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International Responsibility of Iraq for War Reparations to Iran, and the war in Violation of International Treaties

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ABSTRACT

Generally, relations between Iran and Iraq have been faced with crisis and other problems. The height of the crisis, the invasion of Iraq in 31 Shahrivar 1359 (September 22, 1980) which is a very important aspect of international law. According to international standards, the invasion of Iraq in large measure to the ceasefire on 29 Mordad 1367 (August 20, 1988) continued, improper operation, a violation of international obligations and the most significant international crimes, it's the government's responsibility to bring compensation to Iran. No doubt, start of war and aggression is an act in violation of international law that has led to the liability and shall be responsible for damages and compensation from the offset. There are many bilateral and multilateral international norms and conventions that Iraq's invasion to Iran and as a result of their violation, has committed a breach of its international obligations and therefore required to pay compensation to Iran. The purpose of the present works demonstrate invading Iraq in terms of international law and important works of international law, including the obligation to pay compensation in accordance with the principles of international law. The research library is also descriptive and analytical.

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INTRODUCTION

Saddam Hussein, President of Iraq with try to acquire a position of leadership in the Arab world and regional gendarme, treaty on June 13, 1975 Algeria (equivalent to 23 Persian date Khordad 1354) to determine the state border and good neighborliness between representatives of the two countries signed on 26 September 1359 in front of TV cameras tore, unilaterally terminated and on 31 shahrivar 1359 (22 September 1980) attacked to Iran. Of course the Iraq aggression against Iran in the Persian date 13 Farvardin 1359 began sporadically [14] but the start of the invasion, the international community visibility, has been announced on 31 Shahrivar 1359. Iraq with attack to Iran's domestic and international airports showed to his aggression a war situation and global and comprehensive attack [1]. The war that took the lives of many people in this country and hundreds of billions in damage.

Although relations between Iran and Iraq has been faced with a crisis. But the peak of the crisis was in Iraq's lack of commitment to the tenets of international law and multilateral commitments and lack of commitment to the 1975 agreement in Algeria in 1980 which led to an 8-year war with Iran.

The invasion of Iraq in large measure to the ceasefire on 29 Persian date Mordad 1367 continued, According to international standards, including international treaties, improper operation, a violation of international obligations and most of international crimes that its international responsibility to bring compensation for Iran. The research question is whether there are treaties that Iraq was in breach of its international responsibilities and therefore required to pay war reparations to Iran? It seems there are many international conventions upon which Iraq because of their violate has international responsibility and the obligation to pay reparation to Iran. In this paper, first it's mentioned to the concept of reparation and its relation to the international responsibility and then, it has explained the violation of international treaties, bilateral and multilateral by Iraq's military actions against Iran.

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The concept of reparation and its relation to international responsibility:

In Dehkhoda Dictionary compensation means to belong to dislike, and what is necessary to pay, and include compounds such as asking for compensation, restitution, compensation, receive compensation, etc.[5].

In French law, compensation interpreted "Amanda". This is in some aspects of criminal and civil aspects are in many cases [2].

In Speaking of great culture, it is earned compensation means what it's taken or given for redress. Reparation also means the money that enemy must pay to other government for destruction, failure, or seizing their land [3].

In general international law, compensation is a form of compensation paid to. Claim for compensation arises in addition to or instead of restoring the former situation and often accompanied by demand satisfaction. Primarily, Its purpose is to pay the money for all of harm that is imported due to the breach of the obligation. Compensation is paid for the actual losses only, not for the potential losses [11].

In international law and basically in legal issues, Compensation with liability issues are interconnected. To claim compensation in case finds three factors must be present: First, they are function of international law which those countries, international organizations and individuals (under some circumstance). Second acts contrary to international law, because when the acts of function of international law it isn't violation of rules of international law, it will have no responsibility and Third violation of rules and standards.

When a country is occupied by the military, according to the standards of international law can be well argued that some damages entered to it and international commitments are violated regarding it. Compensation considered follow a breach of an international obligation resulting from an act or omission of a government and in fact it's a title that describe variety of ways and available for the government to fulfill its responsibilities.

Responsibility is major work in the field of law and international relations. Detailed explanations of international responsibility and obligation of the state cause the development of international law enforcement. There are useful and valuable effects to the international responsibility of the State, appropriate of compensation for material and moral damage even in cases where the injured party is typical of such works.

The responsibility of International law found the persons of International law that at the top of it, there is state. No government can benefit from their rights without respecting the rights of other states. Source of international responsibility of government is action and omissions that cause of violation of international obligations. The responsibility of states on the need to compliance with the obligations to comply with the standards accepted by the international community based. Whenever the rules of international law by action or omissions of government violated, spontaneously formed a new legal relationship. The relationship between the government that the act or omission can be attributed to the damaged party or parties and the international responsibility of the State to establish such a relationship is based. In case of this relationship offending party commitment to compensation for damages and the suffered can fulfill sanctions set forth in international law, if no compensation. (Ibid:359).

*Violation of international treaties by Iraq:**A) Breach of a bilateral treaty obligations in 1975 in Algeria:*

1975 Algiers Agreement signed between Iran and Iraq, bilateral contract that includes an introduction, including an annex of paragraph 8 of Article 5, Article 6, two protocols are based on the boundary river Thalweg line and mark this land border and a protocol on border security with the Annexes to these Protocols. (Department of Justice, (n.d): 94-189).

Instruments of ratification of treaties, protocols, annexes, as well as meetings in accordance with Article 102 of the Charter of the United Nations are recorded in Secretariat of United Nations [15]. And all of them are legal and none of the parties mentioned to some items invalid contract [4].

Article 5 of the 1975 Algiers Agreement states: "Both sides in the unchanging nature of borders and full respect for the territorial integrity of the state, confirm that the boundary line of the land and river, perpetual, irrevocable, and are unchanging ". Therefore it is clear that the provisions of the Treaty, as it was impossible to cancel.

Obligations arising from treaties, the preamble of the UN Charter as a fundamental principle of cooperation is considered. International Court of Justice and its predecessor, the Permanent Court of International Justice, in many cases, the observance of contractual obligations are expressly highlights. The "binding nature of treaties" of international law is inseparable. On the other hand, Algiers Convention is quite on the expiration or cancellation.

Article 56 of the 1969 Vienna Convention on the Law of Treaties, in particular, provides:

"1. The contract has not any condition on the expiration or cancellation or withdrawal does not foresee, cannot cancel or exit. Unless: it is proved that the parties had intended to accept cancellation or withdrawal or to exist the right to cancel or withdraw in nature of contract as implied.

"2. - The party seeking to cancel or withdraw from the contract in accordance with paragraph 1, will tell a minimum of 12 months, before."

As can be seen, in terms of the treaty, Algiers is not a contract voidable, because none of the above conditions it does not apply.

In a note dated 08/04/59 to the government of Iraq has: "... Not only to discredit the unilateral pledge not predict, but the difference in how to do be a reason to discredit it is unilateral [18] of the Ministry of Foreign Affairs).

But the government has stated in the notes dated September 17, 1975: "... The Government of Iraq, Algeria Agreement between the two countries and protocols annexed to the Agreement and its modifications and movable minutes after that a covenant not to act and act on behalf of the government of Iran, Algiers agreement declared invalid in accordance with paragraph 4 passes. " [18].

Iran, however, was noted in the notes dated 04/08/59: "As has been stated many times from Iran, the Treaty of Algiers, is still valid and in force and in all announcements and notes that Iran is in compliance with the Treaty". "The unilateral cancellation of the 1975 Treaty of Iraq, in violation of the principle of" binding of treaties" in contrast with the 1969 Vienna Convention and inconsistent with the Agreement, and shows a lack of faith in the country's international obligations.

The other two sides, predict in Article 6 ways to resolve disputes peacefully through negotiation, good offices and arbitration and while Iraq to resolve the dispute, did not follow any of these ways.

The interesting thing is that arguments, evidence of Iraq in a delegation of the United Nations, Iraq's attempt to unilaterally cancel the pre-revolutionary government of Iran in 1969 in the Treaty of 1937, is now the Iran's arguments for unilateral cancellation of the Treaty of 1975 by Iraq [12].

In a letter dated 11 July 1969 from the Permanent Mission of Iraq to the United Nations Security Council, in conjunction with the 1937 treaty unilaterally cancel the "Imperial Government of Iran" states: "... If Iraq really, was violated the contract, according to the rules of international law, instead of the abrupt cancellation of the Treaty, should notify the breach to government of Iraq. If Iraq denied, in the event of a dispute between the two countries have turned to an international dispute which should be resolved by peaceful means and through bilateral negotiations [24].

Thus, according to this argument, the government of Iraq, if the government claimed that Iran had violated the 1975 Treaty, shall not decide on the matter, instead, it should refer to establish a violation of international law and treaties as an authority can appeal to the current situation. On the other hand, assuming that the government of Iran had violated the Treaty of 1975 and also refused the prediction of the provisions of Article 6 of the Treaty, government of Iraq had a duty to compensate for Iranian action, in accordance with Article 33 and 37 of the Charter of the United Nations for the peaceful resolution of disputes between governments pathways prediction stems.

Iraq claims that *Rebus Sic Stantibus* (change of circumstances) in the regulation of the Treaty whereby it is ineffective. Today, the international law knows to complement, both of principles of the changing circumstances and to deliver that is from new general norms of international law and the other one is not an exception [19]. Take a look at position of Iraq against the abolition of the Treaty of 1937 by Iran in 1969, presents Iraq's non-normative policy towards the abolition of Treaty of Algiers 1975 [21].

By letter dated 29 April 1969 Permanent Delegation of Iraq to the United Nations addressed to the Council: "... Iran's deputy foreign minister said in a statement, dated April 19, 1969 at the Senate of Iran, announced Iraq-Iran 1937 border treaty unilaterally canceled by the Iranian government. This unilateral action is clear violation of international law and illegal. Rules of international law in respect of Treaties generally, and in particular under any circumstances do not to cancel or modify unilateral border treaties. This rule is absolutely, even if between the states that border agreement signed between them, exist the state of war. There is never time limit for run a border treaty." [23].

13 May 1969 a delegation of Iraq to the Security Council:

"Doctrine of fundamental change of circumstances can't be used in the 1973 Treaty. Such action is essentially ignores the "binding of treaties". [22]

Based on the principle of "estoppel" The government of Iraq can't take positions that are contrary to the Treaty of 1975 the position of the government in 1969 on the border treaties.

All international regulations that exist today, suggests that countries and other members of the international community to resolve their differences by peaceful means and the refuse of force in any manner that international peace and security are not endangered. [7]

As was mentioned, government of Iraq to unilaterally cancel the 1975 agreement of Algeria between the two countries, to disregard the rules and principles of international law was recorded against itself the most

important document in the history. Of course, the unilateral cancellation of Algiers Convention and its Protocols from Iraq is invalid and without any legal value and regime of Iraq is guarantee the consequences of this action. [13].

Furthermore, Article 26 of the 1969 Vienna Convention as "necessary to fulfill the obligations" to respect the provisions of treaties, as a required duty wants from countries to enforce their Treaties with good faith.

Also article 56 of the Convention provides that, where the substance of the treaty is not about termination not at all it can be canceled or Cancel achieved unless it is clear that the parties intended to admit the possibility of cancellation of the agreement or cancel or the nature of the treaty implicitly implies the abolition of the treaty or withdraw from it.

In the Algiers Convention and its protocols have not seen any article or amendment implies that it is terminated or canceled, On the contrary, will focus on the intention and execution of definitive agreements. So Iraq had not the right to cancel the agreement unilaterally and according to Article 26 of the Vienna Convention is the intentional fault. Because obligations required of Iraq according to the articles was the respect and observance of treaties and if it had any problems, it must do it according to the solution envisaged in Article 6 of the Treaty.

But Iraq to cancel treaties, violated all international treaties, and no doubt this act must know a history to invade to Iran and must record as a telling document of beginning war in the case of the Baathist regime in Iraq.

The government of Iraq with the announcement of termination of the Treaty in 1975 argued that despite the universality of this Treaty, Iran with the non-discharge areas, has been violated violation of the border and support the armed struggle against the government in Baghdad.

But the strongest argument endorsed against the claim of the sovereignty of the country to the Thalweg line of Arvand River. The border treaties are concluded when countries to apply the right of their sovereignty and when contracts come into force, the permanent law of the land will apply under the new sovereignty. Although Iran had violated other provisions of the Treaty of 1975, but the persistence of the border between the two countries during the Thalweg line at Arvand river was perfectly legal aspects [20]. If Saddam Hussein would transfer the border to the left bank, he must appeal the agreement of Iran for this revision and the only way to do this is not to resort to force.

Saddam Hussein to justify his decision to unilaterally cancel the contract on 17 September 1980, addressed to the Iraqi parliament said: Since the Iranian leaders deliberately with interfered in the internal affairs of Iraq violated from the Algiers Agreement, and had been opposed to the return of territory of Iraq, I'm here to announce that the 1975 contract canceled unilaterally and the Shatt al-Arab will be returned to sovereignty of Iraq.

Iraq provided an absurd justification to Iran in violation of the Algiers. Clause 3 of the agreement states that the two countries have the right to full and effective control over its borders and to prevent any encroachment. The argument was that Iran's invasion to Iraq was because of violation of this clause. If such an argument, is incorrect according to the Vienna Convention and its 1975 protocol.

As a result of Iraq's attempt to cancel the Treaty of 1975, illegal activities, no legal validity and it can't be the basis for claims of Iraq.

For example, in the case of offshore oil, Iran's claim against the United States, arguing that the 1955 Treaty of Amity, Commerce and Navigation concluded between the parties, it is not reversible with treatment involving the use of force. But in response to this argument, the Court stated:

"1955 treaty imposes obligations in a variety of different subjects on each party. Any act of one party that is inconsistent with its obligations, the practice is illegal, regardless of how it occurred. Violate the rights of a party to the treaty through the use of force is as illegitimate as that if the violation took place during an administrative decision or other methods. The issues related to the use of force under the Treaty of 1955 can't be excluded, from the circle of include, automatically." [25].

B - Breach of multilateral obligations:

1- Brian Kellogg Pact:

The first agreement prohibits the use of force by states, Brian Kellogg Pact in 1928, which included key provisions and refers only to war. Because at that time the procedure of governments was that gave usually to armed conflict as a title of war. The treaty prohibits the use of war to resolve international disputes and denouncing war as an instrument of the government national policy. So, this pact against the Covenant of the League of Nations which was knew legitimate to use of war in some cases, denies this right from the governments. Brian Kellogg Pact is a contract of law instrument and so the governments with the sign of it they had relinquished the right of resort to war their-selves. This document is still valid and include from the sources of international law. But Charter is more progressive than Brian Kellogg and also prohibits threatened to use force. Which it was not prohibited explicitly in the mentioned treaty. So, Brian Kellogg Pact 1928, is the first document of ban on the war. Iraq has violated this treaty with an extensive invaded 31 Shahrivar 1359 against the territorial integrity of Iran.

2- Peace Conventions of Hague:

One of the issues agreed upon at the Hague Conference of 1899, was the establishment of the Permanent Court of Arbitration as the competent authority to prevent war through corrective action, mediation and arbitration. [8].

Article 1 about the start of the Hague Convention provides:

"States Parties recognize that combat operations should be initiated without prior notification to the explicit declaration of war or war ultimatum". The Iraq attack on Iran, it is also violated.

Matter of dispute between the followers of international law, in particular countries, it is inevitable and non-peaceful ways to resolve it condemned and rejected. Today, all members of the international community will have to resolve their differences peacefully with each other.

One of the measures taken in the 1907 Hague Conference, the preparation of international treaties in the field of peaceful settlement of disputes, which was signed on 18 October of the same year. According to its Article, "Contracting Parties to prevent the use of force in relations between countries, all possible efforts are working to will ensure the peaceful settlement of international disputes".

Today, the rule of prohibits for the use of force in international relations, is with the rule of requiring the peaceful settlement of international disputes and are complementary [7].

3. Nuremberg Charter:

Under Article 6 of the Statute of the International Military Court known as the "Nuremberg Charter" three categories of crimes committed by governments or their nationals may have taken place, The breakdown specified as follows:

1. War crimes, including violations of the laws and customs of war regulations.
2. Crimes against peace: start of a war aggressive or a war is in violation of international conventions.
3. Crimes against humanity: namely, murder, extermination, deportation, and other inhumane acts committed carried out against civilians.

Nuremberg principles that the UN General Assembly Resolution No. 95 dated December 11, 1946 it is accepted as passed unanimously accepted principles of international law.

The total of all these crimes were committed in Iraq. Many Iranian forces during captivity mutilated or executed. And even civilians were brutally murdered and in paragraph 2 of crimes against peace, a unilateral breach of the Treaty was established invasion of Iran in 1975.

Repeated violations of international law and disregard for human rights and the use of the most destructive war against their advanced weapons and chemical and killing hundreds of civilians, women and children in the urban environment and contaminate soil and water and ... Including crimes of the government of Iraq.

4. Violation of the 1949 Geneva Conventions and their Additional Protocols:

Articles 51, 52, 131 and 148 of the 1949 Geneva Conventions, the first till fourth, that two governments of Iran and Iraq, are members of it and rules of customary international law as it is, suggests that no government can shrink of its responsibility for grave breaches of the Convention by the military forces. The theme of the convention is on the protection of the civilian population during the war and deal with them. Government of Iran with The intense bombing of civilian centers, hospitals, mosques and churches and the destruction of cities, including Hoveizeh, Qasr-e- Shirin and many border villages, Articles 53 (about prohibition of destruction of the movable property, individual or collective belonging to persons or government or public companies or social or cooperative organizations) Article 55 (about occupying the position of the government to provide health and medical Food and material support from the occupied territories and ...) and Article 56 (concerning the provision and maintenance of facilities and hospital services) is violated.

The army of Iraq invaded the number of girls around town of Hoveizeh violent manner and then executing them in Article 76 of the Additional Protocol is also violated regarding the protection of women against any form of abuse, rape and death.

Subject to the 1925 Geneva Protocol is banning the use of suffocating gases, toxic gases and other bacterial, however, Iraq in the war used widely kind of biological and chemical gases against Iranian forces.

5 – Non-aggression treaty dated 1933:

First treaties definition of rape and acts of its constituent which were mentioned treaties is known treaties as "London or the non-aggression Pact " on the third, in July 1933 signed between the Soviet Union and some other countries, including Iran, Afghanistan, Estonia, Latvia, Turkey, Romania and Poland. Under these agreements, the following is raped and the result is the rapist:

1. Declare war on a country
2. Strikes and armed incursions into the territory of a country

3. Naval blockade of the country
 4. Assistance to armed groups to attack a country and giving them representation
 5. Armed attack on ships and aircraft of a country.
- Iraq by attacking to Iran has clearly violated Article 2 and 5 of these pacts.

6. *Conference of London (war of aggression):*

London conference in June till August 1945 in preparation for the establishment of an International Military Tribunal was composed of trial of large war criminals and drafting the Statute of the Court, leading to a contract of London on August 8, and was drafted the statute. Under Article 6 of the Constitution, "plan", measures, initiatives or initiate a war of aggression ... was "as an international crime against peace.

7. *UN Charter:*

UN Charter In the first statement of his introduction, the primary purpose of the establishment of the Charter, has been declared "the UN decision to protect future generations from the scourge of war". The prohibition of the use of force in the Charter, any action-oriented force in international relations, involved including war, threat of war, or any other form of weapons. In section 1 of the Charter refers "to stop any act of aggression" in paragraph 4 of Article 2 of the "ban the use of force against the territorial integrity or political independence of any state".(Ibid:14)

Article 2 UN Charter provides: "All member states, will be resolved their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered".

The fourth paragraph of Article 2 of the Charter provides:

"All member states will refuse to hold the threat or use of force against the territorial integrity or political independence of other states".

This general prohibition, this after is promote to a peremptory norm of general international law and all of regional security and common defense pact have in their texts.

In the third paragraph of Article 2 and Article 33 of the Charter, Stipulates to the obligation of the peaceful settlement of international disputes. [7]. UN Charter declares that the first objective of the UN is "maintain international peace and security" and in this regard, it should take effective collective measures for the prevention and removal of threats against peace and cope with aggression or other breaches of the peace and by peaceful means and based on justice and international law must resolve international disputes or situations which might lead to a breach of the peace. "

Another principle demands that members to fix of its international disputes by peaceful means and in such a way that they are not endangered international peace and security and justice. These principles will also members to refrain of the threat or use of force in international relations. (Paragraph 4.3 of Article 2 of the Charter.).

Paragraph 1 of Article 33 of the Charter says that the parties to any dispute, the continuance of which is likely to endanger international peace and security, should first and foremost, they settled through negotiation, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their choice.

If the parties can't resolve dispute through diplomatic channels of referred to in Article 33, shall refer the dispute to the Security Council.

Iraq invaded to Iran in clear violation of the UN Charter in the following cases:

1. All Members shall settle their differences through peaceful means.
2. All members in international relations must avoid from the threat or use of force against the territorial integrity or political independence of any state.

Accordingly, Iraq instead of resorting to force to resolve their differences must use peaceful means, but upside down used the force against Iran, illegally.

8. *United Nations documents:*

General Assembly has issued resolutions and declarations since the beginning of the formation of a range of issues including the prohibition of the use of force and sanctions in 1949 (asking people to refrain from the threat or use of force in violation of the UN Charter) November 17, 1950 (condemning the use of force under the rule of law through the resolution of "peace through action") 1966(Countries in international relations and the need to comply with the prohibition of the threat or use of force against the territorial integrity of any state in its international relations) October 24, 1970 (prohibiting the use of force in the Declaration about Principles of International Law on Friendly Relations and Cooperation among States) which will be discussed to some of important documents.

For example, in paragraph 5 of the Administration is seriously stressed the Declaration of Strengthening or strengthening international security that every State has the duty to refrain of the threat or use of force against the territorial integrity or political independence of any other state and the territory of a State shall not comes to military occupation in result of the threat or use of force to maintain it in conflict with the Charter.

On 16 December 1982 the General Assembly passed a resolution 118/37 on the evaluation of the implementation of the Declaration all governments request to refrain from the threat or use of force, intervention, aggression and occupation of foreign territory.

In addition, General Assembly resolution 10/37 of 15 November 1982 adopted entitled "Manila Declaration on the Peaceful Settlement of International Disputes" that pursuant to paragraph 13 of the resolution of a dispute or failure of a peaceful settlement of disputes, countries will not allow any party to resort to the threat or use of force it. "

Also on January 18, 1989 General Assembly adopted resolution 51/43 entitled "Declaration on Preventing and resolving disputes and conditions that may threaten international peace and security and the role of the United Nations in this regard. Paragraphs 1 and 25 of Article 1, which states that governments should act which do not occur disputes or situations in international relationship and if they can't prevent aggravation or exacerbation of a dispute or situation, they should continue to seek a peaceful solution will be based on the Charter. [11].

Notice "Declaration on Principles of International Law on Friendly Relations and Cooperation among States," approved October 24, 1974 the United Nations General Assembly Resolution 2625 implies a strong regulation". [7] The statement said: "All countries should settle their international disputes with other countries, resorting to peaceful methods to solve, to maintain is not compromised international peace and security."

This declaration, (Resolution No. 2625 dated the twenty-fifth session, 1970) is declared with a war of aggression as a crime against peace, which carries the responsibility of international law, with restatement of Contents Section 4 of Article 2 of the Charter stipulates that the threat or use of force is a violation of international law and the Charter of the United Nations and should never be used as a means of resolving international disputes. In addition, each state is required under the Act to refrain from the threat or use of force in violation of another state or international borders as a means for international disputes, including territorial disputes and issues related to border of states.

Conclusion:

War against a country, given that the war resulted in the occupation of part of the territory of the other party, considered one of the worst kinds of violations of the rights of a nation that is named "international crime". According to the "1970 Declaration on Principles of International Law", the "prohibition of the use of force" and "Resolution 1974 defines rape" aggressive war, the UN General Assembly, committed crimes against peace and carries the responsibility in international law.

The military strike of Iraq on 22 September 1980 is a "war of aggression". This military action of Iraq has been a major feature and the official justification of Iraq is untenable from "law of nations". Evidences show that this war was deliberately and had already been designed, prepared and started.

According to UN documents, it must tell that military action of Iraq to Iran on 22 September 1980, "the first objective has been to use weapons", according to the UN Charter is untenable.

Scholars and experts in international law recognizes that the current government of Iraq as an independent state and international according to international standards, has responsible for responding to complaints government of Iran from the previous government of Iraq and all the leaders it.

However, due to the violation of the prohibition of the use of force as a peremptory norm of international law (referred to in paragraph 4 of Article 2 of the UN Charter), International treaties such as the Geneva conventions, as well as bilateral agreements violated the 1975 agreement Algeria by Iraq, action of Iraq, from of international standards is incorrect act, violation of international obligation and most obvious international crime that it is bring the responsibility of the state government for indemnification of damages caused to Iran. There is always been this right for Iran to demand the reparation of crimes that Iraq had been committed.

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