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## Sovereignty and Boundaries in the Gulf States

### *Settling the Peripheries*

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The concept of territorial boundaries for the states of the Gulf Cooperation Council (also referred to in this paper as the Gulf states) is a relatively new phenomenon. Until recently, a principal difficulty in conceiving of territorial boundaries, let alone defining them, was the alien nature of boundaries themselves, the lack of any need for them, and the absence of putative states in most of the Peninsula. It was not until well into the twentieth century—and in some cases late in the century—that the nature and the form of today's seven states became clear. In large part, the dynamics between present states derives from the jostling that took place as the states began to differentiate themselves.

In 1952, Saudi Arabia intensified its claims to the Eastern Arabian oasis of al-Buraymi by occupying militarily one of the villages of the oasis. After three years of fruitless negotiations, the British-officered Trucial Oman Scouts evicted the Saudi garrison and reestablished Omani and Abu Dhabi control over the oasis. Yet even after the bilateral settlement of Saudi-UAE and Saudi-Oman borders, the issue remains contentious, particularly in the context of other unresolved border questions.

Al-Buraymi is but one example of the long history of contentious border disputes involving the Gulf states. Boundary questions have frequently been the source of complications, frustration, and outright hostility. Land boundaries, which scarcely mattered a century ago, have provoked skirmishes up to recent

years. Saudi Arabia's relations with Qatar and the UAE are still colored by the claim of all three states to the coastal region of Khawr Al 'Udayd and internal boundaries within the UAE still are not entirely settled. And Iraq's claims to Kuwaiti territory provided a potent excuse for its invasion of its smaller neighbor in 1990. The extension of Saudi control over regions adjacent to its border with Yemen as a result of a war in 1934 still provokes resentment by many Yemenis, who still consider these territories as lost Yemeni territory.

At the same time, for most of the twentieth century, ownership of islands has been a source of vexation. Bahrain and Qatar surprisingly settled their differences only a few short years ago, and many of the other contentions over small, uninhabited islands—unimportant except for their role in determining maritime boundaries and thus control of offshore oil and gas deposits—were amicably settled decades ago. However, the unresolved dispute between the UAE and Iran over three small islands is a good example of the continuing power of boundary questions to disrupt relations between states, not only between the UAE and Iran in this case but also in UAE's relations with its fellow GCC members. These examples clearly illustrate that the health of bilateral relations between all of the Arabian Peninsula's seven countries have been determined most critically by boundary issues for most of a century, and the story is not finished yet.

Any examination of borders and boundary disputes should also consider the wider impact of the establishment of boundaries, as well as the persistence and sometimes resolution of disputes, on broader interstate relations. In addition, it should be noted that the patchwork quilt of boundaries in the Peninsula are not conclusive or watertight, and many observers consider that they would not stand the test of international law. In most cases, the settlement of frontier arrangements between any two countries was achieved without reference to their neighbors, even in areas where their common border touched that of a third state.<sup>1</sup>

#### THE EVOLUTION OF BOUNDARY PERCEPTIONS AND REQUIREMENTS

Prior to the mid-twentieth century, territoriality was not an important element of sovereignty in the Gulf states. Instead, sovereignty depended principally on control of or influence over people. The territory controlled by a leader, whether dynastic or tribal, depended on his ability—through either the strength of

personality or use of force, or both—to hold the allegiance of townspeople and tribesmen. His hold on territory was extremely fluid and, apart from control of strategic geographical assets such as ports or oases, was of importance only insofar as his sphere of influence abutted that of a rival.

In pre-state or minimal state environments, tribes have generally exercised some sort of sovereignty over their own affairs. Most tribes had territory of some sort, a *dirah*, over which they exercised control or at least rights—strongly so if the tribe was capable and united. The *dirahs* of settled tribes were generally quite distinct. Still, their peripheries might be fluid or in flux, depending on the strength of the tribe vis-à-vis the strength of its neighbors. Boundaries were fixed at some points (as watchtowers often testified) but constantly shifting or disputed at others. It should be noted as well that over time even settled tribes were capable of shifting their territory, by absorbing neighboring tribes or sections or by migrating to a new location.

The *dirahs* of nomadic tribes were somewhat more amorphous.<sup>2</sup> The overall geographical dispersion of the tribe's territory was quite indistinct because it generally shared grazing areas, migration routes, and even water holes with other tribes. Nevertheless, there were often rooted points that the tribe adamantly claimed as its territory. These may have been oases with date palms or small coastal settlements that were occupied for only part of the year. Most nomadic tribes had at least some element of transhumance. That is, while they followed grazing through much of the year, they moved to their palm gardens at harvest time and to the coast during pearling season.

Not surprisingly, sovereignty was more often associated with rulers. For the most part, rulers of states along the Arab littoral of the Gulf derived their position as sheikhs of principal tribes or as heads of prominent families in communities where the other families acquiesced in acknowledging their political leadership in return for freedom to concentrate on commercial affairs. This was most clearly seen in Kuwait. In addition, settlements were inhabited largely by nontribal elements that were directly under the rulers' protection and thus owed their complete allegiance to these rulers.

Sovereignty was not a major priority or indeed a necessity for these protorulers of protostates. They continued to function as they always had as either the sheikhs of predominant tribes or as prominent families. In some cases, rulers only required a base or two since their interests were maritime. A prominent case in

point is that of al-Qawasim, for whom Ra's al-Khaymah and Sharjah served as headquarters for their extensive maritime commercial operations and naval fleets.

Until well into the twentieth century, the concept of nation-state was alien to the Arab littoral. States were either dynastic, ebbing and flowing with the strength of particular leaders, or tribal, equally fluid. The territorial extent and boundaries of such states fluctuated on a regular basis and represented relative strength of the neighboring actors far more than any legal, recognized format. The fluidity and ambiguity of pre-states in the Gulf was altered in recent centuries by the intrusion of external imperial powers. The last of these, and the one with the greatest impact, was the British Empire, represented in the Persian Gulf by the Government of India. As a consequence, the transformation of pre-state leaders into rulers of states owes much to the British role in the Persian Gulf, although that does not explain all cases.

The British naturally treated with whichever leaders they found along the Arab coast. Until the mid-nineteenth century, British concern with the Arab littoral was focused principally on ensuring the freedom of maritime trade from what they regarded as piracy. To avoid launching punitive expeditions after every incident, arrangements with local states were needed—and where these states did not exist, leading personalities along the Arab littoral were engaged to act as rulers.

Accordingly, a number of treaties were arranged with coastal leaders to obtain their cooperation in suppressing piracy and forswearing war by sea, culminating in the perpetual treaty of maritime peace in 1853. The signatory leaders were charged with responsibility over those people that owed loyalty to them. A secondary goal of British policy was eradication of the slave trade, and similar agreements were made with littoral leaders to the same end.

These treaties and agreements marked a qualitative difference in the status of littoral leaders. Most had become for the first time parties to international treaties that were permanent and binding on not them alone but on their heirs and successors. Although there was some impetus in this direction through their relations with the Ottoman Empire, neither sovereignty nor boundaries had been clearly defined. This new process reached an apex in and around the 1890s when gradually all of the littoral leaders were transformed into local rulers through the treaties of protection, by which the British assumed responsibility for their foreign affairs and defense.

Gradually through the twentieth century, Britain acquired increasing reasons to insist that leaders with whom it was in treaty relations exercise more control over territory as well as people. In part, this policy was a natural continuation of efforts to ensure that treaty signatories observed their obligations. But it was also due to new circumstances.

The development of British civil and military air routes through the Persian Gulf in the 1920s and 1930s necessitated the establishment of a series of aerodromes on the Arab side and an even greater number of emergency landing grounds. The safety of these aerodromes and especially the landing grounds, typically located in remote areas, required that the rulers in whose territories they were located assure their safety from theft or destruction by the rulers' subjects. This meant that for the first time rulers were made responsible for all activities throughout their territories.

The next important step concerned oil concessions, which in the early period of exploration were primarily held by British companies. Concessions, particularly when they involved active exploration and then exploitation, required that rulers' territories be precisely defined. At this point, exact boundaries were first required for the new territorial states in the Gulf. Although disputes over certain features, such as oases or islands, had figured in interstate relations before, the need for fully defined boundaries along the entire length of borders had not been present heretofore. In addition, the search for offshore oil meant that maritime boundaries also became an issue for the first time.

Independence and membership in the international community added its own impetus to the solidification of territorial nation-states. One aspect was the introduction of the concept of citizenship. The relationship between the leader and those inhabiting the territory he controlled was transformed immutably into a relationship between ruler and ruled. Dissident tribal groups could no longer decamp to neighboring states in times of dispute. They had become citizens of a particular state and were the responsibility of that state no matter where they resided. Geographically imprecise refuges had become either mutually recognized territory of one state or sensitive places of contention.

Furthermore by 1971, all six states of the Arab littoral, which formerly had dealt with each other informally or through British channels, had become internationally recognized nation-states and members of both the Arab League and

the United Nations. Each recognized the others legally and entered into formal diplomatic relations in addition to preexisting informal means of interaction, creating an extra spur to settling boundary issues.

It was also recognized that mature states have definitive borders and that border disputes during a period of Arab “cold war” provided extra grist for progressive Arab republics and ideologies that saw the Persian Gulf states as political anachronisms. For the most part, it was recognized that negotiation was the accepted way of settling border disputes and that the use of force was counterproductive and exposed the attacking state to the approbation of the international community. The establishment of the Gulf Cooperation Council (GCC) further cemented ties between the six states and created its own momentum for the settlement of disputes in order both to enhance the group’s external security and to facilitate political, economic, and social integration.

The settlement or nonsettlement of boundaries owed much to the perpetuation of interstate dynamics over the course of the past several centuries and into the independent period. That is to say, boundary issues had baggage, of both territorial and political natures. In some or many cases, the settlement of specific disputes had to await the normalization of broader relations between the concerned parties.

One of the principal dynamics was evident between the Al Sa’ud and the small Gulf entities. Ever since the creation of the First Saudi State in the mid-eighteenth century, the Al Sa’ud had seen themselves as an expansionist force. While their expansion was omnidirectional, one specific tangent was directed at the Gulf littoral. Oman in particular experienced Saudi raids and Abu Dhabi struggled for more than a century to avoid the extension of Saudi sovereignty over its entire territory. Even after the ‘Uqayr Conference to settle the Saudi-Kuwaiti boundary resulted in the halving of the territory of Kuwait, the Al Sa’ud blockaded Kuwait in an apparent attempt to wrest away more territory.

Another dynamic was the question of what constituted Oman. Oman today consists of the area of the Sultanate including Dhufar. But in the past, the geographical definition of Oman excluded Dhufar but included the territory of what is now the UAE, which was sometimes referred to as the Oman Coast. British action was responsible for the transformation of the Trucial Coast (previously known by the British as the Pirate Coast) into a subordinate region with local rulers beholden only to the British. Thus by the time of British withdrawal and

independence in 1971, there was no longer any serious question of unification with the Sultanate of Oman.

Yet another dynamic that has played an important role in boundary questions is the “leap-frog” pattern of relations among the Gulf states. This derives from the endemic difficulties and sometimes hostilities between neighbors and the attendant truism that “the neighbor of my neighbor is my friend.” Thus, Dubai feuded with next-door Abu Dhabi, which in turn feuded with Qatar. But Qatar and Dubai enjoyed good relations. In the 1960s when the Indian rupee was withdrawn as the currency of the Gulf, the two sheikhdoms jointly issued the Qatar-Dubai riyal. The Emir of Qatar until 1972, Sheikh Ahmad bin ‘Ali, married the daughter of the ruler of Dubai, and when he was deposed as emir he took up residence in Dubai. When Sheikh Khalifah bin Hamad, who had initiated the 1972 coup, was in turn overthrown in 1995, he sought refuge in Abu Dhabi and allegedly attempted to mount a counter coup from there. Sheikh Khalifah also garnered some support from the Al Khalifah in Bahrain, who were mired in a century-long series of boundary disputes with Qatar. Sheikh Hamad bin ‘Isa, who succeeded as emir of Bahrain in 1999 (and later anointed himself king), visited Abu Dhabi regularly while Sheikh Zayid was ruling and presumably departed with sorely needed promises of cash.

Some mention should be made of a number of underlying factors, not always expressed, that undoubtedly have provoked or exacerbated boundary disputes. Economic competition and resources, fishing and pearling, were an important ingredient. National security was another. It may have played a role in Saudi Arabia’s insistence on a strip of land at Khawr Al ‘Udayd (between Qatar and Abu Dhabi) as another route for getting out its Gulf oil. National or personal prestige was also important: no ruler could be seen as backing down over a territorial dispute. The circulation of a photograph of Sheikh Saqr bin Muhammad, the heir apparent in Sharjah, shaking hands with the head of the Iranian troops moving onto Abu Musa Island in 1971 quite likely doomed his prospects of succession. Control of population (especially tribes) was also important, and the presence of tribes from another state was often a source of friction between neighbors. Finally, as it has been noted elsewhere, the role of Britain in creating boundaries in the Peninsula was based on protecting spheres of influence, which have no standing in international law. This gives the very nature of borders in the area an ephemeral and *de facto* air.<sup>3</sup>

## THE PROCESS OF DELINEATING COMMON BOUNDARIES

By the mid-twentieth century, “traditional” states such as Oman and new “artificial” states such as Qatar and the Trucial States/UAE were equally confronted with the emergence of new requirements for exact territorial limits because of air routes, oil concessions, and harmonious relations between full-featured independent states.

The settlement of boundaries was based on a variety of factors, partly following lines of natural geography, partly linear projections drawn on a map, and only partly to accommodate tribal and similar considerations. But tribes constituted one of the principal reasons for prolonged, often seemingly intractable, border disputes. Other factors also existed, such as the desire to control oil reserves as well as historical claims and animosities.

A primary question arises of what processes were at work in the delineation of boundaries and on which basis borders were negotiated and determined. Richard Schofield cites the French geographer Jacques Ancel as having once observed that there are no problems of boundaries, only problems of nations.<sup>4</sup>

Land boundaries have been the most troublesome of boundaries in the Gulf. In the early stages, Britain, because of its predominant political and legal position in the region, played the strongest role in determining these boundaries. Not surprisingly, the boundaries were sketched out according to varied criteria depending on the individual circumstances. Stephen Whittemore Boggs has categorized boundaries by their physical characteristics: (1) physiographic (following physical features such as rivers or pronounced upland ridges); (2) geometric (straight line boundaries linking fixed boundary points or sometimes longitude and latitude); (3) anthropogeographic (following manmade features such as roads, railways, canals, or alternatively tribal, ethnic, or religious divisions); or (4) complex (combining features of all other three criteria, as occurs along the Iran-Iraq border).<sup>5</sup>

The most prominent feature of Gulf boundaries may be said to be geometric, particularly as introduced by the Anglo-Ottoman convention of 1913 (the Blue and Violet Lines of 1913–14), carried through protracted Anglo-Saudi border negotiations over the dividing lines between the kingdom and various protected states in the Gulf of the middle of the twentieth century (the Red and Riyadh Lines of 1935–37), and largely confirmed by the general demarcations concluded

in the late years of that century. Physiographic boundaries are in short supply in the area, in large part because of the absence of notable features suitable as division points, while anthropogeographic boundaries, although they form the basis of most of the persistent disputes, really have had only a minimal impact.

An alternative way of looking at boundary classifications was devised by Richard Hartshorne. He proposed five classifications according to the cultural landscape: pioneer, antecedent, subsequent, superimposed, and relict. Of these, Richard Schofield contends only the superimposed (such as the application of European conceptions of linear boundaries) and antecedent (a boundary drawn prior to the development of the surrounding cultural landscape, as in the case of Qatar) categories hold relevance for Gulf.<sup>6</sup> Marine boundaries were a later phenomenon, required in large part because of offshore oil concessions. It should not be forgotten, however, that some sense of maritime boundaries, particularly in areas close to mainland features, had long existed, primarily connected to fishing rights and pearling beds.<sup>7</sup>

The preceding categorizations are obviously useful for clarifying the processes by which the actual drawings of borders are made. However, they do not adequately explain the various natures and causes of boundary evolution and border disputes. Therefore, a more appropriate schema is proposed here, consisting of six elements.

1. *Boundaries as an aspect of state formation.* This category essentially comprises the broader view of comprehensive border exploration and demarcation. Ipso facto, this is a twentieth-century phenomenon dependent on the emergence of today's states. While certain marker points may be based on specific features, comprehensive borders rely more often on Boggs's geometric explanation.

2. *Boundaries as assertions of historical rights.* Borders of this type concentrate on such anthropogeographic criteria as fishing rights, pearling beds, water sources, and tribal *dirahs*. As such, they typically center on geographical points. Most have their roots in the nineteenth century or earlier but have depended for their resolution on the emergence of nation-states in the twentieth century.

3. *Boundaries as imperial remnants.* Some boundaries owe their existence to being leftover elements of imperial ambitions and rivalries. The principal source of such boundary criteria was Britain, often in conjunction with the rivalry with the Ottomans, but also to a certain extent Iran. Most often, these boundaries also have a specific geographical focus rather than borders in general.

4. *Boundaries as claims to natural resources.* This category principally consists of boundaries that result from claims staked to oil or gas resources, often the actual driving force behind either real or dubious border claims. Individual cases falling into this category may be geographically specific or broader in geographical terms.

5. *Boundaries as strategic requirements.* In some cases, states have pursued territory or boundary limits to satisfy their perceived strategic requirements, sometimes aggressively. These requirements may be seen as providing strategic depth, ensuring access to the sea or maritime chokepoints, or securing national defense against real or potential rivals.

6. *Boundaries as manifest destiny.* This category refers to expanding boundary perceptions as part of the manifest destiny of Saudi Arabia. That is, Saudi perceptions of their borders have tended to rely on the principle of whatever was once controlled or conquered by the Al Sa'ud in the past is Saudi territory forever. This attitude even survived Ibn Sa'ud's crackdown on the Ikhwan (thus asserting the primacy of the state over the ideology, much as the Marxists were forced to choose in the Soviet Union), and it still surfaces in the various disputes surviving in one form or another today.

#### REPRESENTATIVE BORDER ISSUES

The process of complete boundary delineation was slowed considerably by the existence of a number of seemingly intractable issues, the resolution of which faltered because of political factors as much as practical considerations. The brief examination of a number of case studies below illustrates the nature of boundary formation and disputes in the Gulf. They also serve as pertinent illustrations of the importance and pervasiveness of the categories elucidated above. Most of these disputes have been settled in recent years but some remain unresolved. In addition, they are distinguishable as two distinct categories in that some are intra-GCC matters while others involve one or more GCC members with outside actors.<sup>8</sup>

#### *The Hawar Islands and Other Bahraini-Qatari Boundary Disputes*

The history of relations between Bahrain and Qatar has been one of competition and sometimes hostility. Arriving from Kuwait, the ruling family of Bahrain settled in Qatar in 1766 and used it as a base to conquer Bahrain in 1783. The

Al Khalifah family continued to assert their sovereignty over Qatar. This claim was contested by the Al Thani family of Doha, which came to prominence in the 1860s. The following decades saw a struggle between the two families for control of Qatar, and, even after Al Thani rule was recognized, the Al Khalifah continued to lay claim to territory in Qatar. This contention, combined with contested ownership of various islands between the two states, bedeviled bilateral relations throughout the twentieth century.<sup>9</sup>

The small and basically uninhabited group of Hawar Islands, nestled under the western flank of the Qatar Peninsula, was long a bone of contention between Bahrain and Qatar. In 1939, the British Political Resident in the Persian Gulf (PRPG) was forced to mediate between the two countries. Bahrain, with a British adviser and more advanced administrative approach, provided the Resident with a more cogent and better prepared defense of its position while Qatar's ruler insisted that the islands were Qatar's simply because they had always been Qatar's. Not surprisingly, the Resident ruled in favor of Bahrain (a decision that also favored the interests of a British oil concession holder).<sup>10</sup> This ruling did not satisfy Qatar, however, and relations between the two countries continued to be soured over this issue, among others.

The status of Zubarah, farther up the western side of the Qatar Peninsula, was another contentious issue. A ruined settlement in the twentieth century, Zubarah had served as the headquarters for Bahrain's Al Khalifah from the time they settled in Qatar until their departure for Bahrain in 1800. Although the Al Khalifah never resided there again, they considered Zubarah their ancestral home, and hostilities broke out between the Al Khalifah and Qatar's Al Thani more than once during the nineteenth century. Although the Al Thani moved to assert their sovereignty over Zubarah in 1937, Bahrain continued to claim jurisdiction throughout the rest of the twentieth century.

Compounding these two issues was ownership of several small shoals or reefs submerged at low tide. While fishing rights and a Qatari tit-for-tat for Hawar were factors in the competing claims, Qatar's action when it occupied Fasht al-Dibal and Qit'at al-Jaradah for a period in 1986 seemed to be based principally on safeguarding its claims to territorial waters and offshore oil concessions.

After his accession in 1995, Sheikh Hamad bin Khalifah in Qatar began to pursue a bold series of domestic and foreign policies. Among them was a more activist and more conciliatory approach to the issues with Bahrain. Qatar had

sought to take the dispute to the International Court of Justice (ICJ) in The Hague in 1991. This attempt to resolve the issue failed when the court ruled that the application was incomplete because Qatar had not mentioned Bahrain's claim to Zubarah. Bahrain's suggestion to return to Saudi mediation was rejected, but Qatar resubmitted a separate application in 1995 that the ICJ agreed to hear despite Bahrain's objections and even though Qatar reluctantly agreed to a resumption of Saudi mediation at the same time. Recriminations between the two countries continued throughout the following years, culminating in Bahraini convictions of two Qatari citizens on charges of spying and Qatar's accusation that Bahrain had participated in the failed 1996 coup attempt aimed at bringing the previous emir back to power, as well as the defection of a Bahraini air force officer to Qatar with his helicopter. Bahrain boycotted the 1996 GCC summit in Doha because of the dispute.

In 2000, in anticipation of an ICJ ruling, an attempt by the two countries to improve relations, including the exchange of ambassadors, foundered, although the two rulers met to discuss the issue. Finally, in March 2001, the ICJ made its binding ruling in what had become the longest case in its history. The Hawar Islands were concluded to belong to Bahrain, while Qatar retained sovereignty over Zubarah. The court also ruled on ownership of the minor islands and shoals and set out the maritime boundary between the two states.<sup>11</sup>

This denouement provided a dramatic and encouraging solution to a seemingly permanent and intractable problem. From grudging and sometimes hostile allies within the GCC, the solution of their common border issues transformed the relationship between Bahrain and Qatar very positively. Further encouragement was marked by plans to construct a thirty-kilometer causeway between the two countries that would create the longest bridge in the world. This project would seem to benefit Bahrain economically in particular because it would encourage more Qatari tourism (it would be a shorter and more convenient route), it would obviate the need of Qataris to pass through Saudi immigration posts to reach Bahrain, and it would make it practical for Bahrainis to commute to work in Qatar. The final agreement to build the causeway was signed in 2006, and survey work began in 2008. In addition, plans were made to include the shipment of Qatari gas to Bahrain as part of the Gulf gas grid. Although minor problems continued to affect bilateral relations—such as the occasional arrest of fishermen—overall relations were never better.

*Khawr Al 'Udayd*

As might be expected from the leapfrog pattern of bilateral relations along the Gulf, Qatar's relations with Abu Dhabi have traditionally been strained. The relationship has been made even more complicated on those occasions during the past two centuries when the ascending fortunes of the Saudis extended their influence into the littoral areas. The Al Nahyan in Abu Dhabi tended to regard the Saudis as a foe, intent on annexing the emirate, while the Al Thani in Qatar saw them as allies in their struggle against Bahrain, Abu Dhabi, and the Ottomans.

These three countries—Abu Dhabi, Qatar, and Saudi Arabia—have long been involved in contesting ownership of a seemingly unimportant area of sea and land around Khawr Al 'Udayd at the southeastern base of the Qatar Peninsula. In the mid-nineteenth century, the ruler of Abu Dhabi sought to extend his control over Al 'Udayd in large part because of tribesmen who had moved there to escape his influence. It was the traditional fishing grounds for al-Qubaysat, a tribe within the Bani Yas confederation. Abu Dhabi claims were contested by the ruler of Qatar, who considered the territory to lie within his domain. The Qatari ruler sought to enlist Ottoman support for his claims (as the Ottomans considered all of Abu Dhabi to be subject to the Sublime Porte), while the Abu Dhabi ruler made entreaties to the British to back his claim (these entreaties resulted in little more than British enforcement of the prohibition on maritime warfare). Ownership of the area had not been resolved by the beginning of the twentieth century, when the resurgent Saudi state expanded toward the Gulf shores. Kept at bay by the British presence, Riyadh nevertheless never abandoned its ambitions in the Khawr Al 'Udayd area.

An unpublished border agreement between Saudi Arabia and Qatar in 1965 apparently included Qatari recognition that its land borders were only with the kingdom. After British withdrawal, a welcome development seemed to be the signing of a border treaty between Abu Dhabi and Saudi Arabia in 1974. Although the terms of the treaty were never made public, Abu Dhabi appeared to have traded away its claims to a narrow twenty-five-kilometer strip of shoreline between Khawr Al 'Udayd and Sabkhat Mutti in return for a final Saudi renunciation of any claims to al-Buraymi/al-'Ayn oasis. That was not, however, to be the end of the dispute. Saudi insistence on retaining access to the sea at Khawr Al 'Udayd, presumably to provide it with an additional avenue of exporting oil

should its main terminal at Ra's Tanurah be blocked, had the additional effect of interrupting direct access from Abu Dhabi to Qatar by the imposition of Saudi border controls.

The 1974 settlement of the Saudi Arabian-Abu Dhabi border continued to fester in Abu Dhabi. Sheikh Zayid was said to be very upset when he discovered that Khawr Al 'Udayd had been signed away in the negotiations. Allegations flew that money had changed hands to settle the treaty, and it undoubtedly had a negative effect on the career of Ahmad Khalifah al-Suwaydi, the UAE foreign minister and Sheikh Zayid confidant, who signed it. Furthermore, Saudi development of the Shaybah oil field along the border area in the late 1990s provoked Abu Dhabi complaints and demands for a sharing arrangement. This dissatisfaction was coupled with Abu Dhabi's refusal to provide Saudi Arabia with air and maritime corridors through Abu Dhabi territorial waters off Khawr Al 'Udayd. It allegedly took only a few weeks after the death of Sheikh Zayid in 2004 for his son and successor, Sheikh Khalifah, to raise the matter with Riyadh. The Saudis subsequently objected to plans for a causeway connecting Abu Dhabi with Qatar and sought to prevent completion of the Dolphin gas pipeline between Qatar and Abu Dhabi. At the time of writing, prospects for resolution of the problem were slim, although it had not proved to be a significant obstacle to good relations between the two countries.

### *Abu Musa and the Tunbs Islands*

Like Saudi Arabia, Iran has long pursued aggressive claims in the Gulf. Many of these have acquired a nationalistic, superhistorical quality, such as the Iranian claim to Bahrain based on its control of the archipelago prior to the mid-eighteenth century. That claim was abandoned in a face-saving manner when, prior to British withdrawal in 1971, the shah agreed to and accepted the results of a UN mission revealing Bahrainis' overwhelming desires for independence. Other than Bahrain, Iran has not exercised any large-scale claims to territory on the Arab littoral. Its sovereignty over Khuzestan/'Arabistan and the long and tortured dispute over the Shatt al-'Arab lie outside the scope of this paper. Therefore, Iranian disputes with the Gulf states primarily concern sovereignty over islands in the Gulf and the demarcation of territorial waters, all of which have potential implications for ownership of oil and gas deposits.

The three islands of Abu Musa, Greater Tunb, and Lesser Tunb, have been a matter of contested sovereignty between Iran and the Qasimi state for well over a century.<sup>12</sup> Iranian claims are based on ownership during the eighteenth century and before, as well as for a short period of time in the late nineteenth century when a branch of the Qasimi family held the islands while also paying tribute to Tehran. Despite the lengthy origin of claims, in truth ownership was not seriously contested until the late nineteenth century. Periodic attempts at negotiation by Iran and the British, on behalf of Sharjah and Ra's al-Khaymah, foundered. Iran attempted to introduce a customs post in 1904 but withdrew it following a British protest. Reinforcement of Britain's recognition of Arab claims to the islands came in 1913, when the British erected a lighthouse on Greater Tunb.

In 1921, a split occurred within the Qasimi family, leading to the establishment of the separate Qasimi states of Ra's al-Khaymah and Sharjah. From this point, the British recognized Abu Musa as belonging to Sharjah and the two Tunbs as the property of Ra's al-Khaymah. Although the islands were actually administered by the Qasimi states, their status remained unsettled in legal terms despite the matter being raised occasionally. Still, the issue remained more or less dormant until the 1960s when Tehran's interest was revived by such factors as the possibility of oil, increasing awareness of the islands' defensive potential in preventing the closure of the Gulf to shipping, and the specter of a political vacuum raised by the British announcement in 1968 of their impending withdrawal from the Gulf.

Early in 1970, Iran once again raised its claim to ownership of all the islands, warning Britain to stop oil exploration near Abu Musa and threatening to use force to regain the islands if necessary. As the date for Britain's withdrawal drew near, Iranian statements became more insistent. A British envoy was dispatched to Tehran in mid-November 1971, and subsequent negotiations produced an agreement between the shah and the ruler of Sharjah for sharing Abu Musa. The day before Britain officially withdrew (Dec. 1, 1971), Iran moved to occupy both the Tunbs despite the resistance of Ra's al-Khaymah officials. To forestall a similar attack, the ruler of Sharjah had acceded on the previous day to Iranian demands that the island of Abu Musa be shared between the two states until its final status was agreed. It later transpired that this agreement had been negotiated by Britain. The Iranian actions inspired an uproar throughout the Arab world.

There the matter remained for some time. The persistence of Iranian claims was undoubtedly due primarily to the islands' strategic position near the exit

from the Gulf. In 1992, the Islamic Republic of Iran abruptly sent military units to take over full control of Abu Musa despite fierce UAE objection.

Since 1992, both Iran and the UAE have maintained staunch claims to sovereignty over the three islands. For the UAE, relations within the GCC have often been measured over perceptions of the strength of support other members have given to their claims. The UAE has pressed the issue in the media, before the Arab League, and at the United Nations. Iran, however, has continued to assert its full sovereignty over the islands and so has refused any negotiations over their status.

The issue seems intractable, with neither side budging on its claims. While the UAE is adamant about pursuing what it sees as its rightful ownership, it has very little leverage. The GCC combined is unable to pressure Iran effectively, and the Arab world has not taken any practical interest in resolving the issue. The UAE's foremost Arab champion was Iraq under Saddam Husayn, probably cynically as part of a strategy to gain Arab support for the regime's actions. Post-Saddam Iraq has taken little interest, its attention being understandably consumed by pressing internal affairs. The UAE has also sought to gain American support because of the latter's antipathy to the Tehran regime, but the United States is unlikely to take any action on what it regards as a tangential issue to the more pressing one of Iranian nuclearization. As a consequence, the Iranian occupation continues to fester in UAE attitudes, but it is unlikely to force a real confrontation because of its impotence and the more important requirement that relatively good relations be maintained with Iran. Good relations are important, partly because Iran is a much more powerful neighbor and partly because Dubai's economy is intricately linked with Iran.

### *Qaru and Umm al-Maradim*

Although the Saudi-Kuwaiti Neutral Zone was partitioned in 1965 without much difficulty, the status of several adjacent islands was left unsettled. Kuwait has claimed ownership of Qaru and Umm al-Maradim on the grounds that they have always been part of Kuwaiti territory.<sup>13</sup> Saudi Arabia, on the other hand, thought that they should be considered part of the two countries' Neutral Zone. The division of the Neutral Zone in 1965 renewed the airing of differences over ownership.

The islands remained under nominal Kuwaiti authority although Saudi Arabia continued its claims and may have occasionally sent armed patrols to the islands in the following years. While the islands remained in dispute, they did not have a major impact on Kuwaiti-Saudi relations. In 2000, settlement of the two countries' maritime boundaries left the islands under Kuwaiti sovereignty.

Although Saudi Arabia and Kuwait reached an amicable understanding over the islands, the situation remained confused because of conflicting claims to ownership of the offshore al-Durrah gas field in the immediate area. Saudi Arabia and Kuwait protested in 2001 over Iranian drilling in the disputed area.

### *Al-Buraymi Oasis*

Al-Buraymi is located in the interior of Oman between the Sultanate of Oman's al-Dhahirah region and the emirate of Abu Dhabi. It has long been an area of settlement and key center of routes between interior Oman, the Gulf of Oman coast, and the Gulf coast because of the presence of abundant water and the extensive cultivation.

The oasis was fitfully under the control of the Omani state for centuries but it was occupied for several years in the 1860s by the Second Saudi State. With the emergence of Abu Dhabi as a political entity, several of the villages were brought into the fold of Abu Dhabi's Bani Yas tribe in the late nineteenth century. The location of the oasis at the point where the adjoining reaches of Oman, Abu Dhabi, and Saudi Arabia converged meant that ownership was key to controlling potentially productive oil areas. For this reason, the Third Saudi State maintained its claim to the oasis based on the allegiance of some of its tribes.

Riyadh sent a military detachment to occupy one of the central villages in October 1952. Britain, acting on behalf of Abu Dhabi and Oman, protested this action to Riyadh, and both sides agreed in 1954 to submit the dispute to an arbitration tribunal. When the tribunal eventually met the following year, Britain withdrew after charging that the Saudi member of the tribunal was attempting to direct witnesses and that Riyadh was bribing tribes in the area.<sup>14</sup> In October 1955, units of the British-officered Trucial Oman Scouts ejected the Saudi detachment from the oasis. Since then, the oasis has been administered by Oman (al-Buraymi town) and Abu Dhabi (al-'Ayn town).

Saudi Arabia's dormant claims appeared to have been dropped when the kingdom reached agreements on its borders with the UAE in 1974 and with Oman in 1991. While the demarcation of the length of the Saudi-Omani boundary has apparently put a permanent end to those two countries' differences over al-Buraymi, the 1974 treaty between Abu Dhabi and Saudi Arabia continues to resonate, particularly over Khawr Al 'Udayd (discussed elsewhere in this paper). Saudi claims to al-Buraymi/al-'Ayn were apparently put to rest in return for Abu Dhabi's renunciation of a strip of land at Al 'Udayd in favor of Saudi ownership.

The resolution of competing claims regarding al-Buraymi cannot be said to be final until border issues between Abu Dhabi and Saudi Arabia are settled. Although Saudi Arabia registered the treaty, along with 1993 modifications, at the United Nations in 1995,<sup>15</sup> the UAE still did not consider the matter over. More agitation arose after the death of Sheikh Zayid. While the area of contention remains Khawr Al 'Udayd, the continued disputation mars bilateral relations, particularly with regard to the UAE's perceptions of lukewarm Saudi support for the Emirates' pressing of its claim to Abu Musa and the Tunb islands.

#### *United Arab Emirates Internal Boundaries and Boundaries with Oman*

A British official, Julian Walker, was responsible in the 1950s and 1960s for the sorting out of myriad boundaries between the various statelets of the Trucial Coast and between them and the Sultanate of Muscat and Oman.<sup>16</sup> Not all boundaries lent themselves to demarcation. Hostilities broke out between Abu Dhabi and Dubai in the late 1940s over a disputed slice of territory, and agreement on making it a neutral zone was not reached until 1968. Alignment of the road connecting Dubai and Sharjah was held up in the 1970s by a dispute over claims of both emirates to the land on which a shopping center was planned.

The lack of territorial contiguity for five of the seven member states complicated matters, as did the matter of sorting out tribal allegiances to various rulers, allegiances that heretofore had often been changeable according to prevailing circumstances. Furthermore, the truculence of the Qasimi sheikhs of Sharjah and Ra's al-Khaymah prevented the drawing of accurate boundaries for their states with Oman. In some cases neutral zones were created, and in others enclaves were recognized. One of the more prominent of these is Wadi Hatta on the main road

between Dubai and Suhar in Oman. The traveler on the road passes into Oman before emerging in Wadi Hatta and then plunging back into Oman for good.

To the north, the Omani enclave of Musandam (properly Ru'us al-Jibal) is entirely cut off from the rest of the Sultanate. Much of the Musandam's population comes from the Shihuh tribe, which historically was allied with Muscat against the Qawasim. But since the 1970s, Oman has contended that Ra's al-Khaymah (and Abu Dhabi to a lesser extent) actively encourages the Shihuh to emigrate to Ra's al-Khaymah and then take up UAE citizenship in order to protect their jobs. At the same time, while Omani private and official travelers must pass through UAE checkpoints to reach Musandam by land, there has been dispute over exactly where the borders on the Gulf of Oman lie. The settlement of Dibba at the northern end of UAE territory is particularly fragmented. Oman's part was previously known as al-Bay'ah but in the 1980s the government insisted on using the name Dibba, thus raising potential confusion with Dibba al-Husn (Sharjah) and Dibbah al-Fujayrah (al-Fujayrah). There were also a fair number of minor border incidents between Abu Dhabi and Oman through the 1980s amid Omani accusations that Abu Dhabi was "poaching" Omani soldiers to serve in its armed forces. Abu Dhabi and Muscat did not exchange ambassadors until 1992 and it took until 1999 for the UAE-Oman border to be agreed.

#### *Abu Sa'fah Offshore Oil Field (Bahrain and Saudi Arabia)*

Saudi Arabia and Bahrain provide one of the biggest contrasts between members of the GCC in terms of size, power, and wealth. Nestled under the Saudi arm, Bahrain has always sought to maintain good relations with the Al Sa'ud in nearly all matters and the determination of boundaries (necessarily maritime only since Bahrain is an archipelago) between them has not caused great controversy.<sup>17</sup>

Bahrain and Saudi Arabia negotiated a maritime boundary in 1958 but the area in which the Abu Sa'fah oil field lies was the subject of earlier negotiations about 1954. In these, it was agreed in principle that either the area should be shared in a "development zone" or eventually divided. But it was not until 1958 that the ruler of Bahrain agreed to concede the zone to Saudi Arabia in return for an equal share of income from the oil field, which the Saudis administered.<sup>18</sup>

Final agreement on ownership and disposal of the oil field was relatively harmonious. Because of Bahrain's greater need for income from the field, Saudi Arabia

agreed in subsequent years to increase the Bahraini proportion. In 1993, Riyadh raised Bahrain's share to 100,000 barrels per day leaving the kingdom with roughly 40,000 barrels per day. In 1996, Saudi Arabia assigned the entire output from the field to Bahrain, which used the crude to feed its oil refinery at Sitrah. There was some fear, however, that this decision would lead to greater Saudi influence over Bahrain, particularly since the 100 percent income from Abu Sa'fah would provide nearly half of Bahrain's government revenues. However, in 2004, Saudi Arabia cut Bahrain's oil allocation by 50,000 barrels per day. It was not clear from news reports whether this represented a cut in the share of Abu Sa'fah production or was a reduction of the Saudi contribution to Bahrain from other sources. In any case, the field's production had been doubled by this time to 300,000 barrels per day so that Bahrain's receipt was still more than the original production from the field.

Despite periodic reports of Saudi anger or uneasiness with political developments in Bahrain, the two countries get along quite well. Although the permanent distribution of oil production from Abu Sa'fah field has not been determined, the oil field is unlikely to be a source of dispute in the future since Bahrain is clearly dependent on Riyadh and takes considerable care not to upset its much larger neighbor. Saudi largesse regarding oil is only one way in which Bahrain is economically dependent on Saudi Arabia. Much of the tourism industry's earnings come from Saudi visitors, Bahrain's international banks do business in Saudi Arabia and with Saudi clients, and Saudis are heavy investors in Bahrain.

### *North Field Gas Field (Iran/Qatar)*

The world's largest gas field lies in the waters between Qatar and Iran and is known as the North Field in Qatar and the South Pars field in Iran. The two countries' offshore boundary was determined in a 1969 agreement. But this agreement did not specify how revenues from the gas field were to be allocated.<sup>19</sup> That was not a problem until the early 1990s, when Iran made pronouncements that the field would be developed jointly with Qatar, an approach that did not seem to be shared by Doha. Although Qatar was keen to keep on the good side of its much more powerful neighbor across the Gulf, relations were troubled by political differences.<sup>20</sup>

In the end, both sides developed their portions of the field separately after agreement that exploitation should begin in the middle of the field in order to defuse any possible dispute. Although the structure had been discovered about

1971, Qatar did not begin exporting its first liquefied natural gas (LNG) until 1997. A decade later, however, Qatar became the largest LNG producer in the world, and it is continuing to grow.

At present there do not seem to be any significant differences between Iran and Qatar over the North/South Pars field. This may be in large part because of the enormous costs involved in bringing an LNG train into operation, thus slowing Iran's exploitation of its portion. But if and when Iran does become active in production, disputes over ownership may arise. Above all, political issues—such as Iranian nuclearization and the Abu Musa/Tunbs issue—continue to dog Iran's relations with all the GCC, including Qatar, which may add another element of tension to Iranian-Qatari relations.

### *The Iraqi-Kuwaiti Border*

Iraqi-Kuwaiti relations have long been troubled by Iraqi claims to all of Kuwait.<sup>21</sup> This arose from nineteenth-century Ottoman claims to sovereignty over Kuwait. This became particularly contentious in the 1890s when Britain began to take a particular interest in Kuwait because of the possibility that it might become the terminus of a German-built railway from Europe to the Gulf. While Kuwait's Sheikh Mubarak accepted some Ottoman terms, Kuwait was never actually under Ottoman control. Mubarak's acceptance of an Ottoman title seemed geared more to his efforts to play off the two imperial powers in order to retain his independence. In the end, he was forced to accept protected status under the British, a situation that lasted until independence in 1961.

The Iraqi successor governments to the Ottoman presence continued to claim Kuwait as legitimately Iraqi territory. While such claims were little more than pro forma under the monarchy, the post-1958 revolutionary governments were far more activist in their claims. These claims were indelibly fused with the Qasim and Ba'thist goals of encouraging "progressive" revolutionary movements throughout the Gulf, for which they gave extensive if clandestine support.

Thus the Iraqi-Kuwaiti border issue was in many respects more comprehensive than just a border dispute and in many ways was raised simply as a provocation for the larger Iraqi claim to all of Kuwait. There were two significant border issues, however. The first was ownership of Umm Qasr and the exact placement of the border. Umm Qasr had first come into prominence as a temporary port

built by the British for the war effort during World War II. Its postwar dismantlement led to controversy over which country's territory it was. It may have been a minor issue, but its importance was compounded by Iraqi geography and its strategic location. Iraq's only other outlet to the sea was through the Shatt al-'Arab. But ownership and use of the *shatt* was a matter of perpetual and bitter contention between Iran and Iraq. Successive Iraqi governments quite understandably sought an alternative safe outlet and so constructed a new port for both military and civilian use at Umm Qasr.

The route from Umm Qasr to the waters of the Gulf passed by the islands of Warbah and Bubiyan, which had been under Kuwaiti control since the Ottoman period. Kuwaiti ownership of the islands was explicitly conceded by Iraq as part of the 1963 agreement by which Iraq recognized the sovereignty of Kuwait. Nevertheless, Iraq continued to press for some accommodation, particularly when the Rumaylah oil field along the border was developed and required a terminal on the sea. While Iraqi claims to the islands could be made only under the rubric of claimed sovereignty over all of Kuwait, Baghdad pressed Kuwait for the purchase or lease of the islands. These overtures were resisted by Kuwait, partly because it would significantly reduce its territory but, even more important, it might encourage further Iraqi claims on Kuwaiti territory.

A final point of dispute was the alignment of the land border between the two states. The extent of the dispute was illustrated by an Iraqi attack on Kuwait's al-Samta border post in 1973, resulting in two Kuwaiti deaths. It became increasingly contentious during the Saddam Husayn regime and particularly in the years prior to his invasion of Kuwait. In large part, the insistence of Iraqi claims owed much to the presence of oil fields in the border area and Iraq's claim to the entirety of the Rumaylah oil field. In addition, in 1990 Iraq added to its claim by alleging that Kuwaiti was violating the existing border by using slant drilling to exploit oil on the Iraqi side of the border.

The resolution of the border followed the dramatic events of 1990–91, when Iraq invaded and occupied Kuwait, and multinational forces subsequently liberated the country. The reaction seemed to guarantee Kuwait's independence and eliminate any credibility to Iraqi claims. A UN-sponsored effort to determine the rightful border resulted in a permanent demarcation in 1992 that was marked on both the map and the ground. Saddam's government had no alternative but to accept the demarcation, but its acceptance undoubtedly was no more certain

than its acceptance of the 1975 Algiers accord on the Shatt al-'Arab. After the Islamic revolution had weakened the Iranian regime, Saddam declared that the Algiers agreement had been signed under force and declared it void before his attack on Iran.

Although the status of Kuwait and Iraqi-Kuwaiti border alignments had been legally settled in the first few years after the 1991 Kuwait War, Baghdad's lasting adherence to the arrangements remained doubtful. The emergence of a new government in Baghdad under American tutelage has raised expectations that the sovereignty and boundary issues will remain permanently closed.

### *Al-'Arabiyah and Farsi Islands (Saudi Arabia/Iran)*

Ownership of a number of small islands in the Gulf has been disputed. Some of these islands may have had some importance in the past because of fishing and pearling rights, but for most of the twentieth century and beyond their ownership was significant because they determined maritime boundaries and thus potential control of offshore oil and gas deposits. That is true of various small and uninhabited islands in the northern part of the Gulf. The case of Warbah and Bubiyan has been discussed above.<sup>22</sup>

The two small and uninhabited islands of al-'Arabiyah and Farsi are located directly in the center of the northern part of the Gulf. They engendered little interest until British officialdom discussed the ownership merits of Iran, Saudi Arabia, and Kuwait in the 1930s. When the Kuwait Oil Company raised a beacon light on Farsi in the mid-1940s, both Saudi Arabia and Iran complained. The islands slumbered again until the early 1960s when the possibility of offshore oil deposits in the northern Gulf attracted the attention of the neighboring countries.

Saudi Arabia and Iran began talks on the question of ownership and demarcation of their common boundaries in 1963, but disagreements scuttled an agreement. However, the two countries were able to decide in 1965 that Saudi ownership of al-'Arabiyah would be recognized while Iran assumed sovereignty over Farsi. The 1968 demarcation of the two countries' continental shelf boundary confirmed the division, even though the median line had to be adjusted to account for the split in ownership of the two islands.

There have been no problems since the peaceful and harmonious settlement of this dispute. Settlement of the islands issue turned out to be a relatively minor

aspect of the far more important demarcation of Saudi-Iranian maritime boundaries, which determined the division of offshore oil and gas deposits.

### *Neutral Zones*

There have been two significant Neutral Zones concerning Gulf states, both involving Saudi Arabia. One has been shared with Iraq and the other with Kuwait. Both Neutral Zones derived from British efforts to define the territorial limits of the Third Saudi State earlier in the twentieth century. Drawing precise boundaries was regarded as nearly impossible since the region comprised multiple traditional migratory routes and grazing lands of nomadic tribes. When the 1922 boundary conference at al-'Uqayr (now on Saudi Arabia's Gulf coast), involving Iraq, Kuwait, and Najd (later Saudi Arabia), became stalemated over this issue, Sir Percy Cox, the High Commissioner of Iraq, drew two Neutral Zones: an inland zone to be shared between Iraq and Najd and another zone along the Gulf coast between Kuwait and Saudi Arabia. Cox also awarded Iraq a considerable amount of territory claimed by Najd and compensated by signing over about two-thirds of Kuwait's territory to Najd.

The Iraqi-Saudi Neutral Zone was divided equally and permanently in 1980. The Kuwaiti-Saudi Neutral Zone was more complicated since several oil concessions for the territory had been awarded. An offshore oil concession was awarded jointly to the Japanese-owned Arabian Oil Company, which discovered oil in 1960 but lost the concession in 2000. The income from this concession continues to be shared equally between Kuwait and Saudi Arabia, except during the Iran-Iraq War, when the proceeds were given to Iraq. Onshore concessions belong to Kuwait Oil Company (following the nationalization of the interests of the previous holder Aminoil) and Getty Oil (now a subsidiary of TEXACO) on behalf of Saudi Arabia. The disposition of both Neutral Zones was conducted harmoniously, and there have been no subsequent territorial disputes regarding them, with the exception of the islands off the Kuwaiti-Saudi zone, as discussed elsewhere.

### *'Asir, Najran, and Jizan (Saudi Arabia/Yemen)*

Mutual suspicions and enmity between Saudi Arabia and Yemen has a long history. Much of this has been focused on the three regions of 'Asir, Najran, and

Jizan. 'Asir is a highland region, contiguous to Yemen and with a strong Yemeni flavor. Its capital Abha sits on the edge of the precipice that falls away to the Tihamah coastal plain. Najran is farther inland and is centered on the ancient city of Najran, presently with a large Isma'ili population. Jizan is a region on the Tihamah abutting Yemen and its capital Jizan provides an important port serving a wide hinterland.<sup>23</sup>

In the early twentieth century, the border regions between the two countries fell under the control of local dynasties. In particular, the area of 'Asir had formed the nucleus of the realm of the Idrisi emirs, which extended into the areas of Jizan and Najran (subsequently forming separate Saudi provinces). The decline in Idrisi power following World War I led to increasing interest in control over the area by both the Zaydi imam in Sanaa and the Saudi emir in Riyadh. By the late 1920s, the Al Sa'ud had assumed effective control of 'Asir while the imam continued to intrigue in Najran and elsewhere. By 1934, enmity broke out into open warfare and Saudi forces routed the imam's forces and ranged deep into Yemen. The cessation of hostilities was followed by a treaty recognizing Saudi Arabia's retention of the three regions of 'Asir, Najran, and Jizan. The Treaty of al-Ta'if confirmed Saudi authority in these areas for a forty-year period, which would then be renewable at twenty-year intervals. Renewals took place in 1953 and 1973 against considerable popular outcry in Yemen. The subsequent assassination of the Yemeni prime minister who signed the 1973 renewal has been ascribed by some to his signature. A further renewal was signed in 1995, even though talks on the settlement of the Saudi-Yemeni border had begun in 1992.

The Saudi-Yemeni border talks in the 1990s covered the entire expanse of shared boundaries from the Red Sea to Najran (the border covered by the Ta'if treaty) and from there to well into al-Rub' al-Khali desert (where discussions centered on modifications to the Blue and Violet Lines drawn up by Anglo-Ottoman discussions in 1913–14). The alacrity with which negotiations progressed during this decade owed much to the discovery and exploitation of oil in Yemen and the awarding of concessions in the undetermined border zone.

Despite the continued obstacles of an atmosphere of enmity and a succession of border incidents, Saudi Arabia and Yemen signed a comprehensive border treaty in 2000 that explicitly stipulated the legality of the Treaty of al-Ta'if and demarcated the inland length of the boundary. Placement of boundary markers was completed in 2004, although minor adjustments were made in subsequent

years. Despite extensive negotiations, the final boundary split up tribal territory between the two countries, particularly that of the Wa'ilat tribe.

The so-called "lost provinces" are more of a symbolic issue for Yemenis than a serious attempt to redress past territorial grievances. Saudi domination of the Yemen republic (first north Yemen and then unified Yemen) has resulted in a popular backlash against the northern neighbor. While the immediate issue of ownership of these three territories seems to be permanently resolved, their occasional invocation as the "lost" territories of Yemen speaks to a deeper Yemeni resentment of Saudi Arabia and its policies. The border arrangements are unlikely to be challenged in the foreseeable future but the air of tension between the two countries is unlikely to subside.

### *Oman/Yemen Border*

Oman and Yemen touch along a line dividing al-Mahrah country of former South Yemen and the Dhufar province of Oman, whose people culturally were closer to Yemen than to Oman.<sup>24</sup> The border lies in inhospitable terrain, very mountainous at the Arabian Sea and bisected by deep wadis inland before fading into the sands of al-Rub' al-Khali. A haphazard line was drawn on maps but a tribal incident in 1955 sparked the initial attempt to establish boundary lines on the ground and a representative of the Sultanate of Oman and officials of the Government of Aden met on the border in 1961. An administrative border was drawn in 1965.

Apart from the Sultanate's construction of a fort in the middle of a wadi at Habrut, opposite an Adeni fort, the matter was allowed to languish until British withdrawal from Aden in late 1967. By that time, a full-scale rebellion was under way in Dhufar, and Oman veered close to hostilities with South Yemen over the latter's support for the Dhufari rebels. An Omani military post was constructed on the escarpment above the sea just inside its reckoning of the border and was precariously maintained throughout the remainder of the war. Although the Dhufar War was declared finished in late 1975 by the Omani sultan, remnants of the leftist rebels continued to subsist in the mountains and Omani-South Yemeni relations remained tense for years.

The normalization of relations between Oman and South Yemen did not begin until 1982, and border talks did not get underway until 1983. Protracted negotiations were required before a border agreement was reached in 1992

between Oman and the unified Republic of Yemen. Agreement came about because of the Omani sultan's willingness to slide the border slightly to the west, but with the exception of his insistence on retaining the area of Habrut as a symbol of South Yemen's attack upon it in 1972.

Two years after the border was agreed, the former South Yemen attempted to secede from the Republic of Yemen and was defeated in a brief civil war. Like many of the other GCC states, Oman provided some behind-the-scenes assistance to the south and gave refuge to the erstwhile secessionist president. Nevertheless, this action has not seriously affected Omani-Yemeni relations and the border remains open to traffic and trade. Any disruptions to good relations between the two countries are unlikely under present conditions.

#### BEYOND BORDERS: SHIFTING DYNAMICS IN THE POST-BOUNDARY-ISSUE ERA

Even a cursory comparison of the preceding exposition of boundary issues shows the interlinking of many of the factors identified in the earlier schema of the nature of boundary disputes. In many cases, it is impossible to say that a particular issue arises from only one or two of the categories. Classification is complicated further by the bundling of a number of distinct issues into a single broader package, as can be seen in the disputes between Bahrain and Qatar and between Iraq and Kuwait.

In general, it can be postulated that "state formation" played a role in nearly all of these issues—an impetus to sorting out territorial matters as part of the completion of the state-formation process. Nearly all offshore boundaries are the product of this impulse in combination with another factor, "claims to natural resources." It can also be argued that most of these issues stem from the pressing of "historical claims" and even "imperial remnants" given Britain's historic role in the Gulf (and, to a lesser extent, that of Iran).

Boundary claims based on "strategic requirements" can be seen most clearly in the Abu Musa and Tunbs dispute, as well as in Khawr Al 'Udayd. Perhaps Oman's claim to the Musandam applies as well because shipping lanes through the Strait of Hormuz lie within Omani territorial waters. On the other hand, Oman would probably be just as—if not more—secure if it did not bear responsibility for the safety of navigation in the strait, as it nearly discovered during the

Iran-Iraq War. The final category of “manifest destiny” is present in a number of cases but the most obvious is al-Buraymi, followed by Khawr Al ‘Udayd and perhaps the provinces of ‘Asir, Najran, and Jizan. A similar impulse might be ascribed to Iran in its claim to Bahrain and insistence on sovereignty over Abu Musa and the two Tunbs.

The settlement of many of the border disputes afflicting the region, in addition to the maturation of the GCC, has led to an observable improvement in bilateral relations all around. This does not mean that the “leapfrog” effect has disappeared entirely. But in the opening years of the twenty-first century, the likelihood of open enmity, let alone hostilities, between any of the GCC states seemed unlikely. Those border issues that remained unresolved were far more likely to be the subject of open-ended negotiations than causes for “cold war” reactions.<sup>25</sup>

The pattern of “leapfrog” relations within the Gulf continues fundamentally unchanged, although more subdued in public. Bahrain works best with Abu Dhabi while Dubai and Qatar are sympathetic. On the other hand, Oman’s relations with Ra’s al-Khaymah continue to be troubled, particularly over Ra’s al-Khaymah’s persistence in wooing Shihuh tribesmen from the Ru’us al-Jibal into taking up Ra’s al-Khaymah residence and UAE citizenship.

It is obvious that border issues, albeit in combination with other factors of contention, not only affect the parties involved but have a negative impact on GCC unity. A case in point is the refusal of Bahrain’s emir to attend the 1996 GCC summit because it was being held in Doha while the two countries were in the midst of an acrimonious border dispute. Although Saudi Arabia and Qatar had had no major border issues, a skirmish at a Qatari border post in 1992 left several Qatari soldiers dead and provoked Qatar into suspending the two countries’ 1965 border accord. A settlement apparently recognizing Qatari sovereignty over the border post and the Saudi position in Khawr Al ‘Udayd allowed the Qatari emir to back down from his threat to boycott the GCC summit of that year. But the incident was followed by several episodes involving fishing boats in 1994 and may have contributed to Saudi support of ex-Qatari Emir Sheikh Khalifah’s efforts to regain his throne in 1996 and later the extent of Saudi pique at the reporting of Al Jazeera television.<sup>26</sup>

At the same time, it can be noted that the dispute of one GCC member with a non-GCC neighbor may have a serious impact on all the GCC states. The most prominent illustration is the 1990 Iraqi invasion of Kuwait, which required the

involvement of all five remaining members in the liberation of Kuwait. Similarly, the UAE's dispute with Iran over the three islands forms part of a larger picture of adversarial relations between the GCC as a whole and the Islamic Republic. The mention of Iran leads to the observation that the GCC has been blessed with a minimum of onshore borders with other countries. Most of these belong to by far the largest GCC member, Saudi Arabia. It borders Iraq and Jordan on the north (with a close near-border with Israel) and Yemen on the south. Kuwait borders Iraq and Oman borders Yemen. Consequently, many but not all of the problems afflicting borders elsewhere in the region have been serendipitously averted by the GCC.

In recent years, the "island fortress" aspect of GCC security has led to a seemingly relatively straightforward priority of collective "national" security: walling the GCC off from its poorer and fractious neighbors. In this sense, Kuwait has expended much time and money on building an impenetrable fence along its Iraqi border. Saudi Arabia has also fenced off its common border with Iraq and sought in 2004 to build a border fence along its Yemen frontier. The UAE notably has stiffened all its border precautions, not only physical borders with neighboring Oman but intensified protection at air and sea ports.

While most border disputes have been ostensibly laid to rest, the remaining ones, not surprisingly, remain intractable. Furthermore, there is no guarantee that disputes resolved will not break into the open again, as Abu Dhabi's dissatisfaction with Khawr Al 'Udayd illustrates. The role of boundaries as a contentious factor between the Gulf states and with their neighbors has slipped into the shadows but it has not disappeared.



# **International Politics of the Persian Gulf**

*Edited by*  
**Mehran Kamrava**



SYRACUSE UNIVERSITY PRESS

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Syracuse, New York 13244-5160

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11 12 13 14 15 16

6 5 4 3 2 1



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CENTER FOR  
INTERNATIONAL  
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Published in association with the Center  
for International and Regional Studies, Georgetown  
University School of Foreign Service in Qatar.

GEORGETOWN UNIVERSITY  
SCHOOL OF FOREIGN SERVICE IN QATAR

∞ The paper used in this publication meets the minimum requirements  
of the American National Standard for Information Sciences—Permanence  
of Paper for Printed Library Materials, ANSI Z39.48-1992.

For a listing of books published and distributed by Syracuse University Press,  
visit our Web site at [SyracuseUniversityPress.syr.edu](http://SyracuseUniversityPress.syr.edu).

ISBN: 978-0-8156-3280-1

#### **Library of Congress Cataloging-in-Publication Data**

International politics of the Persian Gulf / edited by Mehran Kamrava.

p. cm. — (Modern intellectual and political history of the Middle East)

Includes bibliographical references and index.

ISBN 978-0-8156-3280-1 (cloth : alk. paper)

1. Persian Gulf Region—Foreign relations—21st century. 2. Persian Gulf Region—  
Foreign economic relations—21st century. 3. Persian Gulf Region—Politics and  
government—21st century. 4. Persian Gulf Region—Strategic aspects. 5. National  
security—Persian Gulf Region. I. Kamrava, Mehran, 1964–

DS326.L576 2011

327.536—dc22

2011011777

*Manufactured in the United States of America*

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