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Authority 969000  
By AK Date 7/1/02



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Col 33 Iran Iraq Shatt al Arab  
Department of State  
**TELEGRAM**

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ACTION SS 70

INFO CIAE 0001070 W

114515

P R 181040Z APR 69  
FM AMEMBASSY TEHRAN  
TO SECSTATE WASHDC PRIORITY 8050  
INFO AMEMBASSY LONDON  
AMEMBASSY JIDDA  
CINCSRIKE

S E C R E T SECTION 1 OF 2 TEHRAN 1371/1

LIMDIS

NOFORN

SUBJ: IRAN-IRAQ CRISIS

REF: TEHRAN 1367

SUMMARY: POSSIBILITY THAT FLARE-UP IN SHATT AL ARAB MAY HAVE REPERCUSSION ON HEALTHY US-IRAN RELATIONSHIP HAS DISTURBED SHAH. HE HAS BEEN GIVEN EXPLANATION THAT, ALTHOUGH NO USG INSTRUCTIONS BEEN RECEIVED, EMBASSY IS CONCERNED BECAUSE OF KNOWN SENSITIVITY THESE DAYS, PARTICULARLY ON CAPITOL HILL, TO THINGS MILITARY AND INTEREST OF WHOLE WORLD IN AVOIDING NEW AREAS OF CONFLICT. LIKELIHOOD IS THAT IRAN WILL UNDERTAKE TEST VOYAGE DOWN SHATT BUT HOPE IS THAT INCIDENT WILL NOT CAUSE WIDER FLARE-UP.

1. CALLING ME TO HIS HOME EARLY MORNING EIGHTEENTH, ACTING FORNMIN AFSHAR SAID HE WANTED TO DISCUSS BREWING IRAN-IRAQ CRISIS IN SHATT AREA. HE OPENED BY STATING IRAN'S POSITION THAT 1937 SHATT TREATY IS INVALID: A) BECAUSE IRAQIS NEVER CARRIED OUT PROVISION FOR JOINT COMMISSION ON ADMINISTRATION WHICH WAS TO BE ESTABLISHED IN ONE YEAR; AND B) BECAUSE NO RECKONING OF SHATT TRANSIT DUES RECEIVED AND DISPENSED BY IRAQIS HAD EVER BEEN PROVIDED IRAN.

2. ASKED RE STATUS OF THIS IRANIAN POSITION VIS-A-VIS IRAQIS, AFSHAR SAID FORMER FOREIGN MINISTER ARAM HAD TWICE MADE PUBLIC

*Handwritten:* Tehran 1371  
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STATEMENTS DECLARING 1937 TREATY INVALID AND UNDERSECRETARY KHALATBARY HAD VERBALLY APPRISED IRAQIS DURING HIS RECENT BAGHDAD VISIT. SUBSEQUENT TO KHALATBARY VISIT, IRAQIS HAD NOTIFIED IRAN OF THEIR INTENTION TO INSPECT SHIPS BOUND TO AND FROM IRANIAN PORTS.

3. ACCORDING TO AFSHAR, SPECIFICS CURRENT IRANIAN POSITION ARE: A) IRANIAN FLAG MUST BE FLOWN BY ALL IRANIAN-BOUND SHIPS WHILE THEY ARE IN "IRANIAN TERRITORIAL WATERS" I.E. IRANIAN SIDE OF THALWEG; B) IRAN WILL BROOK NO INSPECTION BY IRAQIS; C) TO ASSURE IRANIAN "RIGHTS" IRANIAN NAVAL ESCORTS WILL BE PROVIDED; D) PREVIOUS PROCEDURE OF USING IRAQI PILOTS WILL BE OBSERVED ALTHOUGH IRANIAN EMERGENCY STANDBY PILOTS ARE TO BE AVAILABLE; AND E) IRAN IS NOT RAISING QUESTION AS TO DUES.

4. AS TEST CASE, AFSHAR SAID, IRAN IS PLANNING TO SEND IRANIAN SHIP DOWN SHATT "IN THREE OR FOUR DAYS" CARRYING IRANIAN FLAG AND WITH NAVAL ESCORT. IRAQIS AWARE OF THIS, HE SAID, AND HAVE SERVED NOTICE THEY WILL BOARD SHIP AND REMOVE ANY IRANIAN MILITARY PERSONNEL.

5. AFSHAR THEN CAME TO MAIN POINT. CERTAIN REMARKS I HAD MADE PREVIOUS EVENING TO GENERAL FAZELI, HE SAID, HAD BEEN REPORTED TO SHAH IN TUNISIA (TEHRAN 1367). IN NUTSHELL, FAZELI HAD REPORTED MY SAYING THAT IF SHOOTING OCCURS IN SHATT ALL US MILITARY SUPPORT FOR IRAN WILL BE TERMINATED. THIS HAD IRKED SHAH WHO HAD SENT MESSAGE TO AFSHAR TO ASK ME FOR EXPLANATION. SHAH ADDED HE DOUBTED I WOULD HAVE SO SPOKEN. SHAH ALSO ADDED THAT IF FAZELI'S REPORT CORRECT, AFSHAR SHOULD ASK ME WHETHER SHAH IN ASSURING IRAN'S LEGITIMATE SELF-DEFENSE SHOULD SEEK SUPPLIES FROM QUARTERS WHERE NO CONDITIONS ATTACHED.

6. IN RESPONDING, I SAID FAZELI'S REPORT INACCURATE. NOTING THAT I UNDER NO INSTRUCTIONS, I HAD MERELY VOICED TO FAZELI CERTAIN CONCERNS AS TRUE FRIEND OF SHAH AND IRAN. I ALSO EMPHASIZED THAT DECISION AS TO WHAT TO DO OR NOT TO DO IN SHATT IS STRICTLY FOR IRAN TO MAKE.

7. SHAH'S AND IRAN'S PRESTIGE, I TOLD AFSHAR, HAVE NEVER BEEN HIGHER IN US, AND I RELUCTANT TO SEE IT TARNISHED IN

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ANY WAY, USG IS COUNTING HEAVILY ON SHAH'S STATESMANSHIP IN MIDEAST. FACT IS, HOWEVER, THAT AT PRESENT TIME THERE IS UNPRECEDENTED SENSITIVITY IN US RE THINGS MILITARY. SENATE IS MAKING INTENSIVE INVESTIGATIONS AND THIS MORNING BBC REPORTED SECRETARY LAIRD ALSO SETTING UP INVESTIGATION OF MILITARY FACTOR IN SOCIETY. BESIDES THIS OUR NEW MILITARY CREDIT SALES TRANCHE MUST BE CLEARED WITH CONGRESS. WHOLE WORLD, I NOTED, IS DEEPLY DEPRESSED BY TENACIOUSNESS OF TENSIONS IN VARIOUS REGIONS AND NO ONE WOULD WELCOME OUT-BREAK OF NEW AREA OF CONFLICT. WITH THIS BACKGROUND, I WAS VOICING DEEP CONCERN THAT ANY SHOOTING IN SHATT COULD HAVE EFFECT IN CONGRESS AND COULD CAUSE TROUBLE FOR FINE US-IRAN RELATIONSHIP EXISTING. IT WAS THIS CONCERN I HAD TRIED TO CONVEY TO FAZELI IN EXPRESSING FERVENT HOPE THERE WOULD BE NO SHOOTING IN SHATT. I ADDED THAT PUEBLO AND RECONNAISSANCE PLANE INCIDENTS IN KOREAN WATERS WERE MUCH MORE FLAGRANT VIOLATIONS OF A NATION'S "RIGHTS" THAN SHATT TREATY DISPUTE BUT SECRETARY ROGERS POINTED OUT IT BEHOOVES STRONG NATIONS TO EXERCISE FORBEARANCE. AFSHAR SEEMED SYMPATHETIC TO THIS THOUGHT, BUT OBSERVED THAT IF IT HAD BEEN FEASIBLE USG WOULD CERTAINLY HAVE GIVEN PUEBLO FULL MILITARY PROTECTION.

8. IN MAKING ABOVE CASE, I NOTED THAT SOME OUTSIDERS MIGHT COUPLE SHATT VIOLENCE WITH UNRELATED PREVIOUS DEVELOPMENTS, SUCH AS IRAN'S BREAKING OF RELATIONS WITH LEBANON AND NYT STORY PREVIOUS DAY QUOTING "IRANIAN SOURCE" IN WASHINGTON TO EFFECT IRAN PREPARED TO "SEIZE" CONSORTIUM INSTALLATIONS. RE LATTER, I NOTED WORD "SEIZE" IS LIKE RED FLAG TO CONGRESSMEN THESE DAYS, IN VIEW OF PERUVIAN OIL CRISIS WHICH BEEN GETTING FRONT-PAGE ATTENTION IN US.

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INFO CIAE 00.1070 W

114588

P R 181040Z APR 69  
FM AMEMBASSY TEHRAN  
TO SECSTATE WASHDC PRIORITY 8051  
INFO AMEMBASSY LONDON  
AMEMBASSY JIDDA  
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SECRET SECTION 2 OF 2 TEHRAN 1371/2

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9. AFSHAR NOTED THAT IRAQIS IRRESPONSIBLE, WHICH ASSESSMENT WE SHOULD SHARE AFTER BAGHDAD CUT RELATIONS WITH US. I AGREED IRAQIS BEEN NO RPT NO PARTICULAR FRIENDS OF OURS, BUT DOUBTED ANTIPATHIES WHICH MIGHT EXIST IN USG RE IRAQ WOULD SUPERCEDE OUR PROFOUND REGRET TO SEE NEW AREA OF CONFLICT EMERGE.

10. DURING DISCUSSION, I TOLD AFSHAR OF MY CONCERN THAT FREQUENTLY INACCURATE AND HIGHLY INFLAMMATORY REPORTS HAVE MOVED FROM LOWER ESCHELONS IN SHATT AREA TO DECISION-MAKERS IN TEHRAN. MY COLLEAGUES, I SAID, ARE UNDER INSTRUCTIONS TO AVOID UNDUE INTEREST IN DEVELOPMENTS IN SHATT AREA SO I NOT RPT NOT ABLE TO EVALUATE RECENT DEVELOPMENTS, BUT TWO OR THREE WEEKS AGO THERE HAD COME TO MY ATTENTION FROM OTHER DIPLOMATIC COLLEAGUES INDICATIONS THAT TEHRAN WAS BEING FED INFORMATION RE IRAQI MILITARY DISPOSITIONS CONSIDERABLY AT VARIANCE WITH THE FACTS. HOPEFULLY, GOI WOULD BASE ITS CRITICAL DECISIONS ONLY ON INFO CLEARLY ESTABLISHED AND CONFIRMED.

11. ALSO RAISED QUESTION AS TO WHAT CAPTAIN OF THIRD COUNTRY SHIP SHOULD DO WHEN CONFRONTED AT FAD BY CONFLICTING ORDERS RE FLAG. AFSHAR SAID IRAN'S POSITION IS CLEAR, I.E. IRANIAN FLAG MUST BE FLOWN IN IRANIAN "TERRITORIAL"

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WATERS. WHEN I ASKED WHETHER CAPTAIN MUST DECIDE ON WHICH SIDE OF THALWEG HE IS AND MUST CHANGE FLAGS EVERY TIME HE CROSSES IT, AFSHAR ACKNOWLEDGED IRAN HAS NOT RPT NOT YET COME TO GRIPS WITH THIS QUESTION BUT HE WOULD LET ME KNOW THE ANSWER AT AN EARLY DATE. I POINTED OUT THIS IS LEGITIMATE INTEREST FOR AMBASSADOR OF ANY MARITIME NATION.

12. CONVERSATION WAS AMICABLE AND IN CONCLUSION AFSHAR AGREED TO DO HIS BEST TO KEEP SHAH CALM. I REITERATED I WAS SPEAKING AS SHAH'S CLOSE PERSONAL FRIEND WHO WISHED TO AVOID ANY PROBLEMS ARISING IN HEALTHY US-IRAN RELATIONSHIP. AFSHAR SAID HE CONFIDENT SHAH RECIPROCATES THIS FRIENDLY REGARD, CITING AS EVIDENCE SHAH'S INDICATION OF DOUBT THAT I HAD SAID EXACTLY WHAT HAD BEEN REPORTED IN TELEGRAM TO HIM. IN LEAVING, AFSHAR AND I SHARED HOPE THAT NO RPT NO SHOOTING WOULD TAKE PLACE. HE ASSURED ME THAT IF ANY DID, IRAN WOULD ONLY BE ACTING IN SELF-DEFENSE AND I SAID WHATEVER DECISIONS ARE MADE IRAN SHOULD ASSURE THAT ITS CASE WILL BE ABLE TO SECURE READY SUPPORT OF PEACE-MINDED WORLD.

13. COMMENT: NO DOUBT INJECTION OF QUESTION OUR MILITARY RELATIONSHIP HAS STRUCK SENSITIVE NERVE, PARTICULARLY AS JAZZED UP FOR SHAH BY FORNMIN ZAHEDI WHO IS ACCOMPANYING HIM. HOWEVER, IT SEEMED UNWISE TO IGNORE FACTOR WHICH WILL UNDOUBTEDLY COMPLICATE US-IRANIAN RELATIONSHIP IF HOSTILITIES BREAK OUT IN SHATT REGION.

14. SINCE GOI IS DETERMINED TO FORCE ISSUE OF CARRYING FLAG, AT LEAST IN TEST CASE, WE DOUBT SHAH WILL RESCIND ORDERS FOR IRANIAN SHIP TO PROCEED DOWN SHATT. IT WAS INTERESTING NOTE THAT WHILE FAZELI HAD INDICATED SHIP WOULD MOVE "WITHIN DAY OR SO", AFSHAR INDICATED IT MIGHT BE THREE OR FOUR DAYS. SO PERHAPS SOME SLOWING DOWN OF IRANIAN GUNGHOISM IS ALREADY TAKING EFFECT. WE MUST HOPE THAT WHATEVER INCIDENT MIGHT ACCOMPANY TEST CASE WOULD NOT CAUSE LARGER FLARE-UP.

GP-4. MEYER