International Law Review, Volume 42, Issue 80, Winter 2026/ pp. 229-240

Book Review of Davoud Hermidas Bavand Historical, Political, and Legal Foundations of Iran's Sovereignty over the Islands of Tunb and Abu Musa (Tehran: Ganj-e-Danesh Publication, 1998)

(Book Review)

Sattar Azizi*
Mousa Karami**

Date Received: 9 Mar.2025 Date Accepted: 3 May.2025

Introduction

One of the most significant issues concerning territory in both international and domestic law is the question of islands. Islands, whether as subnational political units or as extensions of the mainland, give rise to various legal complexities. Among these, the issue of sovereignty over islands linked to the mainland remains a crucial topic in international law and politics. In recent years, some of the most notable territorial disputes have centered on sovereignty over islands between different States. A prominent example is the long-standing dispute between Iran and the United Arab Emirates over the three islands of Abu Musa, Greater Tunb, and Lesser Tunb, which, although rooted in the past, has entered a complex form between the two States since the early 1980s. This article aims to review one of the most reliable and authoritative books on Iran's sovereignty over these islands in the Persian Gulf, titled *Historical, Political, and Legal Foundations of Iran's Sovereignty over the Islands of Tunb and Abu Musa*, authored by the late Davoud Hermidas Bavand (1934–2023). Bavand was a distinguished Iranian diplomat and an expert in foreign policy and international law. The book was first published in English in 1994, followed by the first Persian translation by Bahman Aghaei, published by Ganj-e-Danesh Library Publishing in 1998. The following review is based on the first edition of the book.

Review of the Book

The book opens with a "Translator's Introduction", in which Bahman Aghaei highlights a crucial point: some published works on Iran's sovereignty over

* Corresponding Author, Prof., International Law, Faculty of Humanities, Bu-Ali Sina University, Hamedan, Iran, s.azizi@basu.ac.ir

** Ph. D. in Public International Law, Faculty of Law, University of Qom, Qom, Iran, mosakarami136767@gmail.com

the three islands have raised issues that not only lack historical significance but also fail to serve Iran's legal interests. According to Aghaei, these misguided narratives sometimes hinder the pursuit of a solid, well-reasoned approach to consolidating Iran's rights in this matter (p. 1). However, Aghaei considers Bavand's work a rare exception. He emphasizes that the book comprehensively presents the historical and legal positions of the Iranian State by referencing fundamental principles of public international law and the history of international relations concerning sovereignty over the three islands. Furthermore, Bavand systematically refutes the legal and non-legal arguments put forth by the opposing side. The translator commends the book for its clarity and accessibility, noting that it uses simple yet precise language, making it a valuable guide not only for legal practitioners and policymakers but also for professors and scholars in the country. A particularly noteworthy aspect of Bavand's work is his reliance on English sources to substantiate Iran's sovereign rights over the three islands. Given that the British were instrumental in shaping the historical and legal context of this dispute in the Persian Gulf, referencing their own historical and legal records lends the book a unique degree of credibility (p. 2). Ultimately, the author's scholarly rigor and the academic weight of this work inspired the present review, aiming to provide a brief yet insightful introduction to Bavand's important contribution.

The "Introduction" serves as the opening discussion of the book, where Bavand not only provides a brief geographical overview of the three islands (pp. 4–5) but also sheds light on the historical background of the dispute. He outlines the key issues that are explored in greater detail in the subsequent sections. Bavand is of the view that that the three islands have been an integral part of Iranian territory since ancient times. During the 18th and 19th centuries, they fell under the jurisdiction and rule of Bandar Lengeh, an administrative division of Fars Province (p. 5). In 1887, Iran took concrete steps to reinforce its effective control over its islands in the Persian Gulf, notably by raising its flag on Sirri Island. A significant event followed in 1888, when Iran removed the Qawasim from the administration of Bandar Lengeh and appointed a non-Arab governor. This move alarmed the British, who sought to prevent Iran's influence from extending to other islands in the Persian Gulf (p. 6). This series of events ultimately led to the raising of the flag of the Emirate of Sharjah in Abu Musa in 1903 and in the Tunbs in 1908. Bavand briefly outlines the developments that unfolded between England and Iran from this period until 1971, highlighting the marginal roles played by Sharjah and Ras Al Khaimah during these years. He underscores Iran's continuous protests against the situation imposed by England, which leveraged its military superiority in the Persian Gulf. Contrary to the claims of the Persian Gulf Emirates, Bavand claims that the real "loser" in the Memorandum of Understanding concluded between Iran and England—on behalf of Sharjah—before the British

withdrawal from the region in 1971 was Iran, not the Arab sheikhs. He argues that Iran not only lost Bahrain, a territory historically part of Iran, but also, in the case of Abu Musa, conceded considerable administrative, economic, and policing privileges to Sharjah (pp. 6–14).

A crucial point highlighted in this section by Bavand is that, from the very outset of the dispute—particularly from 1903 and 1904—Iran viewed the British seizure of its islands as part of a colonial strategy aimed at curbing the growing influence of Russia and Germany in the Persian Gulf. According to Bavand, the involvement of Sharjah and Ras Al Khaimah in the matter was merely a pretext for Britain to assert control over Iran's strategically important islands. Consequently, resolving the issue of the occupied Iranian islands required some form of negotiation and agreement with the British government. Bavand emphasizes that Britain did not act merely as a protective power for the emirates in question; rather, it was the primary wrongdoer, orchestrating the political scenario through "gunboat diplomacy", a policy rooted in the use of military force (p. 10). This observation is particularly significant because, in practice, the main party opposing Iran in this territorial dispute was not Sharjah or Ras Al Khaimah, but Britain itself. At the same time, Britain also acted as the representative of these emirates, a role they did not contest up until the very day of Britain's withdrawal from the Persian Gulf in 1971. Bavand repeatedly references statements made by British officials and relevant authorities concerning the resolution of the islands' disputes with Iran, both before and after Britain's military exit from the region in 1971 (pp. 10–14). He argues that the end of Britain's colonial presence in the Persian Gulf should logically result in a return to the *status quo ante*, the restoration of Iran's sovereignty over its islands (p. 10). It is also worth noting that Sharjah and Ras Al Khaimah were a single political entity until 1921. Following the separation of Ras Al Khaimah from Sharjah that year, the two became distinct emirates, with Sharjah claiming sovereignty over Abu Musa and Ras Al Khaimah asserting claims over the Greater and Lesser Tunbs. The United Arab Emirates' current claim to the three islands is rooted in these historical assertions, framing its alleged sovereignty as a continuation of the claims made by the two aforementioned emirates.

The first chapter, following the author's introduction, focuses on the historical ownership of the islands from 546 BC to 1620 AD. At the outset, Bavand emphasizes that "geographically, the Persian Gulf is the natural continuation of the Iranian plateau toward the Indian Ocean. For this reason, the region has always fallen within the geopolitical and socio-economic sphere of influence of Iran's mainland and has long been regarded as Iran's historical waters" (p. 15). Bavand traces Iran's sovereignty over the Persian Gulf back to the Achaemenid Empire, when the Persian Gulf was essentially considered an Iranian lake. This dominance continued through the Parthian and Sasanian empires. Although Iran's direct and dominant presence in the

Persian Gulf diminished following the Arab invasion and the fall of the Sasanian Empire, Bavand argues that this did not equate to a complete loss of influence over the region. He highlights the role of independent Iranian-led movements, particularly the Buyids, in maintaining Iran's presence in the area. He identifies the restoration of Iranian rule in the Persian Gulf after the fall of the Sasanians with the submission of the Qarmatians of Bahrain in 946 AD. Bavand further explains that Iran's influence persisted through the reigns of the Seljuks and Khwarazmians. Despite the Mongol invasion, which plunged Iran into unprecedented turmoil, the provinces of Fars and Kerman largely escaped devastation due to the strategic actions of their local rulers. As a result, Iran maintained its presence in the Persian Gulf through these provinces, first through Kerman and later through Fars. With the end of the Salghurid dynasty (the Atabaks of Fars) in 1260, the Ilkhanate extended its authority to the southern coasts of the Persian Gulf. As Bavand points out, during this period, the Sultanate of Hormuz—a Persian vassal from 1346 to 1500—governed all the islands of the Persian Gulf. Bavand notes that although the Portuguese entered the Persian Gulf in 1507 and the Sultan of Hormuz became a tributary to the King of Portugal for a century, this did not alter the territorial integrity of the Sultanate of Hormuz, which continued to encompass all the islands of the Persian Gulf (pp. 15–19).

Bavand then traces the historical ownership of the islands from 1600 to 1800. He begins by discussing Iran's restoration of sovereignty over the Persian Gulf during the reign of Shah Abbas, starting in 1600. This period witnessed the retaking of various territories from the Portuguese, culminating in their expulsion from the Persian Gulf in 1622 with the support and help of England. The subsequent treaty between Iran and Portugal in 1625 reaffirmed Iran's sovereignty by restoring all of its former possessions in the Persian Gulf (p. 20). Iranian dominance persisted until the early eighteenth century, when the collapse of the Safavid dynasty plunged the country into turmoil. However, with the rise of Nader Shah Afshar, Iran reestablished its effective control over the Persian Gulf, though this influence waned again after his death in 1747. While Karim Khan Zand did not wield as much power as Nader Shah, Iran maintained its influence over the Persian Gulf until his death in 1779 (pp. 21–24). Bavand also marks the first appearance of the Qawasim on Iran's political landscape between 1755 and 1767 (p. 24). The Qawasim, a tribe based in Sharjah and Ras Al Khaimah, had previously been mentioned in the context of the dispute over the three islands. Bavand refers to the Qawasim as pirates, citing the work of Colonel S. B. Miles. He underscores that the Qawasim's designation as pirates carried important political and legal consequences. Specifically, Bavand argues that their status under international law should be understood in this context, as their actions during this period must be assessed with their piratical identity in mind (pp. 25–26). This issue also raises a

broader and significant question in international law which is the eligibility of sub-State entities to acquire territory. Bavand highlights this point as a crucial aspect of the legal debate surrounding the sovereignty of the three islands, drawing the attention of scholars to the implications of non-State actors' territorial claims under international law.

Bavand further explores the role of the Qawasim in the Persian Gulf, emphasizing the distinction between the Iranian Qawasim and their counterparts on the opposite coast. He notes that the Qawasim, who had invaded the Iranian coasts as pirates, were twice repelled and expelled—first during the reign of Nader Shah Afshar and again during the reign of Karim Khan Zand. However, following Karim Khan's death in 1779, the Qawasim returned to the Iranian coast, with their Iranian branch assuming control over Lengeh, an administrative division of Fars Province. Meanwhile, their tribal kin across the Persian Gulf continued engaging in piracy (p. 26), prompting multiple British military interventions aimed at securing trade routes in the region. Bavand highlights the existence of the Qawasim of Kangi, describing them as an "Iranianized" tribe and clearly distinguishing them from the Qawasim residing on the Arabian coast of the Persian Gulf. The Iranian Qawasim, after returning to Iran's shores, governed Lengeh under the authority of the Fars governor and administered various islands in the Persian Gulf, including the three contested islands, Abu Musa, Greater Tunb, and Lesser Tunb. Drawing on statements from William Bruce, the British Resident Representative in the Persian Gulf, as well as solid historical documentation, Bavand logically and convincingly argues that Lengeh and its associated islands—Sirri, Faror, Bani Faror, Abu Musa, and the Tunbs—have always been part of Iranian territory. He underscores that the Qawasim of Lengeh acted as agents of the Iranian government from 1780 to 1887. Furthermore, Bavand points out a critical legal distinction: when the Persian Gulf sheikhs, including the Qawasim from the Arabian coast of the Persian Gulf, entered into binding agreements with Britain, these agreements did not involve the Qawasim of Bandar Lengeh. This absence, Bavand argues, serves as compelling evidence of the Iranian nationality of the Qawasim of Lengeh and the enduring sovereignty of Iran over the islands under their administration (pp. 27–31).

The significance of Bavand's arguments lies in their direct challenge to the United Arab Emirates' claim that the ruler of Lengeh—the Qawasim—was non-Iranian and that the islands under their administration belonged to Sharjah and Ras Al Khaimah. According to Bavand, this assertion originates from Britain's fabricated notion of the "common ownership" of the Qawasim over the Persian Gulf islands; a political construct designed to serve British imperial interests in the 19th century (pp. 31–32). Building on this point, Bavand highlights the internal contradictions and uncertainties expressed by British officials themselves regarding the so-called common ownership of the Qawasim over the islands. He specifically references Sir Eric William Beckett,

a legal adviser to the British government who later represented the United Kingdom in notable cases before the International Court of Justice, such as the *Corfu Channel* and *Fisheries* cases (pp. 32–34). Crucially, Bavand cites Beckett's decisive conclusion, in which he states: "Unless new evidence is presented that can prove that during the period 1880–1887, the sheikhs of Lengeh ruled the islands under a title different from their rule in the main territory (Lengeh)—which I doubt can be proven—the Iranians had sovereignty over the islands of Tunb and Abu Musa during the aforementioned years" (p. 34). This statement is of particular importance, as it reinforces the Iranian nationality of the sheikhs of Lengeh and, consequently, the continued sovereignty of Iran over the three disputed islands during the critical period in question. Bavand's reliance on Beckett's legal assessment adds weight to Iran's position by exposing the artificiality of the UAE's claims and highlighting the historical and legal continuity of Iranian sovereignty over Abu Musa, Greater Tunb, and Lesser Tunb.

The next chapter of Bavand's book examines the status of the three islands between 1800 and 1870 from the British perspective. In this section, the author meticulously cites British documents and official correspondence, all of which either explicitly or implicitly acknowledge that the three islands belonged to Iran during this period (pp. 36–40). Drawing on this body of evidence, Bavand concludes that by considering the archipelagic nature of the three islands in conjunction with other Iranian islands in the Persian Gulf—and their enduring geopolitical and economic ties to the Iranian mainland—the historical relationship between these islands and Bandar Lengeh, a permanent part of Iranian territory, becomes even more evident (p. 41). Furthermore, Bavand briefly discusses the status of the Qawasim-controlled islands and highlights Britain's attempts to delineate the territorial jurisdictions of the two Qasimi Arab tribes of Sharjah and Ras Al Khaimah, as well as the Bani Yas tribe of Abu Dhabi, in an effort to mitigate inter-tribal tensions. Crucially, Bavand emphasizes that in none of the British documents concerning this territorial delimitation is there any mention of the three disputed islands. These islands are not listed among the Arab islands, nor are they associated with the territorial claims of Sharjah, Ras Al Khaimah, or the Bani Yas tribe (pp. 42–43). In other words, Bavand's analysis reveals that, during this period, the British government effectively confirmed that the three islands were part of Iranian territory—or, at the very least, did not recognize any Arab sovereignty over them. This absence of any reference to Arab claims in British official records undermines the contemporary assertions of the United Arab Emirates regarding the islands' ownership and further consolidates the historical and legal foundation of Iran's sovereignty over Abu Musa, Greater Tunb, and Lesser Tunb.

The subsequent chapter explores the British perspective on the status of

the three islands from 1870 to 1903. In this section, Bavand continues to draw upon British documents and statements from official governmental authorities, all of which confirm that the Tunb and Abu Musa islands were part of Lengeh, within the jurisdiction of Fars Province. These confirmations are more significant than those previously mentioned due to their sources, which are from higher-ranking political authorities, thereby lending greater accuracy and reliability as legal evidence. Among the most critical pieces of evidence cited are the following: the *Persian Gulf Navigation Guide* published by the British Admiralty; the British Resident Political Agent's rejection of Sheikh of Ras Al Khaimah's claim to the Tunb Islands in 1873; official reports from 1872 to 1874 affirming the islands' affiliation with Lengeh; a letter from the British Chamber of Commerce to the Foreign Office on August 22, 1881, rejecting the claim of Abu Musa's affiliation with the non-Iranian Qawasim; and, crucially, the absence of any British response to Iran's claim to the Tunb Islands in 1887, despite being aware of this claim (pp. 44–47). Bavand particularly interprets the lack of reaction from Britain to Iran's direct claim over the Tunb Islands and its indirect claim over Abu Musa, alongside the depiction of these islands in the color of Iranian territory on maps from 1892 and 1897, as tacit British consent to and approval of Iran's territorial claims. In this context, Bavand also references the 1951 *Fisheries Case* between United Kingdom and Norway before the International Court of Justice (p. 48). The discussion further extends to documentary maps, which illustrate Iran's sovereignty over the islands, drawn by Britain itself as the primary party involved in the dispute. Bavand emphasizes the heightened value of these maps in supporting Iran's claims, given that they were produced by Britain, and suggests they could be utilized within the framework of the *Estoppel* rule to reinforce Iran's title to sovereignty over the islands (pp. 49–52).

In the following chapter, Bavand explores the strategic motivations behind Britain's actions concerning the three islands. He argues that England's fear of Russia gaining influence in the Persian Gulf and the perceived threat posed to British dominance, particularly in safeguarding its interests in India, provided the rationale for Britain's occupation of the islands. According to Bavand, the actions of Iranian authorities in other parts of the region, such as the establishment of customs posts on the islands of Qeshm (1901), Kish (1902), and Hengam (1903), heightened British concerns about Iran solidifying its sovereignty in this strategically vital area in this strategically vital area. In response, Britain determined that the islands must be removed from Iranian control and placed under British influence, positioning England as the protector of the Sheikh of Sharjah. In 1903, the flag of Sharjah was raised on the islands of Abu Musa and Greater Tunb, and when the Iranian government sought to reaffirm its sovereignty by raising its own flag, it was met with British threats of force. At that time, Iran, preoccupied with internal unrest and

on the brink of Constitutional Revolution, was unable to confront the might of the British Empire. Consequently, Iran reluctantly agreed that no flag would be raised on the islands until the matter could be resolved through peaceful negotiations (pp. 53–58). However, this agreement was later violated by Britain. Despite the resistance of the Sharjah sheikhs to raising the flag on the islands, let alone occupying them, Britain compelled them to do so. Bavand contends that Britain's ultimate aim was to remove the islands from Iranian authority and place them under the control of entities influenced by Britain, thus eliminating any potential future challenge to British interests in the region (p. 59).

In response to Iran's protests over the breach of their agreement, the British government claimed that the three islands were *terra nullius*, asserting that the Sheikh of Sharjah had been the first to occupy them. Bavand, while expressing significant doubts about Sharjah's capacity to exercise sovereign authority as a State, rigorously challenges the British claim that the islands were terra nullius. He draws upon historical evidence, including official documents and maps from British authorities, and references international jurisprudence, such as judicial decisions and arbitration awards, to argue that the islands rightfully belong to Iran (pp. 60–66). Another legal argument employed by Britain was the concept of *acquisitive prescription*, the transfer of sovereignty over territory through prolonged, uninterrupted occupation by a new sovereign without protest from the original sovereign. Bavand outlines the requirements for *acquisitive prescription* in international law, which include continuous and undisputed ownership over a substantial period. He counters this by citing Iran's actions, including continuous protests, temporary occupation, inspections, surveys, and the placement of markers on the islands indicating Iran's intent to maintain or restore sovereignty over them. These actions, according to Bavand, constitute violations of the conditions necessary for *prescription*. Therefore, he concludes that the period of British occupation of the islands between 1903 (when Britain occupied the islands) and 1971 (when the islands were liberated) should be considered an "illegal occupation" (pp. 66–68). Further, Bavand attributes the weakening of the Iranian government during the Constitutional Revolution and the conclusion of the 1907 treaty between Russia and Britain, which divided Iran into spheres of influence, to the increased power of Britain in the Persian Gulf and the corresponding decline in Iranian influence. This new geopolitical reality ultimately led to the illegal occupation of the Lesser Tunb Island by Britain in 1908 (pp. 68–70). Bavand also notes that Britain repeatedly sought to purchase or lease various Persian Gulf islands, including the three disputed islands, until 1922, but all such requests were consistently rejected by Iran (pp. 70–71). These repeated requests, Bavand argues, further demonstrate that the British government acknowledged Iran's

sovereignty over the islands and recognized its weak legal position in this matter.

The author then shifts to discussing the "Negotiations of the Anglo-Iranian Treaty (1929-1934)". Following World War I, Britain considered its position in the Persian Gulf to be more secure than ever and sought to maintain the *status quo*, which, according to Bavand, required some form of compromise with Iran. Consequently, Britain pursued the negotiation of a general treaty intended to address all outstanding Persian Gulf issues with Iran. Bavand highlights the British strategies during these negotiations, particularly the tactic of introducing non-disputed issues to pressure Iran into compromising on disputed matters, including the sovereignty over the three islands. He also notes Iran's repeated intentions to bring issues related to the Persian Gulf, particularly Bahrain and the three islands, before the League of Nations. According to Bavand, Britain's fear of a potential legal challenge in international forums regarding the islands led it to prefer direct negotiations with Iran. Bavand outlines several proposals that Britain attempted to present under the guise of negotiation: 1) exchanging one group of Iranian islands for another group; 2) offering assistance in curbing smuggling activities in the southern Persian Gulf, contingent upon Iran renouncing its claims over Bahrain or Abu Musa; and 3) negotiating a settlement regarding the Tunb Islands (pp. 72-75). Ultimately, due to the unreasonable nature of the British proposals and the persistent opposition from Iranian officials, particularly Teymour Tash, alongside the 1932 oil crisis, the prospect of concluding a general treaty between Iran and Britain was dismissed (pp. 75-78). From a legal perspective, an important point Bavand makes in this section is Britain's implicit acknowledgment of the weakness of its legal position on the issue of the three islands. This acknowledgment is evidenced by the British reluctance to press for an outright assertion of sovereignty over the islands during the negotiations. The Iranian authorities' consistent refusal to concede sovereignty over the islands further undermines the argument of acquisitive prescription, as it indicates the islands were not under undisputed British control for the period required for such a claim to be valid under international law.

The next crucial issue is the examination of the status of the Tunbs and Abu Musa (1904-1971). In this section, Bavand delves deeper into the various actions taken by Iran to protest the illegal occupation of the islands by Britain or the Arabs. He references, among other sources, the opinion of Oppenheim, who argues that "continuous and constant claims and protests" preclude the possibility of establishing a "continuous" state of sovereignty, a key element in the principle of prescription as a means of acquiring territorial sovereignty (p. 79). Bavand contends that a review of the evidence and documents related to Iran's protests, challenges, and activities concerning the Tunb and Abu Musa Islands from 1904 to 1971 reveals that Iran's protests were not merely formal or diplomatic in nature. These protests went

beyond mere statements and included significant actions such as proposals for peaceful dispute resolution, scientific measures, and practical challenges to the *status quo*. In other words, the quality and quantity of Iran's protests and challenges were so robust that they effectively thwarted any attempt by Britain or the Arabs to take over the islands peacefully and uninterrupted. This is a critical consideration, as such continuity and interruption are necessary for establishing ownership of a territory under the principle of prescription (p. 80). Bavand lists the most significant practical measures taken by the Iranian government during these years in protest against the illegal occupation of the islands by Britain. These measures, Bavand argues, led Britain to describe the islands in terms such as "disputed islands", "islands claimed by Iran" or "islands without a clear status" between 1904 and 1971 (pp. 81-90). The points raised in this section are particularly instrumental in supporting Iran's claims to sovereignty over the islands. However, Bavand acknowledges that further analysis of these measures, with references to international judicial decisions and arbitral awards, is necessary to solidify this argument.

The final chapter of the book is titled "Restoration of Iran's Sovereignty over the Iranian Islands". In this section, Bavand discusses the resumption of negotiations between England and Iran following the British announcement of the withdrawal of British forces from the Persian Gulf in 1968. A key point he emphasizes is the marginal role played by the sheikhs of Sharjah and Ras Al Khaimah in this process. Bavand argues that Iran has consistently viewed the situation regarding the islands as a result of Britain's colonial efforts in the Persian Gulf, with the sheikhs serving only as figurehead actors in this broader struggle. Bavand also underscores that Iran has made concessions in the past, including granting administrative and economic privileges to Sharjah over Abu Musa. Furthermore, he interprets Britain's silence regarding Iran's actions to reclaim the Greater and Lesser Tunbs (which, unlike the 1971 Memorandum of Understanding with Sharjah concerning Abu Musa, was based on an oral agreement with the British) as implicit consent and approval from the British government. According to Bavand, the actions taken by Iran amounted to the restoration of the *status quo* that existed before British colonial rule, thus justifying the term "Restoration" of Iranian sovereignty in relation to the islands. In the conclusion (pp. 99-103), Bavand summarizes the key issues addressed throughout the book, highlighting the historical, legal, and diplomatic dimensions of the dispute over the three islands. The final part of the book includes the "Notes" section (pp. 104-116), which provides the sources for the work and additional information about various topics discussed in its chapters. The concluding pages also feature eight maps that reinforce Iran's sovereignty over the islands (pp. 117-124). While the summary offered here provides an overview, the authors encourage

readers—especially young researchers—to engage with the full text for a more comprehensive understanding.

Concluding Remarks

The book by Davoud Hermidas Bavand, as meticulously reviewed in this piece, offers a compelling and well-documented legal and factual case for Iran's sovereignty over the islands of Abu Musa, Greater Tunb, and Lesser Tunb. Drawing upon primary historical documents, legal doctrines, and principles of international law, Bavand constructs a coherent and legally robust narrative that substantiates Iran's longstanding territorial claim. From a legal standpoint, the significance of Bavand's contribution lies not merely in historical narration, but in his careful deployment of legal arguments grounded in State practice, international jurisprudence, and the norms governing territorial sovereignty. First and foremost, Bavand demonstrates the continuous and effective exercise of sovereign authority by Iran over the three islands up to the late 19th century, particularly through the governance of Bandar Lengeh and its affiliated islands. This effective control—recognized in British records and not challenged contemporaneously—fulfills the criteria of *titre de souverain* under customary international law. Moreover, Bavand exposes the lack of *animus occupandi* or demonstrable sovereign intent by the opposing parties prior to British intervention, thereby undermining the legitimacy of the UAE's claims rooted in the Qawasim's alleged historical ties to the islands.

Secondly, Bavand's legal critique of the British occupation and subsequent maneuvers is anchored in the principle of *non-recognition of illegal occupation*. He shows that the British presence on the islands was neither the result of treaty-based cession nor acquiescence by Iran. Rather, it was a unilateral imposition through coercion and strategic manipulation. In international law, the use of force to acquire territory is inadmissible—a principle codified in the UN Charter and reaffirmed in international case law. The prolonged Iranian protest, including diplomatic démarches, on-site actions, and consistent reaffirmation of sovereignty, negates any prescriptive acquisition under the doctrine of *acquisitive prescription*, which requires peaceful, public, and uninterrupted possession coupled with the acquiescence of the dispossessed State. Furthermore, Bavand's invocation of *estoppel* against British claims—based on their own historical maps, documents, and legal opinions (notably that of Sir Eric Beckett)—adds a layer of legal finality. Estoppel precludes a State from asserting a claim that contradicts its prior representations or conduct if another party has relied upon those representations to its detriment. Britain's repeated acknowledgment, both explicit and implicit, of Iran's sovereignty during key historical periods reinforces the estoppel argument in Iran's favor.

Finally, Bavand frames the events of 1971 not as the emergence of a new

legal order, but rather as the culmination of a long-delayed process of restoring Iran's rightful sovereignty over the three islands—sovereignty that had been unlawfully suspended by colonial interference. From this perspective, the reaffirmation of Iranian administrative and security presence on the islands did not constitute a new act of territorial acquisition, but rather the legal restoration of a pre-existing sovereign title. This interpretation draws strength from the principle of *uti possidetis juris*, a doctrine rooted in the decolonization jurisprudence of the International Court of Justice (ICJ), particularly in cases such as *Burkina Faso v. Mali* (1986), where the Court emphasized the sanctity of colonial-era boundaries in preserving post-colonial territorial stability. By invoking *uti possidetis juris*, Bavand implicitly affirms that Iran's rights survived the colonial disruption and should be preserved intact in the post-colonial era. Moreover, his legal analysis suggests that the dismantling of imperial legacies entails the invalidation of territorial arrangements imposed through coercion or unequal power structures. The British-imposed presence of the emirates on the islands, orchestrated through 'gunboat diplomacy' and contrary to the wishes of the indigenous sovereign (Iran), cannot in law be the basis for legitimate title. Thus, Iran's reestablishment of control was not only consistent with historical title and effective possession but also conformed to the corrective function of post-colonial international law, which aims to redress the legal distortions caused by colonial rule.

In sum, Bavand's work transcends mere historical narration and emerges as a carefully crafted legal exposition that affirms the territorial integrity of Iran. By integrating a broad array of primary sources—including diplomatic correspondence, official maps, legal opinions, and historical records—with principles of public international law, the book reconstructs Iran's sovereign title as not only historically rooted but also legally sustainable. Bavand demonstrates how the principles of *effectivités*, *uti possidetis juris*, and the inadmissibility of acquisition of territory by force converge in support of Iran's claim. Crucially, he reframes the islands' situation not as a typical territorial dispute between two equal claimants, but as a case of wrongful dispossession under colonial conditions, later rectified through lawful means. His work emphasizes that Iran's continuous protests, administrative actions, and legal resistance throughout the 20th century prevent any doctrine of *prescription* from operating against it. Accordingly, the book should be regarded as a significant legal resource that reinforces Iran's position within the established framework of international law. It also contributes substantively to the broader academic and diplomatic discourse on State sovereignty, post-colonial restoration, and the enduring consequences of imperialism in shaping modern territorial boundaries.