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THE POSITION OF THE SULTANATE OF OMAN REGARDING THE
THREE ARAB ISLANDS, ABU MUSA, THE GREATER TUNB AND THE
LESSER TUNB

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ABSTRACT

The Omani position emerged during the years of the first Gulf War, the Iran-Iraq war (1980-1988 AD), where the Sultanate chose to take a position of neutrality during the war, and not to side with one of the sides, unlike the positions of the other countries of the Cooperation Council for the Arab Gulf States, which chose to stand by Iraq In the war I gave him full support.

THE FIRST TOPIC

The position of the Sultanate of Oman regarding the three Arab islands (Abu Musa, the Greater Tunb and the Lesser Tunb)

After Sultan Qaboos decided to stand with Iraq in the first Gulf War and facilitate the Sultanate's airports for the Iraqi side, believing that Iran poses a threat to Oman and the Arabian Gulf. Accordingly, Colonel Bill Odom, in a subsequent memorandum to his boss Zbigniew Brzezinski, suggested "a warning to the Iraqis. Not to attack the three islands (the Lesser Tunb, the Greater Tunb and Abu Musa) and to withdraw from Oman". The White House also sent Ambassador Marshall Willie - who was outside Oman at the time - to Muscat for an emergency meeting with the Sultan.

On September 29, 1980, Sultan Qaboos abandoned the risky plan, but the main reason was the delay in the Iraqi operation, according to Mr. Marshall Wylie.

Then, little by little, the story began to leak, and the spread of the Iraqi presence became widely known in Muscat. Mr. Willy added: "I think we could only get past the crisis because of the Iraqi procrastination" a few years ago - while the Iranian and Iraqi sides were still engaged in a brutal war of attrition. The US position was affected by the suspicion that the three strategic islands in the Strait of Hormuz, and two-thirds of the Middle East's oil, were the target list. A few months ago, President Jimmy Carter approved a secret initiative to encourage Iraq to seize the three islands, in order to force Iran to release more than 60 Americans held hostage in the November 4 attack on the U.S. Embassy. 1979, as shown in a letter written by the National Security Adviser, Zbigniew Brzezinski, to Carter on January 4, 1980.

Muscat has faced the challenge of patrolling the Strait of Hormuz with its small navy and believes it needs Tehran's help. Throughout the war, Oman maintained diplomatic relations with Iran and Iraq. Instead, it hosted talks between the two sides in Muscat during the war. Sultan Qaboos maintained a personal relationship with Iran's Supreme Leader, Ayatollah Khomeini.

In 1981 Oman, along with Saudi Arabia, the United Arab Emirates, Kuwait, Bahrain, and Qatar, formed the Gulf Cooperation Council, an alliance formed primarily to deter Iran. However, Oman and the United Arab Emirates opposed Saudi Arabia's plan to completely sever relations between the Gulf Cooperation Council countries and Iran.

The position of the Sultanate of Oman has been proven since the beginnings of the events of 1986 AD and Iran's occupation of the Faw peninsula, which led the war to a dangerous path approaching the borders of the State of Kuwait.

In 1987, the Sultanate of Oman rejected an offer to allow the use of its territory to attack the three Arab islands, as well as the call to boycott Iran and isolate it diplomatically and economically. It also rejected the call at the time to allow Iraq to use its territory to attack the three islands occupied by Iran.

Iran's foreign policy was based on expansion to neighboring countries, so it annexed the Kaaba and Ahwaz emirates in 1925 AD and seized the three Arab islands in 1971 AD (the Lesser Tunb, the Greater Tunb and Abu Musa). United Arab Emirates. Since the independence of the UAE in 1971, tensions over regional disputes have persisted. Regarding the three islands In November 1971, after Britain left, and a few days before the UAE declared its independence in December 1971, Iran occupied the three islands. However, cooperation between the two countries has made progress on multiple levels. On the security front, in July 2019, a delegation of UAE Coast Guard commanders met with their Iranian counterparts in Tehran to improve maritime cooperation between the two countries in the Strait of Hormuz.

Memorandum of Understanding on Abu Musa

Iran has violated the principle of international law by preventing the threat of force in order to reach the Memorandum of Understanding, which it signed with the Emirate of Sharjah in November 1971. Regarding Abu Musa Island.

Which stipulated, "According to the Memorandum of Understanding, the Emirate of Sharjah has not relinquished its sovereignty over Abu Musa Island or any part of it." Therefore, he will not transfer the sovereignty of Abu Musa or any part of it to Iran, and there is no basis for the presence of the Iranian army in the northern islands of the island except the memorandum of understanding, so its effectiveness is subject to limitations: its provisions. Iran's jurisdiction is limited to the northern region defined in the Memorandum, and does not grant Iran the right, jurisdiction or authority to interfere with the provisions of the Memorandum in any way and under any circumstances. Under the full jurisdiction of the Emirate of Sharjah.

It also stipulated that both Iran and Sharjah recognize that the territorial waters of the island extend for a distance of 120 nautical miles, and the (Bogas Andoil Company) develops the oil resources on the island and the seabed, and the company pays half of the proceeds to Iran and the other half to Sharjah.

Because it had occurred under duress, he made each memorandum invalid and in 1971, the Shah of Iran (Mohammed Reza Pahlavi) , openly threatened to occupy the three islands by force unless a decision was reached to accept Iran, and the Shah's threats were conveyed by the Political Resident The British in the Persian Gulf, Sir William Los, who informed the rulers of Sharjah and Ras al-Khaimah. Sir William Los added that the number of the remaining British forces in the Gulf was insufficient to stop such an action.

In fact, Article 52 of the 1969 Vienna Convention on the Law of Treaties provides that: "A treaty concluded by the threat or use of force in violation of the principles of international law embodied in the Convention enshrined in the Charter of the United Nations shall be void.

It should be noted here that the fact that Iran claims sovereignty over the three occupied Arab islands and the scope of the official legal basis may cause problems, so it is necessary to clarify the content of Iran's legal requirements. Therefore, it can be summarized as follows:

1. Iran is based on a historical right, Iran claims that its roots can be traced back to the pre-Islamic period in the region under Persian imperial rule and that the region was ruled or under the influence of both Persia and the Byzantine Empire, and that although these islands were subject to Arab control in The period of the Umayyad and Abbasid states, but the Iranians regained control over it since the third century AH, and this sovereignty was strengthened during the era of the "Safavids", "Afsharians", "Zandids" and "Qajaris." and his islands.
2. Iran has also tried to promote other arguments, such as the principle of "return", which states that once the foreign occupier leaves, the occupied lands

must be returned to the country it claims in accordance with historical rights, which means the end of the British occupation in 1971. You can refer here to a statement "Amin Abbas Howayda" for the King of Iran on the twenty-ninth of November 1971 during the reign of the Shah, where he mentioned the Datumb Islands, Lesser Tunb and Abu Musa in the strait. The Shah's armed forces returned to Iranian jurisdiction, so the Shah's armed forces entered the island at dawn today and erected the Iranian flag at the highest altitude in Abu Musa.

The Position of The Sultanate of Oman Regarding the Three Arab Islands (Abu Musa, The Greater Tunb and The Lesser Tunb)

The United Arab Emirates has made claims over the three Arab islands based on historical and legal grounds. Its claims are corroborated by evidence confirming its historical rights, and the historical evidence clarifies, covering not only the occupied islands or the Gulf coast of the Persian Gulf, but also the Iranian coast, even if Arab tribes and cities had settled at one time. In the area since ancient times. The legal aspect is also present in the claims of the United Arab Emirates over its rights to these islands, and this legal evidence is certain, clear and consistent with the provisions of international law.

As the role of the United Arab Emirates with the issue of the three Arab islands was not only limited to showing the historical and legal evidence confirming its right to them, but rather it refuted the Iranian arguments and allegations regarding the historical and legal aspect that Iran claims to confirm its claims in these three Arab islands.

First: The Concept of The Historical Right (The Bond) And Its Conditions

It is often noted that most of the cases claiming historical rights are related to border disputes because the state finds itself in a better position in its claims. There are many situations in which countries work to promote historical rights, and their motives also differ, one of which is that another neighboring country uses a special political environment to invade or part of its land, taking advantage of exceptional political circumstances in which the country whose lands were violated is going through.

Legally, the concept of historical rights is seen as: "an expression used to express rights that have been obtained through the historical practice of a country to claim its jurisdiction in violation of the provisions of public international law" which is inherently illegal - and its rights. In the case of other states that do not oppose this practice, and are granted sovereignty by virtue of it, the reliance on historical rights requires conditions, including:

- 1- The state operates effectively, regularly and openly in the region.
- 2- This practice continued for a long time, without interruption, and was accepted by the sovereignty of other states over the territory.

In light of the above situation, we are very clear that the state, even the right to claim historical rights, and has a basis in it, requires its public, continuous and prolonged exercise of sovereignty without objection from other states.

Second: The Arab historical right in the Arab Gulf region and the occupied Arab islands:

The discovery of the three occupied Arab islands dates back to 3000 BC, when the Sumerians and Akkadians, who had been captured from southern Iraq, began maritime trade in competition with the ports of Dilmun (present-day Bahrain) and Majan (present-day United Arab Emirates and Oman), as well as the Molucca Basin or the Indus Basin. It is believed that the three occupied Arab islands were discovered by fishermen and pearl hunters from Bahrain and the Arabian coast. They sailed in the Persian Gulf and are believed to be Sumerians. But judging by the facts, from the Muslim conquest of Arabia, Mesopotamia, Persia, and other regions in the seventh century AD to the stage of European colonization in the early sixteenth century, the Arabs were the original inhabitants of the Arabian Peninsula. The Arabian Gulf and some islands located in the Gulf.

History proves that in the year 637 AD, the Arab Muslim sailors crossed the Persian Gulf from Julfar near Ras al-Khaimah on the Arab coast, and reached the island of Qais and the Persian coast, and fought against the Sassanids in Persia, thus it is believed that the three occupied Arab islands were inhabited by these Arab sailors.

There is no doubt that the trade and merchants who live in the coastal cities on the Arab coast know the three islands, and it is known that Julfar and Salaf were among the most important commercial centers in the Gulf in 985 AD, and Seraph was the most important commercial center in the Gulf, and it is certain that the ships sailing between Julphar and Seraph It passed through the three Arab islands at a later time, and when the Banu Caesar was the ruler of the island of Qais for the period between 1060 to 1225, and the most important commercial center at that time, the neighboring islands and they established pearl fisheries along the coast, as Julfar was affected by pearl fishing in 1154 AD. . According to these historical facts, the three islands belong to Bani Qaisar who all belong to Bani Qais Island and in these years. After the Mongols left the region, in the early fourteenth century, Arab rulers established and ruled the Kingdom of Hormuz on the island of Hormuz, and soon the new Hormuz became the capital of the Kingdom of Hormuz and the most important commercial center in the region and the Arabian Gulf, where this kingdom ruled with its fleet and army most of the Gulf coast and most of the islands in it as well , including Qeshm, Larak, Qais and Bahrain from the beginning of the fourteenth century until the beginning of the seventeenth century.

The three islands were uninhabited, but belonged to tribes on the Arabian coast, and when the situation was dangerous for the Arabs, they were used as refuges. In addition, the islands can also be placed under the authority of the Ya'ariba in Oman after the Portuguese were expelled from Julfar in 1632. It

seems clear that the Arab sheikhs used these islands during that period and were under their control, and he negotiated a truce with the Portuguese on behalf of Yaribah in 1648 AD, so The Qawasim chiefs might rule the tribes that used the three islands at that time.

And to confirm the presence of the Arabs in those islands, it appeared when historians talked about the period of control of the Arabian Gulf in the early fourth century AD and the continuation of their attacks on the Persian coasts, moving from the islands and coasts of the Arabian Gulf, Bahrain, Qatar and Al-Ahsa. Pure Arabian lakes during the Arab and Islamic conquest, starting from the Rashidi era, through the Umayyad era, and ending with the Abbasid era. The historical facts stem from the fact that these islands are Arab islands, their location, people and history, and since ancient times they have been subject to the effective sovereignty of the Arab powers that control the coast of Oman and are an integral part of the coast of Oman. Sultanate of Oman. The West Bank of the Persian Gulf and the three islands were not part of the Persian Empire.

The problem of the three islands was linked to the colonialism that appeared in the entire Arabian Gulf region, especially the coast of Oman. Prior to that, the issue of the islands' sovereignty and subordination was not a matter of contention or discussion between the Persian government and the rulers of the coast of Oman. One of them traced Iran's claims to the islands of the Persian Gulf back to 1845, when the Persian government issued the first protest note to the British Foreign Secretary, Lord Abradine, at the request of the British Minister to give proofs and evidence from the Persian government to prove its rights in the islands of Bahrain. Although the Persian government's claims included all the islands in the Persian Gulf, later Persian claims identified the three islands as the primary targets of Iran's claims. One problem is one of the main causes of historical problems caused by the ambitions of the British government, namely that the two lines of defense that caused the main problems were clearly drawn on the issue of the Three Islands. The first line was drawn by Captain Heinnel, a British resident of the Persian Gulf, in 1836. It is an imaginary line dividing the Persian Gulf in two. This line extends from Abu Musa to Sari, then extends to the northeast along the Arabian Gulf, and in order to prevent Arab naval ships from sailing freely in the Arabian Gulf, this line is called the Mana Line or the dividing line. The British government restricts the movement of Arab warships in this area, prohibits the crossing of the sea, and prevents them from entering the restricted area, so as not to aggravate the Arab naval power and destroy the rest of the force.

The result of the second barrier line was to reduce the volume of water to allow Arab ships to sail, not only during wars, but also in peace. These two lines led to many negative and very important effects, including.

In the first British indication after drawing the two preventative lines that the three islands are Arab and belong to the Qawasim Arabs, the book "The Guide to the Arabian Gulf" issued by the British Admiralty in 1870 indicated that the three islands belong to the Qawasim sheikhs in Linjah.

There Were Manifestations of The Exercise of Sovereignty Confirming the Historical Eligibility of The United Arab Emirates Over the Occupied Islands, And It Is Manifested in The Following Aspects:

- 1- The Emirate of Sharjah and the Ras al-Khaimah islands on the islands (the Greater Tunb and Abu Musa) have public service facilities belonging to the emirates of Sharjah and Ras al-Khaimah. As for the Lesser Tunb, due to its small size, it was subject to the direct supervision and supervision of the representative of the ruler of Ras al-Khaimah, Sheikh Sultan bin Salem Al Qasimi On the island of Greater Tunb.
- 2- Raising the flags of Sharjah and Ras Al Khaimah, applying laws, regulations and customs, and residents holding Emirati citizenship. There are representatives of the rulers of the United Arab Emirates islands.
- 3- Granting concessions to foreign companies by the rulers of Sharjah and Ras Al Khaimah to extract mineral and oil materials in the three islands and their territorial waters. In 1964, for example, the rulers of Ras al-Khaimah and Sharjah gave the right to explore for oil on the three islands to foreign companies without Iran submitting any protest note.
4. There are fees that were collected for the benefit of the rulers of Sharjah and Ras Al Khaimah on an annual basis due to the economic activities carried out by the residents.

THE SECOND TOPIC

The Importance and Strategy of The Three Arab Islands

Dealing with the issue of the islands and their geostrategic importance requires a more comprehensive clarification. Therefore, before addressing the importance of the islands, we must address the geostrategic importance of the Arabian Gulf region, considering that the importance of the three occupied islands is part of the general importance of the Arab Gulf region in general, and then looking at the importance of the location of The United Arab Emirates by virtue of the fact that the three occupied islands are an integral part of the geostrategic importance of the United Arab Emirates, and therefore the importance of those islands is reflected and included in the general framework of the United Arab Emirates's regional and international position.

First: The importance of the Arab Gulf region

The names by which the name of the Gulf was given vary in each era, such as "the land of God" and the land of the ocean", including the "low" sea. This name was given by the ancient Assyrians and Babylonians, just like the Greeks and Romans, who considered the Mediterranean "the sea" During the Ottoman Empire, they called it "the Gulf of Basra" and the residents of Al-Ahsa called it "the Gulf of Qatif" , and at the present time there are two more common names, namely, the Arabian Gulf and the Arabian Gulf. Apart from the controversy surrounding the two names, the area of the Gulf region The Arab region is estimated at (97,000) square miles, and the Gulf geographically consists of three parts: the eastern region (the narrow coast followed by the high mountain ranges that belong to the Zagros Mountains), the eastern region

on the borders of the Arabian Peninsula from the east, and the northern region (the Mesopotamian plains region). As for the western region (it extends from southern Iraq to southern Ahvas, it was called “Arabistan” and Iran named it “Khorramshahr”.

The Arabian Gulf is connected to the Gulf of Oman through the Strait of Hormuz. The Arabian Gulf extends from latitude (24-40) degrees north and longitude (48-57) degrees east. The western coast extends from Ras Musandam to Shatt Al-Arab (1500) km east of the Arab Gulf states. As for the coast It extends from the Strait of Hormuz to the Shatt al-Arab about 1060 km. The Arabian Peninsula is characterized by an abundance of springs, some of which are very hot, such as the springs of Hejaz, Asir, Hadramawt, and the land of Oman, while the land of Oman consists of mountains, plateaus, and long coastal plains with many volcanic rocks. As for the Qatar peninsula, it is famous for pearling and fishing. As for Al-Ahsa, it is famous for its desert plains and hills. As for Qatif, it is located on a bay, including Tarut Island, where springs abound. Kuwait is famous for its agriculture, especially palm trees, and the city of Kazma, which was mentioned in pre-Islamic poetry. Bahrain is considered one of the most densely populated areas because of its water resources and its fame in the pearl trade and fish wealth.

The Arab Gulf region is of great importance due to its location between the three continents (Asia, Europe and Africa) of the world, so the region has become in the depths of the Middle East in addition to the regional wealth that has an important role in the global economy, as the region is a natural extension of the Arab world, and the Gulf waters constitute The Arabian Sea is the maritime extension of the Indian Ocean, and it forms a semi-closed lake, and one of its characteristics is its calmness and the multiplicity of its islands, The Strait of Hormuz has given an added importance to the region, as it is the waterway and the gateway to openness to the world, as more than twenty thousand sea vessels pass through it daily .

When referring to the geostrategic importance of the Arabian Gulf region, we refer to the position that this region enjoys because of its unique characteristics that make it an attractive region for international powers from a historical point of view, and has always been, and still is, considered the Arab Gulf region important in terms of From a geostrategic point of view, the Arabian Gulf has always been considered important because it represents the link between the east and southeast of the Asian continent to open up overland through Mesopotamia, towards Turkey and the Levant, then travel by sea through the strait to the southern coast of the European continent through the Bab al-Mandab Strait and the Red Sea, then the Mediterranean Its economic value is also reflected in the value of foreign investment in the neighboring Arab countries, as the volume of US investments in the Arab Gulf states represents about 30% of the volume of US foreign investments, 40% of the volume of Japanese foreign investments, and approximately 35% of the volume of investments in European industrial countries. Its economic value in terms of oil is represented by oil reserves, which amount to about 64%, and the volume of oil production, which amounts to approximately 36% of global production.

As for the military side, this is reflected in the size and nature of the US military presence, which was manifested in the conclusion of defense agreements and military bases in the region. To prove this point, we can refer to the statement of David Nisom, the US Deputy Secretary of State, who said: "This Gulf center is both Arab or Persian as you can see.....and there is no place in the world today that can make global interests so convergent....no region is fundamentally important for the continuity and stability of the world, its safety and economic integration like the Gulf region" It is clear That the geographical location of the Arabian Gulf makes it of economic and military importance, because it is an important vital waterway linking his country with India, Pakistan, South Asia, China and Southeast Asia, The Arab Gulf states constitute an integrated geographical unit, except for Yemen, which is a continuous border that is not separated by natural barriers and obstacles.

Second: The Importance of The United Arab Emirates

The United Arab Emirates is located on the western coast of the Arabian Gulf, and it occupies the 116th rank in the world in terms of area, and rank 15 among the Arab countries, and rank (3) among the Gulf Cooperation Council countries. It is bordered to the north and northwest by the waters of the Arabian Gulf. To the south is the Sultanate of Oman and the Kingdom of Saudi Arabia, and to the east is the Gulf of Oman and the Sultanate of Oman, and the United Arab Emirates is located. The length of the land borders with neighboring countries is (876 km), (410 km) with the Sultanate of Oman and 457 km with the Kingdom of Saudi Arabia. The coast of the United Arab Emirates, overlooking the coast of the Arabian Gulf, extends for a distance of 644 km from the base of the Qatar Peninsula in the west to the Emirate of Ras Al Khaimah in the east. As for the coast of the Gulf of Oman, it extends for a distance of (90 km) and the Emirate of Fujairah is located on it. From a geographical point of view, there is a diversity It is large in its topography, and with regard to regional waters and islands, it is generally shallow and is estimated at about (600,000 square kilometers), with an average depth of (35 meters) while the maximum depth is (90 meters) except for the western region. The depth of the water is in the eastern region where the Strait of Hormuz is located. to (145 metres), and the territorial waters of his country are characterized by the abundance of coral reefs and islands, including the islands of the three occupied emirates, Greater and Lesser Tunbs and Abu Musa.

The Economic Importance of The Three Arab Islands

In the past, the importance of the Arabian Gulf was limited to serving as an important strategic waterway linking Europe and the Middle East, as well as the economic activity of its neighboring countries. It did not go beyond agriculture, trade and pearl fishing at first, but with the discovery of oil in the Arabian Gulf region, the economic value of the region rose and conflicts began to intensify. Among the major countries, bearing in mind that the first discovery of oil was in 1908 AD, in the area of Suleiman Mosque in Persia, and since then oil in the Persian Gulf has played an important and influential role in addition to its strategic role in the global economy, that importance has also increased. The waterways in the Arabian Gulf, which is the road through

which large quantities of oil and its petroleum derivatives pass daily, as well as various consumer goods.

The Arab Gulf region is one of the most important regions, because it owns two-thirds of the world's oil reserves, so it faces fierce competition from major countries, especially Britain and the United States of America, in the field of oil exploration. But in the end, the Americans were able to obtain the largest share of oil contracts and investments, and this is what made it tilt its hands to Britain, which is the growing hostility of the British government and the British preferred to confront American competition, especially since the British capital invested in the Iraq Petroleum Company and the Anglo-Iranian Petroleum Company has been exhausted. His energy was to build the pipeline from Iraq to the Mediterranean, so there was no surplus to benefit from it on the Arab coast. This American-British competition for the oil of the Persian Gulf appeared through the reports of the American Consul in Baghdad, "Alexander Sloan", who was watching the movements of the financial advisor The British ruler of the Sultanate of Oman "Bertram Thomas", the British were shocked in 1932 because the Americans found oil in the areas of the Persian Gulf coast.

CONCLUSION

At the end of our tagged research, I would like to clarify that most of the underwater oil in large quantities is in the Arabian Gulf region, which in turn increased Iran's interest, so oil exploration rights were granted to three international oil companies, namely (Iranian-Italian Company - Iranian American Company - Canadian Iranian Company). It has explored for oil in places outside its territorial waters, so it is trying to obtain oil from the continental shelf because oil is the main driving force for Iran's policy in the region. Bahrain, in return for a portion of its oil revenues, therefore, the Shah attracted more attention to the three Arab islands after learning that oil had been discovered there.

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