt to impose its will on the UAE, especially as both governments were more interested in swaying Iran's claims to Bahrain. Hence, by giving up its claim to Bahrain following a referendum in which the Bahraini people chose independence, Iran expected to be rewarded by Saudi Arabia and Britain, the reward being a compromised position toward Iran's occupation of the Tunbs and mediation by Britain to seal the MOU over Abu Musa.

The international setting was not idealistic either, especially as the US and Britain were more interested in combating communism and the rising power of the Soviet Union. In 1971, the Shah of Iran was the leader of the most credible and reliable pro-Western power in the region, and neither the US nor Britain was willing to apprehend, offend or upset him. For these major powers, therefore, it was not difficult to compromise the interests of a small and newly-founded state such as the United Arab

Emirates to please a strategic ally in the region. Hence, it was obvious in 1971 that the balance of power was tilted in favor of Iran on the regional and international powers. Against such a situation, the UAE could only protest the violation of its territories and sovereignty by a neighboring adversary, and at the same time, attend to the needs of nation and state building.

Aware of its own weakness against a powerful adversary enjoying economic, military, economic and political prowess, the UAE decided to resort to diplomacy, specifically the diplomacy of appeasement, to manage its conflict with Iran over the three islands.

Diplomacy of Appeasement

An encyclopedic statement defines diplomacy as the set of “practices and institutions by which nations conduct their relations with one another.” Ever since diplomacy was invented and developed by the Greeks over three thousand years ago, its objectives have more or less been the same, namely to promote the interests of the state with foreign powers that may be friendly or hostile.⁷¹ In the 1930, the definition of diplomacy was coined by Sir Harold Nicolson in which he stated that “diplomacy is the management of international relations by negotiation;

⁷¹ Stanley J. Michalak. “Diplomacy.” Encyclopedia Encarta 2002, CD-ROM, p.1.

the method by which these relations are adjusted and managed by ambassadors and envoys.”⁷²

The formation of the modern state, combined with lessons from history on diplomatic communication among states has led to the development of several forms of diplomacy. On one extreme of the spectrum, the diplomacy of power and military threat stands as the instrument of the powerful and the aggressive. On the other side is the diplomacy of appeasement.

Appeasement is defined as “the reduction of tensions between two states by methodical removal of the principal causes of conflict and disagreement between them.”⁷³ Another definition considers the diplomacy of appeasement as “any policy designed to alleviate grievances through compromise and concessions that may otherwise lead to war.”⁷⁴

The diplomacy of appeasement is not necessarily the diplomacy of weakness. It simply is the diplomacy of conflict prevention and avoidance. This method of diplomacy has been used by major powers as well as by small states alike. Appeasement as a diplomacy has two major objectives, either to maintain or to alter the status quo. Moreover, this

⁷² Sir Harold Nicolson. Peacemaking, 1919. London: Simon Publications, 2001.

⁷³ Gordon Craig & Alexander George. Force and Statecraft: Diplomatic Problems of Our Time. 2nd Edition. New York: oxford University Press, 1990: p.250.

⁷⁴ Robert Strausz-Hupe & Stefan Possony. International relations in the age of the Conflict between Democracy and Dictatorship. New York: McGraw Hill Book Co., 1950: p.246.

diplomacy is applicable both in the short term as well as in the long term.⁷⁵

In the short term, the diplomacy of appeasement can be used to maintain the status quo by aiming at resolving crisis with an adversary in an immediate manner or at attaining limited political trade with the adversary. In the long term, appeasement can help maintain the status quo by preventing the escalation of trade, or it can help in altering the status quo through the building of friendship and alliance between states that may in the short term be adversaries.⁷⁶ The core concept of the diplomacy of appeasement is the elimination of the causes of conflict, thus reducing the potentials or probabilities for conflict, tension, or escalation of hostility.⁷⁷

As mentioned earlier, appeasement has been applied widely by many strong and weak states throughout history. However, the diplomacy of appeasement adopted by Britain toward Hitler's Nazi Germany in the 1930s has been considered as one of the major causes that led Hitler to plan and initiate his war in Europe, eventually leading to World War II, based on his perception that appeasement reflected the fear and weakness of Britain and France.⁷⁸

⁷⁵ Stephen Rock. *Appeasement in International Politics*. The University Press of Kentucky, 2000: p.12.

⁷⁶ Stephen Rock, p.13.

⁷⁷ Stephen Rock, p.14.

⁷⁸ Stephen Rock, pp. 1-2.

Despite this setback, the diplomacy of appeasement has been revived by numerous political science theorists, and it is still widely applicable today in international relations. Stephen R. Rock, a most prominent authority on the diplomacy of appeasement, has attempted to formulate a theory on using the diplomacy of appeasement effectively in international relations. In his book, Appeasement in International Politics, Stephen Rock has recommended lessons that policy makers should make use of when resorting to the diplomacy of appeasement. Needless to mention, Rock asserts the fact that appeasement as a diplomatic tool is no different from any other method of diplomacy since its final objective is to serve the interests of the state.

Rock's theory on appeasement starts by asserting the need to know the enemy, specifically its capabilities, resources and motives. Without such an in-depth understanding of the adversary, adopting a policy of appeasement can jeopardize the national security interests of any state. For example, if the adversary's capabilities are overestimated, using a diplomacy of appeasement may only result in inflicting serious harm on the image and reputation of the state. Similarly, adopting appeasement toward a hostile adversary whose primary intention is to go to war rather

than to resolve a dispute can reflect weakness and further encourage the adversary to launch hostile activities or war.⁷⁹

Unlike other forms of diplomacy that call for immediate results such as shuttle diplomacy, appeasement often aims at long term goals and hence it requires considerable patience and flexibility because it may be years before the ultimate objective of the state, namely maintaining or altering the status quo may be finally achieved. Over such a long span of period, it is also indispensable to maintain consistent communication and policy toward the adversary, that is, to continue to adopt peaceful measures and policies toward the other as long as the political conditions allow. The lack of consistency may result in two negative outcomes; it may either send a message of weakness and confusion or it may stimulate suspicious and lead to the lack of trust between states.⁸⁰

Perhaps the most important lesson that policymakers should be aware of when resorting to the diplomacy of appeasement is the need to avoid passive appeasement at all accounts. A state involves in passive appeasement when it adopts a reconciliatory position against an adversary that does not stop pushing to achieve hostile objectives. Compromising in this manner sends a message to the adversary that the state is unable to do anything about hostility. On the other hand, active appeasement is the policy of adopting compromise and reconciliation combined with

⁷⁹ Rock, p.170.

⁸⁰ Rock, pp. 171-172.

assertiveness. While the appeasing state is willing to approach conflicts peacefully, it will not compromise its rights and it will continue to assert its demands until a final solution is achieved.⁸¹

Another crucial lesson related to the diplomacy of appeasement is the need for socialization. Compromise, reconciliation and peaceful intentions cannot on their own resolve conflicts, especially when conflicts are over strategic interests. To achieve successful result, the appeasing state should attempt to pull the adversary into the international system to engage it in a socialization behavior that will force it to accept and respect international norms of behavior. Such an approach, however, is extremely difficult to adopt and manage, especially as states are often willing to violate the traditions and norms of international relations when their strategic and national security interests are in question.⁸²

The UAE Diplomacy of Appeasement

Since its independence in 1971, the UAE has adopted a policy of appeasement toward Iran regarding the conflict over the three islands. As explained earlier, the regional and international political conditions predominating in 1971 left the UAE almost on its own against an extremely powerful adversary that enjoyed the political support of regional and international powers. The situation as such, the government

⁸¹ Rock, p 172.

⁸² Rock, p.173.

of the UAE decided to resort to the diplomacy of appeasement toward Iran to resolve the conflict.

UAE Objectives

The UAE's policy of appeasement had three major objectives. The first objective was to buy the time needed for state and nation building by a newly-founded government that found itself declaring its independence in the middle of escalation, threat of occupation, and the politics of the Cold War. At the same time, various neighbors in the region were betting on the collapse of the UAE as they perceived the union as lacking the conditions for state formation and nation building. Hence, the UAE was under no account ready to or capable of fighting on two such fronts. The most important strategic interest of the UAE government at that point was to focus on building a stable state and to set the foundations for a political system that can survive the unstable regional political scene.

Secondly, the government of the UAE wanted to initiate peaceful and strategic relationships with all its neighbors, an indispensable need for its economic and political survival. On the geopolitical level, the UAE is a very small state falling between three regional powers, namely Saudi Arabia, Iran and Iraq, and hence it is in its interest to maintain friendly relationships with both, especially as the Gulf region was and remains the center of conflicting interests of international powers.

Thirdly, the UAE had the strategic interest in becoming a leading regional center for trade and commerce. Such an objective could only be achieved by maintaining stable and peaceful political relationships with neighbors. The UAE was not willing to sacrifice the islands to achieve such a purpose. Its government simply adopted an approach of appeasement to achieve two goals at the same time, namely turning the UAE into a regional commercial center, and at the same time, to regain its control over the three islands through peaceful means.

Apparently, the three strategic objectives of the UAE are long-term oriented. Hence, it was necessary to establish a foreign policy that is long-term oriented, and at the same time, one that is capable of resolving the conflict in favor of the UAE in the long term. It is on these bases that the government of the UAE resorted to appeasement and consistently committed itself to it over the course of three decades.

Diplomatic Mobilization & Consistency

Immediately following the Iranian occupation of the three islands, the UAE launched an international diplomatic effort that aimed at mobilizing support for the UAE claims and to guarantee an international condemnation of occupation. The government of the UAE took the conflict to the Arab League as well as to the Security Council and the General Assembly of the United Nations and as a result, the Security

Council protested the Iranian invasion on December 9, 1971 and called both Iran and the UAE to resolve the conflict through peaceful means.

The UAE has also been aware of the fact that Iran intends to use the three islands as a bargaining chip to improve its tense relations with the Arab states. Accordingly, the UAE diligently supported the formation of a three-member committee comprising Saudi Arabia, Oman and Qatar to follow up the matter of the three islands and to exert diplomatic and other pressures on Iran. This is not to mention the continuous efforts of the Gulf Cooperation Council, GCC, to exert diplomatic pressure on Iran and to tie any significant improvements of commercial, political and diplomatic relations between the Gulf states and Iran to the issue of the three islands, an achievement that the UAE considers much more than a moral victory given Iran's strong interest in expanding its international trade with its neighbors in the Gulf.

Logically, the UAE did not expect Iran to respond immediately to the condemnation of either the Arab League or the Security Council. However, such steps had two important objectives that the government of the UAE achieved successfully. The first objective was to assert the legal claims of the UAE and its sovereignty over the three islands, especially by bringing the matter up in front of the UN Security Council. The second objective was to create and mobilize support in the international

community by resorting to the accepted behaviors of international behaviors and politics.

In over three decades, the UAE has maintained complete consistency in its diplomatic efforts toward Iran over the conflict in question. The government of the UAE has consistently focused its diplomacy on three levels. On the first level, it continuously raised the issue of the three islands in the international circles, in front of the United Nations, and in every international gathering or convention. The objective of diplomacy on this level was to promote the UAE claims over the three islands into a matter of any interest that the UAE has with other states worldwide.

On the second level, the UAE resorted to mediation, especially by communicating the UAE perspective through states that have friendly relations with Iran. For example, prior to the 1979 eruption of the Islamic Revolution, the UAE continuously sought the mediation of Saudi Arabia, Jordan, Britain and the US, as well as other states that were on excellent terms with the Shah's regime. Following the revolution in 1979, the UAE continued to adopt the same strategy, flexibly shifting its focus to the new friends of the Iranian government. In this case, mediation was sought through Syria, Libya and other states that were on friendly terms with the Islamic regime.

On the third level, the UAE resorted to active appeasement toward Iran. Prior to 1979, the UAE continuously invited the Shah to negotiate the conflict. The UAE continued to adopt this policy in the eight years that followed the occupation despite the fact that every time these efforts were initiated, the Shah's regime would deny the existence of a conflict and instead would identify the situation as a misunderstanding. The Shah's regime, as a result, insisted only on discussing mutual relations with the UAE. Even against such a persistent position by the Shah, the government of the UAE agreed to discuss mutual relationships and at the same time, to patiently continue to raise the issue and to invite Iran for negotiations. The objective of this policy was simply to build friendly and peaceful relations with the adversary and at the same time, to assert the rights of the UAE over the three islands.

Following the Islamic revolution, the UAE continued to adopt a similar policy, even against the dangerous escalation of tensions taking place in the region, specifically the eruption of the Gulf War between Iran and Iraq. The UAE immediately declared its neutrality and adopted open communication with the two warring states, avoiding the risk of becoming entangled in this war. As Iran installed missile platforms on Greater Tunb in 1987, the UAE maintained normal relations with Iran while at the same time bringing the matter to international powers to exert diplomatic pressures on Iran.

In 1992, Iran took an escalatory measure by occupying the entire island of Abu Musa, an outright violation of the MOU of 1971 with Sharjah. The UAE carefully maintained consistency and flexibility in managing its diplomacy of appeasement, first by condemning the occupation and raising the matter in front of the Security Council, the UN General Assembly and friendly states, and secondly by maintaining normal relations with Iran. At the same time, however, the UAE continued to call Iran to negotiate the conflict and reach a fair resolution by bringing the matter in front of the International Court of Justice, a proposition that Iran has continuously rejected since 1971. The Security Council meanwhile, called the two sides to negotiate the conflict between them on October 1, 1992.

Evaluation of the Diplomacy of Appeasement

The occupation of the Tunbs took place thirty-one years ago, and that of Abu Musa was eleven years ago. The diplomacy of appeasement by the UAE has not been able to bring back the three islands to the sovereignty and control of the UAE. This is not surprising given the fact that appeasement as an approach is a long-term course that may take many years before any results are yielded. More importantly, however, the UAE's diplomacy of appeasement has been successful in achieving several objectives.

To start with, the UAE has managed to maintain friendly relations with its adversary even despite the conflict over the three islands, and even when Iran escalated the tension by occupying Abu Musa in 1992.

In fact, Iran is the largest trade partner for the UAE, a position that the UAE successfully achieved in the 1980s when Iran was in isolation during its Gulf War with Iraq. This strategic economic relationship continues even today after the Iranian occupation of Abu Musa, contributing to the economic prosperity of the UAE by growing trade relations with its adversary.

More importantly, in over three decades, the UAE has been able to successfully shift the attitude of the international community, thus bringing Iran under tremendous international pressure to resolve the conflict over the three islands. This has resulted from the consistent and continuous efforts by the government of the UAE to push the conflict on the international and diplomatic levels whenever possible.

The turning point on this level was Iran's installation of missile platforms on the Tunbs in 1987, clearly threatening the global economy by jeopardizing oil exports and risking the national security interests of the US, Europe and Japan, as well as other nations that rely on Middle Eastern oil. Iran's behavior against the peaceful and consistent approach of the UAE brought the two states in sharp contrast in the eye of the international community. The diplomatic pressures that were brought

onto Iran finally pushed the Iranian government to call for settlement over the islands with the UAE for the first time since 1971. Moreover, the UAE has consistently attempted to engage Iran in socializing in the international political system. This was for example reflected in the fact that the UAE stood firmly against any military or political escalations of tension that could have resulted in hostile activities by the US against Iran during the Gulf War. At the same time, the government of the UAE has consistently refused to allow major powers to exploit the conflict over the three islands to settle issues with or escalate military hostility toward Iran during the 1980s and 1990s.

Although such an attitude by the UAE has not been appreciated and rewarded by the government of Iran, the fact is that this attitude was a step in a process that aimed at socializing Iran in the international system to eventually bring it under more diplomatic and political pressures from the international communities and friendly states.

Interestingly, the government of the UAE has applied the basic lessons and conditions that Stephen Rock has argued as necessary for a successful usage of the diplomacy of appeasement against a powerful adversary. The UAE has maintained consistency and flexibility as well as sincere intentions toward its adversary. It is worth mentioning that the UAE has also maintained consistency and flexibility against extremely changing and inconsistent circumstances, including the radical change in

the Iranian government in 1979, the eruption of two major wars in the region, and the escalation of tension by the adversary in 1992.

In addition to this, the diplomacy of appeasement adopted by the UAE over the course of more than three decades has successfully forced the powerful adversary to finally declare its intention to negotiate the conflict peacefully. Only a few years ago such a possibility was next to impossible as the adversary even refused to recognize the conflict in the first place.

Thus, early in 2002, Iran's Minister of Foreign Affairs, Kemal Kharazi, invited His Highness Sheikh Hamdan ben Zayed Al-Nhayan for an official visit to discuss the issue of the three islands. The visit took place in May 2002, constituting a historical step reflecting the success of the UAE diplomacy of appeasement to resolve the conflict. In effect, the Iranian government requested that the UAE stop raising its grievances over the three islands in international circles for a certain period of time to show goodwill and willingness to resolve the matter, and specifically to relieve the Iranian government of the increasing diplomatic and political pressures from various states sympathizing with the position of the UAE. In return, Iran and the UAE will initiate direct negotiations to resolve the conflict over the three islands in a peaceful and constructive way.

Ultimately, the UAE has been successful in managing its conflict with Iran over the three islands by adopting a consistent, stable, and good-intentioned diplomacy of active appeasement. Recent approaches to developing a theory on successful uses of the diplomacy of appeasement have focused on a variety of important conditions in the management of such diplomacy. The government of the UAE has been aware of these conditions and of the effective management of appeasement as a diplomatic method with its stronger neighbors long before such theoretical approaches were developed. Although it may yet take years before the conflict is resolved, the UAE government has no doubt that it is on the right track in handling the matter with its powerful neighbor, and this is evident in the fact that the Iranian government has finally changed its attitude and has begun to show willingness to change its approach to the conflict. Not only has the Iranian government initiated a process for resolution in 2002, but it has also called for direct negotiations. The government of the UAE, on the other hand, is responding to demands of the Iranian government to show goodwill and serious intentions to engage in direct negotiations to resolve the conflict. Although the UAE will stop raising the issue of Iranian occupation in international circles until the negotiations are over, the UAE has not given up its assertive position and attitude toward the conflict and toward the fact that it still intends to see an end to the occupation of its territories.

It is also important to point out that the UAE decision to rely on the diplomacy of appeasement in approaching the conflict with Iran does not reflect helplessness on the side of the UAE. After all, diplomacy of appeasement in modern times is not a last-resort diplomacy, but rather, a constructive diplomatic approach that has been sought by powerful states seeking friendly and positive relations with other states. Spain, for example, has long adopted diplomacy of appeasement toward the UK over the Strait of Gibraltar while at the same time building strong diplomatic and commercial relations with the UK which practically occupies Spanish territories. This can be equally said of Morocco's appeasement of Spain over Tangiers and other disputed territories occupied by Spain, not to mention the appeasement between Qatar and Bahrain over the disputed islands, a matter that was finally resolved in a friendly and successful manner through the ICJ. Hence, resorting to diplomacy of appeasement is not to be perceived as a weakness of the appealing party by the appeased side.

CONCLUSION

The conflict between the UAE and Iran over the three islands, Abu Musa, Greater Tunb and Lesser Tunb is not a conflict over disputed territories. Historical, geographic, demographic, legal and political evidences show that the islands belong to the UAE, a fact that explains the official position of the government of the UAE that it will accept any ruling by the International Court of Justice on this conflict no matter what the ruling is, in contrast to the Iranian position that has continuously rejected taking the matter to the ICG.

Iran's occupation of Greater Tunb and Lesser Tunb in 1971 and later of the island of Abu Musa in 1992 is the product of Iran's strategic intentions and plans in the region, specifically with the objective of turning Iran into a regional power with a significant control over international trade. The UAE, on the other hand, perceives the three islands as UAE territories that are under foreign occupation and that have to return to its sovereignty through legal and legitimate means.

For over three decades, the government of the United Arab Emirates has resorted to the use of the diplomacy of appeasement, also officially designated by the UAE government as the diplomacy of patience, good neighborly relations, and assertiveness. In the first place, the UAE resorted to this diplomacy because the occupation took place right at the time when the UAE was declaring its independence and

preparing to start nation and state building. Vulnerable, exposed, and threatened by unpredictable internal and external factors, the government of the UAE was coerced into accepting the status quo in 1971, especially at a time when Britain and Saudi Arabia seemed to have been in agreement over appeasing Iran under the rule of the Shah. The government of the UAE resorted to the diplomacy of appeasement with the clear objective of changing the status quo in the long run while maintaining good neighborhood relationships with Iran, and by building friendly and strategic relations with its neighbor. This is evident for example in the fact that while the UAE continues to assert its rights and sovereign claims to the three islands, the size of trade with Iran has exceeded three billion dollars in annual volume.

To achieve a successful and effective diplomatic approach based on appeasement, the government of the UAE has maintained both consistency and flexibility. Consistency resulted in making it clear to Iran and to the international community that the UAE was persistent in demanding its rights under all circumstances and through peaceful and legitimate means. Flexibility, on the other hand, enabled the UAE to maintain friendly relationships with the adversary, build trade relationships with it, and at the same time, respond to dramatic changes in the nature of the adversary as the case was when the Islamic revolution brought an end to the regime of the Shah. Flexibility and consistency

were also of considerable importance in the UAE diplomacy of appeasement over the years as the region witnessed the outbreak of two major wars during that period.

Despite the setback to the diplomacy of appeasement exercised by the UAE in 1992 when Iran resorted to political and military escalation by occupying the rest of the island of Abu Musa, the UAE continued to assert its rights over the three islands, while at the same time raising its grievances in various international circles. In fact, Iran's occupation of Abu Musa was the beginning of the success of the diplomacy of appeasement by the UAE because it resulted in creating negative publicity for the Iranian government while at the same time adding more legitimacy to the claims of the UAE and its peaceful position against an aggressive adversary. The timing of Iran's violation of the MOU over Abu Musa was also in favor of the UAE since this took place at a time when the Iraqi occupation of Kuwait was still freshly remembered by the international community.

With such changes, alteration in the status quo was already taking place and the Iranian state began to come under tremendous diplomatic pressures from the international community, pressures that were in the first place stimulated by the assertiveness of the government of the UAE and its relentless efforts to raise its grievances over the three islands whenever possible. It is as a result of the alteration of the status quo today

that the government of Iran has finally called upon the UAE officials to initiate direct negotiations over the three islands to reach a peaceful resolution for the conflict. Today, three decades of effort and commitment to diplomacy of appeasement seem to be achieving the objectives of the UAE, especially as Iran is becoming more open to the Arab states and nations of the Middle East, hence exposing itself to more diplomatic and political influence by the grievances of the UAE. The Iranian government, interested in building bridges of trade and commerce as well as friendship with the Arab nations, is now pressured to reconsider its position toward the conflict over the three islands, a fact that in turn explains why Iran has finally invited the UAE to negotiate directly over the conflict and find a final and permanent peaceful solution to it.

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Qatar

Arabian Gulf

Sir Bani Yas

Ruwais

Abu Dhabi

Lesser Tunb
Greater Tunb

Abu Musa

Ras al-Khaimah

Umm al-Qaiwain

Ajman

Dubai

Jebel Ali

Sharjah

Fujairah

Al Ain

Dibba

Khor

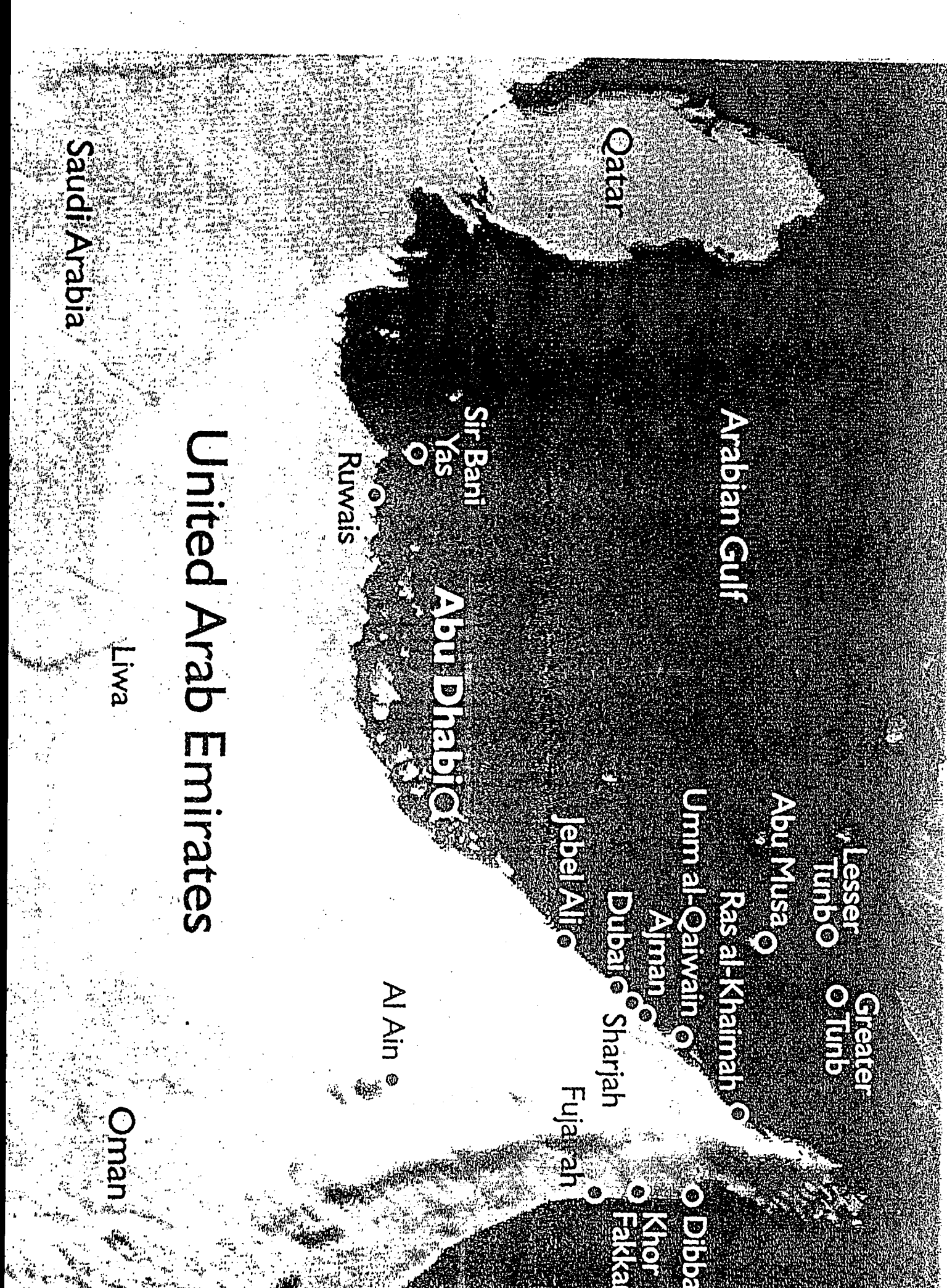
Fakka

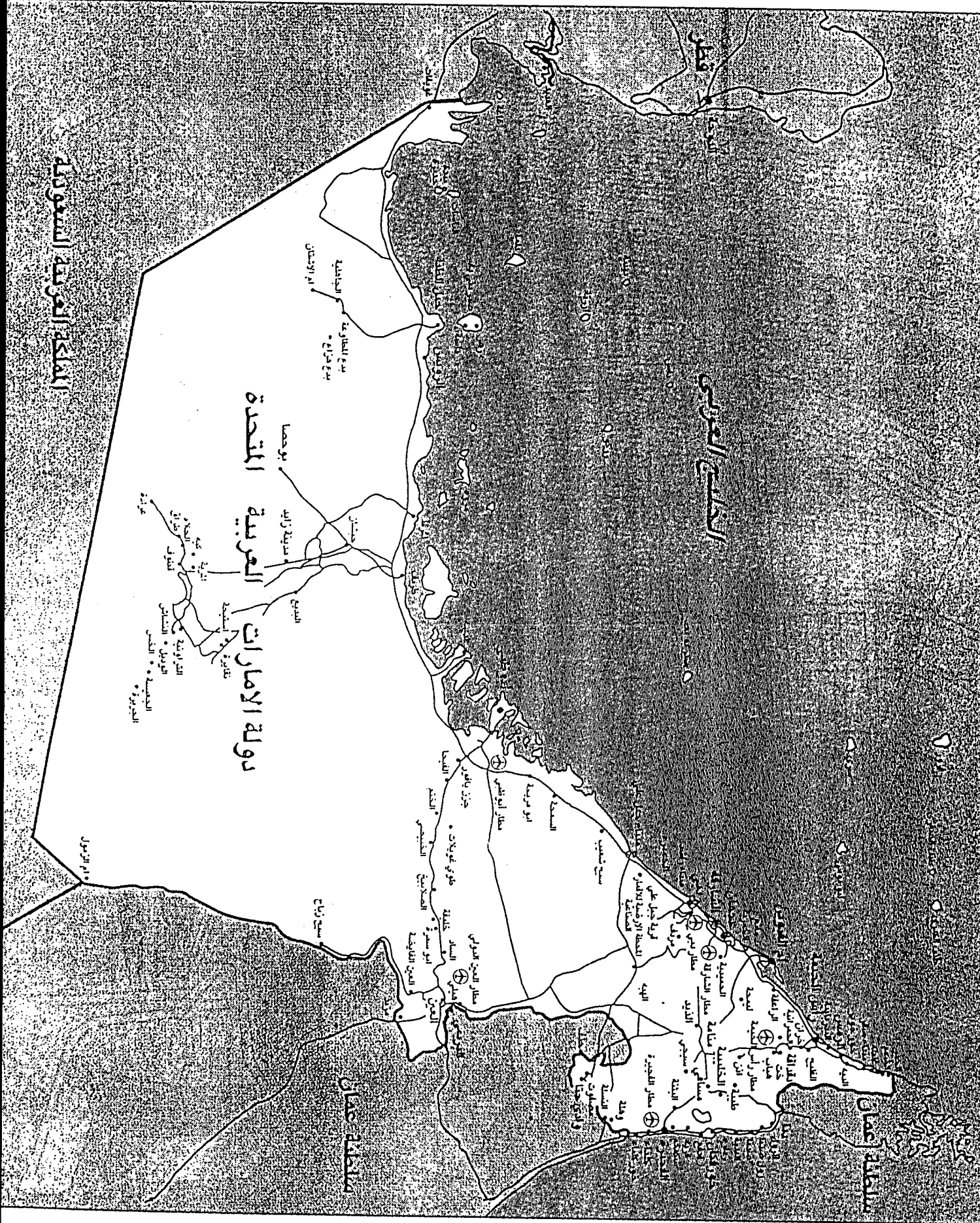
United Arab Emirates

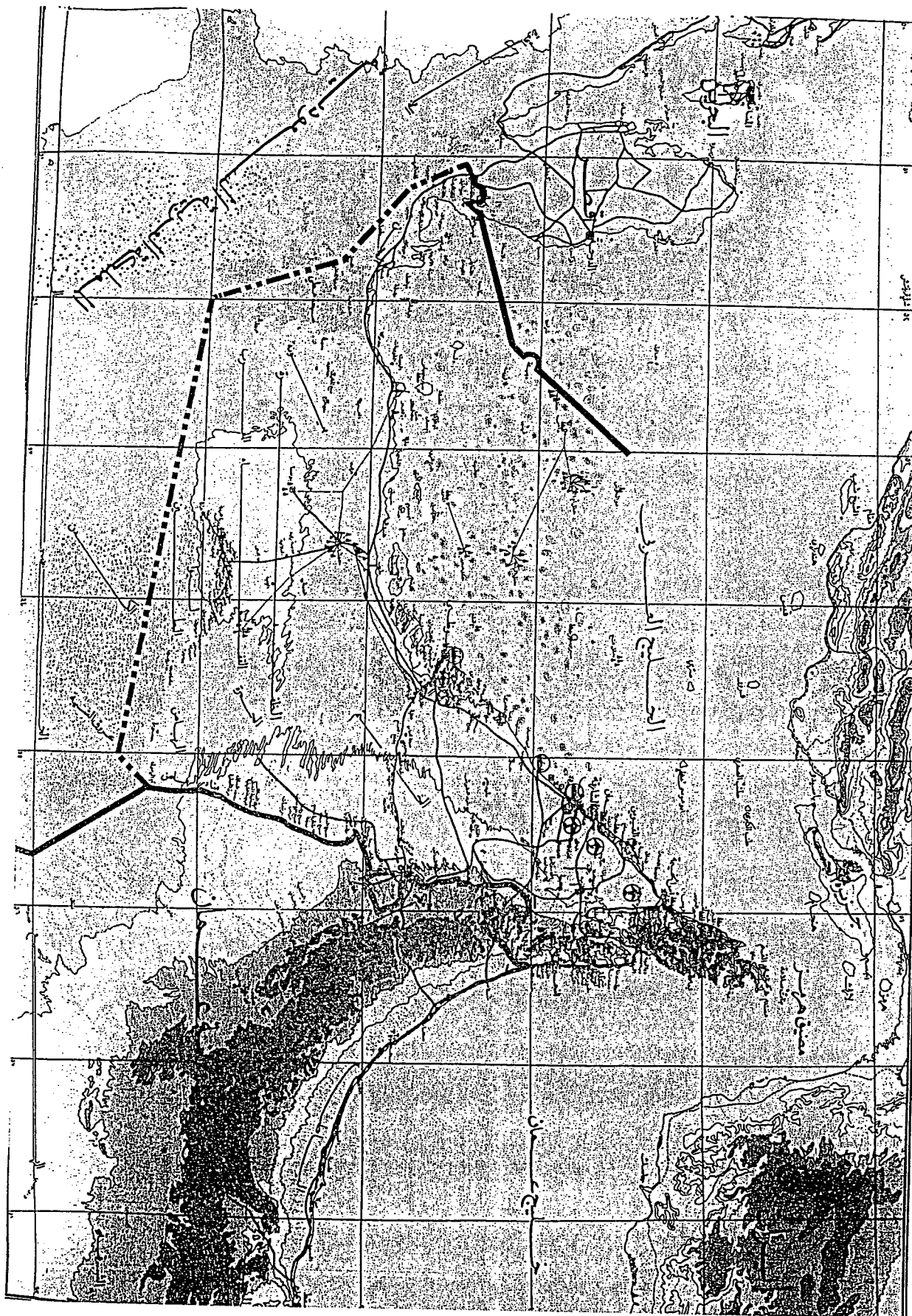
Saudi Arabia

Liwa

Oman







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