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**RECUEIL DES SENTENCES
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The Arbitration of the Aaroo Mountain between Saudi Arabia and Yemen

3 December 1931

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PART XXIX

**The Arbitration of the Aaroo Mountain
between Saudi Arabia and Yemen**

Decision of 3 December 1931

**Arbitrage de la Montagne Aaroo
entre l'Arabie Saoudite et le Yémen**

Décision du 3 décembre 1931

THE ARBITRATION OF THE AAROO MOUNTAIN BETWEEN SAUDI
ARABIA AND YEMEN, DECISION OF 3 DECEMBER 1931*

ARBITRAGE DE LA MONTAGNE AAROO ENTRE L'ARABIE
SAOUDITE ET LE YÉMEN, DÉCISION DU 3 DECEMBRE 1931**

Territorial attribution not on a juridical basis – the arbitrator, the King of Saudi Arabia, is a Party to the dispute and has been chosen by the other party, the King of Yemen – even if the arbitrator is convinced of his right and sovereignty over the disputed territory, in view of the opposing party's confidence in him and the love of peace between Muslim Kingdoms, he concedes the Aaroo Mountain to Yemen.

Arbitrage territorial sur une base non-juridique – l'arbitre choisi par le Roi du Yémen, l'une des Parties, est le Roi d'Arabie Saoudite, qui est l'autre Partie au différend – même si l'arbitre est convaincu de son bon droit et de sa souveraineté sur le territoire contesté, au vu de la confiance de l'autre Partie en sa personne et de l'amour de la paix entre Royaumes musulmans, il accorde la montagne d'Aaroo au Yémen.

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Telegram from the plenipotentiary of Imam Yahya (King of Yemen) wired to His Majesty Ibn Saud, including therein a telegram from the Imam asking for arbitration

Nazir, Rejeb 18th, 1350***

His Majesty the King, God sustain Him,

As there has been no agreement between the plenipotentiaries of both sides because of the adamant stand of both, a thing which had come to mind previously, we have sent this telegram to your Presence assuring that we leave the decision to you. We had conveyed the truth to your Presence and there remains nothing except your good sight for whatever might grace both sides and bring about harmony. May God lead you for what He likes and approves.

Peace be on you.

(signed)

Ibn Mamer and his colleagues

* Reprinted from *American Journal of International Law*, vol. 33, 1939, p.356.

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*** Secretariat note: The dates in the award are based on the Hijra Calendar – 18th Rejeb 1350 corresponds to 29 November 1931 in Gregorian Calendar.

The answer of His Majesty Ibn Saud

To:

Abuchillah Ibn Mamer and his Colleagues, Nazir.

We have come to knowledge of the telegram of the Imam and we are certain that Aaroo is within our boundary. As to talks about Beni Malik and Figha and Beni Minebbik, it is inconceivable to take notice of it and we do not think that the Imam talks about it because it is above doubt. But for the sake of peace and because of our esteem for the Imam and his acceptance of us as arbitrator, we have decided in the matter as you see in our telegram and thereon to act.

We beg God to lead all to do the best.

(signed)

Abdul-Aziz

Telegram of His Majesty the King (Abdul-Aziz) to the Imam Yahya with his decision on the Aaroo Mountain, Rejeb 22, 1350*

Your telegram through the Plenipotentiaries has arrived. Thank Your Eminence for the sincerity for peace and Islam and the jealousy for the harmonious agreement of the Moslems which you have shown. You know that Moslem and Arabian rules demand that a man should offer all the power and honor that he possesses for what he undertakes in order to fulfill his duty. It is not unknown to you what we undertook for the Idrissi to safeguard his possessions according to the common interest and because of the previous protection between ourself and Mohammed (Idrissi) necessitated by the interest of our country. This is a thing which we disclosed to your Presence and had become known to all. It is known to you that our habit on which God disposed us is to fulfil our promise. We have looked over the proofs advanced by the Deputies of the two Kingdoms and have found some unexpected contradictions. Your plenipotentiaries raise it because there is no point of doubt nor anything akin to that. But the error of deputies can be erased by the harmony of brotherhood. Therefore, according to your choice of Your Brother as arbiter, and your good confidence in him, it has become my duty to take the responsibility on me from all sides — whether from the side of the compact between the Idrissi and ourself, or whether from the side of the country of the Idrissi and its people and that of Nejd and Hedjaz and Asir, who always like to fulfil their obligations and defend their rights — and so I take this step, which I see your Presence worthy of it — and because of love for peace among the Moslems in general and between the two Kingdoms in particular, — and say that we concede the Aaroo Mountain to you hoping that God may guide the Moslems and the Arabs and the two Kingdoms to peace and tranquillity, and we have informed our plenipotentiaries thereof. May God lead all to do the best.

* Secretariat note: 3 December 1931.