

THE SAUDI-YEMENI BOUNDARY TREATY

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INTRODUCTION

Yemen and Saudi Arabia signed a formal treaty governing the full length of their common boundary on 12 June. The Yemeni parliament approved the Treaty on 24 June and on 4 July the Saudi Foreign Minister, Prince Saud al-Faisal, arrived in Sanaa to exchange instruments of ratification.

WHO WON AND WHO LOST?

The settlement of the Saudi-Yemeni boundary dispute in the treaty signed in Saudi Arabia on 12 June not only ends one of the Middle East's most serious quarrels. It appears that both sides realised just how much there is to be gained from making peace.

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What was at stake ranged from confirmation of an established border in the west to ownership of large swathes of the Rub' al-Khali, the famed 'Empty Quarter', in the east. There was also the need to settle a maritime boundary at the western end, and, for possibly the first and last time in the 21st Century, a formal assertion of sovereignty by a modern state over apparently unclaimed territory on the Eurasian landmass.

Assessing who won and who lost is an almost impossible task, for this was a dispute in which it is still not clear just what the Saudis and what the Yemenis were claiming in the first place. Neither side ever went public with its assessments of where the border should be, although it appears that the Yemenis were largely relying on putative boundary lines proposed (but not formalised) by the former British colonial authorities ruling Aden, while Saudi Arabia appeared to be pushing for a boundary line much further south, in places along the 17°N parallel. The closest hints that outsiders could ever get came from commercial maps published in the two countries and which, it might reasonably be assumed, reflected at least the aspirations of the respective governments concerning the location of the borders.

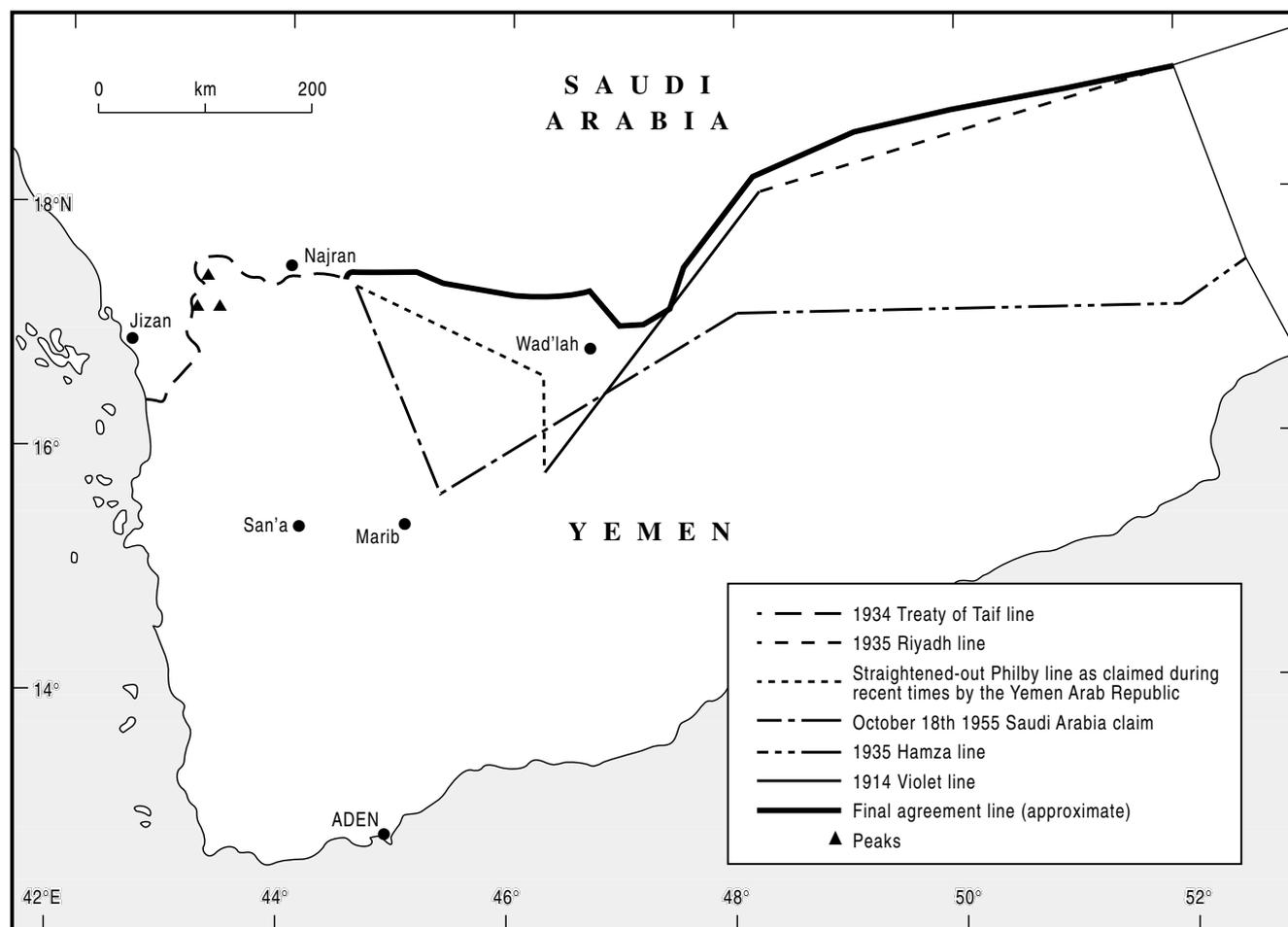
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In practice, both sides appear to have won – but to have won somewhat different conflicts. For the Yemenis, their success was territorial and economic, for the Saudis it was a major diplomatic and security achievement.

In addition, the outcome varies according to which sector of the border is considered. In rough terms, there were four main geographical elements to the boundary dispute. At its eastern end, there was the question of the location of the border north of the Wadi Hadhramaut. In the centre there was the location of the border in the region where the old North Yemen met the former South Yemen, close to the Marib and Shabwa oilfields. In the west, there was the question of the line covered by the Taif treaty of 1934 from the Jabal al-Thar to the Red Sea coast at Ras al-Muwaij. Finally, there was the maritime boundary in the Red Sea.

THE DESERT FRONTIER

Judging by apparent claims to the deserts of the northern Hadhramaut, the Yemenis came off best in this vast sector of the frontier. When the treaty was announced, the Yemenis were in no doubt that they had achieved a great success. Yemeni newspapers spoke of 35,000 square kilometres of territory being incorporated into the country – or regained. The exact wording is itself a matter of interest, for what verb do you use when neither side really knew who actually owned so much of these borderlands before the treaty settled the matter?



More importantly, in effect it confirmed Yemen's right to award a string of oil concessions in these regions north of the Wadi Hadhramaut. This is particularly important to Canadian Occidental, the company which is now emerging as Yemen's biggest oil producer and which currently holds the concessions for a string of blocks along or close to the new northern frontier (Nos. 11, 12, 36, 50 and 54). It may yet be that Yemen will have to revise some of the concession areas – it is not yet fully clear whether the northern boundaries of the concessions exactly match the newly agreed frontier line – but the substance of the concessions remains intact. Indeed, if anything, it may even leave Yemen with a little more land to open up to the world's oil companies. Above all, along this eastern sector of the boundary, it lifts the weight of Saudi intervention which caused problems for various oil companies in 1992/3, when they received letters from the Kingdom warning that they were operating in disputed territory, and in a more minor way throughout most of the rest of the 1990s as Saudi border patrols operated in areas for which Yemen had awarded concessions.

YEMEN SECURES THE LAST UNCLAIMED TERRITORY

In the centre, it looks as if the last unclaimed territory has now been formally incorporated into Yemen. This is an appropriate outcome since, according to one of the few western boundary experts with an intimate knowledge of the issue, it was indeed once part of the Emirate of Shabwa, and Shabwa was, and is, an integral part of the modern state of unified Yemen. The existence of the territory was identified in the early 1990s by Richard Schofield, then an IBRU researcher. Its existence stems from the fact that presumed Saudi claim lines and presumed Yemeni claim lines (both based on border lines proposed by the two sides during the era of British colonial rule in southern Yemen), leave a 5,000km² triangle of territory in the vicinity of the tribal lands of the Bani Seyyar outside the presumed claim lines of either side.

The new boundary also appears to make it clear that Yemeni territory covers the entirety of oil block 5, Jana. This was the original oilfield slated for joint development by North and South Yemen in 1988/9, a process that led to the negotiations which eventually yielded full unity between the two Yemens in May 1990. From some maps, it had appeared that Saudi claims at this point came quite far south, carving a deep 'V'-shaped insert into Yemen in the vicinity of Marib and Shabwa and shaving part of the Jana block.

At this stage, however, it is important to note that although the treaty sets out specific coordinates for various key points along the common border, it does not specify the precise lines linking these points, leaving that task for subsequent survey teams, presumably organised by a specialist international company which the treaty specifies will be hired to prepare detailed maps of the land borders.

THE TAIF FRONTIER CONFIRMED

Saudi Arabia's gains are made in the west. These gains are essentially political, since in practice the border was established by the Treaty of Taif in 1934 and physical control had not changed the boundary line since then (except, of course, for problems stemming from the fact that so many of the original boundary markers have disappeared since 1934 that it appears locals on either side were not always very clear as to just where the boundary was supposed to lie).

The Saudis secure an acknowledgement that in this sector the Treaty of Taif is permanently binding. This puts an end to the assertions in some Yemeni quarters that since the Treaty required 20 year extensions, and had not secured a second formal extension in 1974, it could therefore be argued that it had lapsed and that Yemen need no longer acknowledge the cession to Saudi Arabia under the Taif treaty of the provinces formerly belonging to the Imamate of Yemen, the forerunner of the old North Yemen, notably Asir and Najran.

THE MARTIME BOUNDARY

On the maritime border, the result perhaps marginally favours the Saudis, although ironically it was the Yemenis who were more advanced in terms of seeking to look for offshore oil and gas reserves in this region. The maritime line essentially heads west out to sea and it is notable that the Farasan archipelago, subject to Yemeni sovereignty claims in the past, falls on the Saudi side of the line. The delimitation is apparently based on a median or revised median line, whereas the Yemenis were reported to have argued for a line that would have trended further towards the northwest. This part of the agreement prompted some opposition during the Yemeni parliament's debate on the treaty, with a leader of the Yemen Socialist Party, Ahmed Saleh as-Salami, saying it affected exploration sites identified by British Petroleum when it held the Antufash concession in the early 1990s. BP was noteworthy for being one of six oil companies which received warning letters from Saudi Arabia in 1992/3, and, indeed, it subsequently quit the country, although it said this was due to a strategic rethink of its global priorities and was not prompted by the Saudi missives.

Despite securing its presumed objectives in the east, the Yemeni government still has to sell the agreement to some of the tribes along the new border, not least because of the clause in the treaty establishing a 20km demilitarised zone on either side of the new boundary. The Shaikh of the Wa'ila tribe – described by the *Yemen Times* as the Wa'ila Yemeni tribe, commented that “we oppose the treaty in regard to the articles that describe the borders between our tribal area and other parts in the north.” The Shaikh, Bin Shaji, was concerned because his tribal area exists in the 40km demilitarised zone. The *Yemen Times* concluded that this “means that the tribe's identity becomes neither Yemeni nor Saudi” – a conclusion which may not be strictly accurate but which at least draws attention to the identity problem

confronting some tribes in the borderlands. There have also been protests from the Dhu Yahya and Al-Zawalima tribes.

THE SAUDI GOAL: YEMEN'S STABILITY

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From the Saudi perspective, the main gain is in terms of regional security. The Kingdom has long been concerned at instability on its southern border, and a generous treaty with Yemen (generous, that is, from the Saudi perspective) should both ensure stability within Yemen and enhance Yemeni relations with Saudi Arabia. This is important, Saudi sources say, because the Kingdom is becoming increasingly concerned at an increase in regional tension on its eastern flank, not least as a result of unresolved border disputes, notably those between the UAE and Iran over Abu Musa and the Tunbs, and between Qatar and Bahrain over the Hawar archipelago.

However, stability in Yemen is in itself clearly a major goal for Crown Prince Abdullah, who has devoted considerable attention to the issue of how to ensure the development of good working relations with a country which (no matter how much it may be said to have grown as a result of the 12 June treaty) is much smaller in physical terms, and very much poorer than its larger neighbour, but which remains prone to considerable internal instability and possesses a substantially greater population than the indigenous population of Saudi Arabia. Yemeni sources say the Saudi Crown Prince and *de facto* head of government had been expected to sign the border treaty when he visited Sanaa on Yemen Unity Day in May. Crown Prince Abdullah had also brought with him a large entourage of businessmen and bankers to develop trading and investment opportunities. However, the height of Sanaa apparently upset the Saudi heir apparent, prompting him to cut short the trip in the face of an asthma attack in the thin air.

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However, the treaty was nonetheless settled, and the ground laid for a major increase in trade relations between a Saudi Arabia which is now in much better economic shape than for many years, and a Yemen given a double reprieve in the form of both a boundary agreement which should enhance prospects for long-term oil and gas exploration and development in the northern Hadhramaut and its own increase in oil revenues as a result of relatively high global oil prices. In the long run, the very act of settling such a complex boundary dispute will be reckoned a triumph for both sides but its real success will be shown if Yemen succeeds in taking advantage of Saudi largesse by starting to make real progress towards political stability and sustained economic development.