



UAE-Saudi Arabia Border Dispute: The Case of the 1974 Treaty of Jeddah

Submitted by **Noura Saber Mohammed Saeed Al-Mazrouei** to the University of Exeter's Institute of Arab and Islamic Studies as a thesis for the degree of Doctor of Philosophy in Arabic and Islamic Studies in October 2013

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ABSTRACT

In 1974, after forty years of negotiations over the disputed sovereignty of the Al-Ain/Buraimi region, Zararah/Shaybah, and Khor al-Udaid, the governments of Saudi Arabia and the UAE signed the Treaty of Jeddah, apparently ending the dispute. But the dispute was not settled as far as the UAE was concerned, owing to discrepancies between the oral agreement before the Treaty's signing and the final text of the Treaty itself. The UAE government did not notice this discrepancy until 1975, likely due to the absence of lawyers, technicians, and geographers on its negotiation team. The UAE has attempted to bring Saudi Arabia back to the negotiating table ever since. In 2004, thirty years after the Treaty was signed, the UAE launched a public diplomatic campaign to persuade Saudi Arabia to revisit parts of the Treaty, especially the question of the Zararah/Shaybah oil and gas field. The public campaign has had a detrimental effect on UAE-Saudi relations and the border dispute remains unresolved to this day.

This thesis seeks to contribute to a better understanding of the Treaty of Jeddah by examining the negotiations that led to its signing on 21 August 1974, focusing on the period of 1970-74, about which relatively little has been written. It explains the process of negotiations, the context in which they took place, the role and influence of Britain (as Abu Dhabi's protecting power up to 1971), why Abu Dhabi signed a treaty it quickly came to regret, the resulting aftermath, and how the UAE might yet obtain the Treaty's revision.

This thesis argues that Britain, as Abu Dhabi's protecting power, played different roles through the negotiation process, and that Britain did not always negotiate in Abu Dhabi's interests — particularly during the final years of British protection (1968-71), when it increasingly advised Abu Dhabi to compromise. It shows how Abu Dhabi's position weakened substantially after the withdrawal of British protection in 1971, while Saudi Arabia's position was strengthened considerably by the US government's Twin Pillar policy. It argues that Saudi Arabia maintained an inflexible position during 1970-74, when it adopted a 'controlled negotiating strategy' with aggressive tactics (including the threat of military intervention) designed to force Abu Dhabi into a corner, giving it no choice but to sign the Treaty. This approach allowed for a 'win-lose' outcome only. Indeed, there were no 'negotiations' as such — the huge differences in power between Saudi Arabia and the UAE enabled the former to more or less impose a

settlement on the latter. Finally, this thesis argues that the UAE's claim to Khor al-Udaid, which is the most visible aspect of the dispute since it can be clearly shown on maps, is not in fact the most important issue for the UAE — it is the oil and gas sharing arrangements in for Zararah/Shaybah oil field, due to their huge economic implications.

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DEDICATION

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CHAPTER ONE

Introduction

1.1. Introduction

The Treaty of Jeddah signed in August 1974¹ was expected to be the final step in a long process of formal negotiations over the boundaries between Abu Dhabi and Saudi Arabia — a process that began in 1935. Muhammad Morsy Abdullah, Director of the National Center for Documentation and Research in Abu Dhabi during the 1970s, believed at the time that the signing the Treaty “put a satisfactory end to the problem.”² However, when the UAE Government revived the boundary question in 2004, seeking the modification of certain Articles in the Treaty, it became public knowledge that the dispute had not ended in 1974 and that Abu Dhabi has never been satisfied with the Treaty. The border dispute was reopened very publically in December 2004, during Shaikh Khalifa’s first state visit abroad — to Riyadh — as the newly-appointed President of the UAE.³ The dispute has remained a thorn in the side of UAE-Saudi relations ever since.

This study examines the boundary question during the reign of Shaikh Zayid bin Sultan Al-Nahyan (r.1966-2004) and his son, Shaikh Khalifa bin Zayid Al-Nahyan (r.2004-present). It attempts to answer whether revival of the border dispute in 2004 occurred spontaneously with Shaikh Khalifa or if it had been an on-going issue that nevertheless remained dormant during Shaikh Zayid’s rule. It is important to note that the Saudis have insisted that the Treaty was, and remains, a valid agreement; their only complaint is that the UAE has failed to cooperate in implementing one of the Treaty Articles relating to the maritime boundary.

To provide insight into the UAE’s revival of the dispute in 2004 and its position towards the Articles of the Treaty, the negotiating processes related to the territorial

¹ Shaikh Zayid of the UAE and King Faisal met in Jeddah on 21 August 1974 to sign the Treaty.

² Muhammad Morsy Abdullah, *The United Arab Emirates: A Modern History* (London, Croom Helm, 1978), p.212.

³ “Riyadh Diplomatic as UAE Grievance Resurfaces”, *Gulf States Newsletter* no. 760 (24 June 2005) at http://www.gsn.online.com/HTML/Subscriber/Back_issues/700s/760%20-760/security.html (accessed 11 May 2010).

dispute between 1935 and 1974 need to be carefully examined. This thesis seeks to contribute to a better understanding of how Treaty of Jeddah came about, focusing on the development of UAE-Saudi territorial negotiations during 1970-74, a brief but important period that has been somewhat overlooked and should be addressed. Studying the territorial negotiations related to the UAE-Saudi border dispute during the early 1970s means scrutinizing the development of the Abu Dhabi-Saudi border dispute before independence, during the ‘colonial period’. Concurrently, the importance of the colonial period is to examine how the British role influenced the territorial claims of Saudi Arabia and the Emirate of Abu Dhabi.⁴

During the ‘colonial period’, Britain negotiated with Saudi Arabia on behalf of Abu Dhabi in an attempt to delimit Saudi Arabia’s south-eastern boundary. At each stage of the territorial negotiations, Saudi Arabia rejected the lines proposed by the British since the gap in the proposed lines for each side was too wide. In 1952, Saudi forces occupied the Hamasa oasis in the Buraimi/Al-Ain oasis region⁵, an event known as the Burami Crisis. A military stand-off ensued, leading eventually to the submission of the dispute to international arbitration in 1954. Negotiations ended in deadlock in 1955, prompting the British to resolve the problem through force of arms, expelling the Saudi troops from Al-Ain/Buraimi oasis region and unilaterally declaring the limits of the Saudi-Abu Dhabi boundary.

Despite the resulting deterioration of Anglo-Saudi relations during the 1950s, the British attempted to remain neutral towards Abu Dhabi’s territorial claims. Ivor Lucas, for example, cites the Buraimi Crisis (1952-55), the Suez Crisis (1956), and the resulting break Anglo-Saudi diplomatic relations (1956-63) as cumulative reasons why British officials wished to avoid Abu Dhabi’s claim over Khor al-Udaid in that period.⁶ In 1968, Britain announced that it would withdraw its military and protection from the Gulf shaikhdoms in late 1971. This thesis shows how, after this announcement, the British Government lost interest in resolving the Abu Dhabi-Saudi border case in favour

⁴ Author’s Note: The terms Abu Dhabi and UAE have been applied somewhat interchangeably in the text. Historically (1820-1971) the border dispute was between the Emirate of Abu Dhabi and Saudi Arabia. However, following Britain’s military withdrawal from the Gulf on 1 December 1971, and because the United Arab Emirates become an independent state on 2 December 1971, I have used mostly UAE when referring to the border dispute with Saudi Arabia after that date.

⁵ Al-Ain/Al-Buraimi oasis region consists of nine oases/villages, seven of which — Al-Ain, Al-Jaheli, Al-Qattarah, Al-Muwaiji, Al-Hill, Al-Masudi, and Al-Muhtaredh — are today under Abu Dhabi’s control, while the remaining three, namely Hamasa, Sa’ara and Buraimi, today belong to the Sultanate of Oman.

⁶ Ivor Lucas, correspondence, 24 October 2010.

of Abu Dhabi, especially during the 1970s. It argues that Britain's short-term strategy for dealing with the dispute in the final two years of their presence in the Gulf (1970-71) enabled the Saudis to set and impose their own terms until they achieved their aims under the Treaty of Jeddah in 1974.

This study shows that during the last two years of Britain's presence and its immediate aftermath (1970-74), Britain's role changed in the territorial negotiations between the UAE and Saudi Arabia. Up to 1968, it had been Abu Dhabi's 'protector' defending Abu Dhabi's interests. After the 1968 announcement of its intention to withdraw from the Gulf in 1971, its proclaimed role changed to that of an 'honest broker' seeking a compromise agreement.⁷ After its withdrawal on 1 December 1971, its role became that of a 'disinterested party'⁸ in which the British were observers and advisers, rather than actual participants in the negotiations. As a result, the British were not actively involved in the final negotiating phase that produced the Treaty of Jeddah in 1974.

1.2. Argument of the Thesis

This thesis examines how Britain's different roles in the Gulf influenced the course of the UAE-Saudi border dispute, an important but unstudied subject. In the early days of Britain's presence in the Gulf, its involvement and interests were limited to region's coastal areas, defending the ports against maritime attack and suppressing piracy. This concern explains Britain's support for Abu Dhabi's claim over Khor al-Udaid⁹ (a coastal inlet at the intersection between modern-day Abu Dhabi, Qatar, and Saudi Arabia); however in the case of the inland Al-Ain/Buraimi oasis region, the British were neutral towards its periodic occupations by Saudi forces until the Sultan of Muscat, Sayyid Azzan bin Qais, and the Ruler of Abu Dhabi, Shaikh Zayid the Great (r.1855-1909), formed an alliance to expel the last Saudi garrison from the region in 1869. Thereafter, Britain gradually adopted a policy of supporting Abu Dhabi and Oman's claims over the region.

In 1913 and 1914, the Ottoman and British governments signed two Conventions establishing the boundaries between the Ottoman Empire and the shaikhdoms of Eastern

⁷ J. M. Edes, "Oil Company Drilling in Abu Dhabi", 11 November 1970, FCO8/1314, quoted in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 771.

⁸ Morris (Jedda) to FCO (London), 5 December 1971, FCO8/1616, quoted in *Arabian Boundaries*, vol. 12, ed. Schofield, p. 498.

⁹ The term in Arabic means an inlet from a large body of water. Khor al-Udaid is a shallow inlet located on the eastern side of the base of the Qatar peninsula.

Arabia under British protection. These were defined by a Blue Line (delimiting the eastern boundary between Ottoman Hasa and the British-protected coastal states of the lower Gulf) and a Violet Line (delimiting the southern boundary between Ottoman Najd and the British spheres of Oman and the Aden Protectorate).¹⁰ After World War I and the collapse of the Ottoman Empire, Britain argued that Saudi Arabia was the Ottoman Empire's successor state in the Arabian Peninsula and must, therefore, respect the Blue Line — an argument fiercely rejected by the Saudis. Not only was Britain treaty-bound to protect Abu Dhabi, it also needed to protect British oil companies operating in Abu Dhabi territory (east of the Blue Line) against Saudi territorial claims over the potentially oil-rich sands of Arab Dhabi.

The most significant Saudi territorial claims east of the Blue Line was for Khor al-Udaid, the Al-Ain/Buraimi region, and the Liwa oasis (where Zararah/Shaybah is located),¹¹ all of which were in the Abu Dhabi mainland. The three separate territorial disputes were often treated and negotiated together, hence they can be regarded as separate parts of a single dispute.

Britain staunchly defended Abu Dhabi's territorial claims in its negotiations with Saudi Arabia between the start of Anglo-Saudi negotiations in 1935 and 1968, when it announced it would withdraw its military from the Gulf in 1971 and grant independence to Abu Dhabi and the other emirates then under its protection. From 1971 onwards, Abu Dhabi's position was further weakened by Britain's military withdrawal in December 1971, which left the emirate vulnerable to another Saudi occupation, followed by Saudi Arabia's threatened use of force, and Saudi Arabia's refusal to recognize the newly-formed UAE during 1971-74. The UAE's external vulnerability was exacerbated by the lack of political unity within the federation during its early years. Beyond this, America's Twin Pillars policy to provide security for the Gulf after 1971 strengthened the position of Saudi Arabia and Iran, who were now the designated 'policemen' of the

¹⁰ The Anglo-Ottoman Convention of 1913 established an eastern boundary called the Blue Line that ran due south from Zakhnuniyah Island, west of the Qatar peninsula, to a point in the Rub al-Khali (the Empty Quarter). The 1913 Convention was never ratified by the Ottomans but in March 1914, the British and Ottomans agreed to a Violet Line that connected the southern end of the Blue Line with the Aden-Yemen frontier established earlier; this Convention was ratified by the Ottomans. Cited in Richard N. Schofield, "Borders and Territoriality in the Gulf and the Arabian Peninsula During the Twentieth Century," in *Territorial Foundations of the Gulf States*, ed. Richard N. Schofield (London: UCL Press, 1994), p.19.

¹¹ Zararah-Shaybah, known as Shaybah by Saudi Arabia and Zararah by Abu Dhabi, a giant oilfield in the Eastern Rub al-Kali, is 40 km long and is located immediately south of the Abu Dhabi border in the Batin area.

Gulf. This meant that the US would not intervene to help the UAE if it was invaded by either state. This emboldened Iran to occupy the Emirati islands of Greater and Lesser Tunbs in 1971.

During the final years of negotiation following Britain's withdrawal from the Gulf, Shaikh Zayid was alone without sufficient resources to resist Saudi Arabia power and could not negotiate on equal terms. The result was that the 1974 Treaty of Jeddah was an unequal treaty in which Saudi Arabia made significant gains at the expense of the UAE. This is the subject of Chapter 6.

From the Saudi perspective, the Treaty brought a longstanding territorial dispute to a satisfactory end, except for the maritime boundaries, which were left undefined. But, from the Emirati perspective, the Treaty was a disaster. Before the ink was dry on the Treaty, Shaikh Zayid embarked on a laborious and ultimately fruitless campaign to convince the Saudis to revise some Articles of the Treaty. Shaikh Zayid approach was discreet and patient, conducted behind closed doors, leading the outside world to believe that the Treaty of Jeddah had, in fact, resolved the UAE's border dispute with Saudi Arabia.

However, under Shaikh Khalifa, the UAE government's position towards the Treaty of Jeddah has become clear since 2004: the Treaty of Jeddah did not bring the border issue to an end. It remains a live issue. The revival by the UAE of the boundary question in 2004 was followed by an escalation of tension between the two countries over the yet-to-be-defined maritime boundaries between the two countries. This was sparked by the announcement of an Abu Dhabi-Qatar maritime causeway project in 2005 (yet to be completed), the construction of a maritime pipeline between Qatar and the UAE in 2004-06, and the UAE's publication in *UAE Yearbook for 2006* of a map showing the disputed territories as belonging to Abu Dhabi — all of which indicate a new assertive approach by UAE to the boundary dispute. This provoked a firm Saudi reply: the temporary closure of the Saudi-UAE border in 2009, Saudi political attempts to undermine the maritime causeway and pipeline projects, and ultimately a brief fire fight between a UAE Navy ship and Saudi Coastguard ships in a disputed maritime zone in 2010 (resulting in the capture of the Saudi ship, which had sailed into waters claimed by the UAE).

Among the events that have occurred since 2004, I was interested in knowing whether the UAE recognized current political maps. A UAE oilman from ADCO (the Abu Dhabi Company for On-Shore Oil Operations) remarked that: “the UAE has not yet had formal boundaries.”¹² The UAE appears to disagree with the Treaty of Jeddah as formalised on official maps.¹³ It requires an agreed map with certain adjustments in the south and west, although this would inevitably mean entering a further new series of negotiations with Saudi Arabia. However, the UAE’s new assertive approach has not succeeded in convincing Saudi Arabia to seriously revisit the issue. Symbolic meetings were convened by UAE to discuss the issue, but nothing resulted from them. The Saudis would not budge. Saudi-UAE relations have suffered as a result. This is the subject of Chapter 7.

1.3. Research Questions

This thesis seeks, first of all, to ascertain how Britain’s role during the ‘colonial period’ and after shaped the boundary dispute between Abu Dhabi and Saudi Arabia and their respective positions. It also seeks to answer the following subsidiary questions:

- How did Britain’s role in the dispute evolve over time?
- What factors hindered resolution of the UAE-Saudi border dispute?
- What strategies and tactics did the parties to the territorial dispute use during the negotiation process (1971-1974)?
- How did America’s Twin Pillar policy shape the context of the dispute?
- What is the link between the UAE’s revival of the dispute since 2004 and the content of the Treaty’s provisions?

1.4. Significance of the Study

The UAE-Saudi border dispute is worthy of further study for a number of reasons. First, although the dispute has been well covered in the existing literature, most studies conclude with Britain’s withdrawal from the Gulf in 1971. Some scholars mention briefly that the Treaty of Jeddah ended the dispute but without following the process of how the Treaty of Jeddah had come about. As a result, very little has been written about the final years of negotiations: 1970-74. This study aims to fill that gap by examining

¹² An anonymous UAE oil worker, Interview, Abu Dhabi, ADCO (the Abu Dhabi Company for Onshore Oil Operations) 15 August 2011.

¹³ See Figure 7.4, p.178.

primary documents and reports in the popular news media, interviews with eyewitnesses and experts on the issue, and the identification of themes of change and continuity in the periods before and after Britain's withdrawal from the Gulf on 1 December 1971.

Secondly, despite the fact that scholars have studied the British period extensively, there is a fairly large amount of inaccurate information in the literature related to the provisions of the Treaty of Jeddah (see Section 1.7.3 below). There are three reasons for this: (1) the text of the Treaty of Jeddah remained secret until 1995; (2) scholars were either biased or have relied too much on biased sources; and (3) enough government documents have been de-classified and released to the public to enable historians to reassess the subject.

Thirdly, and due largely to the efforts of Saudi scholars, Saudi Arabia's settlement of various territorial disputes with neighbouring states has been presented as the result of principled, equitable negotiation and mutually satisfactory results — such as the Saudi-Qatar agreement of 1965. In contrast, this case study portrays Saudi Arabia in a rather different light: it used its power to reach a largely one-sided agreement greatly in its favour.

Finally, this thesis demonstrates the importance of the passage of time in the interpretation and settlement of disputes. Before December 1971, Abu Dhabi was a British protected state with few resources to resist the power of Saudi Arabia. In the early years of the UAE, the federation's survival depended on maintaining Saudi good will at the time the Treaty was signed in 1974. Thirty years later, when Abu Dhabi revived its territorial dispute with Saudi Arabia in 2004, the UAE was in a very different position than it had been in 1974: the country developed considerably, it had greater wealth and resources at its disposal, it had the means to defend itself against Saudi Arabia, and it had considerable experience in international affairs — all of which placed the UAE on a more equal footing with Saudi Arabia.

1.5. Aims of this Study

To understand the current UAE position towards the Articles of the Treaty of Jeddah and why the boundary question has been revived, it is necessary to cover the historical events related to the negotiation process and to link them to aftermath of the British

withdrawal in 1971, since the present situation is still shaped by the past. This study seeks to achieve several aims:

- To fill a gap in the literature regarding the UAE-Saudi Arabia territorial negotiations leading up to the Treaty of Jeddah (1970-74).
- To explain how Britain's role in the Gulf influenced the settlement of the dispute.
- To analyse the UAE-Saudi Arabia territorial negotiations (particularly during 1970-74) and to identify the major obstacles prolonging settlement of the dispute.
- To link the UAE's revival of the territorial dispute in 2004 to its dissatisfaction with the Treaty of Jeddah by examining its Articles in the context of the UAE's claims.
- To look at the disputed Articles from the perspective of the UAE, and at how the Saudi Arabian government views the current UAE position towards the Treaty.
- To show that UAE government's dissatisfaction with the Treaty dates back to 1975 and is not, as the media has suggested, connected with Shaikh Zayid's death in 2004.

1.6. Analytical Framework

This study examines the peaceful methods employed in settling international disputes. Peaceful settlements are arrived at through legal and diplomatic means. This study focuses on the latter. 'Diplomatic means' consist of negotiation, mediation, conciliation, and inquiry, of which this study will focus on the first two.

Despite the longstanding territorial dispute between the UAE and Saudi Arabia, formally dating back to 1935, although the claims predate this, both the disputed parties attempted to find a peaceful settlement of their dispute through bilateral negotiation and mediation. The analytical framework employed here is intended to enhance our understanding of the conflict's resolution rather than its management. Conflict management is intended to bring a conflict under control, while conflict resolution aims to end it.¹⁴ This study assumes that the both the UAE and Saudi Arabia were determined to end their dispute by peaceful diplomatic means during 1970-74.

The analytical framework used in this thesis is drawn from the literature of negotiation and mediation. Chapter 4 discusses in detail and Chapters 5 and 6 apply to the

¹⁴ Mohamed Rabie, *Conflict Resolution and Ethnicity* (London: Praeger, 1994), p.50.

negotiation process of 1970-74. Chapter 5 in particular analyses the first phase of the territorial negotiations from 1970 up to Britain's military withdrawal from the Gulf on 1 December 1971, while Chapter 6 covers the second phases of territorial negotiations from the UAE's independence on 2 December 1971 up to the signing of the Treaty of Jeddah in August 1974 and its immediate aftermath.

1.7. Literature Review

1.7.1 General Background

A fair number of studies have been published on border disputes in the Arabian Gulf in the years since the Buraimi Crisis 1952-55, possibly because that incident focused international attention on frontier issues in the Arabian Peninsula more broadly. One result of this is that the Abu Dhabi-Saudi border dispute tends to be studied in context of Buraimi. The main examples of this are Wilkinson's *Arabia's Frontiers*, 1991; Al-Baharna's *The Legal Status of the Gulf States*, 1968; Al-Shamlan's *The Evolution of National Boundaries in the Southeastern Arabian Peninsula*, 1987; Kelly's *Eastern Arabian Frontiers*, 1964 and Al-Shamsi's *The Al-Buraimi Dispute*, 1986.

No single study provides a complete picture of the Abu Dhabi-Saudi border dispute; scholars interested in the different aspects of the dispute (Al-Ain/Buraimi, Liwa, Zararah/Shaybah, and Khor al-Udaid) must consult several accounts to gain a complete picture.

Most of these accounts, however, do not discuss the UAE-Saudi border dispute after 1971. Of the studies noted above, almost all focus on the Buraimi dispute and end with Britain's military withdrawal from the Gulf in 1971. This study examines the most popular works and those touching on the negotiations of 1970-74. The leading experts on the subject are / were J.B. Kelly, Abdulrahman Al-Shamlan, John C. Wilkinson and Saeed Mohammad Al-Shamsi

Al-Shamsi's *The Al-Buraimi Dispute* (1986) covers the period of 1820 to 1970 and provides a clear and detailed overview and account of the development of the Buraimi dispute, with a particular focus on the Saudi occupation of Buraimi during 1952-55, which he examines in considerable detail, based on interviews with people who witnessed the events. He concludes that Saudi Arabia used various methods to subvert the ruling tribunal at the Saudi disposal during international arbitration in 1954.

In *Eastern Arabian Frontiers* (1964), J.B. Kelly discusses the Buraimi dispute although in less detail than al-Shamsi. His study, which depends exclusively on British documents, focuses on the Saudi Arabia-Abu Dhabi border dispute from the 1930s to the 1960s. Both Wilkinson and Al-Shamlan regarded Kelly as being heavily biased in favour of the British government's position on the dispute.

In *The Evolution of National Boundaries in the Southern Arabian Peninsula* (1987), Abdulrahman Al-Shamlan gives an interesting and more objective account of the Saudi south-eastern boundaries during the period from 1935 to 1955. He follows the rise of the Kingdom of Saudi Arabia during the 1930s and his expansionist territorial claim east of the Blue Line. He also examines the Abu Dhabi-Saudi border dispute in the context of Al-Ain/Buraimi in detail.

John Wilkinson, in his *Arabia's Frontiers* (1991), presents the border issues in the Arabian Gulf in the context of Britain's role in delimiting territories under its protection, and examines Saudi territorial claims with Qatar, Abu Dhabi, Oman and Yemen. He criticises the way that boundaries were drawn in Arabian Peninsula because the British "sphere of influence" concept of claiming sovereignty east of the Blue and Violet Lines was neither a valid claim nor recognised under international law.

Several other studies have been published since the 1990s that include some mention of the UAE-Saudi border dispute and briefly analyse the Treaty of Jeddah, such as Richard Schofield, "*The Crystallisation of a Complex Territorial Dispute: Britain and the Saudi-Abu Dhabi Borderland, 1966-71*" (2011), Abdullatif Al-Shaikh's *Saudi Arabia and its Gulf Co-Operation Neighbours* (2001) and Hesam al-Ulama's *Federal Boundaries of the United Arab Emirates* (1994). The latter was the first scholar to have access to a copy of the Treaty of Jeddah in 1994, a year before it was made public. At a time when most other scholars were arguing that on the basis of the Treaty of Jeddah, the Zararah oilfield was to be shared between the UAE and Saudi Arabia, al-Ulama and Al-Shaikh both concluded that, according to Article 3 of the Treaty, the UAE had no right to claim sovereignty over Zararah. Schofield updated their narrative through a thorough examination of the Articles of the Treaty of Jeddah about which he made detailed comments in his *Arabian Boundaries: New Documents 1966-1975* (2009).¹⁵

¹⁵ Richard N. Schofield, "Introduction to 1974", in *Arabian Boundaries: New Documents 1966-1975*, Vol. 15, ed. Richard N. Schofield (Cambridge: Cambridge Archive Editions, 2009), iix-xv

Studies of the dispute up to the late 1970s differ from those published since the 1990s: the latter include recently declassified information that was unavailable to the authors of the earlier studies. When scholars have access to the newer material, they often find fault with the previously-accepted explanations or accounts put forward by scholars in the past. As noted above, the Abu Dhabi-Saudi border dispute has been extensively covered in the context of Al-Ain/Buraimi and during the period from the nineteenth century up to 1971, but they shed little light on the events leading up to the signing of the Treaty of Jeddah in August 1974.

In the absence of Saudi and Emirati governmental records, this study has had to rely heavily on British governmental records, mainly from the Foreign Office and British India Office. Most of the British documents on the Abu Dhabi-Saudi border dispute used in this study were declassified only a few years ago and were not, therefore, used in the studies by J.B. Kelly, Abdulrahman Al-Shamlan, John C. Wilkinson, and Saeed Mohammad Al-Shamsi. Only Richard Schofield appears to have used them.

An additional matter to consider when using British documents is that they do not reveal a uniform policy towards regional issues in the Gulf. The Foreign Office, India Office, and British officials within them and on the spot in the Gulf frequently disagreed over the issues. In 1938, for instance, the Foreign Office proposed the idea of offering Khor al-Udaid to Saudi Arabia in exchange for settling the Abu Dhabi-Saudi border, but the India Office and the British officials in the Gulf strongly rejected the idea. Officials in the India Office, Britain's Political Residency in the Gulf, and the British military offered widely diverse opinions on the Foreign Office proposal, revealing that there was no clear British consensus on the question of Khor al-Udaid: was it expendable or not? As late as 1970, it appears that little had changed. On June 1970, Britain's Ambassador to Saudi Arabia wrote: "we neither affirmed nor excluded the possibility of discussion of [Khor al-Udaid] at some stage."¹⁶ On more than one occasion the British, in an attempt to settle the frontier issue between Abu Dhabi and Saudi Arabia, attempted to use the Khor al-Udaid issue as a bargaining chip.

A final point to note is that scholars tend to find a common theme in the primary sources: partisanship. While most British government documents were created by officials of agencies affiliated with the British and British Indian governments, in the

¹⁶ Jeddah, (W. Morris) to FCO, 12 June 1970, FCO8/1336, London, TNA in *Arabian Boundaries*, Vol.11, ed. Schofield, p. 256.

case of the UAE-Saudi border dispute, the archives also include documents prepared on behalf of regional rulers or their governments. Perhaps the most significant of these are the *Saudi Memorial* and the *British Memorial* of 1955, containing documents that were assembled for the Anglo-Saudi territorial negotiations between 1935 and 1955. The material included in *Saudi Memorial* and *British Memorial* was submitted to an international arbitration commission for a verdict on Saudi Arabia's and Abu Dhabi's territorial claims. Most studies of the UAE-Saudi border dispute use one or both of these memorials. It should be noted, however, that some scholars appear to have used these memorials to document facts when in fact they are really the historical arguments made by the governments of Britain (on behalf of Abu Dhabi) and Saudi Arabia. Another example is the *Aramco Reports*, a series published during the early 1950s favouring Saudi territorial claims. These reports produced documentary evidence of Saudi territorial claims east of the Blue and Violet Lines that challenged the argument, made by Britain, that Saudi Arabia was a successor state to the Ottoman Empire. Of course, the *Aramco Reports* were published by an American oil company that had been granted a substantial concession by the Saudi King. Still, it is not unusual to find studies that unquestioningly accept Aramco and Saudi reports as objective sources of information.

The period 1970-74 and the immediate aftermath of the 1974 Treaty of Jeddah is relatively unstudied field. Declassified British government documents have been available to the public for only a few years, since 2009. A selection of the most important documents was subsequently edited and published Richard Schofield in *Arabian Boundaries, 1966-1975* (2009), Volumes 10 to 16. This important selection of documents enabled me to examine the territorial negotiations of 1970-74 between the UAE and Saudi Arabia with a particular focus on the British role in the final years of British protection (1968-71). In addition to documents released through Wikileaks, US documents released in 2010 also shed new light on the UAE-Saudi border dispute. Understanding how the Treaty of Jeddah came about, and to what extent the UAE was satisfied with the outcome of the Treaty, is critical to understanding the UAE's subsequent reopening of the dispute in 2004.

1.7.2 *Researcher Bias*

Although I am a UAE citizen, I have endeavoured to assess both sides of the UAE-Saudi border dispute objectively and to accurately present the perspectives on both sides of the dispute. While reviewing the literature on the subject, I encountered considerable favouritism, with academics tending to back one side or the other — most notably John C. Wilkinson championing Saudi claims and J.B. Kelly defending Abu Dhabi's position.

Richard Schofield described J.B. Kelly as “the original Arabian boundaries specialist”.¹⁷ Kelly was extremely well-informed and his publications (beginning in the 1950s and continuing into the 1980s) are an invaluable resource for any scholar working on the subject. Nevertheless, Kelly saw no legal merit in Saudi Arabia's claims,¹⁸ writing in 1964 for example that “the basic issue [of the Anglo-Saudi territorial dispute] is that of the continued existence of small states in the face of the attempts of their more powerful neighbour to absorb them.” According to Kelly, Britain played its role of Abu Dhabi's protector honourably. That, however, was the problem, according to William E. Milligan, who characterised Kelly's *Eastern Arabian Frontiers* (1964) as “an unofficial counter-memorial [of the Saudi position] on behalf of Britain.”¹⁹ Milligan portrays Kelly as someone who uncritically accepted British evidence while dismissing all the evidence provided by the Saudis. Kelly, for instance, supported Britain's argument that Saudi Arabia was bound by the Anglo-Ottoman Conventions of 1913 and 1914 because it was a successor state to the Ottoman Empire.²⁰

As John C. Wilkinson has pointed out in *Arabia's Frontiers* (1991), W.F. Beckett, a Foreign Office lawyer, informed the British government as early as 1935 that Britain's legal argument — that Saudi Arabia was a successor state to the Ottoman Empire and therefore bound by the Anglo-Ottoman Conventions of 1913 and 1914 — is, in fact, invalid under international law, since international law does not recognise spheres of

¹⁷ Richard N. Schofield, “Introduction to 1974 (Volume 15),” in *Arabian Boundaries: New Documents 1966-1975*, Vol. 15, ed. Richard N. Schofield (Cambridge: Cambridge Archive Editions, 2009), ix.

¹⁸ Abdullatif A. Al-Shaikh, *Saudi Arabia and its Gulf Co-operation Neighbours: A Study in International Boundary Management*, unpublished PhD thesis, University of Durham, UK, 2001), p. 90.

¹⁹ “Comments on J. B. Kelly's *Eastern Arabian Frontiers*” in William E. Milligan Papers, Box Two, Folder 5, Georgetown University Library, Special Collections Research Center, Washington, DC, p.1.

²⁰ Kelly, *Eastern Arabian Frontiers*, p.113.

influence.²¹ The British had justified their argument that Saudi Arabia was a successor-state of the Ottoman Empire on the basis of a 1913 treaty between Ibn Saud and the Ottoman government that was allegedly discovered by British soldiers occupying Basra in November 1914 after the outbreak of World War I. It should be noted that the Saudis denied the existence of any such treaty, and from 1935 onwards the Saudi government rejected the British argument. Wilkinson was not the first person to question the validity of the British successor-state argument. In 1968, Husain M. Al-Baharna remarked that, from a legal point of view, "...it seems questionable that the legal status of Ibn Sa'ud at the time could be determined on the basis of the alleged 1914 treaty alone which, in any case, is not in itself an internationally binding instrument."²²

Wilkinson updates and expands the existing scholarly attack on the legal argument Britain put forth during its negotiations with Saudi Arabia, integrating that attack into an anti-British bias that characterises his own scholarly history. In 1971, for example, he wrote that "several [of the Trucial States] are entirely separate territorial units."²³ The explanation is that he extends his bias against Britain to the states under its protection (Abu Dhabi and the other Trucial States), which he consistently portrays as insignificant coastal shaikhdoms with little political and economic power. Some scholars, accepting the weakness of the Trucial States, have gone further by arguing that Britain's policy was designed deliberately to keep these states dependant on Britain, weak, and divided. Cordesman, for example, argues that "Britain simplified its task in ruling each emirate by encouraging the various emirs to compete and by promoting family and tribal rivalries over territory. These 'divide and rule' tactics did nothing to create a solid basis for regional self-rule."²⁴ Offering a slightly different interpretation, Abdulkarim Hamadi argues that "internal conflicts [between the Trucial States] did not alarm the British for it was easier for Britain to manage hostile and politically divided states."²⁵

²¹ Wilkinson, *Arabia's Frontiers*, p. xi. Note that criticism of John C. Wilkinson concerns only his bias against Britain and its protectorates, the Trucial States. Throughout his work, he presents a tremendous amount of properly documented information that is generally very reliable and is frequently cited here, sometimes to state facts and other times to counter his bias with the views of others scholars.

²² Husain M. Al-Baharna, *The Legal Status of the Gulf States*, (Manchester, UK: University of Manchester, 1971), p.234.

²³ John C. Wilkinson, "The Oman Question: The Background to the Political Geography of South East Arabia," *The Geographical Journal* 137 (1971), p. 361.

²⁴ Anthony H. Cordesman, *The Gulf and the Search for Strategic Stability: Saudi Arabia, the Military Balance in the Gulf, and Trends in the Arab-Israeli Military Balance* (Boulder, CO: Westview Press, 1984), p. 416.

²⁵ Hamadi, "Saudi Arabia's Territorial Limits", p. 70.

In contrast to these claims, Hesam Al-Ulama, who wrote his PhD thesis on *The Federal Boundaries of the UAE* (1994), indicated in an interview with me that Britain did *not* promote rivalry or hostility between the Trucial States so that they could be more easily ruled, and cited, as an example, how Britain intervened to end the repeated secessions of the Qubaisat tribe from Abu Dhabi in the nineteenth century.²⁶ When asked about the way Cordesman and Hamadi characterised British policy towards the Gulf States, Julian Walker (a British official who served in the Trucial States in the 1960s-71) states emphatically: “we had no policy of ‘divide and rule’ in the Trucial States. We were all for Emirati cooperation and did our best to encourage it internally but had limited influence.”²⁷

1.7.3 The Post-1971 Gap

The gap in the academic literature on the Treaty of Jeddah is due to the fact that records relating to the Treaty and the negotiations immediately preceding it (December 1971-August 1974) have been kept secret, significantly hindering academic study of the subject.²⁸ From the 1970s onwards, a number of Arab scholars depicted the Treaty of Jeddah as an example of an ‘Arab solution’ by which Arab states could settle the disputed areas efficiently and without any interference by the British. Thus, Abdullatif A. Al-Shaikh wrote in his 2001 PhD dissertation that “the resolution of the Saudi-UAE dispute was enabled by the withdrawal of Britain from the Gulf in 1971.”²⁹ A Saudi geographer, Abdulkarim M. Hamadi, drew three conclusions about the Treaty of Jeddah. First, like Al-Shaikh, he claimed that the absence of British interference allowed Saudi Arabia and the UAE to settle their dispute. Secondly, according to Hamadi, when the actual participants negotiated directly, resolution became possible. Finally, he states that oil was not a major issue in negotiations between Saudi Arabia and the UAE.³⁰

Because the Articles of the Treaty of Jeddah remained secret until 1995, these Arab scholars based their conclusions on incomplete and inaccurate information. Hamadi is simply wrong about the lack of British interference, since Britain actively urged Shaikh

²⁶ Hesam M. Al-Ulama, Interview, Washington DC, 11 November 2010.

²⁷ Julian Walker, correspondence, 29 September 2010.

²⁸ Saudi Arabia registered the Treaty of Jeddah with the United Nations in 1993, and published it officially in 1995.

²⁹ Abdullatif A. Al-Shaikh, “Saudi Arabia and its Gulf Co-Operation Neighbours”, p. 115.

³⁰ Abdulkarim M. Hamadi, “Saudi Arabia’s Territorial Limits: A Study in Law and Politics”, PhD thesis, Indiana University, USA, 1981, p. 80.

Zayid, the President of the UAE, to accept King Faisal proposals from 1970 onwards — this is examined in Chapter 5. He is also wrong about oil playing no role. Chapters 5 and 6 argue that the Saudis rejected any proposal that would not give them unilateral sovereignty over oilfields in south of Abu Dhabi. Al-Ulama came closest to the truth by relating the Treaty of Jeddah to the solving of some of the problems of the UAE federation.³¹ For example, the Saudis made diplomatic recognition of the newly-formed UAE (established 2 December 1971) contingent on the settlement of the UAE-Saudi territorial dispute. At that time, Shaikh Zayid was confronting many other problematic issues: Iran's recent occupation of the Tunb Islands, political friction between the rulers of the UAE (especially Ras-al Khaimah and Sharjah), and contested borders between the emirates. As a result, the country had no unified policies or federal government structure.

Before the Treaty of Jeddah was made public in 1995, scholars reported and repeated inaccurate rumours about the Articles of the Treaty. Al-Shaikh³² and Hamadi³³ both asserted, wrongly, that under the Treaty of Jeddah, production of the Zararah/Shaybah oil field was evenly split between Saudi Arabia and the UAE. John Duke Anthony also believed that Saudi Arabia and the UAE had split the oil field production,³⁴ and claimed, inaccurately, that the UAE gave Saudi Arabia a right of way at Khor al-Udaid.³⁵ Sometimes the problem could be easily remedied. During an interview, when presented with discrepancies between his description of the Treaty's provisions and the actual text of the Treaty of Jeddah, Anthony simply admitted that he had been wrong.³⁶ He had mistakenly thought that the 1974 agreement brought an end solution to the territorial dispute:

The two states acknowledged in principle that Abu Dhabi sovereignty would be recognized over six of the villages in the [Al-Ain/Buraimi] oasis region previously claimed by Saudi Arabia; that the rich [Zararah] oilfield previously in dispute would be divided between them, and that Saudi Arabia would

³¹ Hesam M. J. S. Al-Ulama, "The Federal Boundaries of the United Arab Emirates", PhD thesis, University of Durham, UK, 1994, p. 166.

³² Al-Shaikh, "Saudi Arabia and its Gulf Co-operation Neighbours," p. 117.

³³ Hamadi, "Saudi Arabia's Territorial Limits," p. 80.

³⁴ John Duke Anthony, *Arab States of the Lower Gulf: People, Politics, Petroleum* (Washington: The Middle East Institute, 1975), pp. 148-9. Professor Anthony is an American Middle East specialist based at Georgetown University, Washington DC.

³⁵ John Duke Anthony, *Historical and Cultural Dictionary of the Sultanate of Oman and the Emirates of Eastern Arabia* (Metuchen, NJ: The Scarecrow Press, Inc., 1976), p. 56.

³⁶ John Duke Anthony, interview, Washington D.C., 29 November 2010

obtain an outlet to the Gulf through Abu Dhabi in the [Khor al-Udaid] area.³⁷

Sir Bernard Burrows, British Political Resident in the Gulf during 1953-58, also had misconceptions about the Treaty of Jeddah:

It is gratifying to discover that in 1974-5 the Buraimi question was finally brought to a friendly conclusion between the states concerned by the cession by Abu Dhabi to Saudi Arabia of a small area of sea coast east of Qatar in return for Saudi acceptance of the status quo at Buraimi and the relinquishment of their claim to it.³⁸

According to Muhammed Morsy Abdullah:

The creation of the United Arab Emirates in 1971, the energetic activities of Ahmad Suwaidi, the Foreign Minister, the establishment of stable government and a speedy start to the development of the area, as well as the efforts of Prince Fahd b. Abd al-Aziz were all factors helping to further friendly relations and mutual co-operation between Saudi Arabia and the new state. Finally, in 1975 [sic] a frontier agreement was signed by both heads of state, which put a satisfactory end to the problem.³⁹

In fact, Abdulrahman Rashid Al-Shamlan, a specialist on the topic of the south-eastern Saudi Arabian boundary, stated that the material related to the Treaty of Jeddah was still confidential and that the details of the resolution “await further study”:

The Saudi government has recognized the sovereignty of Abu Dhabi over the six Buraimi villages awarded to Abu-Dhabi by the British in 1955. In return Saudi Arabia received a corridor including approximately 50 kilometres of Gulf shoreline, starting from the southern boundary of the base of Qatar at [Khor al-Udaid]. In addition, Abu Dhabi relinquished part of Sabkhat Matti north of [Liwa] and the Saudis shared the [Zararah] oilfield in the [Liwa] with Abu Dhabi.⁴⁰

³⁷ John Duke Anthony, *Arab States of the Lower Gulf*, pp.148-9.

³⁸ Cited in Hesam Ulama's thesis, p.182, from Bernard, *Footnotes in the Sand The Gulf in Transition 1953-1958*, Michael Russell, United Kingdom, 1990, p. 102.

³⁹ Muhammed Morsy Abdullah, *The United Arab Emirates: A Modern History* (London, Croon Helm, 1978) p.212.

⁴⁰ Abdulrahman Rashid Al-Shamlan, *The Evolution of National Boundaries in the Southern Arabian Peninsula: 1934-1955*, 1987: p 363

George Joffe believed that the Treaty of Jeddah had “apparently” ended the territorial dispute between the two countries.⁴¹

Due to the secrecy of the Treaty of Jeddah before 1995, most scholars writing before then made comments about the Treaty based on hearsay or assumption. In this context, there is currently no single in-depth study that focuses on events leading up to the signing of the Treaty of Jeddah in August 1974, or one that links its Articles to the UAE’s revival of the dispute in 2004.

1.8. Study Methods

1.8.1 Primary Research Sources

1.8.1.1 Arabian Boundaries

Since most studies of the subject offer little or no analysis of events after Britain’s military withdrawal from the Gulf in December 1971, they shed little light on the period 1970-74 (the period covered in Chapters 5 and 6). In order to fill this gap in the literature, new sources — unavailable to historians in the past — must be consulted.

This thesis relies on Schofield’s *Arabian Boundaries, 1966-1975* (2009), which contains copies of documents from the Foreign and Commonwealth Office (FCO), British Petroleum (BP), and Aramco, as well as dispatches and telegrams from British officials on the ground in the Gulf. Although other references were also used in writing them, Chapters 5 and 6 depend extensively on material in Volumes 10-16 of *Arabian Boundaries*.

1.8.1.2 US National Archives

The US government actively supported and advised the Saudi government during its negotiations with Britain over the UAE-Saudi border. The records in the US National Archives in College Park, Maryland, therefore contain a great deal of material on the Saudi side of the dispute, as well as the US government’s Twin Pillar policy for Gulf security and how it shaped the context of UAE-Saudi territorial negotiations during 1970-74.

⁴¹ George Joffe, “Concepts of Sovereignty in the Gulf Region”, in *Territorial Foundations of the Gulf States*, ed. Richard N. Schofield (London: UCL Press, 1994), p.91 [emphasis added]

1.8.1.3 Wikileaks Reports

The Wikileaks website was another valuable source of material for this study. It contains classified US government reports for the US Secretary of State (foreign secretary) on the dispute after Britain's withdrawal from the Gulf in late 1971. These sources are used in Chapters 6 and 7.

1.8.1.4 ADCO Company in Abu Dhabi

Abu Dhabi Company for Onshore Oil Operations (ADCO) provided me with some maps showing the location of oil fields in the disputed areas — most notably oil fields discovered in and around Khor al-Udaid (the area ceded in 1974). However, ADCO later withdrew cooperation and asked for the maps back (see Section 1.8.2 below).

1.8.1.5 United Nations HQ, New York

The United Nations HQ in New York provided me with copies of the 1965 Qatari-Saudi Treaty, the 1969 Abu Dhabi-Qatari Treaty, and the 1974 Treaty of Jeddah, as well as copies of the extensive official correspondence between the UAE and Saudi governments following the UAE's revival of the dispute in 2004, which both parties had lodged with the UN. The UAE and Saudi permanent missions to the UN were also helpful in facilitating my research. These documents are used and discussed in Chapter 7. My attempts to gain access to the text of the 1977 UAE-Saudi Treaty were unsuccessful however. In New York, the International Treaty Section confirmed that this particular treaty had not been registered for public availability, and was not even categorized under 'pending treaties'. Officials in the UAE remained reluctant to talk about it. Eventually I obtained a small amount of information on the Treaty, which is presented in Chapter 7.

1.8.2 Some Difficulties During Fieldwork

In the course of my fieldwork, the availability of data was a problem. Although the Treaty of Jeddah was four decades ago, information about its negotiation, signing and aftermath remain sensitive and, in some cases, classified. Many informants would say nothing at all without a promise of confidentiality, and even when confidentiality was assured, some were still reluctant to voice opinions or provide information. Since this study is qualitative in its approach, and because the secondary literature does not adequately cover the subject, archival research and interviews in London, the US, the

UAE, and Saudi Arabia were necessary. Interviewees included government officials, retired British diplomats such as Ivor Lucas and Julian Walker, Emirati and Saudi diplomats, UAE oil company employees, tribal leaders, and scholars from the West. Their input enabled me to understand the context of the dispute and negotiations, appreciate the perspectives of both sides, and better interpret events.

Access to materials in the UAE, even though I am a UAE citizen, proved problematic at the National Central for Documentation and Research in Abu Dhabi: files on the territorial dispute were not made available to me despite repeated visits to the NCDR and promises that the material would be provided. Although officials at ADCO in Abu Dhabi were initially cooperative, providing maps I had asked for, they demanded that I return the maps after told them that my research was on the contested border with Saudi Arabia. I attempted to interview two prominent figures, Ahmed Khalifa Al-Suwaidi (former UAE Foreign Minister) and Maan Saeed Al-Otaiba (former UAE Oil Minister), both of whom had played a role in the negotiation of the Treaty of Jeddah, but I was told that “no political statement would be made publicly on this topic.”⁴²

1.9. Structure of the Thesis

This study is divided into eight chapters, each of which deals with a different aspect of the subject. Chapter 1 introduces the thesis and includes preparatory background material to enable an understanding of the status of the UAE-Saudi territorial dispute in the academic literature.

Chapter 2 covers the period of 1800-1930 (before the discovery of oil). It provides a historical background up to the year before territorial negotiations formally commenced between Britain (on behalf of Abu Dhabi) and Saudi Arabia, and briefly explains concepts that are relevant to indirect territorial sovereignty in the Arabian Peninsula. These concepts were used in the territorial claims made by both Saudi Arabia and Abu Dhabi. The role of Britain in the Arabian Peninsula during the nineteenth century is discussed, as is the way that British involvement impacted on territorial issues in coastal and inland areas, specifically the Al-Ain/Buraimi oasis region and Khor al-Udaid. The status of Saudi Arabia’s territory is also compared with that of Abu Dhabi during the

⁴² Ahmed Suwaidi’s Assistant, correspondence, Abu Dhabi, 11 April, 2010. I made more than five lengthy, time-consuming and ultimately fruitless trips to Al-Ain (where he lives) to meet Ahmed Suwaidi. The same was true for Maan Al-Qutiba, with whom I communicated many times in an attempt to coordinate a meeting in the UAE, although he now lives in Morocco.

nineteenth century. The chapter concentrates on the events that contributed to the establishment of the Kingdom of Saudi Arabia in 1932, as an independent nation, compared with Abu Dhabi's development as a British protected state.

Chapter 3 examines the period from the 1930s until 1970s, focusing on the Anglo-Saudi territorial negotiations between 1935 and 1955. It examines the roles played by the British and US governments in supporting the territorial claims of Abu Dhabi and Saudi Arabia, and attempts to explain why the lines proposed by the British and the Saudis did not satisfy either party. It follows the development of the territorial negotiations, which were temporarily suspended when Abu Dhabi and Saudi Arabia were preparing their respective cases for submission of their dispute to international arbitration, and shows how, despite several attempts to propose different frontier lines, no settlement was reached since the arbitration process failed to end the dispute. The chapter then considers the reasons behind Britain's unilateral declaration of the boundary between Abu Dhabi and Saudi Arabia in 1955, and finally investigates developments in the 1960s, including the break in Anglo-Saudi diplomatic relations in 1963, the new boundary proposed by Britain in 1964, and most importantly Britain's unexpected announcement in 1968 that it would withdraw its military from the Gulf in 1971 and grant independence to the British protected states of the Trucial Coast (including Abu Dhabi). It also considers how this announcement impacted on the negotiations.

Chapter 4 examines the "peaceful diplomatic means" employed in settling disputes. It discusses general strategies and tactics that negotiators might use to reach their designated goals, as well as third-party / mediator intervention. After outlining the role of a mediator in dispute resolution, it considers Britain's performance in this role during the final phase of the negotiations (1970-71). It also discusses key factors that can affect a party's behaviour during negotiations, such as past history and the imbalance of power between parties. Definitions and assumptions in Chapter 4 are drawn from the literature of negotiation to build an analytical framework applied mainly in Chapters 5 and 6 to the process of negotiation between the UAE and Saudi Arabia during 1970-74.

Chapter 5 analyses events from King Faisal's proposal in May 1970 up to the end of 1971, before Britain withdrew its military from the Gulf. It mostly focuses on the British government's newly-adopted role as an "honest broker" in dealing with the Abu Dhabi-Saudi border dispute. It then evaluates the last phase of British involvement in the dispute, showing how Britain's role was influenced by a conflict of interest over the

disputed territory (since a British oil company's investment in Zararah/Shaybah was at stake). Significantly, the last two years of Britain's presence in the Gulf were distinguished from the earlier phases of the Anglo-Saudi negotiations. This chapter shows that Britain's role was limited to mediation with the goal of persuading Shaikh Zayid to accept King Faisal's 1970 proposal to settle the dispute. During this period, Shaikh Zayid was critical of the British and their passive role during the negotiations. He resisted any settlement of the dispute on Saudi terms until Britain withdrew its military from the Gulf on 1 December 1971.

Chapter 6 examines the negotiation process after the formation of the UAE on 2 December 1971 up to the signing of the Treaty of Jeddah on 21 August 1974. During this period, the British declared themselves to be a "disinterested party" in dealing with the UAE-Saudi border dispute. The UAE had attempted to find a settlement to the dispute, but having failed to find a mediator to offset Saudi power (1971-74), had little choice other than to accommodate Saudi Arabia's demands.⁴³ After Shaikh Zayid had exhausted all means for dealing with the dispute, he agreed to settle the dispute at a meeting with him on 29 July. The rulers signed the Treaty on 21 August 1974. This chapter was very difficult to write due to the scarcity of records and the reluctance of eye witnesses to share information. Circumstantial evidence suggests that the Articles of the Treaty signed in August 1974 did not reflect the verbal agreement reached the previous month, but that the UAE did not come to appreciate this until 1975.

Chapter 7 provides details of the UAE's dissatisfaction with the Articles of the Treaty of Jeddah that were publicly expressed after the death of Shaikh Zayid, in November 2004. Available evidence suggests that the UAE government's dissatisfaction with the Treaty Articles dates back to 1975, not 2004. Chapter 7 examines the Articles, pinpointing those parts the UAE seeks to modify. It shows that Saudi Arabia had been fully aware of the UAE's dissatisfaction since 1975 and, from the 1990s, had taken slow steps towards implementing the Treaty's Articles in the face of this dissatisfaction, and considers Saudi Arabia's reaction to the UAE's eventual revival of the boundary question in 2004.

⁴³ It is important to note that the definition of 'negotiation' used in Chapter 4 stresses the mutual resolution of a conflict. Hence, it was determined that both 'control' and 'accommodation' were not true negotiating strategies.

Chapter 8 concludes with a summary analysis and the major findings from the thesis, and weighs up possible conditions that might favour a final resolution of the territorial dispute between the UAE Saudi Arabia in the future.

CHAPTER TWO

Historical Background of the Disputed Areas, 1800-1930s

Introduction

Chapter 1 introduced the concept of “Arab solutions”, proposed by Arab scholars to explain why the UAE-Saudi border dispute were not resolved until after the British withdrawal from the Gulf in late 1971. In order to give the concept of “Arab solutions” fair consideration, it is necessary to discuss Britain’s role in the Gulf region.

This chapter focuses on the period from 1800 to 1930s, from the first Saudi incursion into what is now the UAE up to the year before the formal border negotiations began in 1935. It introduces traditional Arabian concepts that are relevant to understanding territorial sovereignty, concepts that were relevant to the 1930s. After the oil discovery (as Chapter 3 will demonstrate), Saudi Arabia would use these concepts to press its territorial claims against Abu Dhabi. Chapter 2 also discusses Britain’s role as protector of trade routes to and from India and how that role was limited to coastal areas in the Arabian Gulf with a relative lack of interest in inland areas.

The chapter presents the status of the areas that were disputed by Abu Dhabi and Saudi Arabia during the nineteenth century, and the historical background of the Al-Ain/Buraimi oasis and Khor al-Udaid. Of particular note is Great Britain’s focus on the Gulf coast (Khor al-Udaid) and its relative lack of interest in inland areas (Al-Ain/Buraimi), with both locations serving as examples of the contrasting British actions in coastal and inland areas. The chapter shows how Britain’s limited role in the coastal areas reflected Abu Dhabi’s territorial claims, and reveals that the British response/reaction towards developments over Khor al-Udaid’s affairs reflected their concern with maintaining a sphere of influence in the Gulf while keeping in check the influence of the Ottoman Empire and of the European powers.

In addition, the chapter sheds light on the Saudi position regarding Khor al-Udaid and Al-Ain/Buraimi, demonstrating, on the basis of the British archival records, that Saudi Arabia did not exercise sovereignty over Al-Ain/Buraimi after 1869, and played no role in the contest over Khor al-Udaid from the 1820s to the early 1930s. Since Khor al-

Udaid and Al-Ain/Buraimi oasis region would both feature prominently in the disputed areas between Abu Dhabi and Saudi Arabia during the twentieth century, the chapter looks in depth at the status of Khor al-Udaid in order to prove that the British had recognized Abu Dhabi's territorial claims over Khor al-Udaid since 1871. It also discusses the status of Al-Ain/Buraimi region to demonstrate that Saudi Arabia's occupation of Al-Ain/Buraimi was challenged and interrupted by the Ottoman Empire in 1818 and again in 1838 until the Saudis were expelled in 1871. At the end, it shows the weakness of the Saudis' territorial claims over areas to the west and east of Abu Dhabi.

The chapter then describes the rise of Saudi Arabia from 1902 to the early 1930s to compare it with the situation in Abu Dhabi during the second half of the nineteenth century until the early 1930s. Whereas Ibn Saud's kingdom was established in 1932 as the independent Kingdom Saudi Arabia, Abu Dhabi had been under increasing forms of British influence and protection for much of the nineteenth and twentieth centuries, and did not become a fully independent state until 1971. In this context, it is significant that during and after World War I, Britain established relations with Ibn Saud and participated in boundary-making along his frontiers with Transjordan, Kuwait, and Iraq while leaving Ibn Saud's boundaries with Abu Dhabi and other British protected territories to the south and east undetermined, in what would become a long-lasting territorial dispute between Saudi Arabia and Abu Dhabi from the 1935 onwards.

The chapter argues that from the nineteenth century to the 1930s, Britain remained unusually detached from issues concerning Abu Dhabi's territorial sovereignty, except when these issues related to the maintaining of Britain's sphere of influence in the Gulf. For example, when the Ottomans made claims to Khor al-Udaid, Britain recognized Abu Dhabi's sovereignty over Khor al-Udaid and eventually authorized Shaikh Zayid to take act against the Qubaisat tribes who had made three migrations from Liwa to Khor al-Udaid, but only within the context of Britain's obligation to maintain the maritime peace in the Gulf. Otherwise, Britain constrained Abu Dhabi's freedom of action and formalized that constraint under the Exclusive Agreement of 1892.

2.2 Territorial Sovereignty in the Arabian Peninsula and The British Impact

2.2.1 Concept of Traditional Arabian Territorial Sovereignty

Some scholars are critical of the British role in establishing territorial boundaries in the Arabian Peninsula, and have argued that the Europeans arbitrarily imposed boundaries on colonial territories that disrupted traditional patterns of migration, economic activity, and political organization.⁴⁴ In a typical example cited by Schofield, when Britain and the Ottoman Empire negotiated their respective spheres of influence in the Arabian Peninsula in the early twentieth century, the British did not consider “the prevailing social and spatial organization of territory in southern Arabia.”⁴⁵ To understand why people in the Arabian Peninsula rejected the Western-style boundaries introduced by the British, the basic concepts of traditional Arabian territorial sovereignty that were dominant in the Gulf before the arrival of the British need to be discussed.

The first important traditional concept was that sovereignty was not directly related to territory but was vested in human beings. According to Kelly, “there is no concept of territoriality in Arabian society...A sheikh exercises *sultah* or authority over a tribe, the members of which signify their loyalty to him and concede authority to him.”⁴⁶ Robert Teague states that people in Arabia knew nothing of the meaning of nationhood,⁴⁷ while Wilkinson noted that Arabs had their own traditional concepts of sovereignty which did not mean that they were “any less developed than in our own societies: it is just that they are different.”⁴⁸ Kelly stated that the concept of territorial sovereignty in the Western sense did not exist at any part of eastern Arabia.⁴⁹ Teague referred in general terms to the traditional Arab system as “essentially alien to the newly adopted West European concepts of territorial sovereignty and statehood.”⁵⁰

⁴⁴ John C. Wilkinson, *Arabia's Frontiers: The Story of Britain's Boundary Drawing in the Desert* (London: I.B. Taurus, 1991), xi.

⁴⁵ Richard N. Schofield, “Borders and Territoriality in the Gulf and the Arabian Peninsula during the Twentieth Century”, in *Territorial Foundations of the Gulf States*, ed. Richard N. Schofield (London: UCL Press, 1994), p.19.

⁴⁶ John B. Kelly, “Sovereignty and Jurisdiction in Eastern Arabia,” *International Affairs* 34 (January 1958), p. 17.

⁴⁷ Robert Teague, *The Evolution of the Arabian Boundary System: A Study of the Influence of Nomadism, Foreign Intervention and Oil*, unpublished MA thesis, University of Durham, 1970-71, p. 59.

⁴⁸ John C. Wilkinson, “Traditional Concepts of Territory in South East Arabia,” *The Demographic Journal* 149 (November 1983), p. 301.

⁴⁹ John B. Kelly, “Sovereignty and Jurisdiction in Eastern Arabia,” *International Affairs* 34 (January 1958): 17.

⁵⁰ Teague, *The Evolution of the Arabian Boundary System*, p. 56.

According to a second traditional concept, *dira* (the territory of a nomadic tribe) was not fixed in its location and size. It might shift seasonally or in response to changes in climate. A tribe's *dira* might not belong exclusively to that tribe as it might overlap with the *diras* of other tribes. It was a system that promoted an individual's and a tribe's freedom of action.⁵¹ Freedom of movement was essential to the traditional way of life in the Arabian Peninsula. Abdullatif A. Al-Shaikh argues that "the Western concept of a 'boundary' was rejected...because it interrupted the free movement of Bedouin across what they considered their *dira*."⁵² Interestingly, if a tribe or faction of a tribe became dissatisfied with the ruling shaikh, they might withdraw their support for him and swear loyalty to another shaikh. In that case, the new ruling shaikh would gain sovereignty of the tribe's *dira*. In other cases, tribes or factions who were dissatisfied with their ruling shaikh could move to another area and either become independent or pledge submission to another ruling shaikh.⁵³

The third traditional concept is migration or *hijara*. For migration to function correctly, Wilkinson argues that "the sociopolitical system required openness and flexibility that enabled mobility for dissatisfied tribes or factions."⁵⁴ Regarding the *hijara* concept, James Onley and Sulayman Khalaf suggest that "the most famous example of a tribal secession is the creation of the sheikhdom of Dubai, which declared its independence from the Ruler of Abu Dhabi in 1833."⁵⁵ The researcher adds to this the example of the Qubaisat section of the Bani Yas tribal confederation, which made three migration from Abu Dhabi and settled at Khor al-Udaid. Their migration complicated the question of the western boundary of Abu Dhabi from 1835 to 1869.⁵⁶ In general, migration occurred because a ruling shaikh had failed to maintain his obligations to provide adequate protection, resources, and conflict mediation to some of his subjects.

The fourth important concept relevant to traditional Arabian territorial sovereignty is *zakat*. Scholars disagree about the distinction between *zakat* as a religious obligation versus *zakat* as a secular tax. Some have argued that payment of *zakat* is a form of insurance against attack, whereas others maintain that the *zakat* payment signified proof

⁵¹ Ibid., p. 58.

⁵² Abdullatif Al-Shaikh, *Saudi Arabia and its Gulf Co-operation Council Neighbours*, p. 95.

⁵³ James Onley and Sulayman Khalaf, "Shaikhly Authority in the Pre-Oil Gulf: An Historical Anthropological Study," *History and Anthropology* 17, September 2006, pp. 191-198.

⁵⁴ Wilkinson, *Arabia's Frontiers*, xii.

⁵⁵ Onley and Khalaf, "Shaikhly Authority in the Pre-Oil Gulf", p.196.

⁵⁶ See sub-section 2.3.2.3 on the Third Secession of Qubaisat, 1869, p.38.

of allegiance and submission.⁵⁷ On the other hand, in his comprehensive history, *Eastern Arabian Frontiers*, Kelly suggested that tribal payment of *zakat* to the Saudi leader had nothing to do with signifying submission to him,⁵⁸ and that the payment of *zakat* was not a condition of submission. According to Wahhabi belief, it was the duty of the Amir, as a more powerful ruler, to collect *zakat* from his subjects, and the payment to powerful leaders was traditionally defined as tribute that signified the submission of a weaker party to a stronger party. Consequently, *zakat* might be described as a combination of governmental tax and religious obligation that could be used to support territorial claims.⁵⁹

Overall, from the Saudi perspective, the four concepts noted above were the major criteria used by Saudi Arabia for defining its boundary with Abu Dhabi after the oil discovery.

2.2.2 The British Role in the Gulf during the Nineteenth Century

From 1820 onwards, Great Britain gradually assumed the dominant role in the Gulf. Britain had not done this before that date since its goals, which were mostly concerned with the promotion of trade, and restricting the regional involvement of other commercial competitors, were quite narrow. Nor, in fact, was British trade in the Gulf itself particularly substantial. The Gulf was important for Britain primarily because it was one of India's imperial frontiers,⁶⁰ which was why a solid presence was needed.

To protect its trade and communication route through the Persian Gulf and prevent the establishment of a foreign naval base there, British India established spheres of influence in Persia and Ottoman Iraq, and offered a series of treaties through which it became increasingly responsible for the protection of central Eastern Arabia and the island of Bahrain. Through these treaties, the British were able to get local rulers to collaborate in the pacification of the Persian Gulf and in the later exclusion of foreign influence threatening British Indian interests.⁶¹

⁵⁷ George A. Lipsky, *Saudi Arabia: Its People, Its Society, Its Culture* (New Haven: HRAF Press), 1959, pp.1-2.

⁵⁸ John B. Kelly, *Eastern Arabian Frontiers* (London: Frederick J. Praeger, 1964), p. 292.

⁵⁹ Teague, "Evolution of Arabian Boundaries", p. 64.

⁶⁰ J. E. Peterson, "Britain and the Gulf: At the Periphery of Empire," in *The Persian Gulf in History*, ed. Lawrence G. Potter (New York: Palgrave Macmillan, 2009), pp. 279-280.

⁶¹ James Onley, "The Raj reconsidered: British India's informal empire and spheres of influence in Asia and Africa", *Asian Affairs*, vol. 40, no. 1, 2009, p. 44.

The treaties made by the British with the Rulers of Oman, the Trucial States (present-day UAE), Qatar, Bahrain, and Kuwait, outlawed piracy, naval warfare, and the slave trade.⁶² While the British moved slowly to establish their authority in the Gulf, they gradually took on the role of protector in a protector-protégé relationship, but even then, while they ruled on treaty violations, the ruling Shaikhs were held responsible for enforcing fines and other punishments on their subjects.⁶³

British policy gradually began to consider the Arabian Peninsula beyond the immediate coastal areas, since events inland could be just as damaging to Britain's system of alliances as events at sea.⁶⁴ Thus, in 1892, Abu Dhabi and the other Trucial States entered into an Exclusive Agreement with Great Britain. Britain gained the exclusive rights to manage the foreign affairs of each Trucial State, and the Trucial States were not allowed to dispose of any land or receive any foreigners from other countries without British permission.⁶⁵

2.3 The Status of the Al-Ain/Buraimi Region and Khor al-Udaid during the Nineteenth Century

2.3.1 The Al-Ain/Buraimi Oasis Region

The Al-Ain/Buraimi oasis region, encompassing nine oases/villages,⁶⁶ was an obvious objective for Wahhabi conquest. It had been known for centuries for its abundant wells and agricultural production, but its most important attribute was its strategic location as a crossroads connecting the approaches to Oman and Muscat as well as routes east to the coastal shaikhdoms and west inland towards established Wahhabi territory.⁶⁷ Al-Shamsi describes it as follows:

Al-Buraimi oasis is a pivotal point for the crossing of many routes in the eastern part of the Arabian Peninsula, including most of the major approaches from the coastal towns of the Arabian Gulf to the desert hinterlands of Oman. It is also a crossroads of tribes coming from the deserts of Saudi Arabia, and a meeting place of many nomadic tribes in the region...The

⁶² Husain M. Al-Baharna, *The Legal Status of the Gulf States*, pp. 26-29.

⁶³ Alexander Melamid, "Political Geography of Trucial Oman and Qatar," *Geographical Review* 43 (April 1953), p. 197.

⁶⁴ J. E. Peterson, Interview, Arizona, 8 January 2011.

⁶⁵ Kourosh Ahmadi, *Islands and International Politics in the Persian Gulf: Abu Musa and Tunbs in Strategic Perspective*, (New York and London: Routledge, 2008), p. 10.

⁶⁶ See footnote, p.5.

⁶⁷ John B. Kelly, "The Buraimi Oasis Dispute," *International Affairs* 32 (July 1956), p.325.

Al-Buraimi oasis is about 37 square kilometres. It is located approximately half way between Suhar and Abu Dhabi. Its central location gave it its importance in the history of the regions.⁶⁸

According to Peterson, Abu Dhabi's presence in Al-Ain/Buraimi substantially predated the arrival in 1800 of the Wahhabi warriors ruled by the Saud family, since the Bani Yas, a confederation of tribes loyal to the ruler of Abu Dhabi, had established themselves politically in Al-Ain/Buraimi in the early seventeenth century.⁶⁹ The Bani Yas shared the oasis of Liwa only with their allies, the Manasir.⁷⁰ Even Wilkinson, who portrays the coastal emirates as weak and without influence inland, acknowledges that by the late eighteenth century the Al-Bu Falah ruling Shaikhs of Abu Dhabi owned property in Al-Ain/Buraimi and had developed ties with some local Omani tribes.⁷¹

2.3.1.1 The First Saudi Occupation of Al-Ain/Buraimi in 1800

The Amir of Darayia, Muhammad ibn Saud, supported the new religious reform by Muhammad Ibn Abdula Wahhab, and their alliance helped to win over most of the central Arabian Peninsula. According to Hamadi, the Wahhabi movement was initially directed only at religious reform, but it soon became a political movement that made the Kingdom of the House of Saud a significant regional power in the Arabian Peninsula.⁷² During their first occupation of Buraimi, the Saudis attempted to place the oasis under its sovereignty. The occupation of Buraimi begun when Ibn Saud sent Salim bin Belal al-Harik, one of his own slaves, to Oman with an armed group of around 70 men. After a lengthy resistance to the Saudi forces most of the tribes, such as Bani Yas, al-Shamis and al-Nuaimi, offered their loyalty to the Saudis.⁷³

At the same time, many of the Qawasim of Sharjah and Ras al-Khiamah converted to Wahhabism and thus became allies of the Wahhabis during the Saudi territorial expansion, with the Qawasim supporting the Saudi invasion of Buraimi. Documents

⁶⁸ Saeed Mohammed Al-Shamsi, *The Al-Buraimi Dispute: A Case Study in Inter-Arab Politics*, (PhD dissertation, The American University, 1986), p. 36.

⁶⁹ J. E. Peterson, "Britain and State Formation in the Gulf: The Case of Abu Dhabi and Shaikh Zayid bin Khalifa" in *New Perspectives on Recording UAE History* (Abu Dhabi: National Centre for Documentation and Research, 2008), p. 210.

⁷⁰ Hendrik Van der Meulen, "The Role of Tribal and Kinship Ties in the Politics of the United Arab Emirates", unpublished PhD thesis, Fletcher School of Law and Diplomacy, Tufts University, Medford MA, USA, 1997), p. 104.

⁷¹ Wilkinson, "Traditional Concepts of Territory," p. 364.

⁷² Hamadi, "Saudi Arabia's Territorial Limits," p. 3.

⁷³ Al-Shamsi, *Al-Buraimi Dispute: a case study in Inter-Arab Politics*, p. 38.

about the Qawasim role in Buraimi contained in *Records of The Emirates* indicate that one of the Buraimi forts had surrendered to the Imam of Muscat after a long struggle against the Qawasim, and that the combat roles were played by Sultan bin Saqr, Ruler of Sharjah, and Rashid bin Humaid Ruler of Ajman who were allies of Ras-al-Khaimah and who also adopted the Wahhabi doctrine.⁷⁴ Wilkinson notes that the Al-Bu Falah Shaikhs of Abu Dhabi and the Sultan of Muscat led tribal resistance against the Qawasim who had allied with the Wahhabis.⁷⁵ Regardless of how long Abu Dhabi had been involved in Buraimi, following the Wahhabi invasion of Al-Ain/Buraimi oasis region in 1800, the rulers of Abu Dhabi and Sultan of Muscat would dominate the region for decades to come.

Along with the alliances formed between the Rulers of Abu Dhabi and the Sultan of Muscat to challenge the Wahhabis, Wahhabi expansionism was also challenged by Muhammad Ali Pasha, Governor of Egypt, acting on behalf of the Ottoman Empire. The Ottomans claimed political authority in many parts of the Arabian Peninsula that were threatened, or already held, by the Wahhabis and it was Muhammad Ali's responsibility to protect the Ottoman claims. He launched his first campaign against the Wahhabis in 1815, defeating them and forcing the Wahhabi Amir, Abdullah Ibn Saud, to acknowledge the Ottoman Sultan as suzerain.⁷⁶ In 1818, the Egyptians executed Amir Abdullah in Constantinople, and destroyed Daraiya, the Wahhabi capital.⁷⁷

2.3.1.2 The Second Saudi Occupation of Al-Ain/Buraimi in 1833

Al-Ain/Buraimi remained unoccupied by Wahhabi soldiers for several years after 1819, since the Wahhabis were without a leader until 1824, when a new Wahhabi Amir, Turki ibn Abdullah, made Riyadh his capital. Under his leadership, Wahhabi expansionism resumed, and with help from the Qawasim he attempted to recover the Buraimi forts that had been captured by the Governor of Egypt. In the context of the reoccupation of the Buraimi forts, the Imam of Oman assured Lieutenant Colonel Stannus that "the present disturbances [in Buraimi] had originated with Sultan ibn Saqr, [Ruler of Sharjah] and Rashid ibn Ahmed [Ruler of Ajman], who took advantage of his late absence at Mecca, where he had proceeded on a pilgrimage to rebuild the fortification

⁷⁴ "Wahhabi surrender of Buraimi", in *Records of The Emirates, Primary Documents 1820-1835*, Vol. 1, ed. Penelope Tuson, (Oxford: Archive Editions, 1990), p.605.

⁷⁵ Wilkinson, "Traditional Concepts of Territory," p. 364.

⁷⁶ Hamadi, "Saudi Arabia's Territorial Limits," p. 8.

⁷⁷ Kelly, "The Buraimi Oasis Dispute, pp. 320-1.

of Buraimi.”⁷⁸ The events of the second Saudi occupation of Buraimi were also reported in *Records of The Emirates* as follows:

All the Qawasim chiefs are now at Buraimi in the camp of the Wahhabi with whom they have entered into engagements of adherence and submission The endeavours [sic] of Shaikh Sultan [Ruler of Sharjah] and Shaikh Rashid [Rule of Ajman] to induce Omr bin Afeesan to commence hostilities with Shaikh Tahnun [ruler of Abu Dhabi] have failed owing to the friendly exertions of the Manasir chiefs to establish a good understanding between these parties. An active correspondence is now carrying on with Abu Dhabi but the Wahhabi leader insists upon the presence and personal submission of [Bani Yas]...in order to collect Zakat.⁷⁹

The Ruler of Abu Dhabi then allied with Omani tribal chiefs in Buraimi and rejected the idea of making any payment of *zakat* to the Wahhabis. In 1834, a year after the second Wahhabi occupation of Buraimi, Amir Turki was assassinated and his son, Faisal ibn Turki, succeeded his father as Wahhabi Amir. In 1837, the Egyptians again invaded Buraimi on behalf of the Ottomans and in 1838 defeated the Wahhabis for the second time. The British had not intervened during the first Egyptian invasion of the Arabian Peninsula in 1818, but in 1838, fearing Ottoman intervention in the British sphere of influence; they pressured the Egyptians to withdraw quickly. After that Buraimi was free from military occupation for a several years. The Wahhabis later renewed their sovereignty over Buraimi, but during the early 1840s several local tribes stopped paying *zakat* to the acknowledged Wahhabi leader, Faisal ibn Turki.⁸⁰

2.3.1.3 The Third Saudi Occupation of Al-Ain/Buraimi in 1848

From 1848 until 1869 the Wahhabis, allied with the House of Saud, again claimed sovereignty over the Al-Ain/Buraimi oasis region. When the Saudi forces attempted to invade the territories of Suhar and Abu Dhabi, the Wahhabi Agent at Buraimi claimed payment of the tribute demanded by the Wahhabi Amir, as a result of which some of the tribal leaders hesitated about making a *zakat* payment.⁸¹ It appeared that in the protector-protégé relationship, the Wahhabis occasionally made a great display of taking on the responsibilities required of the protector. For example, in 1853, Abdullah,

⁷⁸ “The Buraimi Forts,” in *Records of The Emirates, Primary Documents 1820-1835*, Vol. 1, ed. Penelope Tuson (Oxford: Archive Editions, 1990), p. 677.

⁷⁹ “Occupation of Buraimi,” in *Records of The Emirates, Primary Documents 1820-1835*, p.745.

⁸⁰ Kelly, “The Buraimi Oasis Dispute” p. 322.

⁸¹ “The Third Wahhabi Occupation of Buraimi1845-1848,” in *Records of The Emirates, Primary Documents 1835-1853*, Vol. 2, ed. Penelope Tuson (Oxford: Archive Editions, 1990), p.489.

son of the Wahhabi Amir Faisal Ibn Turki, sent for the Buraimi tribal chiefs and offered to mediate in their inter-tribal disputes. He then demanded that the Sultan of Muscat pay him *zakat* in exchange for leaving the Sultan's territories in peace. Captain A. B. Kemball, the acting British Political Resident in the Gulf, intervened at this point and negotiated a *zakat* payment schedule with Amir Abdullah. According to Kelly, Amir Abdullah did not stay around for very long after that; nor did he settle any disputes among the tribal shaikhs.⁸²

In 1869, the Sultan of Muscat joined the Shaikhs of the Al-Nahyan faction of the Al-Bu Falah to drive the Saudi soldiers out of Buraimi. In 1870 the Wahhabis tried unsuccessfully to recapture Buraimi. In 1871 Sultan Qais Ibn Az'an of Muscat claimed sovereignty over Buraimi but lacking sufficient strength to exercise power he assigned the defence of Buraimi to his ally, Shaikh Zayid bin Khalifa of Abu Dhabi.⁸³ The establishment of the strong alliance between the Ruler of Abu Dhabi and the Sultan of Muscat was reported in the British archival records as follows:

[Sayyid] Azan has written from [Buraimi] dated 1st March, that Shaikh [Zayid] of Abu Dhabi had arrived at [Buraimi] and sworn friendship to him and promised to oppose the Wahhabis' march by force...when [Sayyid] Azan took [Buraimi], he entered into alliance with Abu Dhabi and paying him a proportion of the tribute which previous Sultans of Muscat had paid to Wahhabi Amir, secured the aid of the Abu Dhabi Chief in the protection of the [Buraimi] frontier.⁸⁴

The Ottomans had also captured the Hasa district in Eastern Arabia in 1871, which turned out to be a very important year because it was also the fifth year of an internal power struggle that had followed Amir Faisal's death in 1866,⁸⁵ and it would be 30 years before the Wahhabis were again a unified force under Ibn Saud. Importantly, in the 1870s, the Wahhabis lacked the organization and unified leadership that was needed for the operation of an independent state. When the Al-Rashid tribe of Ha'il, who were rivals of the Saud family, captured Riyadh in 1891, the Wahhabi Amir, Abd al-Rahman Ibn Faisal Al Saudi, fled to Kuwait with his son, Abdul al-Aziz ibn Rahman Al Saud,

⁸² Kelly, *Eastern Arabian Frontiers* (London: Frederick J. Praeger, 1964), p.76.

⁸³ Kelly, "The Buraimi Oasis Dispute", p. 323.

⁸⁴ "The Occupation of Buraimi by Sayyid Azzan b. Qais 1869-1870", in *Records of The Emirates, Primary Documents 1853-1871*, Vol. 3, ed. Penelope Tuson (Oxford: Archive Editions, 1990), pp. 386-407.

⁸⁵ Kelly, "The Buraimi Oasis Dispute," pp.322-323.

who was later to be known as Ibn Saud. The Amir and his son spent ten years in exile there.⁸⁶

In the context of the Saudi occupation of Buraimi, scholars have different views in supporting the Saudi claim. Husain M. Al-Baharna, a Bahraini legal historian, supports their claim on Buraimi for the period from 1800 to 1869, pointing out that the Wahhabis held Buraimi “for a period of nearly seventy years.”⁸⁷ His statement is mostly true but, as is demonstrated above, Wahhabi control of Buraimi did not go uninterrupted or unchallenged. Kelly, however, argues that “the various Wahhabi occupations of [Al-Ain/Buraimi] were little more than hostile incursions for purposes of plunder.”⁸⁸ This chapter of the thesis speculates that neither Al-Baharna’s notion of steady possession nor Kelly’s idea of intermittent plunder is accurate. It is suggested instead that the Wahhabis may have taken Buraimi by territorial expansion. However, the Saudi themselves claim a legitimate territorial sovereignty at Buraimi that was based on the collecting of *zakat* as well as performing duties associated with the protector-protégé relationship.⁸⁹

For the purposes of this thesis, the divisions that effectively prevented the Wahhabis from running a state for over thirty years are significant mainly for one reason: after 1869, the Wahhabi/Saudi state did not exercise sovereignty over any part of the Al-Ain/Buraimi oasis region. Instead, the Sultan of Oman and the Ruler of Abu Dhabi administered the region jointly during the period from 1869.

2.3.2 *Khor al-Udaid*

In Arabic the term *chor* means an inlet from a large body of water. Khor al-Udaid is a shallow inlet located on the eastern side of the base of the Qatar peninsula. One of its earliest descriptions comes from Captain George B. Brucks, who wrote in 1829 about a narrow inlet with a channel no more than fifteen feet deep at high tide and an entrance that was nearly blocked by small islands. He also noted that a small fort near the

⁸⁶ Peter Sluglett, “The Resilience of a Frontier: Ottoman and Iraqi Claims to Kuwait, 1871-1990,” *The International History Review* 24 (December 2002), p. 790.

⁸⁷ Husain M. Al-Baharna, *The Legal Status of the Gulf States*, p. 220.

⁸⁸ Kelly, “The Buraimi Oasis Dispute”, p. 325.

⁸⁹ It is important to note that the Wahhabis themselves believed their Amir was not just a political leader but a religious authority as well.

entrance had been abandoned because of a severe shortage of drinking water. According to Brucks, “this place was used by pirates for securing boats they took.”⁹⁰

Early in the history of the British presence in the Gulf, Brucks briefly stated views that were consistent with the British attitude toward Khor al-Udaid. The inlet was scarcely navigable. The area was barely habitable because the water there was bad. In 1845, Lieutenant A. B. Kemball wrote that the town with the fort by the entrance to the inlet “cannot be approached by our vessels of war within a distance of between three and four miles.”⁹¹ To the British, Khor al-Udaid was therefore worthless and its only relevant characteristic was its use by pirates. Kemball commented that: “in point of appearance it would, perhaps, be difficult to select a more wretched, desolate, and barren-looking spot in the whole of the Gulf”,⁹² and towards the end of the nineteenth century, J. G. Lorimer remarked: “there are now no permanent inhabitants at [Khor al-Udaid], and it is not visited by Bedouins from the interior; but fishermen from Abu Dhabi spend some months here in winter, and fine mullet are caught by them.”⁹³ Over a hundred years later, in 1956, Kelly described the area around the inlet as “a desolate and unmarked tract of Arabia.”⁹⁴

The British probably could not imagine why anyone (other than pirates) would have had any interest in Khor al-Udaid, but it is important to remember the description attached to Khor al-Udaid in addition to Britain’s primary mission in the Gulf, which was to safeguard maritime shipping. Understanding both factors can provide an insight into events of the later nineteenth century, when the British made the decision to acknowledge Abu Dhabi’s sovereignty over Khor al-Udaid. Abu Dhabi’s connection to Khor al-Udaid became known to the British as a result of three attempted migrations of Qubaisat tribal members from Abu Dhabi to Khor al-Udaid. Significantly the Qubaisat

⁹⁰ George B. Brucks, “Memoir Descriptive of the Navigation of the Gulf of Persia,” in *Arabian Gulf Intelligence: Selections from the Records of the Bombay Government, New Series, No. XXIX, 1856*, ed. R. Hughes Thomas (Cambridge: The Oleander Press, 1985), p.557.

⁹¹ A. B. Kemball, “Memoranda on the Resources, Localities, and Relations of the Tribes Inhabiting the Arabian Shores of the Persian Gulf,” in *Arabian Gulf Intelligence: Selections from the Records of the Bombay Government, New Series, No. XXIX, 1856*, ed. R. Hughes Thomas (Cambridge: The Oleander Press 1985), p.109.

⁹² *Ibid.*, p109.

⁹³ J. G. Lorimer, *Gazetteer of the Persian Gulf, Oman, and Central Arabia*, vol II B [Calcutta, Superintendent Government Printing, 2 vols. 1908/191 reprinted Farnborough, Hants: Gregg International, 6 vols, 1970, p. 1367.

⁹⁴ Kelly, “The Buraimi Oasis Dispute”, p.19.

had been allies of the Al-Bu Falah, the ruling tribe of Abu Dhabi, since at least the sixteenth century when both tribes had been based at Liwa.⁹⁵

2.3.2.1 First Secession of Qubaisat, 1835

In 1834, Shaikh Khalifa ibn Shakhbut was unable to prevent various tribes from raiding British East India Company trade vessels, which led to the British imposing a large fine on the Ruler of Abu Dhabi. In 1835, some members of the Qubaisat, led by Khadim bin Nahman Al-Qubaisi, in protest at Shaikh Khalifa's attempts to raise money to pay the fine to the British, left Abu Dhabi and went to Khor al-Udaid. As a result, the British held Shaikh Khalifa, Ruler of Abu Dhabi, responsible for collecting the fines from all his subjects on behalf of the British. The Arabian American Oil Company (ARAMCO) reported the following event:

[The] Bani Yas of Abu Dhabi began to make frequent attacks on Persian Gulf shipping, including vessels flying British colors. Punitive action was taken by the British, who levied a heavy indemnity against the tribe. In 1835 members of the section of the Qubaisat of Bani Yas fled to [Khor al-Udaid] in order to escape paying their share of the indemnity.⁹⁶

When I interviewed members of the Qubaisat in 2011, they recalled the negative views of their ancestors about the British, and did not express any clear understanding either of the relationship between Abu Dhabi and Britain or of the British role in the Gulf. For example, Abu Ali Qubaisi said:

The Qubaisat and other tribes did not want the English in our territories and for this reason; several tribes engaged in various activities and raided them. We did not understand very much about the papers signed between Abu Dhabi and the English. All the Qubaisat knew was that strange faces were coming in and out of the coast. According to a signed paper [Maritime Truce of 1835], we were punished financially because we engaged in self-defence [the British called it piracy]. Then, we decided to look for a peaceful area to escape from payment and it was Khor al-Udaid.⁹⁷

In 1836, the British pursued the Qubaisat and for this mission Samuel Hennell, the British Resident in the Persian Gulf, sent two ships to the villages of Doha and Wakra at

⁹⁵ Van Der Meulen, "The Role of Tribal and Kinship Ties", p. 135.

⁹⁶ Arabian American Oil Company, *The ARAMCO Reports on Al-Hasa and Oman 1950-1955*, Vol. 4, "Oman and the Southern Shore of the Persian Gulf" (Cambridge: Archive Editions, 1990), pp. 163-164

⁹⁷ Abu Ali Qubaisi, Interview, 5 November 2011.

the entrance to Khor al-Udaid. At each stop, an officer told the Rulers that if they did not seize pirates and their boats, the British would fine the people in those settlements.

In fact, the Qubaisat have their own recollections that are at odds with the British record, especially the British charges of piracy. In an interview, Salman Qubaisi said: “the Qubaisat never signed a treaty with the British and they never treated us as being separate from Abu Dhabi. The British often used the excuse of piracy against us, but we never ever participated in piracy activities; it was self-defence.”⁹⁸ The Qubaisat were forced to leave Khor al-Udaid in 1837, when Shaikh Khalifa, having received British approval, launched a naval expedition against Khor al-Udaid.⁹⁹ According to the British archival records, Shaikh Khalifah of Abu Dhabi obtained permission from Samuel Hennell in May 1837 to launch a large naval expedition to punish the Qubaisat at Khor al-Udaid. With British approval, Shaikh Khalifa’s men killed 53 residents of al-Udaid, took 50 prisoners, and seized 20 boats. The village and a fort were extensively damaged and the settlement’s well was destroyed.¹⁰⁰

It is significant that the Shaikhs routinely consulted the British about actions that might violate the Maritime Truce. In general, the British Resident did not interfere directly in the relationships between the ruling Shaikhs and their subjects, and this present chapter speculates that when the British approved the naval expedition against the Qubaisat in 1837, the British tacitly acknowledged Abu Dhabi’s sovereignty over Khor al-Udaid. It also reveals that the British had interfered in the traditional Arab custom of migration.

2.3.2.2 Second Secession of Qabaisat, 1843

In 1843, the Qabaisat again seceded from control by Abu Dhabi. Following the death of Shaikh Khalifa in 1845, Shaikh Sa’id ibn Tahnun became Ruler of Abu Dhabi, and soon after took the Qubaisat who remained in Abu Dhabi as hostages to prevent them from escaping. In autumn 1849, Shaikh Sa’id played a trick by inviting the Qubaisat in Khor al-Udaid to a lavish reception in Abu Dhabi and issuing a general amnesty for debtors from Qubaisat to encourage them to return. Most of the Qubaisat agreed and sailed over to Abu Dhabi. However, the night after the reception, Shaikh Sa’id secretly ordered his men to strip the sails, masts, and equipment from the boats of the Qubaisat. According

⁹⁸ Abu Salman Qubaisi, Interview, 5 November 2011.

⁹⁹ M. Houssen, “Letter to Samuel S. Hennell, British Resident, Persian Gulf”, in *Records of the Emirates: Primary Documents 1820-1958*, Vol. 2 1835-1853, ed. Penelope Tuson (Cambridge: Archive Editions, 1990), 267-269.

¹⁰⁰Ibid., pp. 267-269.

to a later summary of events published in the *Gazetteer of the Persian Gulf, Oman, and Central Arabia*, “the entrapped [Qubaisat] envoys, thus deprived of the means of escape, found themselves obliged to agree to the terms imposed by the Shaikh [Sa’id ibn Tahnun], which included, beside return from [Khor al-Udaid], the satisfaction of all debts due by the Qubaisat to private creditors and the payment of a fine to himself.”¹⁰¹

After demolishing the settlements at Khor al-Udaid for the second time under Shaikh Tahnun’s orders, the Qabaisat tribal leader, Makhtum al-Butti, despatched a messenger to Amir Faisal ibn Turki vigorously petitioning him to rebuild the destroyed settlements at Khor al-Udaid if he wished to establish himself on the coast. In 1850, when Mullah Hussein, the Agent at Sharjah, learned of al-Butti’s message, he sent a letter to Smith S. Hennell, Political Resident in the Persian Gulf, urging him to act so as to prevent the Wahhabis from setting foot in the coastal area. In case the Wahhabis should move into Khor al-Udaid, Mullah Hussein gave his assessment of the situation as follows:

If [Khor al-Udaid] were once re-established many of the inhabitants of [Abu Dhabi] would certainly congregate there and also proceed to [Dubai]. By this means the Ben Yas’ capital would be ruined. In my opinion should [Khor al-Udaid] fall into the hands of the [Saudis], all kinds of piracies and irregularities will be committed at Sea — the power of the [Wahhabis] over the ports on the Arabian Coast will be greatly increased and [Khor al-Udaid] will become a refuge and home for all the bad characters in the Gulf. They will plunder at Sea and find an asylum there. It is therefore advisable that steps should be taken to nip the project in the bud. Otherwise it will involve great trouble [on the coast].¹⁰²

This study did not find any details in the British Archive records about the attitude or reaction of the Saudis to Makhtum al-Butti’s message. Nor are there even any records of what action was taken by the British to prevent the Wahhabis from stepping in at Khor al-Udaid. In this context, the most significant feature was that the Saudis did not approach Khor al-Udaid to rebuild the settlements that had been devastated.

2.3.2.3 Third Secession of Qabaisat, 1869

The most serious and complex migration occurred in 1869, when the Qabaisat declared their independence from Abu Dhabi. During the 1860s, Shaikh Zayid bin Khalifa Al-

¹⁰¹ J. G. Lorimer, *Gazetteer of the Persian Gulf, Oman, and Central Arabia*, p.768.

¹⁰² M. Houssem, “Letter to Samuel S. Hennell, British Resident, Persian Gulf,” in *Records of the Emirates: Primary Documents*, vol. 2, p. 553.

Nahyan, who had ruled Abu Dhabi since 1855, asserted a claim for sovereignty over Khor al-Udaid to the British. In fact, Shaikh Zayid wanted the British to take action to bring the Qubaisat back under the control of Abu Dhabi, which meant that the British had been in contact with the leader of the Qubaisat. More specifically, on 31 July 1871, Colonel Pelly, the British Political Resident in the Gulf (who was aware of Shaikh Zayid's claim on Khor al-Udaid), cited a report from a Major Smith stating that the Qubaisat at Khor al-Udaid had asserted their independence from Abu Dhabi. The report further stated that the Qubaisat wanted to join Great Britain under the Maritime Truce, and that they had also been offered Ottoman protection and so far had not declined the Ottomans' offer.¹⁰³

Thus Pelly and Smith faced an ambiguous situation. On the one hand, the Qubaisat were declaring both their independence from Abu Dhabi and their willingness to become allies of the British. On the other hand, they informed the British that they had been in contact with the Ottomans and had not yet refused to accept Ottoman authority over Khor al-Udaid. The Qubaisat leader, Khadim al-Butti, was clearly attempting to press the British into taking the Qubaisat at Khor al-Udaid under their protection.

For the British, there was an obstacle to recognizing the independence of the Qubaisat at Khor al-Udaid. As Husain M. Al-Baharna points out, if the British chose to consider the Qubaisat as a dependency of Abu Dhabi, they would be unable to hold the Qubaisat accountable for any truce violations since they had not signed the 1853 Treaty of Perpetual Peace.¹⁰⁴ In an alternative analysis, Peterson argues that the Ottomans' competing claim on Khor al-Udaid *forced* Britain to recognize Shaikh Zayid's claim, despite Shaikh Zayid's inability actually to control the Qubaisat at Khor al-Udaid.¹⁰⁵

The Khor al-Udaid situation was further complicated when the Ottomans claimed sovereignty over it. Thus, the claimants at Khor al-Udaid during the 1870s and 1880s were the Ottomans and the Al-Thani Ruler of Qatar, who, according to Kelly, made claims on Khor al-Udaid both on his own authority and in his role as an Ottoman vassal.¹⁰⁶ Arguably, the contest over Khor al-Udaid was between Abu Dhabi and the

¹⁰³ "Previous History of Odeid, 1837-1876," in J. G. Lorimer, "Persia", *Gazetteer of the Persian Gulf, Oman, and Central Arabia*, vol. II B, Calcutta, Superintendent Government Printing, 1970; Part 1 Historical and Political Materials, *Précis of Katar Affairs 1873-1904*, Superintendent Government Printing, India, p.15.

¹⁰⁴ Al-Baharna, *The Legal Status of the Gulf States*, p. 224.

¹⁰⁵ Peterson, "Britain and State Formation in the Gulf", p. 211.

¹⁰⁶ Kelly, *Eastern Arabian Frontiers*, p. 91.

Qubaisat, between Abu Dhabi and Qatar, and, most importantly, between Great Britain and the Ottoman Empire. In response to a question about Abu Dhabi's sovereignty over Khor al-Udaid in relation to the other claimants, Peterson points out that the struggle involved two imperial powers, Great Britain and the Ottoman Empire, and their client states, Abu Dhabi and Qatar, respectively. The British were therefore forced to support Abu Dhabi's claim over Khor al-Udaid.¹⁰⁷

It can be argued that Britain's support for Abu Dhabi played an important role in blocking Ottoman expansion on the coast. It also reveals that the British had their own pragmatic reasons for recognizing Abu Dhabi's sovereignty over Khor al-Udaid and that it might have been protecting its sphere of influence in the coastal areas against interference by the Ottomans. It is also significant that the House of Saud and its Wahhabi allies played no active role in the contest over Khor al-Udaid during the nineteenth century. It was reported that in 1871, the British acknowledged for the first time Abu Dhabi's sovereignty over Khor al-Udaid.¹⁰⁸ Prior to 1871 the British, interestingly, had recognized the Abu Dhabi ruler's authority over *people* but not *territory*, so that whereas the former British position had been more or less consistent with traditional Arabian concepts of sovereignty, the European notion of sovereignty defined by territory was introduced in 1871 with respect to Khor al-Udaid.

Importantly, the alleged inability of the ruling Shaikh of Abu Dhabi actually to exercise control over Khor al-Udaid is a theme that runs through both the primary and secondary sources. In the case discussed by Peterson (i.e., the decision of the British officially to recognize Shaikh Zayid's sovereignty over Khor al-Udaid in 1871), Shaikh Zayid's difficulty in controlling the Qubaisat resulted from insufficient support from the British side for Shaikh Zayid's position in forcing the Qubaisat to rejoin the Bani Yas. For six years after the British had recognized Shaikh Zayid's sovereignty over Khor al-Udaid, from 1871 to 1877, British officials periodically went on missions in an attempt to reconcile the leader of the Qubaisat and the Ruler of Abu Dhabi. According to Wilkinson, the British continued to acknowledge Abu Dhabi's prescriptive sovereignty over Khor al-Udaid while denying that the Shaikh was strong enough to establish effective occupation there.¹⁰⁹

¹⁰⁷ J. E. Peterson, Interview, Arizona, 8 January 2011.

¹⁰⁸ Wilkinson, *Arabian Frontiers*, p. 68.

¹⁰⁹ *Ibid.*, p. 279.

In June 1877, Colonel E. C. Ross, Britain's Political Resident in the Gulf, wrote to Shaikh Zayid and assured him that Britain would support his efforts to achieve reconciliation with the Qubaisat at Khor al-Udaid. By December 1877, Colonel Ross had decided that it was not possible to realise a peaceful reconciliation between the Qubaisat and the ruler of Abu Dhabi. According to British Archival records, when another bout of piracy occurred in the vicinity of Khor al-Udaid, Ross authorized a joint naval expedition consisting of the *Teazer*, a British warship, and seventy boats commanded by Shaikh Zayid of Abu Dhabi. The *Teazer* was supposed to meet the Bani Yas fleet at Qaffay Island to stage a coordinated attack, but Shaikh Zayid deviated from the schedule and attacked before the British warship had arrived. However, by the time Shaikh Zayid's fleet reached Khor al-Udaid, the Qubaisat had fled, and by the time the *Teazer* arrived at Udaid, Shaikh Zayid's troops had destroyed the Qubaisat boats and their settlements.¹¹⁰

This third and last Qubaisat migration ended quietly without any further British interference. By March 1880, the Qubaisat secession at Khor al-Udaid was at an end, after the Qubaisat leader, Khadim al-Butti, and the last of his followers had gone back to Abu Dhabi, where Shaikh Zayid gave them back their previously confiscated property.¹¹¹ The Qubaisat returned to what has remained ever since a central position in Abu Dhabi. The Ruler of Abu Dhabi wished to reinforce ties through marriages between Al-Bu Falah family and the Qubaisat tribe, so in 1900, Shaikh Sultan bin Zayid, who would rule Abu Dhabi between 1922 and 1926, married Shaikha Salama bint Butti Al-Qubaisi, reinforcing the strong relations between the Qubaisat and Abu Dhabi's ruling family which dated back for centuries to the days when both had lived at Liwa. Shaikha Salama duly became the mother of two important future rulers of Abu Dhabi — Shaikh Shakhbut bin Sultan (r. 1928-66) and Shaikh Zayid bin Sultan (r. 1966-2004).¹¹²

2.4 The Status of Abu Dhabi's Territories from 1880 to the early 1930s

Shaikh Zayid is known as "Shaikh Zayid the Great" or "Zayid the First" in Abu Dhabi. He was of the Al-Nahyan family of the Al-Bu Falah tribe, and he developed strong

¹¹⁰ "Shaikh Zaid-bin-Khalifah, From 1855", in *Gazetteer of the Persian Gulf, Oman, and Central Arabia*, ed. J. G. Lorimer (Calcutta: Superintendent Government Printing, India, 1915), p.770.

¹¹¹ "Return of Qubaisat to Abu Dhabi, 1880", in *Records of Qatar, Primary Documents 1820-1960*, Vol. 3, ed. Penelope Tuson (Oxford: Archive Editions, 1991), p. 383.

¹¹² Van Der Meulen, *The Role of Tribal and Kinship Ties*, p135-136

connections in the Buraimi area with Omani tribes such as the Al-Dhawahir and Al-Shwamis, who were allied with the Bani Yas tribal confederation of Abu Dhabi. Peterson notes that Shaikh Zayid had influence in the district of al-Dharira, and the tribes sought his mediation in disputes even though the Sultan of Muscat formally claimed sovereignty over them.¹¹³ According to Kelly, by the early 1870s Shaikh Zayid was the most powerful of the Trucial Shaikhs.¹¹⁴ Even Wilkinson, who consistently portrays Abu Dhabi as a weak British protégé, acknowledges that Abu Dhabi developed “a primitive sense of statehood”¹¹⁵ under the leadership of Shaikh Zayid.

Following the death of Shaikh Zayid in 1909, Abu Dhabi became unstable until 1928. Initially the Al-Nahyan family elected Khalifa, Shaikh Zayid’s oldest son, as the new leader; however Khalifa declined the position, and his younger brother, Shaikh Tahnun, became Ruler of Abu Dhabi. Shaikh Tahnun died of natural causes in 1912 and Hamdan, another of Shaikh Zayid’s sons, took the throne. In 1922, another brother, Sultan, shot Hamdan in the back as he was leaving Sultan’s home after having dinner. Sultan ruled until 1925, when yet another brother, Saqr, shot Sultan in the back while Sultan was on his way to sunset prayers. Saqr became Ruler of Abu Dhabi but came to be both insecure and paranoid, and plotted against his brother, Khalifa, who had turned down the throne of Abu Dhabi in 1909. When the tribal chiefs learned of Saqr’s plan to kill Khalifa, they assassinated him in 1927.¹¹⁶

In 1928, Shaikh Shakhbut bin Sultan, the oldest son of the Shaikh Sultan who had been murdered in 1925, became Ruler of Abu Dhabi. The first major challenge that Shaikh Shakhbut had to contend with was the collapse of the Gulf pearling industry in the late 1920s and early 1930s, as the result of a global economic depression and the introduction of cheap Japanese cultured pearls into the world market. There is wide disagreement about the impact of these events on Abu Dhabi’s territory. For example, on the one hand Wilkinson writes that because the collapse of the pearling industry deprived Abu Dhabi of revenue, the Al-Bu Falah’s influence was confined to Buraimi while western parts of Abu Dhabi’s territory were neglected,¹¹⁷ and Anthony H.

¹¹³ Peterson, “Britain and State Formation in the Gulf,” 210.

¹¹⁴ Kelly, *Eastern Arabian Frontiers*, p.94.

¹¹⁵ J. C. Wilkinson, “The Oman Question: The Background to the Political Geography of South-East Arabia,” *The Geographical Journal* 137 (September 1971), p.366.

¹¹⁶ Ali M. Khalifa, *The United Arab Emirates: Unity in Fragmentation* (Boulder, CO: Westview Press, 1979), 105.

¹¹⁷ Wilkinson, *Arabia’s Frontiers: The Story of Britain’s*, p. 283.

Cordesman describes the Trucial States as “a strategic backwater”¹¹⁸ as a result of the collapse of pearling. On the other hand, Uzi Rabi insists that Shaikh Shakhbut managed his country competently through the collapse of the pearling industry, consolidated his hold on existing Abu Dhabi territory both on the coast and in the interior, and “engaged in a process of territorial expansion.”¹¹⁹

These two extreme views of Abu Dhabi during the 1920s and 1930s, one portraying a minor shaikhdom in decline and the other portraying a resilient state, cannot be reconciled. In response to a question about this paradox, Peterson stated: “it is probably true that Abu Dhabi was a minor, poor, entity before oil, but at the same time growing into a type of statehood.”¹²⁰ According to Peterson, beginning with the reign of Shaikh Zayid the Great, Abu Dhabi had steadily developed alliances and influence with key tribes in the area, which made Abu Dhabi politically important and capable of remaining a significant shaikhdom during hard times.

2.5 The Rise of Saudi Arabia in the Early Decades of the 20th Century

2.5.1 *The Period 1902-13*

Wilkinson argues that the process of establishing international zones that ended up as fixed boundaries in the Arabian Peninsula began in 1902.¹²¹ Between 1902 and 1905, the British and Ottomans agreed on a frontier in the southwest of the Arabian Peninsula that separated the British protectorate of Aden from the Ottoman district of Yemen. The Anglo-Ottoman Convention of 1913 established an eastern boundary called the Blue Line that ran due south from Zakhuniya Island, west of the Qatar peninsula, to a point in the Empty Quarter (Rub al-Khali).¹²² In March 1914, the British and Ottomans agreed to a Violet Line that connected the southern end of the Blue Line with the Aden-

¹¹⁸ Anthony H. Cordesman, *The Gulf and the Search for Strategic Stability: Saudi Arabia, the Military Balance in the Gulf, and Trends in the Arab-Israeli Military Balance* (Boulder, CO: Westview Press, 1984), p. 415.

¹¹⁹ Uzi Rabi, “Oil Politics and Tribal Rulers in Eastern Arabia: The Reign of Shakhbut (1928-1966)”, *British Journal of Middle Eastern Studies* 33 (May 2006), p. 42.

¹²⁰ J. E. Peterson, Interview, Arizona, 8 January 2011.

¹²¹ Wilkinson, *Arabia's Frontiers*, p. xvi

¹²² It is important to note that the 1913 Convention was never ratified by the Ottomans. The British would use the Blue line to define Ibn Saud's boundaries east of the Blue Line in the Anglo-Saudi territorial negotiations (1934-1955).

Yemen frontier that had been established earlier, and this latter Convention was duly ratified by the Ottomans.¹²³

In 1902 a dormant regional force came back to life again — this was Wahhabi expansionism allied with the House of Saud. During the years in which the British and the Ottomans were agreed on their respective zones of influence, Ibn Saud, who had become the Wahhabi Amir after the death of his father, had followed a policy of conquest and expansion. He organized his own Wahhabi movement by settling the Wahhabi brotherhood, the *Ikhwan*, in villages. These villages provided the *Ikhwan* with agricultural and commercial experience, exposure to religious instruction, and military training and arms. The *Ikhwan* thus became versatile fighters in the service of Wahhabi expansion under Ibn Saud.¹²⁴

In 1905, Ibn Saud conquered the southern part of Najd, and in 1906, defeated his family rivals, the Al-Rashid tribe of Ha'il, and killed Ibn Rashid, their leader.¹²⁵ Beginning in 1903, he chose to build connections with British officials in the Arabian Peninsula, and during his years of conquest he tried, albeit unsuccessfully, to enter into a protector-protégé relationship with Britain. For example, in 1903, Ibn Saud sent a message to Captain Prideaux to the effect that the Russians had approached him but he preferred to establish a relationship with the British. In 1906, Sir Percy Cox, British High Commissioner, and Captain W. H. Shakespeare both advised the British government that it was important to establish an official relationship with Ibn Saud. However, despite the efforts of Ibn Saud's envoys and local British officials, the British government did not commit themselves to a formal relationship with Ibn Saud.¹²⁶

When asked about Ibn Saud's approach to the British and their refusal to establish relations with him, Ivor Lucas argued that the British avoided official relations with Ibn Saud because "they were backing Sherif Husain of the [Hijaz] as the leader most likely to promote their interests in Arabia (hence the Arab Revolt in World War I)."¹²⁷ In this context, the present chapter speculates that Ibn Saud attempted to establish a

¹²³ Schofield, "Borders and Territoriality in the Gulf", p.19.

¹²⁴ Abdulrahman R. Al-Shamlan, *The Evolution of the National Boundaries in the Southeastern Arabian Peninsula*, PhD thesis, University of Michigan, USA, 1987, pp.37-39.

¹²⁵ Hamadi, "Saudi Arabia's Territorial Limits", p.14.

¹²⁶ Shafi Aldamer, *Saudi Arabia and Britain, Changing Relationships, 1939-1953* (Reading, UK: Ithaca Press, 2003), p.5.

¹²⁷ Ivor Lucas, Correspondence, 26 October, 2010.

relationship with the British as a way of gaining British approval in delimiting his boundaries.

On the other hand, Ibn Saud's attempts to establish a relationship with a patron were more successful with the Ottomans. In 1905, the Ottomans appointed him governor of southern Najd. Peter Sluglett argues that even if a local ruler accepted an Ottoman title, that did not necessarily mean that the local ruler's territory was part of the Ottoman bureaucratic state.¹²⁸ Abdulkarim Hamadi suggests that the Ottomans officially recognized the authority of Ibn Saud over the Najd and other districts in exchange for Ibn Saud's acceptance of "the *nominal* suzerainty of Turkey."¹²⁹ By 1913, his status had risen since he had succeeded in conquering Hasa, an eastern Arabian province that had been held by the Ottomans since 1871. According to Daniel Silverfarb, after his conquest of Hasa, Ibn Saud "...was probably the most powerful ruler in the Arabian Peninsula."¹³⁰

2.5.2 The Status of Saudi's Territories from World War I to the Early 1930s

According to Hamadi, the outbreak of war between Great Britain and the Ottoman Empire on 5 November 1914 forced the British to abandon their long-standing policy of avoiding commitments in central Arabia.¹³¹ The British Government therefore sent Captain W. H. Shakespeare to Najd to meet Ibn Saud for the purpose of influencing him to remain a neutral party in the event of war. After many meetings, Ibn Saud was successfully persuaded, and agreed to sign the Treaty of Darin with the British in 1915. Under this Treaty, the British agreed to Ibn Saud's demand for a delimitation of his kingdom, although they delayed for several years over defining a boundary between Najd and Hijaz. Somewhat later, during the early 1920s, the British successfully negotiated settlements of the borders between Ibn Saud's kingdom with Kuwait, Iraq, and Transjordan.¹³² However, the negotiating of frontiers did not necessarily mean a mutually satisfactory result. For example, in the case of the Kuwait-Saudi Neutral Zone established in 1922, Sir Percy Cox successfully insisted on imposing "a defined

¹²⁸ Sluglett, "The Resilience of a Frontier", p.793.

¹²⁹ Hamadi, "Saudi Arabia's Territorial Limits", p. 17.

¹³⁰ Daniel Silverfarb, "The Anglo-Najd Treaty of 1915," *Middle Eastern Studies* 16 (October 1980): p.167. [emphasis added]

¹³¹ Hamadi, "Saudi Arabia's Territorial Limits", p.18.

¹³² Silverfarb, "The Anglo-Najd Treaty of 1915", p. 175.

boundary that was not known to the people in Arabia”¹³³ and was strongly opposed by Ibn Saud.

As for Ibn Saud’s eastern and southern frontiers, the British took no action at all during the years immediately following World War I. Julian Walker states: “the limit of Empty Quarter was unknown to the British at that time.”¹³⁴ Asked why the British did not delimit Saudi Arabia’s eastern and southern boundaries, Peterson commented,

First, borders had to be arranged with Transjordan and Iraq because they were British mandates. Sir Percy Cox settled the Saudi-Kuwaiti boundary to the Saudis’ great advantage because he wanted Ibn Saud’s allegiance as an ally. There didn’t seem to be as great an urgency elsewhere, nor were Ibn Saud’s eyes as firmly fixed [toward the British protégés] as they were on northern Najd and of course al-Hijaz, as well as Asir.¹³⁵

Apparently, British officials never considered the issue of Ibn Saud’s southern and eastern frontiers. Given wartime pressures and Britain’s responsibilities toward Transjordan, Iraq, and Kuwait, Peterson presents a logical speculation as to why delimitation of Ibn Saud’s eastern and southern borders was not a priority for the British during and immediately after World War I. Delimiting boundaries between Saudi Arabia and the Gulf protégé states probably never occurred to British policy makers who were more focused on maintaining Britain’s overall position in the region.

Certainly Ibn Saud, after concluding the 1915 treaty with the British, spent the rest of World War I defending his rule against internal rebellions and outside encroachment. By 1920, he had defeated the Al-Rashid, and by 1925, he had defeated the Hashemites of Hijaz, and his capture of the holy cities of Mecca and Medina meant that his status rose even higher. He then approached the British again to establish a new treaty that would reflect his new status. In May 1927, he signed the Treaty of Jeddah, through which the British gave him substantial concessions; Britain also formally recognized Ibn Saud’s kingdom as an independent state. Silverfarb describes the 1927 Treaty of Jeddah as the beginning of the end of British power in the Middle East, with Britain

¹³³ Al-Shaikh, “Saudi Arabia and its Gulf Co-Operation Neighbours,” 26.

¹³⁴ Julian Walker, Interview, 23 September 2010

¹³⁵ J. E. Peterson, Interview, Arizona, 8 January 2011.

attempting to maintain its dominance “at a time when its will and power to maintain its position by force were diminishing.”¹³⁶

Ibn Saud himself was perceived as a ‘holy warrior’ among both Arabs and Europeans. St. John B. Philby, for example, who was a British adviser to Ibn Saud, states that Ibn Saud relied primarily on religious faith as he organized nomadic tribesmen into an orderly society.¹³⁷ Al-Shaikh also notes that when Ibn Saud backed away from the limitless expansion of Wahhabi ideology, “[he] was persuaded by the British government to accept [the Western concept of the territorial limit of states], despite strong opposition from his army the *Ikhwan*.”¹³⁸ However, while there were many members of the *Ikhwan* among Ibn Saud’s soldiers, Ibn Saud’s armed forces did not consist exclusively of *Ikhwan*. Furthermore, Ibn Saud’s fighters themselves had battled elements of the *Ikhwan* as early as 1916. By the middle of the 1920s, the *Ikhwan* were raiding into Transjordan, Iraq, and Kuwait, even after Ibn Saud had settled his borders with those countries. This *Ikhwan* raiding in the 1920s reinforced the existing British fears of Wahhabi violence and territorial conquest.¹³⁹ Joseph Kostiner states that as time passed, the *Ikhwan* had become “the most fanatical adherents of the territorial and religious expansion of the Wahhabi state.”¹⁴⁰ In contrast, by the 1920s, Ibn Saud’s project was to build a modern state that he could control and pass on as a hereditary kingdom.

Importantly, the religiously militant *Ikhwan* challenged Ibn Saud’s authority; this was a serious problem, especially after 1927, when the Treaty of Jeddah defined his kingdom as an independent state. At the same time, Ibn Saud faced a domestic threat in the form of a longstanding ideology that rejected compromise and limits to Wahhabi expansionism.¹⁴¹ In this context, Ibn Saud moved to address the problem that set domestic religious opposition against a developing modern state, by consulting with prominent imams of mosques, who afterwards issued a *fatwa*, or religious judgment, in support of Ibn Saud in his struggle against the *Ikhwan*. With British assistance Ibn Saud’s army defeated the *Ikhwan* at the Battle of Sabila in 1929,¹⁴² after which the

¹³⁶ Daniel Silverfarb, “The Treaty of Jeddah in May 1927”, *Middle Eastern Studies*, 18, July 1982: p.283.

¹³⁷ St. John B. Philby, “The New Reign in Saudi Arabia,” *Foreign Affairs* 32 (April 1954): 450-451.

¹³⁸ Al-Shaikh, “Saudi Arabia and its Gulf Co-operation Council Neighbours, p. 95.

¹³⁹ J. E. Peterson, Interview, Arizona, 8 January 2010.

¹⁴⁰ Joseph Kostiner, “On Instruments and Their Designers: The *Ikhwan* of Najd and the Emergence of the Saudi State”, *Middle Eastern Studies* 21 (July 1985), p. 397.

¹⁴¹ Wilkinson, *Arabia’s Frontiers*, p. xix.

¹⁴² Hamadi, “Saudi Arabia’s Territorial Limits”, p.53.

Ikhwan lost their influence in Ibn Saud's kingdom, which he named in 1932 "The Kingdom of Saudi Arabia". Ibn Saud had survived by dropping the Wahhabi extremes of expansionism; yet, as Wilkinson writes, "even after Ibn Saud accepted the constraints of the 'civilized' nations he had no inherent notion of what the limits of his state should be."¹⁴³

2.6 Conclusion

The traditional Arabian concepts of *dira*, *zakat*, *hijara* and the authority they carry are linked with sovereignty related to territory. They are the major concepts on which rulers in Arabia based their territorial claims. These concepts were discussed in order to demonstrate that after the discovery of oil in the 1930s both Saudi Arabia and Abu Dhabi would use them as a basis for their territorial claims. The chapter showed that Britain did not interfere in the traditional Arabian concepts unless within the context of Britain's obligation to maintain maritime peace or British interests in the Gulf.

Despite periodic Saudi occupation of the Al-Ain/Buraimi oasis region from 1800 to 1869, there is no documentary evidence in the British Archive records to show that the British took any action with respect to Al-Ain/Buraimi apart from the occasion in 1838, when the British persuaded the Ottomans to withdraw their Egyptian army from the Arabian Peninsula. However, Britain, as protector of the maritime peace, found itself obliged to take action regarding Khor al-Udaid, especially when the Ottomans interfered in the affairs of Khor al-Udaid in the 1870s. As a result, the British intervened so as to protect its sphere of influence by containing Ottoman influence in the coastal area.

The description of the historical background of Al-Ain/Buraimi and Khor al-Udaid demonstrates that after 1869 Saudi Arabia did not exercise sovereignty over any part of Buraimi; instead it was jointly administered by the Sultan of Oman and Ruler of Abu Dhabi during that period. In the case of Khor al-Udaid, Saudi Arabia and its allies played no role in the contest over Khor al-Udaid. The chapter identifies the striking contrast between Abu Dhabi's development and that of Saudi Arabia from 1820 to the early 1930s. While Saudi Arabia became an independent state in 1932, Abu Dhabi remained a British protected state.

Britain's role in the Gulf during the nineteenth century was focused almost exclusively on the coast, which explains why the British had never considered drawing the

¹⁴³ Ibid., p. xvi.

boundaries in the Arabian Gulf. British policy gradually began to consider the Arabian Peninsula beyond the immediate coast,¹⁴⁴ and during the 1920s and 1930s Britain participated in delimiting Ibn Saud's boundaries with Kuwait, Iraq, and Trans-Jordan. However, the British took no action with regard to drawing boundaries between Abu Dhabi and Saudi Arabia, and this, as a result, would contribute significantly to a longstanding territorial dispute that would involve both Khor al-Udaid and the Al-Ain/Buriami oasis region. In the late 1930s, as oil became the prominent consideration with respect to defining territorial sovereignty, Britain's failure to delimit the eastern and southern frontiers of Ibn Saud's kingdom led to a deep and persistent controversy over Abu Dhabi's and Saudi Arabia's conflicting claims.

¹⁴⁴ J. E. Peterson, Interview, Arizona, 8 January 2011.

CHAPTER THREE

Anglo-Saudi Territorial Negotiations¹⁴⁵

3.1 Introduction

Chapter Three discusses the two main phases (1935-49 and 1949-55) of the Anglo-Saudi territorial negotiations. During the first phase, two new elements were introduced to the Arabian Peninsula — the discovery of oil and the activities in Saudi Arabia of American oil companies (consolidated as the Arabian American Oil Company, or Aramco, in 1944). The chapter reveals that the question of the boundary between Abu Dhabi and Saudi Arabia arose in 1934 after Aramco initiated an inquiry about Saudi Arabia's eastern and southern borders. The British replied that these boundaries had been determined by the Anglo-Ottoman Conventions of 1913 and 1914.¹⁴⁶ However, the Saudis had never accepted the British argument during the Anglo-Saudi territorial negotiations. This chapter shows that the British, on Abu Dhabi's behalf, had proposed lines to settle the eastern and southern boundaries with Saudi Arabia, but the British proposals had been rejected by the Saudis because none of them included Khor al-Udaid. Thus, the first Anglo-Saudi territorial negotiations ended in a lengthy stalemate up to and including World War II and into the post-war period.

During the second phase of territorial negotiations, Saudi Arabia announced a new and expansive territorial claim beyond the Blue and Violet Lines that had established by the Anglo-Ottoman Conventions. The chapter discusses the reasons behind these expansionist territorial claims.¹⁴⁷ The renewed territorial negotiations between the British and the Saudis satisfied neither party, and as a result the Saudis occupied Hamasa, one of the Buraimi oasis villages. As a last resort, Great Britain and Saudi Arabia agreed to an arbitration tribunal that was to be convened in Geneva, Switzerland.

¹⁴⁵ Under the Exclusive Agreement of 1892, the British remained responsible for Abu Dhabi's foreign policy until the agreement ended on 30 November 1971. Therefore the thesis uses the Anglo-Saudi Territorial negotiations instead of Abu Dhabi-Saudi Territorial negotiations.

¹⁴⁶ The British argued that Saudi Arabia was bound by the Conventions as a successor state to the Ottoman Empire from the 1930s. It is also important to note that various oil concessions east of the 1914 Blue Line had been granted to British oil companies, e.g., the Iraq Petroleum Company, the Anglo-Iranian Oil Company, and the Abu Dhabi Petroleum Company.

¹⁴⁷ The Saudis were claiming 80 percent of Abu Dhabi, including the Al-Ain/Buraimi oasis region and Khor al-Udaid.

However, even as the Anglo-Saudi territorial negotiations moved towards arbitration, with both sides documenting their respective claims, the British and the Saudis both violated several agreements that were designed to restrict any activities with regard to the disputed areas. When it appeared that no settlement had been reached for the disputed areas by 1955, the British withdrew from arbitration, unilaterally declared Saudi Arabia's eastern and southern frontiers, and drove out the Saudis from Hamasa village that they had occupied from the Omani oasis.

The period from 1935 to 1955 must be seen as an anomaly in the history of Britain's role in the areas that were disputed between Abu Dhabi and Saudi Arabia. This chapter argues that the interests of Abu Dhabi's territorial claims and of the British oil companies coincided very conveniently from the 1930s to the 1950s, with Great Britain adamantly defending Abu Dhabi's territorial claims against encroachment by Saudi Arabian and American oil interests. Britain's active engagement for the interests of the British oil companies during that period caused increasing Saudi resentment of the British role in delimitating Saudi Arabia's Eastern boundaries.

3.2 The First Stage of Anglo-Saudi Territorial Negotiations (1935-49)

In 1933, Standard Oil of California (SoCal), outbid British oil companies to gain the first Saudi oil concession. Peterson gives two reasons why the Americans were able to gain an advantage over the British. First, British support for Trans-jordan and Iraq, as well as British resistance to Saudi encroachment in the Trucial States, had turned Ibn Saud away from the British. Secondly, since British oil companies had a monopoly on concessions in the states that were protected by Britain, the oil companies became complacent about developing the Saudi petroleum industry.¹⁴⁸ However, Ivor Lucas believes that the decisive factor in Ibn Saud's granting of the concession to the Americans was money. SoCal offered the Saudis £50,000 in gold, whereas the Iraq Petroleum Company had offered only £30,000 sterling.¹⁴⁹

In 1971, Wallace Stegner, a novelist who was awarded the Pulitzer Prize for fiction, wrote *Discovery!*, a highly flattering account of Aramco's oil production as well as the company's role as an agent for change in Saudi Arabia's economic, technical, and social development. According to Stegner, "It was almost inevitable that there should have

¹⁴⁸ J. E. Peterson, "Britain and the Gulf: At the Periphery of Empire," in *The Persian Gulf in History*, ed. Lawrence G. Potter (New York: Palgrave MacMillan, 2009), p.285.

¹⁴⁹ Ivor Lucas, Correspondence, 24 October 2010.

existed in the beginning a certain competitive hostility between American and British oilmen, for they represented not only competing commercial interests but sharply different philosophies of operation in underdeveloped countries.¹⁵⁰

According to Stegner's analysis, whereas British oil companies operated in isolation from indigenous populations, American oil companies were involved with the development efforts of local people, and that the American petroleum development model, beginning with SoCal and perfected over the years by Aramco, was a departure from the British imperialist model. In fact, Stegner believed that the American approach to local development was so superior to that of the British that the British eventually adopted a similar approach in the post-war era. For example, in 1966 Shaikh Shaikh Zayid bin Sultan, younger brother of Shaikh Shakhbut, the Ruler of Abu Dhabi, deposed Shakhbut in a nonviolent coup.¹⁵¹ The coup against Shaikh Shakhbut proceeded with British approval, since Britain considered Shaikh Shakhbut to be too conservative, especially when it came to spending petroleum revenues on social programmes and the modernising of Abu Dhabi. Shaikh Shakhbut was of the opinion that large-scale government spending would corrupt the people of Abu Dhabi. Uzi Rabi believes that Shaikh Shakhbut thought that "oil income had to be saved for the future, when the country would need it."¹⁵²

The question of the boundary arose in 1934, when the United States government enquired from the British government about the status of territorial boundaries in eastern Arabia. Britain sent the Americans copies of the Anglo-Ottoman Conventions of 1913 and 1914, stating that the two documents defined the boundaries of eastern Arabia.¹⁵³ According to the British, Saudi Arabia was a successor state to the Ottoman Empire and was legally obliged to see that its territorial claims conformed with the boundaries established by the Conventions. However, the Saudis had never accepted Britain's legal argument about successor-state status that from the beginning had been quite dubious, since the Anglo-Ottoman Conventions are not mentioned at all in the previous Anglo-Saudi treaties of 1915 and 1927.¹⁵⁴ During the first negotiations with Saudi Arabia in 1935, Britain proposed the "Riyadh" or "Ryan" line that followed the southern rim of the Rub al-Khali, except to the north of Hadhramaut where it went 20 to

¹⁵⁰ Wallace Stegner, *Discovery!* (Beirut: Middle East Export Press, 1971), p. xi.

¹⁵¹ Ali M. Khalifa, *The United Arab Emirates: Unity in Fragmentation*, p.105.

¹⁵² Uzi Rabi, *Oil Politics and Tribal Rulers in Eastern Arabia*, p.44.

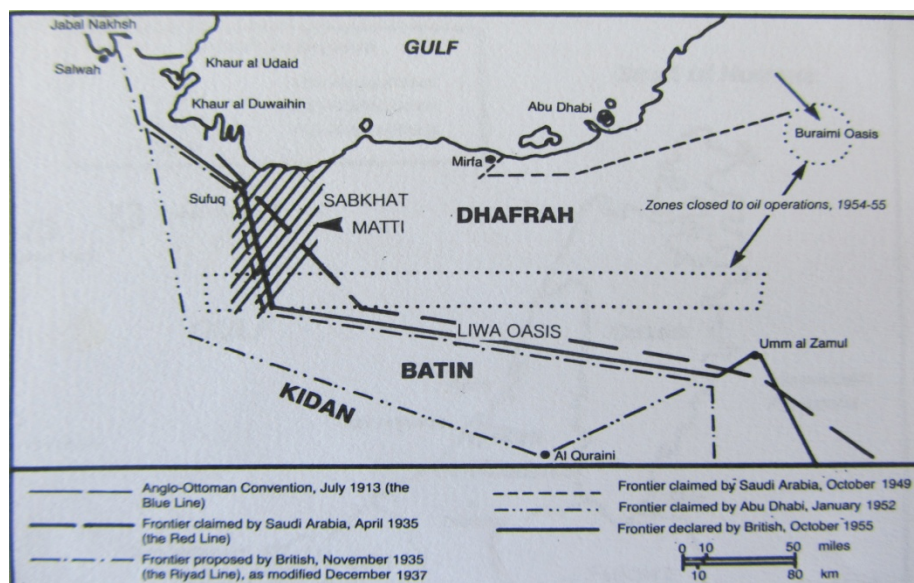
¹⁵³ Al-Baharna, *The Legal Status of the Gulf States*, p. 198.

¹⁵⁴ Al-Shamlan, *The Evolution of National Boundaries in the Southern Arabian Peninsula*, pp. 373-374.

30 miles into the Rub al-Khali to provide a buffer zone for Britain’s Aden Protectorate in southwest Arabia.

The Saudis responded with the “Fuad” or “Hamzah” line, named for the Acting Saudi Foreign Minister, Fuad bey Hamzah.¹⁵⁵ The Hamzah line was to start at Khor al-Udaid and make its way to Aden;¹⁵⁶ it would have made Khor al-Udaid part of Saudi territory and would also have split the Liwa oasis, the ancestral home of the Al-Bu Falah shaikhs of Abu Dhabi, between Saudi Arabia and Abu Dhabi. The British rejected the Hamzah line; however in 1937 they offered a modified Riyadh line that came close to the Abu Dhabi coast and included the Sufuk wells (which bordered the Saudi line 25 miles to the west of Abu Dhabi) as Saudi territory. Although Schofield describes the modified Riyadh line as “the largest departure from Anglo-Ottoman lines ever offered by the British government to Saudi Arabia”¹⁵⁷ the Saudis rejected the British proposals because they did not include Khor al-Udaid and/or the Jebel Nakhsh, one of the richest oil-bearing areas, as Saudi territory east of the Qatar peninsula (Figure 3.1).¹⁵⁸

Figure 3.1: Frontier Claims Map, 1913-55



Source: J.B Kelly, *the Gulf and the West*, 1980 and Anthony H. Cordesman, *The Gulf and the Search for Strategic Stability*, p 413

¹⁵⁵ For the sake of consistency, this thesis will refer to the “Riyadh” Line instead of “Ryan” line and “Hamzah” Line instead of “Fuad” Line.

¹⁵⁶ Al-Shaikh, *Saudi Arabia and its Gulf Co-operation Council Neighbours*, p. 91.

¹⁵⁷ Schofield, “Borders and Territoriality in the Gulf”, p. 20.

¹⁵⁸ Al-Baharna, *The Legal Status of the Gulf States*, p. 199.

Although the Anglo-Saudi territorial negotiations ended in stalemate in the late 1930s, British officials considered several proposals designed to persuade Ibn Saud to remain neutral in the event of war between Great Britain and Germany. In February 1938, the British Foreign Office proposed giving Khor al-Udaid to Saudi Arabia on the grounds that ceding Khor al-Udaid would be a small sacrifice that would help to stop Saudi expansion and alleviate Shaikh Shakhbut's fears of growing Saudi power. The Foreign Office noted that

Shaikh [Shakhbut, ruler of Abu Dhabi,] of course relies entirely on the support of His Majesty's Government for the maintenance of his independence against Ibn Saud, and that His Majesty's Government would therefore no doubt be in a position to bring considerable pressure to bear on him to agree to letting Saudi Arabia have Khor al-Udaid.¹⁵⁹

Among documents in the British government archives, this memorandum is perhaps unique for its plain assessment of the ruler of Abu Dhabi as weak and dependent on Britain. Because it is such a rare statement, it is important to point out that the Foreign Office was in the minority with regard to the proposal to give Khor al-Udaid to Saudi Arabia. Even though the proposal included provision for making a large monetary payment, estimated at £20,000, to Shaikh Shakhbut for the loss of Khor al-Udaid, the Government of India, the Political Resident at Bushire, British military commanders, and the India Office were all strongly against the proposal. In addition to the Political Resident's assessment that the deal would have no effect on Ibn Saud's actions in the event of World War II, the proposal's critics argued that if Britain reversed its position on Abu Dhabi's sovereignty over Khor al-Udaid, which had been recognized by the British in 1871, the decision would have a profoundly negative impact on Britain's prestige throughout the Gulf region.¹⁶⁰

However, according to the Saudis, Ibn Saud had an ancestral claim to the entire coast of eastern Arabia, including Khor al-Udaid. On 21 March 1937 George Rendel of the British Foreign Office visited Ibn Saud in Jeddah. When Ibn Saud argued that he was the only local ruler who could maintain law and order there, Rendel replied that the ruler of Abu Dhabi had a strong claim to Khor al-Udaid that had been recognized by the

¹⁵⁹ "The Southern Boundary of Qatar, 1838-1939; Khor al-Udaid; Oil Company Interests," in *Records of Qatar, Primary Documents 1820-1960*, Vol. 6, ed. Penelope Tuson (Oxford: Archive Editions, 1991), p. 448.

¹⁶⁰ Daniel Silverfarb, "Britain and Saudi Arabia on the Eve of the Second World War," *Middle Eastern Studies* 19 (1983), p. 408.

British since 1871 and that the only land route between Abu Dhabi and Qatar lay to the west of Khor al-Udaid.¹⁶¹ Rendel's remark about the land route between Abu Dhabi and Qatar is interesting in the context of the question of why Ibn Saud wanted Khor al-Udaid so much that he would not accept any British proposal that did not include Khor al-Udaid as Saudi territory.

As discussed in Chapter 2, Khor al-Udaid was described by the British as having little value as a harbour, while the surrounding land was unproductive and devoid of resources. So, it is of great importance to state that these factors contributed to Ibn Saud's claim to Khor al-Udaid. One suggestion was that the Saudis wanted to control the land route between Abu Dhabi and Qatar as part of a larger strategy to establish Saudi domination over the region. It was also suggested that the Saudis wanted possession of Khor al-Udaid for internal security reasons. According to this view, a Saudi outlet to the Gulf at Khor al-Udaid would help to contain any Shi'a uprisings in eastern Saudi Arabia.¹⁶² Schofield believes the main reason behind the Saudi claim was to split British control along the eastern Arabian coast from Oman to Qatar.¹⁶³ Peterson suggested four possible reasons: (i) Ibn Saud's sense of "manifest destiny" made him feel entitled to areas held by his ancestors, no matter how briefly; (ii) it may have been related to Saudi Arabia's national security and oil development; (iii) the Saudis may also have suspected there were offshore oil deposits near Khor al-Udaid; and (iv) the Saudis may have considered Khor al-Udaid as compensation for losing the Buraimi oasis.¹⁶⁴

According to a British Foreign Office memorandum prepared in February 1938:

The Saudis claim that they need the Khor (a) in order to have an additional port on the Persian Gulf more easy to develop and more accessible to trade than their existing ports at Ras Tanura and Uqair, (b) in order to be able to control the smuggling which they contend is carried on from that part of the coast into Saudi Arabia. It is probable, however, that motives of prestige derived

¹⁶¹ Abdullah, *The United Arab Emirates: A Modern History*, pp. 196-179.

¹⁶² Ulama, "The Federal Boundaries of the United Arab Emirates", p. 179.

¹⁶³ Richard N. Schofield, Interview, at Kings Collage, London, 9 April 2010

¹⁶⁴ John. E. Peterson, Interview, Arizona, 8 January 2011.

from their general expansionist aims play a considerable part in the Saudi desire to acquire the Khor.¹⁶⁵

Despite the Foreign Office belief that the Saudis had no historical basis for their claim over Khor al-Udaid, it proposed in 1938 to cede Khor al-Udaid to settle the disputed areas between the UAE and Saudi Arabia. Interestingly, Saudi Arabia had not claimed sovereignty over Khor al-Udaid until after the 1930s.¹⁶⁶ Nowhere in the British archives records is there documentary evidence of Saudi claims on Khor al-Udaid before the 1930s, except when the first phase of the Anglo-Saudi territorial negotiations began. However, in the 1930s, Saudi Arabia back-dated its claims to the early 1900s, saying that the Al-Murrah and Mansir nomadic tribes that were living in the area around Khor al-Udaid had consistently paid *zakat* and had submitted their loyalty to Ibn Saud. Thus, the occupants of some of the settlements that lay to the east of the Blue and Violet Lines were his subjects.¹⁶⁷

In February 1949, Saudi *zakat* collectors appeared in and around Liwa, Buraimi and Dhahira to collect payments from the local tribes. At the same time, Aramco sent oil survey parties into areas near Khor al-Udaid and west of Sabkhat al-Matti. Shaikh Shakhbut complained to Patrick Stobart, the Political Officer in Sharjah, about this Saudi *zakat*-collecting in Abu Dhabi territory. The Iraq Petroleum Company (IPC) also protested about Aramco's exploration activities and asked the British government to look after the interests of British oil companies in the disputed areas. On 21 April Stobart took a small party into the disputed area where several Aramco camps were found. The Americans, who had brought twenty Saudi soldiers with them, disarmed Stobart and his men and briefly detained them,¹⁶⁸ before deciding to release them. The thesis was interested in examining this situation, since in an interview with Julian Walker, who was then an Assistant Political Agent stationed in Dubai, he stated that "we planned to surround the Aramco team with TOS [Trucial Oman Scouts], shoot out their tyres, and then return them to undisputed Saudi territory. We then received a telegram from London saying Prime Minister says you should on no account shoot at

¹⁶⁵ British Foreign Office, 'South Eastern boundaries of Saudi Arabia: Possible cession of the Khor-el-Odeid to Ibn Saud', in P Tuson (ed.), *Records of Qatar, primary documents 1820-1960, vol. 6 1935-1949*, Cambridge, Archive Editions, 1991, pp. 443-444.

¹⁶⁶ Schofield, "Borders and Territoriality in the Gulf and the Arabian Peninsula", p.17.

¹⁶⁷ Abdullah, *The United Arab Emirates: Modern History*, p. 181.

¹⁶⁸ Shafi Aldamer, *Saudi Arabia and Britain, Changing Relations, 1939-1953* (Reading, UK: Ithaca Press, 2003), p. 169.

the Americans except in self-defence.”¹⁶⁹ This account is highly significant because it demonstrates the strong potential for violent action to occur between the British and Americans in the disputed areas as the Anglo-Saudi territorial negotiations entered a new phase.

3.3 The Second Stage of Anglo-Saudi Territorial Negotiations (1949-55)

3.3.1 Changed Atmosphere After World War II

The British protested about Saudi Arabia’s activities west of Abu Dhabi, and for several months correspondence was exchanged with Saudi Arabia in an attempt to restrict its activities. On 14 October 1949, the status of the western and southern boundaries of Abu Dhabi became further complicated when Saudi Arabia and Aramco’s lawyers issued a new and expanded territorial claim. The new claim included 80 percent of Abu Dhabi’s territory; the Al-Ain/Buraimi oasis, the Liwa oasis and Khor al-Udaid.¹⁷⁰ In response, Britain argued that Saudi Arabia was bound by the Anglo-Ottoman Conventions of 1913 and 1914.¹⁷¹

It is also important to note that Saudi Arabia’s territorial claim in 1949 came in the context of a radically changed regional and global atmosphere. For example, since 1947, India had gained independence, and nationalism and anti-colonialism were rising throughout the developing world. In the Middle East, two important events occurred in 1952 that explained this. First, Iran’s Prime Minister, Muhammad Mosadeq, nationalized the Anglo-Iranian Oil Company, and second, Gamal Abdul Nasser of Egypt overthrew the British-backed government and campaigned for British withdrawal from the Suez Canal Zone. The situation was further complicated by the Cold War and the growing role of the United States in the Middle East.

According to Tore T. Petersen, the United States government became more deeply involved in the Middle East because Britain was not responding effectively to security threats and Arab nationalism, and there was a risk of losing the entire region to the Communist bloc.¹⁷² In 1951, the Saudis entered a new military agreement with the US and turned away from its existing military agreement with Britain. The Americans also

¹⁶⁹ Julian Walker, Interview, 29 September 2010.

¹⁷⁰ John B. Kelly, *Eastern Arabian Frontiers*, p. 20.

¹⁷¹ Wilkinson, *Arabia’s Frontiers: The Story of Britain’s*, p. 366.

¹⁷² Tore T Petersen, “Anglo-American Rivalry in the Middle East: The Struggle for the Buraimi Oasis, 1952-1957,” *The International History Review*, vol. 14, No.1 (February, 1992), p.74.

stationed unarmed US Air Force aircraft at Dhahran.¹⁷³ In February 1952, Amir Faisal, son of Ibn Saud, visited the United States with the aim of influencing the Americans to play a role in negotiations and stand against current the British position with regard to the disputed areas. During that visit he met US Secretary of State Dean Acheson and informed him that if the Anglo-Saudi territorial negotiations were not resolved to the Saudi Arabia's satisfaction, the Saudis might be forced to turn to the Communists for help.¹⁷⁴

As early as the summer of 1949, Saudi Arabia had asked the US government to pressure the British to grant more concessions over the disputed areas, and by April 1950, Aramco executives had lobbied the US State Department to influence the British toward a settlement. In July 1950, the British government issued a memorandum that proposed the creation of a joint Anglo-Saudi Technical Commission to study the issues, provided the Saudis agreed to three conditions: first, there should be no efforts to influence developments in the disputed areas; second, the joint technical commission would address Oman's claims over Buraimi and the surrounding area; and third, the Saudis would have to agree to document claims to any territory east of the Blue and Violet Lines of the Anglo-Ottoman Conventions of 1913 and 1914. The Saudis welcomed the first and second conditions, but rejected the third requirement.¹⁷⁵

The British requirement that the Saudis should document their territorial claims east of the Blue and Violet Lines is interesting. When asked why during the 1950s the British had persisted in arguing that Saudi Arabia's territory was bound by the Anglo-Ottoman Conventions of 1913 and 1914, Julian Walker strongly maintained that the British had not used that argument in the 1950s.¹⁷⁶ But as explained above, the British had argued from 1934 onwards that the Saudis were bound by the Blue and Violet Lines.

At this time, the British were altering various aspects of their presence in the Gulf. From the 1950s to the 1960s, a new attitude was developing among many British officials who "felt that Britain could not take such a close interest in the people of the area without promoting at least a measure of economic and social progress."¹⁷⁷ This

¹⁷³ Aldamer, *Saudi Arabia and Britain*, p.192.

¹⁷⁴ Wilkinson, *Arabia's Frontiers: The Story of Britain's*, p. 313.

¹⁷⁵ Aldamer, *Saudi Arabia and Britain*, pp. 176-7.

¹⁷⁶ Julian Walker, Interview, 29 September 2010.

¹⁷⁷ Ivor Lucas, *Britain and the United Arab Emirates: Old Patterns and New Horizons* (London: SOAS, 1999), p. 8.

changing attitude among British officials coincided with the previously-mentioned shift in among British oil companies and their support for local development.¹⁷⁸ For example, in 1966, the British supported the idea of deposing Shaikh Shakhbut because they considered him to be a conservative who was opposed to economic and social development in Abu Dhabi. During the 1950s and 1960s, oil was discovered in the Trucial Coast and Britain became exclusively focused on the exploitation of petroleum resources in the Arabian Peninsula.

3.3.2 Events Leading to the Saudi Occupation of Hamasa in 1952

In late 1950-early 1951, the British established a small police force called the Trucial Oman Levies (TOL), later renamed the Trucial Oman Scouts, whose headquarters were in Sharjah. The plan was for members of the Arab Legion to be brought in from Jordan to train the Trucial Oman Levies. Ibn Saud, who had been an enemy of the Hashemite rulers for many years, felt threatened by the proposed use of Jordanian soldiers near the south-eastern corner of Saudi Arabia, and on 10 January 1951 submitted a formal protest to the British ambassador in Saudi Arabia about the issue of the TOL.¹⁷⁹ Early in the second phase of the Anglo-Saudi territorial negotiations, the TOL added to the rising tension between Great Britain and Saudi Arabia.

In August 1951, the British and Saudi representatives met in London to negotiate the status quo in order to freeze oil exploration and political activities in the disputed areas until both sides could reach a tentative compromise. However, the Saudis were unwilling to agree to such restrictions because the Abu Dhabi Petroleum Company had continued its operations and the Levy Force under British command had entered the disputed areas. In January 1952, a second Anglo-Saudi conference was held at Dammam in Saudi Arabia, at which the British filed a new territorial claim on Abu Dhabi's behalf with Saudi Arabia.¹⁸⁰ The British proposed a line "...starting from a point at the base of Qatar south of Salwa, and going southwards, turning south-east until reaching Quraini, then turning north-east to reach Umm al-Zamul as a tripartite junction between Saudi Arabia, Abu Dhabi, and the Sultanate of Oman (see figure 3.1)."¹⁸¹ In response, the Saudis rejected this proposal and maintained the basis of their claim of 1949. The Dammam conference ended on 7 February 1952, because the results of the

¹⁷⁸ Stegner, *Discovery!*, p. xi.

¹⁷⁹ Aldamer, *Saudi Arabia and Britain*, pp.178-9.

¹⁸⁰ Al-Shamlan, *The Evolution of National Boundaries*, p. 392.

¹⁸¹ Al-Shaikh, "Saudi Arabia and its Gulf Co-operation", p. 93.

negotiations failed to satisfy either party.¹⁸² At the conference, the British had tried to deny Khor al-Udaid to Saudi Arabia, nor had they included the Buraimi issue in their agenda because they believed that the Saudis had no right to claim Buraimi Oasis. The Saudis felt their concern over the Buraimi issue had been completely ignored and reacted by occupying it.¹⁸³

As a result of the failure of the negotiations, Saudi soldiers occupied Hamasa, a large village claimed by the Sultan of Muscat in the Buraimi Oasis on 31 August 1952. Shafi Aldamer has argued that the absence of the Sultan of Muscat and addressing the Buraimi Oasis question at the Dammam Conference had signalled to the Saudis that they were free to claim Buraimi as Saudi territory.¹⁸⁴ It was reported that the tribal Shaikhs of Hamasa had invited the Saudis into the village. Since many of the inhabitants were Wahhabis, their supporters claimed that the tribal Shaikhs were independent of Oman and the Trucial States, while according to Abdullah Taryam, residents of Hamasa who had asked the British Political Agent in Sharjah for passports had been refused because “they were not nationals of the sheikhdoms whose relationship with Britain was governed by treaties.”¹⁸⁵

Asked about the claim that the British Political Agent in Sharjah during the 1950s had declined to issue passports to residents of Hamasa, Ivor Lucas and Julian Walker responded that they had no knowledge of these claims, but that they sound far-fetched.¹⁸⁶ Most probably the residents of Buraimi Oasis were subjects of shaikhdoms under British protection. As discussed in Chapter 2, the Sultan of Muscat had allied himself with Shaikh Zayid and defended the Wahhabis in Buraimi in 1869, and since then Buraimi had been jointly administered by the Sultanate of Muscat and Abu Dhabi.

Events at Buraimi were closely monitored by the US government. US officials wanted to protect Aramco’s business interests in Saudi Arabia, and the US State Department urged Britain and Saudi Arabia to avoid any escalation of hostility at Buraimi.¹⁸⁷ On 26 October 1952 the British and Saudis consented to a standstill agreement according to

¹⁸² Abdullah O. Taryam, *The Establishment of the United Arab Emirates 1950-85* (London: Croom Helm, 1987), p. 22.

¹⁸³ Aldamer, *Saudi Arabia and Britain*, p. 201.

¹⁸⁴ *Ibid.*, p. 208.

¹⁸⁵ Abdullah O. Taryam, *The Establishment of the United Arab Emirates 1950-85* (London: Croom Helm, 1987), p. 23.

¹⁸⁶ Ivor Lucas, Correspondence, 24 October 2010.

¹⁸⁷ Wilkinson, *Arabia’s Frontiers: The Story of Britain’s*, p.312.

which both parties pledged to refrain from provocative actions, to maintain their existing positions in the Buraimi oasis, and to resume the Anglo-Saudi territorial negotiations.¹⁸⁸ In 1953, the Saudis proposed a plebiscite in Buraimi to determine sovereignty over the villages, but the British rejected this proposal,¹⁸⁹ since the plebiscite suggested by the Saudis would have been managed by a tripartite commission including Saudi Arabia, Great Britain, and the United States.¹⁹⁰

3.3.3 *The Arbitration Agreement of 1954*

The US State Department strongly urged both countries to take their disputed areas to arbitration and the Americans were determined not to take sides with either Britain or Saudi Arabia.¹⁹¹ The British and the Saudis then agreed to sign an arbitration agreement at Jeddah on 30 July 1954, which involved an exchange of letters specifying the conditions which both parties would adhere to during arbitration with regard to the disputed areas. According to the arbitration agreement, each party in the dispute needed to present its case for submission to an international Arbitration Commission within six months of signing the agreement. On behalf of their respective claimants the British government and Aramco therefore prepared memorials that documented the historical arguments of the Saudi and Abu Dhabi cases. Both memorials produced information related to the question of the disputed areas over the Al-Ain/Buraimi oasis region, Khor al-Udaid, and the Liwa oasis.

In the *British Memorial*, Britain provided historical materials to support Abu Dhabi claim. The following points served as British evidence:

- Saudi Arabia was bound by the Anglo-Ottoman Conventions of 1913-14.
- The various Saudi occupations of the Buraimi oasis had been challenged and interrupted until they were finally repulsed in 1871.
- Historical evidence was provided to support the claim that Khor al-Udaid and the Liwa oasis had been the ancestral areas of the tribes belonging to the rulers of Abu Dhabi.

¹⁸⁸ “Buraimi Standstill Agreement, 26 October 1952,” in *Arabian Treaties 1600-1960*, Vol. 4, ed. Penelope Tuson and Emma Quick (Oxford: Archive Editions, 1992), p. 603.

¹⁸⁹ Al-Shaikh, “Saudi Arabia and its Gulf Co-Operation,” p. 94.

¹⁹⁰ Hamadi, *Saudi Arabia’s Territorial Limits*, 1981, p. 74.

¹⁹¹ Aldamer, *Saudi Arabia and Britain*, p.216.

However, in the *Saudi Memorial*, Saudi Arabia provided evidence to support the Saudi claim east of the Blue Line, in which the following points included:

- Saudi Arabia had practised sovereignty over the disputed areas; thus the Saudi claim was based on historical title.
- The tribes who lived in the disputed areas recognised Saudi authority as subjects by paying them regular *zakat* to the Saudis.
- The 1915 and 1927 treaties did not mention that Saudi Arabia was bound by the Anglo-Ottoman Conventions of 1913-14, but recognized Ibn Saudi as an independent ruler.¹⁹²

3.3.4 Collapse of Arbitration and British Unilateral Frontier Declaration in 1955

Saudi Arabia and Great Britain, supported by the US government, agreed to arbitration as a dispute resolution method that was scheduled to start in September 1955. The tribunal was represented by three neutral states, being headed by a Belgian, accompanied by two tribunal members from Pakistan and Cuba respectively. Sir Reader Bullard, a retired member of the British Foreign Service who had been Minister and Ambassador to Saudi Arabia from 1936 to 1939, represented the British side, and Yusuf Yasin, the Saudi Foreign Minister, represented the Saudi side. When the tribunal opened on 11 September the British and the Saudis both produced evidence of violations of the various agreements. The Saudis accused the British of being in violation of the 1952 standstill agreement and the 1954 arbitration agreement, while the British used the second and third meetings to charge the Saudis with the same accusations.¹⁹³

On 16 September 1954, Sir Reader Bullard withdrew from the tribunal. Pro-Saudi scholars have argued that when it appeared the tribunal would go to a verdict in favour of the Saudis and without ruling on Britain's accusations of Saudi misconduct, Sir Reader Bullard and the two neutral members left the tribunal. In 1955, when the British had exhausted all means (i.e., political and legal approaches) of dealing with the Saudis over frontier issues, they unilaterally declared Saudi Arabia's frontier line,¹⁹⁴ and on 26

¹⁹² Al-Shamlan, *The Evolution of National Boundaries in the Southern Arabian*, pp.344- 346.

¹⁹³ "Comments on J. B. Kelly's *Eastern Arabia Frontiers*," *William E. Milligan Papers*. Box 2, Folder 5, Georgetown University Library, Special Collections Research Center, Washington D.C, p. 4.

¹⁹⁴ James F. Mandaville, "Confidential Memorandum to the File: Oman-South Yemen Border." *William E. Milligan Papers*. Box 2, Folder 5, Georgetown University Library, Special Collections Research Center, Washington DC.

October 1955, ordered the Trucial Oman Scouts (commanded by British officers) to expel the Saudis from Hamasa.¹⁹⁵

Scholars have examined the collapse of the arbitration process and have attempted to uncover the “real” reason why Bullard resigned from the tribunal before a ruling could be reached on the Abu Dhabi-Saudi territorial dispute. For example, Hamadi argues that British allegations of unfair Saudi influence on the tribunal ignored the fact that there were neutral members of the tribunal. For Hamadi, the evidence strongly suggests that the British strategy was aimed at blocking arbitration.¹⁹⁶ Wilkinson asserts that Bullard resigned because the British knew they would lose the case at arbitration.

Julian Walker, on the other hand, maintains that Sir Reader Bullard left the arbitration tribunal because of alleged Saudi attempts to bribe Shaikh Zayid and a member of the tribunal as well as on-going Saudi police activity at Buraimi oasis.¹⁹⁷ In an alternative version, the main reason for the collapse of the tribunal was the charge of bribery offered by the Saudis to Shaikh Zayid, brother of Shaikh Shakhbut, Ruler of Abu Dhabi. Shaikh Zayid was therefore brought in to the Tribunal and testified that the Saudis had offered him 400 million rupees in cash (equivalent to US\$85 million), for which sum a thousand camels were needed to transport the money to Abu Dhabi.¹⁹⁸ Ivor Lucas shares Walker’s views that the international arbitration tribunal collapsed as a result of Saudi attempts to subvert it.¹⁹⁹ According to Lucas, the British alleged that the Saudis had offered Shaikh Zayid a large share of the revenues from any oil found in the disputed areas if he would make sure that Aramco obtained a concession in Abu Dhabi and excluded the British-owned Petroleum Concessions Limited (PCL).²⁰⁰

Regardless of what “really” caused the collapse of the arbitration process, subsequently the US government did not support Britain. J. B. Kelly mentioned in 1964 “a conspicuous lack of support in Washington for Britain’s actions”²⁰¹ in abandoning the arbitration tribunal along with their unilateral declaration of the Saudi frontier in 1955. In this context, and for two reasons the Americans protested to the British Foreign

¹⁹⁵ It is important to note that, under the British unilateral declaration of the Saudi frontier line of 1955, Abu Dhabi was left with Khor al-Udaid, the Liwa oasis, and the Al-Ain/Buraimi region.

¹⁹⁶ Hamadi, “Saudi Arabia’s Territorial Limits”, p.77.

¹⁹⁷ Julian Walker, Interview, 29 September 2010.

¹⁹⁸ Al-Shamlan, *Evolution of the National Boundaries*, 1987, pp. 350, 369.

¹⁹⁹ Ivor Lucas, Correspondence, 26 October 2010.

²⁰⁰ Ibid.

²⁰¹ Kelly, *Eastern Arabian Frontiers*, p. 262.

Office in London, first because the British had not consulted the Americans before declaring the Saudi frontier and expelling the Saudis from Hamasa. Secondly, the Americans resented British disregard for American interests in Saudi Arabia. In early 1956, during a state visit to Washington by British Prime Minister Anthony Eden, Dwight D. Eisenhower, the US President, told Eden that the world and regional public opinion should be taken into account in resolving the Anglo-Saudi territorial negotiations. Eisenhower also stated that, “the whole Arab peninsula belonged, or ought to belong, to King Saud.”²⁰²

The United States had joined the Arab League in supporting the reopening of the international tribunal; however, the British resolutely refused to consider reviving the arbitration process. In November 1955, Richard Young, an Aramco lawyer who had supported the Saudis at the arbitration tribunal, proposed a political solution to the Abu Dhabi-Saudi territorial dispute, according to which both Saudi Arabia and Britain, as well as the people living in the disputed areas, would benefit. Under Young’s proposal, Qatar would have Khor al-Udaid but Saudi Arabia would gain access to the Gulf east of Qatar. Saudi Arabia would also acquire the Liwa oasis and the Dhahran district, including Buraimi oasis. The Al-Bu Falah Shaikhs of Abu Dhabi would retain their role in Buraimi oasis but would not exercise sovereignty there. As for petroleum operations, Saudi Arabia would split the territory between Aramco and Petroleum Development Trucial Coast, a subsidiary of the British Iraq Petroleum Company. Saudi Arabia would also split the oil revenues 50/50 with the oil companies and then share the Saudi government’s half on a 50/50 basis with the seven Trucial States. In fact, Young’s proposal was never officially put forward, but Wilkinson notes that, except for Abu Dhabi, the Trucial States would have favoured Young’s proposal.²⁰³

3.3.5 Summary of Events from 1949-55

One theme that emerged was that Aramco and the US government played a large role in shaping the Anglo-Saudi territorial negotiations. Aramco executives and lawyers prepared Saudi Arabia’s historical argument, the 1955 *Saudi Memorial* and *Aramco Reports*, in support of the 1949 expansion of the Saudi territorial claims that were to be submitted to international arbitration. At the same time, the British Government, on behalf of Abu Dhabi, prepared the *British Memorial* of 1955 to support Abu Dhabi’s

²⁰² Petersen, *Anglo-American Rivalry in the Middle East*, p.86.

²⁰³ Wilkinson, *Arabia’s Frontiers: The Story of Britain’s*, p.328.

territorial claim over the disputed areas. In this context, the US and the British governments had conflicting strategic interests in the disputed areas and that conflict intensified when Aramco supported the Saudi territorial claims east of the Blue and Violet lines. The American policy of supporting the Saudi territorial claims east of the Blue Line (where the Al-Ain/Buraimi region is located) suggests that Aramco had emerged as a competitor to the interests of the British companies in the Arabian Gulf. Therefore it can be argued that the contest over the disputed areas was between Abu Dhabi and the Saudis and most importantly, between the British and American oil companies. Although the Americans and the British had been allies during World War II, tensions developed between them for one or two particular reasons. The British believed that the Americans were focused more or less exclusively on countering Communism and that this had a significantly negative impact on US foreign policy. Since the British believed that neither foreign nor local Communists were a threat in the Gulf, they distrusted the Americans' stated concerns.²⁰⁴

A second theme that emerged was mutual accusations of non-compliance with various agreements, from those reached in London and Dammam to the standstill and Arbitration agreements. Most of the complaints fell into the category of unfairly attempting to influence the outcome of the disputed areas. Taryam notes that soon after the Saudi occupation of Hamasa, there were rumours that Ibn Utayshan, the Saudi official in charge of the occupation of Hamasa, had been giving gifts and money to local residents and hosting daily parties for them.²⁰⁵ These complaints continued even after Britain and Saudi Arabia had agreed to take the disputed case to international arbitration in Geneva. It was reported that the Saudis used many methods to influence the decision of the International Arbitration Tribunal. Certainly the Saudis distributed large gifts of money to Buraimi's tribal leaders and arranged trips to Riyadh for some of them. They also offered jobs and Saudi citizenship to Buraimi natives. As for Abu Dhabi, Shaikh Zayid, brother of the Ruler of Abu Dhabi, persuaded leaders of the Al-Bu Shamsi tribe to give their allegiance to the Sultan of Muscat. According to Wilkinson, Shaikh Zayid's efforts on behalf of Oman and Abu Dhabi were an inadequate defence against the evidence "which the Saudis were similarly manufacturing"²⁰⁶ throughout Dhahran, the district around Buraimi. At the end, both sides had produced evidence in support of

²⁰⁴ Petersen, "Anglo-American Rivalry in the Middle East", p 74.

²⁰⁵ Taryam, *The Establishment of the United Arab Emirates*, p.23.

²⁰⁶ Wilkinson, *Arabia's Frontiers*, p. 316.

their territorial claims, even if that had meant manufacturing evidence in their attempts to influence the arbitration results.

Despite the arguments of scholars who maintain that both sides engaged in “dirty tricks” at Buraimi oasis, the official British position was that only the Saudis had violated the standstill agreement of October 1952. On 2 April 1953, Selwyn Lloyd, British Minister of State at the Foreign Office, announced in the House of Commons that Great Britain was abrogating the standstill agreement because of Saudi bribery and incursions into Abu Dhabi territory. The British then established a blockade of Buraimi, maintained by the Trucial Oman Levies, to restrict the flow of supplies that the Saudis might use to influence the inhabitants of Buraimi oasis unfairly. The blockade also provided the British themselves with opportunities to influence the local Buraimi residents.²⁰⁷

3.4 After 1955 and up to the Early 1970s

3.4.1 Anglo-Saudi Relations 1956-63

Regional events were moving against the reopening and resolving of the Anglo-Saudi territorial negotiations. To counter Nasser’s nationalisation of the Suez Canal, Britain, France, and Israel invaded the Suez Canal Zone in Egypt in November 1956. Saudi Arabia immediately broke off diplomatic relations with Britain in protest at the invasion. The British had wrongly believed that the Americans would support the invasion. The United Nations voted to condemn the invasion, while the United States imposed economic sanctions on its former ally and withheld Middle East oil shipments to Europe until Britain had agreed to quit Suez. As a development of the status quo in the Middle East, the British Prime Minister Harold Macmillan and US President Eisenhower met for talks in March 1957. Following that meeting, the British acknowledged US supremacy over the entire Middle East, in exchange for continued British dominance of the Gulf.²⁰⁸

In term of that context, the British government had an opportunity to exercise its dominance in the Gulf in October 1958, when Shaikh Shakhbut of Abu Dhabi sent a large contingent of officials to Khor al-Udaid to establish a police post for the supervision of fishing and to enforce Abu Dhabi’s navigation regulations at Khor al-Udaid. Despite the British Political Resident in Bahrain affirming that Khor al-Udaid

²⁰⁷ Petersen, *Anglo-American Rivalry in the Middle East*, p.74.

²⁰⁸ *Ibid.*, p.90.

was “indisputably Abu Dhabi territory”, he also stated that “it would be unfortunate if there were a clash between a Saudi force and Shakhbut’s police, particularly as the latter would run away and leave the Saudi force in possession of [Khor al-Udaid].”²⁰⁹

Saudi Arabia reacted to Shaikh Shakhbut’s activities by sending a note of protest to the British and filing a complaint with the United Nations Security Council. The Saudi letter to the Security Council described Shaikh Shakhbut’s policemen as a force of several hundred Arab soldiers led by British officers, and also stated the following:

The Saudi Arabian Government concludes that the United Kingdom’s armed aggression in Khor al-Udaid was designed to provoke Saudi Arabia into an armed conflict in that area, with a view to disturbing the peace in the region and foster British colonialism in the Arabian Peninsula...The military aggression by the British colonial forces in Khor-al Udaid is attended with several preparatory arrangements of a military nature calculated to expand militarily British colonial policy within and around Saudi Arabian territory.²¹⁰

The accusations of the Saudis against Great Britain obviously misrepresented Shaikh Shakhbut’s attempts to exercise his sovereignty over Khor al-Udaid. On 17 July 1959, the Foreign Office wrote in a memorandum:

We have recognised the [Khor al-Udaid] for about eighty years as belonging to Abu Dhabi it would have been difficult for us to prevent him from establishing a post, if we had known beforehand, and it would be extremely difficult for us to persuade him to withdraw his post now that it is there... the [Khor al-Udaid] problem has now joined the Buraimi problem as a hindrance to the resumption of diplomatic relations with Saudi Arabia.²¹¹

In response to a question about the controversy over Shaikh Shakhbut’s activities at Khor al-Udaid and the reactions of the British, Ivor Lucas argues that the Buraimi Crisis (1952-55) the Suez Crisis (1956), and the resulting break in Anglo-Saudi diplomatic relations (1956-63) could be seen as cumulative reasons why, in 1958, British officials

²⁰⁹ “Khor al-Udaid: Qatar’s Boundaries with Saudi Arabia and Abu Dhabi”, in *Records of Qatar, Primary Documents 1820-1960*, vol. 7, ed. Penelope Tuson (Oxford: Archive Editions, 1991), p. 655.

²¹⁰ “Khor al-Udaid: Qatar’s Boundaries”, *Records of Qatar* Vol. 7, p.661.

²¹¹ *Ibid.*, pp.669-670.

wished to avoid upsetting the Saudis over Shaikh Shakhbut's exercise of sovereignty at Khor al-Udaid, so that the British preferred to look at the other side.²¹²

3.4.2 The Context of Anglo-Saudi Territorial Negotiations 1960-70

By 1960, the Saudis had made the resolving of the Abu Dhabi-Saudi territorial dispute a prerequisite for restoring normal diplomatic relations between Saudi Arabia and Great Britain, and the two countries eventually resumed relations in 1963. In August 1964, the British proposed the "establishment of a joint oil exploration area along the southern boundary of Abu Dhabi and granting of access from the neighbouring areas of Saudi Arabia to the Abu Dhabi coast for oil pipelines and roads."²¹³ With this proposal, they addressed Saudi Arabia's longstanding desire to gain access to the Gulf east of Qatar, namely Khor al-Udaid.

In addition the British, for the first time, proposed a joint exploitation in any discovered oil field in south of Abu Dhabi by making it available for both American and British oil companies to explore so that Abu Dhabi and Saudi Arabia would share the revenues. However, the Saudis rejected this suggestion and insisted instead on unilateral sovereignty over Khor al-Udaid and the Liwa oasis. It is important to note that the Zararah oil field was discovered in 1968, the same year in which the British had declared their withdrawal. The Abu Dhabi Petroleum Company drilled many wells at Zararah, south of Abu Dhabi, but due to the field's sensitive location between the Abu Dhabi-Saudi borders, drilling activities were frequently stopped and resumed, especially during the 1970s. After the discovery of oil in Zararah, some very secretive drilling activities were carried out by Aramco on the Saudi side.²¹⁴

In that context, discovery of the Zararah oil field played an important role in prolonging the history of the dispute between Abu Dhabi and Saudi Arabia. The discovery of oil gave more value to the land south of Liwa compared with the Buraimi oasis. Wilkinson argues that Aramco had mistakenly thought that Buraimi oasis was a "prime petroleum prospecting [area]."²¹⁵ Similarly, Tore Petersen shows that when it was proved that no oil had been discovered in Buraimi, it was shortly after dropped from the Saudi

²¹² Ivor Lucas, Correspondence, 24 October 2010.

²¹³ Al-Shamsi, *The Al-Buraimi Dispute*, p.136.

²¹⁴ *Financial Times* Survey on the UAE, 26 October 1982, cited in Ulama's thesis, p. 177.

²¹⁵ Wilkinson, *Arabia's Frontiers*, p. 283.

agenda,²¹⁶ certainly from the 1960s the Buraimi oasis no longer appeared in Saudi calculations.

Saudi Arabia also changed its priority in terms of territorial claims to include both Khor al-Udaid, and the Liwa oasis. In fact, no public statement was made that explicitly indicated that Saudi Arabia had dropped its claim to Buraimi oasis. The Buraimi issue remained dormant until 1968 when the British announced their anticipated military withdrawal from the Gulf by 1971. However, the Saudis would later use the Buraimi issue as a “bargaining chip” for territorial settlement, indicating that they would drop the Al-Ain/Buraimi oasis region in exchange for Khor al-Udaid and part of the Liwa oasis, including areas that had been found to contain oil.²¹⁷

Despite the resumption of relations between Great Britain and Saudi Arabia, William E. Milligan, coordinator of Aramco’s Arabian Affairs Division stated that: “no substantive steps to resolve the boundary dispute between Saudi Arabia and Abu Dhabi are known to have been taken over years.”²¹⁸ This study speculates that the two most important reasons why the dispute had not been resolved were Britain’s short-term strategy, especially after 1968, and the uncompromising position of the Saudis during the Anglo-Saudi territorial negotiations.²¹⁹

In the context of finalizing borders, the settling of Saudi Arabia’s common borders with Qatar had proceeded successfully,²²⁰ with Qatar and Saudi Arabia agreeing to a line proposed by the British on behalf of Qatar at the Dammam Conference in 1952. According to William E. Milligan, “Saudi Arabia and Qatar had reached an agreement in principle on their common land boundary and that it comprised the 1952 claim advanced by Great Britain on behalf of Qatar [at the Dammam Conference].”²²¹

In December 1965, Saudi Arabia and Qatar reached a territorial agreement over their boundary to the west of Qatar. Even though Qatar was a British protected state, it signed an agreement with Saudi Arabia without any consultation with Britain. As a result, the

²¹⁶ Petersen, *Anglo-American Rivalry in the Middle East*, p. 91.

²¹⁷ See discussion of King Faisal’s proposal, p.101.

²¹⁸ “Status of Some Outstanding Saudi Arabian Boundary Questions.” *William E. Papers*, Box 2, Folder 5, Georgetown University Library, Special Collections Research Center, Washington, DC.

²¹⁹ Hessem B. Al-Ulama, Interview, Washington DC, 16 November 2010.

²²⁰ Only Qatar state is concerned among other Gulf States in this study because of its common boundary with Abu Dhabi and Saudi Arabia, namely Khor al-Udaid

²²¹ William E. Milligan, “Confidential: Boundaries”, *William E. Milligan Papers*. Box 2, Folder 5, Georgetown University Library, Special Collections Research Center, Washington DC.

British government sent a letter of protest to the Saudi government expressing its position on the agreement, that it conflicted with Abu Dhabi's claim to Khor al-Udaid.²²² However, according to Schofield, Britain did not accept the Saudi claims on Khor al-Udaid as suggested by the Saudi-Qatari agreement,²²³ and the British Political Resident informed the Deputy Ruler of Qatar about the 1965 agreement in the following terms:

...the conclusion of this border agreement had caused HMG much embarrassment. It had been necessary for HMG to send a protest both to the Ruler of Qatar and to the Saudi Arabian Government in order to safeguard the position of Abu Dhabi east of Sauda Nathil. It seemed that Qatar did not realise how serious it was for her to have become involved in an agreement with Saudi Arabia, which concerned not only the border between those two countries but also the border between Qatar and Abu Dhabi, over which Saudi Arabia had no legal say whatsoever.²²⁴

According to an article in *Al-Hawadith*, the Beirut weekly magazine, the Saudi government maintained that Khor al-Udaid did not belong to Abu Dhabi but did belong to Saudi Arabia, as had been acknowledged decades earlier by the Al-Thani ruler of Qatar in a letter to Ibn Saud in the 1930s.²²⁵ The article also quoted an unnamed Saudi official as saying:

The problem between us and Abu Dhabi is not one of land, for we have a lot of land. Nor is it about oil fields, for (our) oil is plentiful. The problem is one of honour. We do not need a mediator between us and [Shaikh] Zayid, ruler of Abu Dhabi, if [Shaikh] Zayid really wishes to solve this problem.²²⁶

On the other hand, the British continued to push Qatar to conclude an agreement with the Emirate of Abu Dhabi as a way of replacing the Saudi-Qatari agreement of

²²² "Status of Some Outstanding Saudi Arabian Boundary Questions", *William E. Milligan Papers*, Box 2, Folder 5, Georgetown University Library, Special Collections Research Center, Washington DC.

²²³ Richard N. Schofield, "The Crystallisation of a Complex Territorial Dispute: Britain and the Saudi-Abu Dhabi Borderland, 1966-71", *Journal of Arabian Studies* 1 (June 2011), p. 34.

²²⁴ "Extract from Notes on Meeting between Deputy Ruler of Qatar and Political Resident on 25 January 1966 at 9am", FO371/185464, National Archives, London, cited in Schofield, "The Crystallisation of a Complex Territorial Dispute", p.32.

²²⁵ I searched archives in US, London and UAE to find the letter referred to, but without success.

²²⁶ Cited in Aramco, Arabian Research Division, "Mediation of Dubai Between Saudi Arabia and Qatar Over Boundaries", *William E. Milligan Papers*. Box 2, Folder 5, Georgetown University Library, Special Collections Research Center, Washington, DC, November 1970

December 1965,²²⁷ and on 20 March 1969, Abu Dhabi and Qatar agreed to end a dispute over the Bunduq oil field near Halul Island, according to which Abu Dhabi would administer the oil field, but would divide the revenues equally with Qatar.²²⁸ The Qatari-Abu Dhabi agreement did, though, complicate the question of the maritime boundary.²²⁹ It is important to indicate that Saudi Arabia does not recognise the existence of this treaty, just as the British did not recognise the legality of the Saudi-Qatari agreement of 1965.

3.4.3 Effect of Britain's 1968 Announcement of Withdrawal from the Gulf in 1971

According to Cordesman, the British issued a formal warning to Saudi Arabia in 1966 stating their intention to defend Abu Dhabi's territorial claims. However, this warning was severely undercut in January 1968, when Britain announced its intention to withdraw its military forces from the Gulf by 1971.²³⁰ The announcement encouraged Saudi Arabia to press its claims to the South and West of Abu Dhabi's mainland, the Saudi position towards Abu Dhabi's territory having hardened when it was found during the 1960s that Abu Dhabi had large reserves of oil in those areas. Abu Dhabi's major fields were discovered by the Abu Dhabi Petroleum Company (ADPC): the first oil field was Bab in 1960; followed by Bu Hasa in 1962; Asab in 1965; Zakum in 1967; Zararah (the disputed oilfield) in 1968; and Sahil in 1972.²³¹

Britain's announcement of its imminent departure marked a transition point in the history of the Gulf region; the news also had an impact on American policy towards the Gulf region, on the future of the British protected states, and on the Saudi position towards Abu Dhabi and its territorial claims.

Arthur Allen, the Consul General at the American Consulate in Dhahran, Saudi Arabia, wrote to the State Department in Washington DC in February 1968:

With the British decision to withdraw their military forces by 1971, it is important to increase our direct contact with the Gulf

²²⁷ Schofield, "The Crystallisation of a Complex Territorial Dispute, June 2011: p. 31.

²²⁸ Faraj M. J. Al-Muwaled, *Maritime Boundary Delimitation of the Kingdom of Saudi Arabia: A Study in Political Geography*, PhD thesis, University of Durham, UK, 1993, p.87.

²²⁹ For more information about the maritime question and the current Saudi Arabia position toward the Treaty of 1969 see Chapter 7 on 'Disputed Articles': Article 5, p.172,& p.190

²³⁰ Cordesman, *The Gulf and the Search for Strategic Stability*, p. 416.

²³¹ Abu Dhabi National Oil Company (ADNOC), "Oil and Gas Industry in the UAE", 30 May 2007, http://www.adnoc.ae/AdnocNews_Details.aspx?NewsID=D1410441-760A-4BE8-A0BE-FB9D22D5687D (Accessed on 8 March 2013)

States by having officers resident in key locations who can report more currently and fully and establish local contacts more effectively than is possible on the basis of periodic visits. At the same time, rivalries between the states themselves and the problems caused by the Iranian claim to the islands and the Saudi Arabia-Abu Dhabi dispute over Buraimi make it desirable that the United States attempt to avoid actions which will damage our relations with either Iran or Saudi Arabia.²³²

The Americans duly responded to the announced British withdrawal with a plan that called for increasing the US presence in the Gulf, but at the same time made specific mention of the disputed areas in the context of the Americans not wishing to do anything to damage US relations with either Iran or Saudi Arabia.²³³ It is of great importance to state that, under America's Twin Pillar policy following Britain's military withdrawal from the region, Saudi Arabia and Iran were expected to assume Britain's historical role of maintaining Gulf security. In addition to US-Saudi interests, the US government committed itself to protecting Saudi Arabia from external aggression, since, according to a US Government assessment of relations between the United States and Saudi Arabia,

US-Saudi relations have been traditionally and uniformly close since World War II. The main ingredients of this relationship are mutuality of basic interest — the uninterrupted flow of oil and preservation of Saudi Arabia from communist or radical nationalist influence — and Saudi respect for US military power and American expertise in a variety of technical fields. US interests in Saudi Arabia also include access to Dhahran International Airfield for unarmed military aircraft, and bunkering facilities for US naval units.²³⁴

The future of the smaller Gulf States was uncertain in terms of the British military withdrawal. In fact, following the withdrawal announcement in 1968, the emirates came to realise that they would not easily be able to control their own destinies.²³⁵ The Ruler of Abu Dhabi received the British announcement of withdrawal from the Gulf with great concern. Importantly, Shaikh Zayid even offered the British government a

²³² A Letter From Arthur B. Allen, American Consul General "Consulate General of the United States of America, Dhahran, Saudi Arabia" To William D. Brewer, Section of Arabian Peninsula Affairs, Department of State, Washington D.C, File No. A1-5666, 12 February 1968

²³³ United States Government Memorandum, From George C. Moore to Mr. Sipes, "Munitions Control Country Policy Statements", File No. A1-5666, 12 September 1966.

²³⁴ United States Government Memorandum, From B Wrampelmeier, to Mr. Brewer, "Saudi Arabia-U.S Relations," File No. A1-5666, 31 December 1968.

²³⁵ Taryam, *The Establishment of the United Arab Emirates*, p. 76.

substantial payment of £12 million from his oil revenues to retain Britain's military presence in the Gulf. *The Times* also reported an interview with Shaikh Rashid, ruler of Dubai, about his reaction to the news of the British withdrawal:

Who asked them to leave?...Abu Dhabi and Bahrain, and in fact the whole coast, people and rulers, would all support the retention of British forces in the Gulf, even though they may not give a direct answer out of respect for the general Arab view.²³⁶

In term of the unresolved Abu Dhabi-Saudi border dispute, Shaikh Zayid criticised the British for being unable to reach a settlement of the disputed areas. For example, Mr Jim Treadwell, a Political Resident in Abu Dhabi, reported to London that Shaikh Zayid “tried, though rather half-heartedly, to blame the British for his present predicament, claiming that we ought not to have confronted him with the decision to withdraw our troops while the Saudi claim was unresolved”²³⁷ Furthermore, Abu Dhabi faced a future in which Britain would no longer formally assume responsibility for Abu Dhabi's security. In an exchange of views between officials in London and Washington, a British government official said:

[The] UK would provide such security expertise as rulers want for internal and local defense. The UK is also disposed to continue such technical and limited economic assistance as might be required. But any question of British involvement in protection of Gulf states against external aggression by Iranians, Saudis, or powers outside Gulf is another matter entirely.²³⁸

In 1966 analysis by the US State Department had portrayed the Trucial States as extremely vulnerable to Saudi aggression, had offered the following prediction:

Saudi Arabia would probably not hesitate to occupy the Trucial Coast by force. It is unlikely that Iraq or Iranian threats to intervene would deter the Saudis in this move, nor would the 1,000 British-officered Trucial Oman Levies pose much of an obstacle.²³⁹

As for the Saudis, as the time for British withdrawal approached, the Saudis pressed their territorial claims against Abu Dhabi even further, especially during 1970-71. It is

²³⁶ *The Times*, “Dubai asks Britain to stay”, 14 July 1970, cited in Ulama's thesis, p. 160.

²³⁷ Mr. Treadwell, (Abu Dhabi) to Foreign Office, 16 June, 1970, FCO8/1336, London, cited in *Arabian Boundaries*, Vol. 11, ed. Schofield, p. 312.

²³⁸ Unnamed telegram from London to Department of State, “UK and Persian Gulf,” File No. A1-5666, 22 February 1968

²³⁹ State Department document, “BNSP Planning Task Number III-H: Oil and Interdependence in the Middle East,” declassified documents, File No. A1-5666, 18 September 1966.

of great importance to state that the announcement of the British departure left Saudi Arabia with the upper hand and free to control the negotiation process. Abu Dhabi-Saudi territorial negotiations entered a new phase on 5 May 1970, and from that date until the British completed their withdrawal from the Gulf, Saudi Arabia would impose its own agenda on Abu Dhabi as is shown in Chapters 5 and 6.

3.5 Conclusion

During the Anglo-Saudi territorial negotiations from 1935 to 1955, the British claim was based on the dubious legal argument that Saudi Arabia was a successor state to the Ottoman Empire and was thus bound by the Anglo-Ottoman territorial Conventions of 1913-14. The proposed Saudi lines of 1935 and 1949 both represented a rejection of the British argument. Since 1935, Saudi Arabia had pressed its territorial claims against Abu Dhabi to include Khor al-Udaid and had affirmed that nomadic tribes, such as Al-Murrah and Mansir, who lived in settlements in Khor al-Udaid, had regularly paid *zaket* and had sworn allegiance to Ibn Saud. Saudi Arabia documented its claims over Khor al-Udaid from the 1930s and insisted that no proposed lines would be accepted without Khor al-Udaid being included. Individuals interviewed by me indicate two major reasons behind the Saudi claim to Khor al-Udaid; first that Khor al-Udaid might contain large reserves of oil, and secondly that the Saudis wanted to have a maritime outlet to the Gulf.

As was explained, during the 1950s the dispute were characterised by escalating hostility between the British and the Saudis, and the severe tensions on both sides ended in Anglo-Saudi diplomatic relations being broken off. The sharp deterioration in Anglo-Saudi relations was prompted by several critical events that included; the Saudi occupation of Hamasa village, the collapse of arbitration, Britain's unilateral declaration of the Saudi frontier lines in 1955 and most importantly, expulsion of the Saudi soldiers from Hamasa by the Trucial Oman Scouts.²⁴⁰

The chapter showed that after the 1930s, the British position towards Abu Dhabi's territories continued to raise more questions than answers. For instance, on the one hand there was Abu Dhabi's sovereignty over Khor al-Udaid, which had been recognized by the British since 1871. In 1958, on the other hand, the British were discouraging the

²⁴⁰ It is important to note that Britain's unilateral declaration of the Saudi frontier left Abu Dhabi with Khor Udaid, Al-Ain/Buraimi and Liwa. Until 1970, Abu Dhabi retained its territorial claims against the Saudi claims.

rulers of Abu Dhabi from exercising that sovereignty. The British also used Khor al-Udaid as a bargaining chip in 1938, and in 1964 proposed it as a concession to Saudi Arabia that might lead to settling the disputed areas.

In 1968 when Britain officially announced its military withdrawal from the Gulf in late 1971, the future of Abu Dhabi, as a result, looked weak and uncertain. For one thing, despite the fact that the Exclusive Agreement of 1892 between Great Britain and Abu Dhabi remained in effect, Britain's post-withdrawal policy would no longer include British military protection of Abu Dhabi against foreign invasion. Significantly, the Americans considered that Saudi Arabia would probably use military force to occupy the Trucial Coast. With the announcement of Britain's withdrawal, America's Twin Pillar policy would have to depend heavily on Saudi Arabia and Iran, who would become the main guardians of the interests of the West in the Gulf region. The chapter showed that Abu Dhabi could no longer count on support from Great Britain, even in the event of a foreign invasion of the entire Trucial Coast.

CHAPTER FOUR

A Framework For UAE-Saudi Negotiation Behaviour:

A Case Study of the UAE-Saudi Border Disputes, 1970-74

4.1 Introduction

This chapter presents an analytical framework for the Saudi Arabia-UAE border dispute of 1970-74 that concerned natural resources as well as issues of national sovereignty. It focuses in particular on the negotiating strategies employed by the two parties in their attempts to find a peaceful settlement to their conflict between 1970 and 1974. The generalised negotiating strategies and tactics employed by those who negotiate disputes are examined in Chapter 4, while Chapters 5 and 6 scrutinise the strategies and tactics that were used specifically by the UAE and Saudi Arabia in resolving their border conflicts, and that led ultimately to the signing of the Treaty of Jeddah in 1974.

A successful negotiation requires a clear strategy and a choice of appropriate tactics to implement it. When the strategy and/or tactics are inadequate, a negotiation is unlikely to achieve its stated goals. In the Saudi-UAE case it also became necessary to take the cultural aspects of negotiation into account since Arab cultural norms were likely to have played a part in the 1970-74 negotiations that followed the official British withdrawal from the Gulf region in December 1971. Certainly it is an important consideration, since Arab scholars have characterised the outcome of the negotiations that led to the Treaty of Jeddah as an example of “Arab solutions” that were facilitated when Britain simultaneously withdrew Abu Dhabi’s former protected status.

Another significant aspect of negotiation is third-party intervention, i.e., the role of the mediator between the disputing negotiators. The chapter focuses on the characteristics of an effective mediator who can bring resources to bear in order to ‘resolve’ rather than ‘manage’ the dispute. Since the British had involved in the territorial dispute that occurred in the period 1935-55, some assumptions are drawn here about the anticipated role of the British from 1970 to 1971, when Britain still had a treaty obligation to defend Abu Dhabi. In order to clarify this context, the chapter discusses the various

roles that a mediator can play. The appropriate role is then applied, in Chapters 5 and 6, to the case of Britain's mediation during the 1970s.

Chapter 4 also examines other factors that affected UAE-Saudi negotiations during 1970-74. From the results of the Anglo-Saudi territorial negotiations of 1935-55, it could be seen that past history and the power imbalances between Abu Dhabi and Saudi Arabia influenced the UAE-Saudi negotiations in the 1970s.

4.2 Definitions of Conflict²⁴¹

According to Adair and Brett, "negotiation is a communication process by which two or more interdependent parties resolve some matter over which they are in *conflict*."²⁴² Before discussing the negotiation approach it is useful to consider how parties in dispute have arrived at a state of conflict and how conflict has been defined in the literature. There are three general theoretical approaches that address the origins of violence. The most popular theory, derived from psychology, maintains that frustration is the root of violence. The second, based on biology, holds that humans are inherently violent. A third, derived from socio-biology, takes a middle position, claiming that the biological inclination to be violent requires a psychological trigger to activate actual violence. Rangarajan claims that all three theoretical perspectives are inadequate and suggests two "sequences" that lead to violence:

- Dissatisfaction=>Frustration=>Desperation=>Violence
- Dependence=>Vulnerability=>Fear=>Violence²⁴³

Rangarajan admits that his first sequence is based on the behavioural or psychological theory of violence. He maintains that people are more likely to feel dissatisfaction than they perceive utility, because "dissatisfaction persists in the memory and affects future courses of action."²⁴⁴ This characterisation of dissatisfaction appears to be consistent

²⁴¹ In the literature of negotiations the term 'dispute' is frequently used interchangeably with 'conflict'; also parties to conflict are often referred to as 'disputants'. There appears to be no attempt to define *dispute* as being different from *conflict*. Therefore, *dispute* seems a more appropriate term, and from this point on, "dispute" will be understood in terms of the discussion of "conflict".

²⁴² Wendi Lyn Adair, and Jeanne M. Brett, "Culture and Negotiation Processes," in Michelle J. Gelfand and Jeanne M. Brett, eds., *The Handbook of Negotiation and Culture* (Stanford University Press, 2004), p.158.

²⁴³ L. N. Rangarajan, *The Limitation of Conflict: a Theory of Bargaining and Negotiation* (London: Croom Helm, 1985), p. 30.

²⁴⁴ *Ibid.*, p. 46.

with events both preceding and following the 1974 Treaty of Jeddah between the UAE and Saudi Arabia, although over time the focus of dissatisfaction shifted. It is reasonable to suggest that from 1955, when the British unilaterally announced Saudi Arabia's eastern and southern frontiers, to just before the Treaty of Jeddah was signed in 1974, the Saudis constituted the dissatisfied party. From 1974 onwards, Abu Dhabi became the dissatisfied party.

Furthermore, Rangarajan defines conflict without reference to violence: "A *conflict* has its origins when an individual, group or nation, having felt a dissatisfaction or vulnerability, perceives that there are others in the environment who can act to reduce the dissatisfaction or decrease the vulnerability."²⁴⁵ Thus, Rangarajan's developmental sequences can be reformulated to reflect the interchangeability of "conflict" and "dispute" while de-emphasizing violence:

- Dissatisfaction=>Frustration=>Desperation=>Conflict (or dispute)
- Dependence=>Vulnerability=>Fear=>Conflict (or dispute)

This reformulation, combined with definitions of conflict that do not automatically imply violence, forms the basis of the framework of analysis used in Chapters 5 and 6. As noted, the first sequence, beginning with dissatisfaction, may describe Saudi Arabia's position in the disputed areas up to 1974. As for the second sequence, during the period that Britain dominated the Gulf, Abu Dhabi was largely dependent on Great Britain, particularly under the Exclusive Agreement of 1892 and up to Britain's formal withdrawal from the Gulf at the end of 1971.

Meanwhile, Rabie states that conflicts can be interest-related and/or value-related. Interest-related conflicts include disputes over territory and natural resources, while value-related conflicts include disputes over national sovereignty.²⁴⁶ On the whole, most international conflicts are both interest-related and value-related. This chapter claims that the territorial dispute between the UAE and Saudi Arabia were related to interests as well as to values. Thus, the nature of the case study is categorised as a conflict over natural resources (Zararah/Shaybah oilfield) and national sovereignty (Khor al-Udaid

²⁴⁵ Ibid., p. 89.

²⁴⁶ Mohamed Rabie, *Conflict Resolution and Ethnicity* (London: Praeger, 1994), p.8.

and the Al-Ain/Buraimi oasis).²⁴⁷ Generally speaking, according to Rabie, the analysis of conflicts indicates that “international conflicts related to territorial and resource disputes appeared to be more amenable to peaceful resolution.”²⁴⁸ Thus, as the second part of the framework of analysis, this study considers the UAE-Saudi territorial dispute to be both interest-related and value-related, yet capable of resolution through negotiation.

Concerning the third part of this analytical framework, this study recognises that conflict behaviour can be direct or indirect. Direct conflict behaviour is aimed at an opposing party, along with its resources, interests, or group members. Indirect conflict behaviour, on the other hand, aims to “affect some third party in such a way that it acts, in turn, upon the opposing party, the ultimate target.”²⁴⁹ This analysis would assume that Abu Dhabi might have aimed indirect conflict behaviour at Great Britain, because the British had supported Abu Dhabi’s position in the Anglo-Saudi phases of the territorial dispute from 1935 to 1955. It would also be expected that Saudi Arabia might have aimed indirect conflict behaviour at the United States, because American oilmen, especially through Aramco, had supported the territorial claims of the Saudis during the Anglo-Saudi phases of the dispute from 1935 to 1955.

This study made a distinction between the concepts of conflict resolution and conflict management. According to Rabie: “conflict management and conflict resolution are two different concepts. Conflict management is a process to bring conflict under control, while conflict resolution is a process to end it.”²⁵⁰ On the basis of these definitions the British, the UAE and/or Saudi Arabia would have had the goal of *resolving*, as opposed to *managing* the territorial dispute.²⁵¹

Here the question becomes; does the UAE-Saudi border dispute turn out to be a crisis that will threaten the international system? Wilkenfeld et al. state that

An international crisis is identified when it meets two criteria:
(1) A change has occurred of the type, and/or an increase in the intensity, of disruptive (hostile verbal or physical) interactions

²⁴⁷ As discussed in Chapter 3, sovereignty in the Arabian Peninsula became more directly linked to territory after the discovery of oil and as the exploitation of petroleum resources progressed.

²⁴⁸ Mohamed Rabie, *Conflict Resolution and Ethnicity*, p.10.

²⁴⁹ C. R. Mitchell, *The Structure of International Conflict* (London: Macmillan Press, 1981), p. 134.

²⁵⁰ Rabie, *Conflict Resolution and Ethnicity*, p. 50.

²⁵¹ This conclusion is drawn from past history; in other words, when Anglo-Saudi bilateral negotiations failed (political approach), the disputed parties attempted to seek a legal approach to settle the dispute, rather than to manage it.

between two or more states, with a heightened probability of military hostilities, (2) These changes, in turn, destabilize the states' relationship and challenge the structure of the international system.²⁵²

It is clearly safe to assume that the UAE-Saudi territorial dispute did not affect “the structure of the international system”. However, the structure of the *regional* system might very well have been in play, so this then introduces the fourth element of the framework of analysis — the potential for the UAE-Saudi territorial dispute to involve regional actors other than the UAE and Saudi Arabia.

4.3 Methods for Peaceful Settlement of Disputes

4.3.1 Negotiation Approach

Methods for peaceful settlement fall into two sections. First are the diplomatic means, consisting of negotiation, mediation, conciliation and inquiry; secondly are the legal means, including arbitration and adjudication. In this thesis the case study concentrates on the diplomatic means of negotiation and mediation. According to Baguley, negotiation is a “process by which people identify mutually acceptable decisions and agree outcomes that define the nature of future interactions.”²⁵³ Alternatively, Pruitt and Carnavale offer an alternative to the effect that negotiation “can be defined as a discussion between two or more parties aimed at resolving incompatible goals.”²⁵⁴ Rabie states that “Negotiation is a peaceful political process to end conflict.”²⁵⁵

The definitions by Rabie and by Pruitt and Carnavale confirm that the aim of negotiation is to bring about a settlement and, by so doing, to end the dispute, while Rabie's definition of negotiation as a political process is consistent with developments in the later history of the territorial dispute between Abu Dhabi and Saudi Arabia. Beginning in 1935, the British approached the dispute on the basis of political terms constructed on bilateral negotiations with Saudi Arabia, until the dispute took a different form. Then, it was seen as preferable to settle matters on the basis of legalistic terms, a trend that persisted until the British unilaterally declared Saudi Arabia's frontier lines in

²⁵²Jonathan Wilkenfeld et al., “Mediating International Crises: Cross-National and Experimental Perspectives,” *Journal of Conflict Resolution* 47 (2003), p. 281.

²⁵³Phil Baguley, *Effective Communication for Modern Business* (London: McGraw-Hill, 1994), p. 69.

²⁵⁴Dean G. Pruitt and Peter J. Carnevale, *Negotiation in Social Conflict* (Buckingham, UK: Open University Press, 1993), p. 3.

²⁵⁵Rabie, *Conflict Resolution and Ethnicity*, p.128.

1955. By the 1970s, it was widely understood that resolution of the dispute would, if possible, entail a political rather than a legalistic process (because the legalistic process through international arbitration had failed to find a settlement to the disputed areas in 1954). As the fifth element of the analytical framework, this chapter defines negotiation as a peaceful political process aimed at a mutual resolution of a conflict involving two or more parties.

Ramundo claims that “the main purposes of effective negotiation are consensus-oriented: to conclude a transaction; settle a controversy; or reach agreement on an individual, organizational, or international position, policy, scheme, or regime.”²⁵⁶ Pruitt and Carnevale find that negotiation leads to one of four outcomes — victory, compromise, a win-win agreement, or failure to reach agreement (in which case negotiators may choose the “best alternative to a negotiated agreement” or BATNA).²⁵⁷ Thus, for example, Britain’s decision in 1955 unilaterally to declare Saudi Arabia’s frontier lines might be seen as a BATNA. Significantly, Rangarajan claims that negotiations leave all parties with “a residue of dissatisfaction, even if the solution arrived at was the best possible under the circumstances.”²⁵⁸ This comment would seem to be applicable to the Articles of the Treaty of Jeddah, since, as previously noted, “residual dissatisfaction” with the Treaty grew in the UAE in the years after 1974. In addition, as discussed in Chapter 7, not only was the UAE dissatisfied with some of the Treaty Articles, but Saudi Arabia also was dissatisfied with the alleged failure of the UAE to act after 1974 on the Treaty’s requirement to delimit the maritime boundary.

Despite a pronounced tendency in the negotiation literature to emphasize a two-person, two-sided model of negotiation, Fisher and Ury warn that “in almost every negotiation each side will have many interests, not just one.”²⁵⁹ For example, each side is likely to represent a diverse constituency with multiple interests, such as a division in the negotiators’ camps between “hawks” and “doves”, a factor that frequently characterises international negotiations. This brings it in as the sixth element of the framework. In the case of the UAE-Saudi territorial dispute, the chapter assumes the presence of divergent interests within each country’s royal family, Saudi Arabia and among the member states

²⁵⁶Bernard A. Ramundo, *Effective Negotiation: A Guide to Dialogue Management and Control* (London: Quorum Books, 1992), p. 20.

²⁵⁷ Pruitt and Carnevale, *Negotiation in Social Conflict*, pp.16-17.

²⁵⁸ Rangarajan, *Limitation of Conflict*, p. 48.

²⁵⁹ Roger Fisher and William Ury, *Getting to Yes: Negotiating Agreement Without Giving In*, with editorial input by Bruce Patton, 1st ed. (Boston: Houghtlin Mifflin, 1981), p. 48.

of the UAE, and in the oil companies (Aramco in the case of Saudi Arabia and Abu Dhabi Petroleum Company in the case of Abu Dhabi); this then suggests the further possibility of the divergent interests of the United States and Great Britain.

Most negotiations involve both substantive goals and relational goals, or what Adair and Brett call “both a task focus and a relationship focus.”²⁶⁰ Alternatively, this can be expressed as negotiation being a “mixed-motive” endeavour that involves both competition and cooperation. According to Dean G. Pruitt and Peter J. Carnevale, the mixed-motive nature of negotiation “creates a *dilemma* for negotiators [because the] competitive motive encourages them to be contentious and try to push the other party while defending themselves. But the cooperative motive encourages them to make concessions and engage in problem solving.”²⁶¹ This chapter introduces the seventh element of the analytical framework, which is the assumption that the UAE-Saudi territorial dispute would produce a mixed-motive negotiation (for example, competition with respect to sovereignty over disputed areas), and cooperation with regard to being neighbouring Arab countries.

4.3.2 General Negotiation Strategies

In discussing negotiation strategies, it is important to distinguish between *strategy* and *tactics*. Strategy is concerned with large-scale issues and final outcomes. Tactics are concerned with small-scale and short-term issues.²⁶² According to Raymond Saner,

Strategy is the overall guideline, indicating the direction we need to take from our wishes and needs to our objectives. If, given a set of specific interests and objectives, we choose the wrong strategy, we will be setting a wrong course from the very start... Tactics, on the other hand, always follow after strategy, fleshing it out with a concrete line of action. If strategy is the thought, then tactics are its formulation.²⁶³

Negotiation tactics are discussed below in greater detail (section 4.3.3). Here the focus is on negotiation strategies. Rabie identifies four strategic approaches:

- Control: one party uses power to dominate another.

²⁶⁰Adair and Brett, “Culture and Negotiation Processes,” p. 159.

²⁶¹Pruitt and Carnevale, *Negotiation in Social Conflict*, p. 18.

²⁶²Baguley, *Communication for Modern Business*, p. 71.

²⁶³Raymond Saner, *The Expert Negotiator*, 2nd ed. (Leiden: MartinusNijhoff Publishers, 2005), p. 105.

- Step-by-step: partial solutions are incrementally applied in “practical and realistic arrangements to contain conflict and eliminate some of its most apparent symptoms and emotional causes.”²⁶⁴
- Comprehensive: this is a distributive strategy in which parties seek compromise so that inquires one party to accept less than had expected and allow another party to get more than it had desired.
- Integrative: offers solutions that meet the needs of all disputants without sacrificing their basic demands, and involves building cooperative relationships.

Meanwhile Saner lists five general types of negotiating strategies:

- 1) Competition: one party pushes hard in order to gain what he wants effectively but not in cooperative way.
- 2) Collaboration: an integrative strategy that seeks a solution which will satisfy both parties.
- 3) Compromise: aimed at achieving a solution that is partially satisfactory to each of the parties.
- 4) Avoidance: the negotiator withdraws from the conflict and forgoes an agreement
- 5) Accommodation: the negotiator attempts to satisfy his opponent by sacrificing his own interests.²⁶⁵

This chapter suggests that Saner’s accommodation strategy, in which one side abandons its interests and gives its opponents everything they want, is really a version of Rabie’s control strategy; except that, whereas Rabie’s control strategy is presented from the winner’s perspective, Saner’s accommodation strategy is presented from the loser’s perspective. If one accepts this study’s definition of negotiation as a peaceful political process aimed at a *mutual* resolution of a conflict involving two or more parties, then the control and accommodation strategies cannot truly be said to be *negotiation strategies*. For example, Britain’s unilateral declaration of Saudi Arabia’s frontier lines in 1955 might be representative of Rabie’s control strategy; however the Saudis certainly did not consider it to be a legitimate result of negotiation.

However, Rabie’s comprehensive strategy seems compatible with Saner’s competition strategy, especially as Rabie also uses the term “distributive” in describing the comprehensive strategy. In the literature, competitive strategies (in which opposing

²⁶⁴Rabie, *Conflict Resolution and Ethnicity*, p. 71.

²⁶⁵Saner, *The Expert Negotiator*, pp. 107-11. See also Baguley, *Communication for Modern business*, p.68.

parties compete for resources) are also most frequently described as “distributive.” At the same time, in the context of mixed-motive negotiations, Rabie’s comprehensive strategy is compatible with Saner’s compromise strategy, in which negotiations, to some extent, cooperate by trading gains and losses in the interests of reaching an agreement to resolve the conflict.

Rabie’s integrative strategy is effectively the same as Saner’s collaboration strategy in which negotiators cooperate to solve problems and create solutions that are adequate for meeting the goals of all parties. The strategies suggested by Rabie and Saner will be applied to the analysis of the UAE-Saudi negotiations from 1970 to 1974. The eighth element of the analytical framework is the assumption that the negotiation strategies of interest in the context of resolving conflict are either distributive (both competition and compromise) or integrative. But accommodation and control cannot truly be said to aim at *mutual* agreement to *resolve* conflict.

In negotiation literature, distributive strategy (also called competitive, zero sum, or win-lose) is most often defined through contrasting it with integrative strategy (also called cooperative, collaborative, or win-win). For example, whereas distributive strategy emphasises competition for resources, integrative strategy emphasises solving problems, in “an effort to find a mutually acceptable agreement — a win-win solution.”²⁶⁶

4.3.3 General Negotiation Tactics

There seems to be a widespread belief in the literature in general that distributive and integrative negotiation strategies are strictly associated with different types of tactics — respectively contention and problem solving. For example, according to Pruitt and Carnevale:

Contending is any effort to persuade the other party to concede. It involves — among other tactics — threats, harassment, positional commitments, and persuasive arguments that buttress negotiator positions. Problem solving is any effort to find a win-win solution. To understand problem solving, we must grasp the three ways in which win-win solutions are constructed: expanding the pie, exchanging concessions on different issues, and solving underlying concerns.²⁶⁷

²⁶⁶ Pruitt and Carnevale, *Negotiation in Social Conflict*, p. 36.

²⁶⁷ *Ibid.*, p. 47.

Negotiators use contentious tactics in an effort to gain their demands at the expense of the other negotiator: “what’s mine is mine, and what’s yours is mine.”²⁶⁸ Associating the contentious tactic of using ultimatums seems straightforward enough when compared with threats. According to Churchman:

Threats or ultimatums suggest undesirable consequences or penalties if a proposal is not accepted. The ultimatum is the stronger form. Traditionally, it specifies what the recipient must do, a deadline, and specific consequences for failure to comply. An ultimatum without a time limit permits the maker to back off without loss of face, while preparing to carry it out keeps pressure on opponents. A threat is vaguer than an ultimatum about what the recipient must do, when, or what the consequences will be.²⁶⁹

Harassment involves actions designed to annoy the other negotiating party in order to gain compliance with demands.²⁷⁰ Positional commitments are statements of a determination to hold firm to a particular offer — i.e., to make no further concessions—and are often combined with a threat to break off negotiation if the other party does not accept a specific offer.²⁷¹ Positional commitment includes refusal to negotiate, extreme demands, escalating demands, bluffing, and a ‘take it or leave it’ approach to the other party.²⁷² Contentious tactics also include “dirty tricks”, such as deliberate deception and psychological warfare. Deliberate deception includes the use of phony facts for conducting the negotiation and misrepresentation of intentions. Psychological warfare includes stressful situations, personal attacks and threats.²⁷³

With respect to emotional clashes, both real and pretended anger is sometimes an issue, and can signal unwillingness to make further concessions.²⁷⁴ Another tactic is time pressure, announced by one of the negotiating parties or introduced through third-party intervention, which significantly affects demands and concessions. Time pressure may produce an uncertain set of agendas, faster concessions, and faster agreement.²⁷⁵ For example, the announcement in 1968 of the British withdrawal in late 1971 could be expected to place pressure on both the UAE and Saudi Arabia to speed up the pace of

²⁶⁸ Pruitt and Jeffrey, *Social Conflict: Escalation, Stalemate, and Settlement*, p. 45.

²⁶⁹ Churchman, *Negotiation: Process, Tactics*, pp. 50-51.

²⁷⁰ Pruitt and Carnevale, *Negotiation in Social Conflict*, p. 32.

²⁷¹ *Ibid.*, p. 32.

²⁷² Fisher and Ury, *Getting to Yes*, p. 148.

²⁷³ *Ibid.*, p. 148.

²⁷⁴ Churchman, *Negotiation: Process, Tactics*, p.10.

²⁷⁵ Pruitt and Carnevale, *Negotiation in Social Conflict*, p. 59.

negotiations to find a solution before Britain's departure. On the other hand, problem solving involves a joint effort to find a mutually acceptable solution. It can involve exchanges of concessions on different issues, emphasis on underlying concerns, and expanding the pie by using yield tactics, so that the parties can construct a win-win agreement.²⁷⁶

The literature on negotiation is somewhat more helpful when dealing with negotiation strategy in a mixed-motive way, i.e., a negotiation that contains both cooperative and competitive components. For example, according to Pruitt and Carnevale, "A tit-for-tat tactic is often quite effective in mixed-motive settings. This involves matching both cooperation and non-cooperation from the other party."²⁷⁷ Retaliation against competitive behaviour and reward for cooperative behaviour is supposed to steer the opponent towards consistent cooperative behaviour and thus to an integrative solution approach. Unfortunately, the success of a tit-for-tat tactic depends on a negotiator having enough power to retaliate when the other side refuses to cooperate. For example, Saudi Arabia would have sufficient power to use a tit-for-tat tactic, but it is less clear whether the Emirate of Abu Dhabi could retaliate effectively against Saudi Arabia.

In discussing different types of tactics — contention and problem solving, this study aims to show that during the two phases of the UAE-Saudi negotiation process (1970-71: up to the British withdrawal; and 2 December 1971-autumn 1974), the Saudis would use contentious tactics in order to move the UAE towards make a deal on Saudi terms. On the other hand, this study aims to show that Abu Dhabi was prepared to yield, in order to move Saudi Arabia towards mutual concessions.

4.3.4 Arab Cultural Aspects of Negotiation

Arab scholars have argued that the outcome of the negotiations that led to the Treaty of Jeddah was an example of Arab negotiating style and that the withdrawal of British officials facilitated a final solution. This section focuses on an Arab negotiating style. As Scott points out: "people from different countries have different values, different attitudes, and different experience. They have different strengths from one another and different weaknesses."²⁷⁸ In this context, culture affects negotiation in various significant ways. For instance, people from different cultures interpret negotiation

²⁷⁶ Pruitt and Jeffrey, *Social Conflict: Escalation, Stalemate, and Settlement*, pp.36-37.

²⁷⁷ Pruitt and Carnevale, *Negotiation in Social Conflict*, p.78.

²⁷⁸ Bill Scott, *The Skills of Negotiating* (Hampshire, UK: Gower Publishing Company, 1981), p.171.

concepts such as concession, compromise, and mediation differently, and such disparities in interpretation can have a negative impact on the negotiation process and make resolving a conflict difficult or even impossible.²⁷⁹

In Middle Eastern cultures specifically, the term ‘concession’ means “more an abandonment of principles and less an acknowledgment of reality that includes recognition of the legitimate claims of the adversary.”²⁸⁰ Unless understood in the context of mutual concessions, ‘concession’ (*tanazol* in Arabic) implies defeat, humiliation, and abandoning one’s position.²⁸¹ Thus, it might seem that merely mentioning concepts such as ‘concession’ to Arabs in a negotiation would threaten the negotiation process. To remove this negative connotation, one has to use the term, ‘mutual concession’ (*musawama* in Arabic) which implies the process of reaching a mutual solution or meeting halfway.²⁸² However, these differences in interpretation of negotiation concepts do not mean that disputatious Arab parties never negotiate, make concessions, or compromise.

There are other factors that distinguish Middle Eastern negotiation from Western negotiation. For example, in contrast to individuals from the United States or the United Kingdom, where communication is conducted primarily in writing, Arabs (especially the Bedouin) tend to communicate verbally.²⁸³ However, Arab emphasis on verbal communication does not mean that written documents are unimportant. In terms of Arab negotiating style, this study assumes verbal communication occurred in the last phase of the negotiation process during the 1974 but was not reflected in the Articles of the Treaty of Jeddah’s Articles.

4.4 Third-Party Intervention

Third-party intervention represents another negotiation strategy but is treated separately here because of the volume of literature devoted to it, in particular to mediation. When

²⁷⁹ Cohen, “Aspects of International Mediation”, p. 118.

²⁸⁰ Rabie, *Conflict Resolution and Ethnicity*, p. 75.

²⁸¹ Cohen, “Aspects of International Mediation”, p. 113.

²⁸² Peter J. Carnevale and Sharon Arad, “Bias and Impartiality in International Mediation”, in Jacob Bercovitch, ed., *Resolving International Conflicts: The Theory and Practice of Mediation* (London: Lynne Rienner, 1996), p. 113.

²⁸² Saner, *The Expert Negotiator*, p.252.

²⁸³ *Ibid.*, p.252.

the disputants become deadlocked, a third party enters the negotiation process as a mediator between the disputed parties. According to Pruitt and Carnevale,

in *mediation*, the negotiation continues but is helped along by the third party. Mediation can be distinguished from *arbitration*, where the third party makes a binding decision about the issues in dispute. Mediation preserves the voluntary, joint-decision features of negotiation — the disputants retain the right to accept or reject any suggestion made by the mediator.²⁸⁴

Another third-party intervention is conciliation, usually an informal procedure in which the disputants speak for themselves. Mediation, however, has advantages over both arbitration and conciliation. It is less time-consuming than arbitration, and in addition, according to Rangajarn, “unlike a conciliator, a mediator need not do all his work with both parties present; he can act as a communicator, meet the disputants individually and put forward different proposals.”²⁸⁵

4.4.1 Mediation

Parties choose mediation in negotiation for a number of reasons. Their negotiating positions may be hardened and irreconcilable. The parties may feel they lack the negotiating skills to resolve the conflict successfully. Alternatively, they may believe that mutual cooperation is necessary to achieve their respective goals.²⁸⁶ A party may seek mediation to end a conflict. A mediator is also sought in the hope the mediator will serve as the guarantor of an agreement that is reached through negotiation.²⁸⁷

In addition, Ramundo argues that

mediation can be useful to bridge a personality or emotional clash between the sides or their negotiators. It can also be helpful when there is a disparity of power between the sides; that is, it can be used by the weaker side to protect its position against the stronger side. The stronger side may be willing to accept the mediator’s participation because it will have a basis (and a witness) for claiming that there was no duress in reaching consensus.²⁸⁸

²⁸⁴ Pruitt and Carnevale, *Negotiation in Social Conflict*, p. 165.

²⁸⁵ Rangarajan, *Limitation of Conflict*, p. 261.

²⁸⁶ Sharon C. Leviton and James L. Greenstone, *Elements of Mediation* (London: Brooks/Cole Publishing Company, 1997), p. 9.

²⁸⁷ Wilkenfeld et al., “Mediating International Crises,” pp.282-283.

²⁸⁸ Ramundo, *Effective Negotiation*, pp. 24-25.

With respect to Ramundo's comments on the effect of unequal power on willingness to accept mediation, this chapter argues that the UAE might seek mediation to offset Saudi Arabia's superior power, and that Saudi Arabia might accept mediation as a way to give legitimacy to an agreement that results from negotiation.

A mediator's role may be passive or active.²⁸⁹ Passive mediation involves the mediator serving as a communication channel between or among the parties to a negotiation. The mediator as facilitator makes no real contribution to the negotiation process. However, the active mediator goes beyond the monitoring role and becomes involved in the negotiation process. Active mediation includes two main roles: formulation and manipulation. Formulation involves developing and proposing tentative solutions to the conflict, whereas manipulation involves both formulation and the application of resources to force parties towards an agreement.²⁹⁰ In addition to performing the roles of facilitator, formulator, and manipulator, mediators will occasionally "attempt to remedy power imbalances."²⁹¹ Given the imbalance of power between Saudi Arabia and Abu Dhabi, it would be reasonable to assume that Abu Dhabi and (after 1971) the UAE, would seek mediation to offset Saudi power, an assumption that is the tenth element of this analytical framework. The choice of mediator from 1970 to 1 December 1971 would probably be Great Britain, a further assumption based on Abu Dhabi's historical dependence on Britain. It also assumes that Arab mediators might play a role and be involved in the UAE-Saudi case after Britain's withdrawal from the Gulf.

In the literature of negotiation that is discussed in depth, the idea of the "neutral mediator" suggests that the ideal negotiator should be perfectly impartial with respect to the disputants involved in a conflict. Researchers have challenged the assumption of impartiality. For example, Carnevale and Arad comment that "some conflicts, especially international ones, involve not only the partisans but others who are not directly involved but who have interests that derive from human welfare concerns or from strategic, political, and economic factors."²⁹² In a further elaboration of the argument against the ideal of impartiality, Princen writes that

Differences in interests and capabilities distinguish two kinds of intermediaries. The *principal* [emphasis added] mediator has

²⁸⁹ Ibid., p. 23.

²⁹⁰ Wilkenfeld et al., "Mediation in International Crises", p. 283.

²⁹¹ Pruitt and Carnevale, *Negotiation in Social Conflict*, p. 171.

²⁹² Carnevale and Arad, "Bias and Impartiality in International Mediation", pp. 50-51.

interests in the disputed issues and can bring resources to bear; the *neutral* [emphasis added] has neither but can offer a low-risk environment. The distinction is important for dispute resolution, however, only insofar as it shows how the disputants and, in particular, their interaction, are affected by the intervention. Thus, it is the *target* of the intervention that is critical for understanding not only differences among intermediaries but how their interventions serve to overcome impediments to reaching agreement.²⁹³

If Princen's distinction between principal and neutral mediators is applied to the case of the UAE-Saudi territorial dispute, Great Britain, as a former disputant in the Anglo-Saudi phases of the dispute during 1935-55 would, because of British oil companies' interests and its treaty relationship with Abu Dhabi, be a principal mediator. If Saudi Arabia brought in the United States to perform mediation, the US would also be a principal mediator, due to its Aramco Company's interests in Saudi Arabia. Both Great Britain and the United States would be principal mediators because of the direct involvement of British and American oil companies in the disputed territories, and would have resources to influence the outcome of the negotiations.

By contrast, if the Arab League entered the negotiations hoping, for example, to promote Arab solidarity, it would be a neutral mediator with no interest in the dispute. As a neutral mediator, the Arab League would not be perceived as biasing the negotiation process in favour of either the UAE or Saudi Arabia. Based on Abu Dhabi's historical dependence on Britain and British representation of Abu Dhabi during the Anglo-Saudi phases of the dispute from 1935 to 1955, it assumes that the British would play a role of "*principal mediator*" to the case study of the Abu Dhabi-Saudi border dispute.

Princen also comments that it is extremely important to understand that "all third-party interveners — disputants, principal mediators, neutral mediators — are self-interested. They may seek concrete gains for themselves or simply the satisfaction of settling a dispute, but they have interests. Most importantly, the specific nature of those interests will determine the kind of intervention and its effectiveness."²⁹⁴ Thus, if Great Britain were to intervene in UAE-Saudi territorial negotiations, Britain would be a *principal mediator* with direct interests in the outcome of the negotiations, because British oil companies, primarily the Abu Dhabi Petroleum Company, were involved in the

²⁹³Thomas Princen, *Intermediaries in International Conflict* (Princeton University Press, 1992), p. 23.

²⁹⁴Princen, *Intermediaries in International Conflict*, p. 49.

disputed areas. It would be reasonable to assume that Britain would play the *principal mediator* to the case of the UAE-Saudi territorial dispute.

Meanwhile, Rangarajan states that: “in any bargaining situation with more than two [negotiators], there is a phase of coalition-formation.”²⁹⁵ It seems reasonable to suggest that Great Britain, as a principal mediator, could (due to its interests) also be drawn into a coalition. Pruitt and Rubin propose a situation in which

there is a bond between parties A and X and antagonism between parties B and X. In this case, we can predict the development of antagonism and consequential escalation in the A-B relationship. This is partly because A and B perceive dissimilarity in their attitudes toward X. It is also partly because X will often try to recruit A into the campaign against B. In other words, A’s bonds with X are likely to draw A into a coalition against B.²⁹⁶

In the case of the UAE-Saudi territorial dispute, let us suppose that X is Abu Dhabi, A is Great Britain, and B is Saudi Arabia. Whereas Abu Dhabi and Britain had a longstanding positive relationship, historically Great Britain and Saudi Arabia had been opponents. The model proposed by Pruitt and Rubin suggests why Saudi Arabia would have good reason to resist mediation by Great Britain.

4.5 Factors Affect the UAE-Saudi Negotiation Process (1970-74)

4.5.1 Power

Scott argues that “Power is not usually a desirable quality for a negotiator to establish...Normally, if his case is naturally strong, he does not need power.”²⁹⁷ However, it could be argued that if a negotiator’s case is naturally weak, he will use power if he has it. Thus, during the first and second phases of the Anglo-Saudi territorial negotiations, Britain, on Abu Dhabi’s behalf, certainly used its power to deny Saudi Arabia’s territorial claims from 1935 to 1955. During the second phase of the Anglo-Saudi territorial negotiations from 1949 to 1955, Saudi Arabia resorted to violence outside the negotiation process (the Buraimi crisis in 1952). As this chapter

²⁹⁵Rangarajan, *Limitation of Conflict*, p.145.

²⁹⁶ Dean G. Pruitt and Jeffrey Z. Rubin, *Social Conflict: Escalation, Stalemate, and Settlement* (New York: Random House, 1986), pp. 73-74.

²⁹⁷ Scott, *The Skills of Negotiating*, p.221.

claims, Shaikh Zayid had reason to seek some method for offsetting Saudi power before actual negotiation with Saudi Arabia.

As the previous discussion has suggested, power — that of Abu Dhabi, Saudi Arabia, Great Britain, and the United States — is an important concept when considering the UAE-Saudi territorial dispute. But what exactly is power? Pruitt and Carnevale describe power as a party's use of resources. Power can be relative or absolute. Relative power simply reflects the fact that one party is more powerful in negotiations than the others. Of course, the more powerful negotiator is expected to gain more from his opponent, and in return the less powerful negotiator will fight for equal treatment. However, absolute power refers to the control that parties exercise over each other.²⁹⁸

However, Habeeb objects to ideas such as relative and absolute power. In his view,

Power is the result of having resources. But resources alone do not cause outcomes, they are merely used to create them. Power, thus, lies between its source (resources) and its result (outcomes) [so] power is the way in which actor A uses its resources in a process with actor B so as to bring about changes that cause preferred outcomes in its relationship with actor B.²⁹⁹

By this definition, power is both a causal and an intentional force by which more powerful actors achieve desired outcomes. My analysis of the UAE-Saudi territorial negotiations after 1971 reflects this definition of national power. Since the UAE-Saudi Arabia border dispute were not settled during the British presence, it assumes that Saudi Arabia would use its power to create preferred outcomes.

4.5.2 Communication

There is also the matter of how communication is transmitted during the negotiation process. In the preparatory stages of the negotiation, this is conventionally managed through diplomatic means. According to Cohen “Diplomacy, the peaceful management of relations between states, would not be possible without the existence of an elaborate formal and informal code of communication and conduct.”³⁰⁰ Rabie notes that: “in managing international relations and conducting interstate negotiations, diplomatic

²⁹⁸ Pruitt and Carnevale, *Negotiation in Social Conflict*, p. 130.

²⁹⁹ Mark W. Habeeb, *Power and Tactics in International Negotiation: How Weak Nations Bargain with Strong Nations* (Baltimore, MD: The Johns Hopkins University Press, 1988), pp. 14-15.

³⁰⁰ Raymond Cohen, “Cultural Aspects of International Mediation”, in Jacob Bercovitch, ed. *Resolving International Conflicts* (London: Lynne Rienner Publishers, 1996), p. 119.

messages form the primary means of communication. Messages, written or oral, direct and indirect, are means to send information, convey new ideas, express changed attitudes, and suggest new ways of looking at shared concern.”³⁰¹

The use of back channels is also common in international negotiations. According to Churchman, “back channels are off-the-record, often secret, discussions outside the formal negotiating process.”³⁰² The one who would benefit from the back channels is the third party if it plays a *principal mediator* role in the disputed case, or is engaged between the disputed parties, especially if the disputed parties depend on the third party’s communication to transfer the messages.

It would be reasonable to assume that in addition to formal diplomatic communication, informal back channel communication probably occurred in the UAE-Saudi territorial negotiations. This assumption is based on evidence provided in Chapter 3 that shows clearly how the British negotiated on Abu Dhabi’s behalf in the Anglo-Saudi negotiations phase from 1935-55 since, under the Exclusive Agreement, Abu Dhabi had no right to have bilateral/direct negotiations with Saudi Arabia without first consulting the British.³⁰³ It could be assumed that in the two final years before its military withdrawal, Britain would have communicated individually with both Abu Dhabi and Saudi Arabia. Individual communication can lead to back channel communication and could also be used to the advantage of a third party. Obviously, Britain, as a mediator, might have played a role in both formal and informal communications during the 1970s.

It is important to point out that, although the literature of negotiation routinely emphasises the importance of effective communication, there are difficulties in achieving effective communication under a variety of circumstances. Communication may fail because of a lack of clear objectives; faulty transmission of information; perceptions and attitudes of the recipients of communication; or environmental factors that disrupt or distort information.³⁰⁴ In analysing the UAE-Saudi negotiation process, Chapters 5 and 6 examine both the formal and informal communication roles that might be played by a mediator.

³⁰¹ Rabie, *Conflict Resolution and Ethnicity*, p. 35.

³⁰² Churchman, *Negotiation: Process, Tactics*, p. 13.

³⁰³ For example, Shafi Aldamer notes in *Saudi Arabia and Britain*, p. 203 that during the Dammam conference in 1951, British representatives on behalf of the Ruler of Qatar and the Ruler of Abu Dhabi formed an obstacle to any attempt at direct communication with Saudi Arabia. When the Ruler of Qatar attempted to negotiate with the Saudis, the negotiations between the British and the Saudis broke down.

³⁰⁴ Baguley, *Communication for Modern Business*, p.13.

4.5.3 *Past History*

It is important to point out that a new negotiation is affected by Rangarajan's notion of "past history" and some residual dissatisfaction. In each phase, in fact, "there is a past history which affects perceptions and judgment of the negotiations."³⁰⁵ Events in 1955, including the expulsion of the Saudis from Hamasa and the unilateral declaration by the British of the frontier lines that were duly imposed on Saudi Arabia, remained present in Saudi memory throughout the negotiation process in the 1970s as examples of how Saudi Arabia had been unfairly treated by the British. It is important to recall that "dissatisfaction persists in the memory and affects future courses of action."³⁰⁶

Past history affects many aspects of negotiation, especially credibility and trust. What is trust? According to Pruitt and Carnevale it is "the expectation that the other party will cooperate in the future."³⁰⁷ Without trust "every action by a negotiant is viewed with deep suspicion and a search for malign motives."³⁰⁸ Thus, perceptions and judgments are affected by the total memory composed of the immediate past experience of negotiation and accumulated past history related to a dispute. Rangarajan argues that negotiation does not occur in a vacuum with respect to time and memory, and that past history affects what happens at each stage of negotiation.³⁰⁹

Furthermore, memory of past experiences is cumulative before negotiation begins. This brings it to the eleventh element of the framework; the assumption is that memories of the earlier Anglo-Saudi territorial negotiations from 1935 to 1955 would affect the negotiation process between the UAE and Saudi Arabia between 1970 and 1974. On the Saudi side, it would be reasonable to expect resentment of the British role, especially due to Britain's unilateral declaration of Saudi Arabia's frontiers. On the UAE side, it would be equally reasonable to expect trust of the British, especially since Britain had historically supported Abu Dhabi's territorial claims.

4.6 **Conclusion**

In closing this chapter it is useful to summarize the eleven elements of the analytical framework that will be used by me in subsequent chapters, along with additional key

³⁰⁵Rangarajan, *Limitation of Conflict*, p. 84.

³⁰⁶Ibid., p. 46.

³⁰⁷Pruitt and Carnevale, *Negotiation in Social Conflict*, p. 133.

³⁰⁸Rangarajan, *Limitation of Conflict*, pp. 59-60.

³⁰⁹Ibid., p.84.

assumptions in order to analyse the topic in depth. First, it was necessary to reformulate Rangarajan's sequence of elements leading to conflict:

Dissatisfaction=>Frustration=>Desperation=>Conflict (or dispute)

Dependence=>Vulnerability=>Fear=>Conflict (or dispute)

It was argued that the first sequence could be applied to Saudi Arabia and the second to Abu Dhabi.

Secondly this analysis assumes that the UAE-Saudi territorial dispute were both interest-related and value-related, yet capable of resolution through negotiation. Third, the analysis accepts that conflict behaviour can be direct or indirect. In the specific case considered, my expectation was to see indirect conflict behaviour aimed at third parties, in particular by the UAE at Britain and by Saudi Arabia at the US.

Fourth, the dispute could potentially involve other countries, who had interests in the dispute, and the analysis assumed that the British, the UAE and/or Saudi Arabia would want to *resolve* rather than *manage* the dispute. Fifth, this study defines negotiation as a peaceful process aimed at a mutual resolution of a conflict involving two or more parties. Sixth, the analytical framework adopted here states that the memories of the earlier Anglo-Saudi territorial dispute from 1935 to 1955 had an impact on the negotiation process between the UAE and Saudi Arabia from 1970 to 1974. Specifically, Saudi Arabia would have resented the historical role played by Great Britain, while the UAE would trust Britain because of the role played by the British in supporting Abu Dhabi's territorial claims from 1935 to 1955.

Seventh, this study assumes that the UAE and Saudi Arabia would enter into a mixed-motive strategy, with competition with regard to territory and sovereignty, and cooperation by the fact of being neighbouring Arab countries. In particular, the UAE and Saudi Arabia would adopt either an integrative negotiation strategy or a distributive negotiation strategy associated with different types of tactics — contention and problem solving. Eighth, the chapter assumes that Great Britain would play the *principal mediator* role in the case of the UAE-Saudi territorial dispute. Ninth, in case the UAE-Saudi Arabia border dispute did not settle during the British presence, Saudi Arabia would use its power to create preferred outcomes

Tenth, this study assumes the existence of divergent interests within each country's royal family (Abu Dhabi and Saudi Arabia) and the oil companies, which further suggests the possibility of divergent interests of the United States and Great Britain in respect of the disputed areas. Finally, I assume that the UAE would attempt to counter Saudi Arabia's greater power by including a mediator in the negotiation. The UAE's first choice would probably be Great Britain because of the latter's position as protector in the protector-protégé relationship with the Emirates.

CHAPTER FIVE

Anglo-Saudi Negotiations (1970-71)

and the End of Britain's Dominance in the Gulf

5.1 Introduction

On 4 May 1970 King Faisal offered to solve the issue of the disputed areas with Abu Dhabi by proposing a referendum on Al-Ain/Buraimi region in exchange for having sovereignty in South Liwa and Khor-al Udaid.³¹⁰ In the negotiations concerning territorial dispute between the UAE and Saudi Arabia, this was a crucial date, since the King's offer would remain Saudi Arabia's firm negotiating position until the signing of the Saudi-UAE Treaty of Jeddah on 21 August 1974.

This chapter examines Shaikh Zayid's resistance to the Saudi proposal, and the role played by Britain in the two years leading up to its military withdrawal from the Gulf in 1971. At a meeting with British officials at Al-Ain in April 1971, Treadwell, the Political Resident of Abu Dhabi reported that "[Shaikh Zayid Al-Nahayan ruler of Abu Dhabi], said and repeated several times that the people of Abu Dhabi now and history itself would blame him if he gave away too much [of Abu Dhabi's territories]."³¹¹ By the time of this comment, the British had spent almost two years trying to convince Shaikh Zayid to accept Saudi Arabia's territorial demands before their withdrawal from the Arabian Gulf.

However, despite Saudi pressure and British persuasion, Shaikh Zayid resisted, and when Britain did finally withdraw on 1 December 1971, the dispute between Abu Dhabi and Saudi Arabia remained unsettled. Shortly before the end of the British military presence in the Gulf, the British Political Resident in the Gulf wrote that they had done their best "to persuade [Shaikh Zayid] that in the interest of reaching a settlement he

³¹⁰ King Faisal had initially offered a referendum over Buraimi, but offered to drop his claim to Buraimi in June.

³¹¹ J.C. Treadwell, Political Resident of Abu Dhabi (Abu Dhabi) to (Foreign Office), 29 April 1971, FCO8/1614, TNA, London, in *Arabian Boundaries (1966-1975)*, vol. 12, ed. Schofield, pp. 343- 344.

should come further towards meeting [King] Faisal's proposal and we are disappointed that we have not succeeded."³¹²

The chapter demonstrates how both Shaikh Zayid and the British responded to King Faisal's proposal of May 1970. While King Faisal's offer to drop Buraimi was seen by the Saudi side as representing a significant concession and could be perceived as such by British officials, Shaikh Zayid did not consider it a substantial offer at all. It also discusses some factors involved within the context of the Abu Dhabi-Saudi border dispute that complicated the boundary question, and negotiations to take matters forward, such as the question of UAE federation and the rise of the Twin Pillar policy in the late 1970s. It analyses in detail the negotiating strategies and tactics of both Saudi Arabia and Abu Dhabi and the position of their respective constituents towards the disputed areas.

Britain's failure to settle the border dispute between Abu Dhabi and Saudi Arabia during its last two years in the Gulf is also examined, focusing on its "honest broker" role and simultaneously its role as Abu Dhabi's protector. It is argued that British involvement in the Abu Dhabi-Saudi border dispute changed dramatically during 1970-71, and in explaining this shift, this two-year period illustrates aspects of the ending of Britain's dominant role in the Gulf. In practice the role of honest broker was an unlikely one for Britain to play, because the British had direct and substantial interests in the disputed areas, namely the Zararah oilfield in Liwa oasis. Their passive role reflects an intention to avoid their obligations to Abu Dhabi under the Exclusive Agreement of 1892, which would remain in effect until 30 November 1971.

It can be argued that right up to the time of their departure, the British role towards both Saudi Arabia and Abu Dhabi was definitely passive,³¹³ due to the fact that the British were careful to avoid positioning themselves towards either of the disputing parties in case their relations with either the Saudis or the Emiratis were damaged. When the British withdrew officially the disputed areas remained unsettled because the gap between Abu Dhabi and Saudi Arabia remained as wide as ever.

³¹² Willie Morris, the British Ambassador in Jeddah 1968-1972 (Jedda) to (Foreign Office), 18 November 1971, FCO8/1615, TNA, London in *Arabian Boundaries*, vol. 12, ed., Schofield, p. 473.

³¹³ Ramundo, *Effective Negotiation*, p. 23.

5.2 Britain's Mediation

The Foreign Office attempted to persuade Shaikh Zayid that, since Abu Dhabi was soon to become an independent state and because he was unlikely to get a more favourable deal after British withdrawal from the Gulf, the disputed areas should be settled while Britain was still present in the region. To that end, Britain's appropriate course of action in the future would be consistent with its chosen role as an "honest broker"³¹⁴ in dealing with Abu Dhabi-Saudi dispute.

In the official British archives it is not uncommon to find references to the British role as an "honest broker" in the first and second phases of the Anglo-Saudi territorial negotiations from 1935 to 1955, and the self-description persisted until Britain withdrew from the Gulf in December 1971. A Foreign Office official speculated that, in response to British oil company activity in the disputed Zararah/Shaybah region, Saudi Arabia would be "likely as a result of these drillings, [to] call off the current attempts, in which we are acting as 'honest broker' between the two sides, to negotiate a frontier settlement."³¹⁵

The "honest broker" role suggests that there were at least some British officials who saw Britain as a neutral mediator in dealing with Abu Dhabi-Saudi border dispute. However, this study reveals that the honest broker role was declared as a way of protecting the company's interests in the disputed areas: "we have an interest in seeing that profitability of this British company [ADPC] is not adversely affected by political difficulties over the boundary."³¹⁶

Following Saudi Arabia's settlement offer on 4 May 1970, British officials discussed Britain's role as mediator in the territorial dispute between Abu Dhabi and Saudi Arabia. For example, in June 1970 Sir Stewart Crawford, the Political Resident in Bahrain, argued:

We ought not to be involved in details of possible territorial concessions, but I doubt where we can stay out of this

³¹⁴ Foreign Office Minutes by J. M. Edes, 'Abu Dhabi/Saudi Arabia Frontier Dispute,' 23 September 1970, FCO8/1340, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 698.

³¹⁵ Foreign Office Minutes by J. M. Edes, 'Oil Company Drilling in Abu Dhabi,' 11 November 1970, FCO8/1314, TNA, London, in *Arabian Boundaries*, vol.11, ed. Schofield, p.771.

³¹⁶ A. Reeve & S. L. Egerton (Abu Dhabi) to (Foreign Office), "Abu Dhabi/Saudi Arabia: ADPC Drilling at Zarrara", 8 March 1971, FCO8/1613, TNA, London, in *Arabian Boundaries*, , vol.12, ed. Schofield, pp. 259-260

subject...it is true that the more involved we are the more we may be criticized for our role in the conclusion of any compromise settlement which [Zayid] may later regret, but I doubt whether this could be as damaging for British interests as a dispute between two Arab states.³¹⁷

In the context of the British role as “honest broker”, if Thomas Princen’s typology of the mediation role³¹⁸ is applied in the British case, it could be said that Britain acted as a “principal mediator” in the Abu Dhabi-Saudi border dispute because of its direct interests and involvement in the disputed areas — such as the Abu Dhabi Petroleum Company in Zararah.

Some British officials could not agree about their support for the “honest broker” role. For example, Sir Francis Vallat, a former Foreign Office legal adviser, stated: “to some extent HMG was in an ambiguous position in that it was on the one hand responsible for the conduct of [Shaikh Zayid’s] foreign affairs and on the other was seeking to act as a mediator between the Ruler [Shaikh Zayid] and King Faisal.”³¹⁹ And in June 1970, the British Ambassador in Jeddah wrote an assessment of Britain’s historical role in the Abu Dhabi-Saudi border dispute: “we are basing ourselves only on our own view of the legal justification for our action in 1955, which has never been accepted by the Saudis.”³²⁰

As noted in Chapter 4, past history and memory played a role that impacted on the development of current negotiations. As for the Saudis, they might not have trusted an honest broker at this stage, due to past history related to the Anglo-Saudi negotiations that had led British unilaterally to enforce the Saudi frontier in 1955. Notwithstanding Saudi expectations of an honest broker, there were in practice two reasons why it would have been difficult for the British to apply an “honest broker” approach. First, a British oil company was drilling in the area affected by King Faisal’s proposal, and secondly, the Exclusive Agreement of 1892 remained in effect and the British still had an obligation to protect Abu Dhabi’s interests.

³¹⁷ Sir S. Crawford (Bahrain), to (FCO), 10 June 1970, FCO8/1335, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 252.

³¹⁸ Thomas Princen, *Intermediaries in International Conflict*, p. 23.

³¹⁹ Letter No DD/Sep D. Nixon, Withers, (London), to J. M. Edes, (Foreign Office), 29 December 1970, FCO8/1341, TNA, London in *Arabian Boundaries*, ed. Schofield, vol. 11, p. 844.

³²⁰ W. Morris (Jedda) to (FCO), 12 June 1970, FCO8/1335, TNA, London, in *Arabian Boundaries*, vol.11, ed. Schofield, p.256.

An important question is what support Shaikh Zayid expected to receive from the British role in 1970 and 1971? According to a UAE diplomat, Shaikh Zayid had not expected that the issue of the disputed areas would remain unresolved by the time Britain withdrew from the Gulf in late 1971.³²¹ As Crawford wrote to the FCO in May 1970, Shaikh Zayid was certain that “no solution could come to this problem simply from Abu Dhabi/Saudi negotiations and that HMG would in fact have to play a big role”³²² in settling the dispute.

5.3 King Faisal's Proposal and Shaikh Zayid's Reaction

When it occurred to Shaikh Zayid that Britain was not prepared to take an active part in finding a settlement for the disputed areas, he tried to arrange for regional mediators,³²³ and during the negotiation process from 1970 to 1971 attempted to enlist various states to intervene, especially after it was conceded that the British mediation was not effective. As his scheduled meeting with King Faisal on 6 May 1970 approached, Shaikh Zayid, without consulting the British, tried to recruit Kuwaiti officials as mediators to smooth things over with King Faisal. However, his first attempt was not successful. When Kuwaiti officials told King Faisal that Shaikh Zayid would use the meeting to discuss the disputed areas, King Faisal indicated that he was prepared to listen to Shaikh Zayid's views on his proposal.³²⁴ However, before Shaikh Zayid travelled to Jeddah, the British learnt about the Kuwaiti mediator through the British Ambassador in Kuwait, and Shaikh Zayid was told not to discuss the dispute but instead to use the meeting to talk about the proposed federation of nine emirates.³²⁵ As a result, when Shaikh Zayid met King Faisal on 6 May 1970 and acted as the British had advised him, the talks promptly broke down, because King Faisal said that he would not support any federation without first settling the disputed areas.³²⁶

³²¹ UAE diplomat, Interview, Washington, 25 November 2010.

³²² Sir S. Crawford (Bahrain), to (Foreign Office), 29 May 1970, FCO8/1334, TNA, London in *Arabian Boundaries*, vol. 11, ed. Schofield, p.127.

³²³ The Exclusive Agreement of 1892 would expire on 30 of November 1971, though it was still in effect when Shaikh Zayid attempted to act independently of the British.

³²⁴ A. C. Goodison (Kuwait), to (FCO), “Shaikh Zayid's visit to Riyadh”, 6 May 1970, FCO8/1332, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 846.

³²⁵ W. Morris, British Ambassador in Jeddah (Jeddah), to (FCO) 6 May 1970, FCO8/1332, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, 1970, p. 848.

³²⁶ W. Morris (Jedda), to (Foreign Office), 6 May 1970, FCO8/1332, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 848.

Unfortunately, the conversation between King Faisal and Shaikh Zayid at the meeting on 6 May 1970 is redacted from the FCO document cited in the *Arabian Boundaries* documents. However, King Faisal's brother, Prince Fahd Al Saud, confirmed King Faisal proposals when he stated that: "the boundary problem can be compromised by a package that I would regard as saleable on our side; abandonment (with suitable face-saving) of territorial claims on the whole Buraimi oasis in return for concessions on the western and southern boundary [of Abu Dhabi] which could take account of established oil company interests."³²⁷ Basically this represented King Faisal's proposal of 1970. At the meeting, King Faisal also demanded that drilling by ADPC should be suspended until a settlement for the disputed areas had been found.

In this context, when the outcome of the meeting did not meet King Faisal's expectations, Kamal Adham, Saudi consultant to King Faisal, declared that King Faisal, who was critical of Shaikh Zayid for not discussing the border dispute as the Kuwaitis had said he would, might resort to using force against Abu Dhabi.³²⁸ On 19 May the British Embassy in Kuwait reported that, according to the local Kuwaiti press: "Saudi Arabia is planning to take back the Buraimi oasis after British withdrawal in 1971."³²⁹ The report seemed credible to the Foreign Office because, after King Faisal and Shaikh Zayid had met, Ambassador Morris reported King Faisal's comment that: "one way or another [the disputed areas] must be settled before the British left, and if not by negotiation then by other means."³³⁰

Shaikh Zayid was well aware of the much greater power of Saudi Arabia compared with Abu Dhabi, but was determined to resist Saudi territorial claims against Abu Dhabi. A British telegram of 31 May 1970 recorded Shaikh Zayid's view of King Faisal's proposal in the Indian newspaper *Blitz*; Shaikh Zayid said: "we are weak and they are strong but if they push us this will create resistance."³³¹

³²⁷ Foreign Office minute by A. A. Acland, Abu Dhabi –Saudi Arabia, 15 June 1970, FCO8/1337, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p.365.

³²⁸ Mr. Jim Treadwell (Beirut) to (Foreign Office), 31 May 1970, FCO8/1334, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p.141

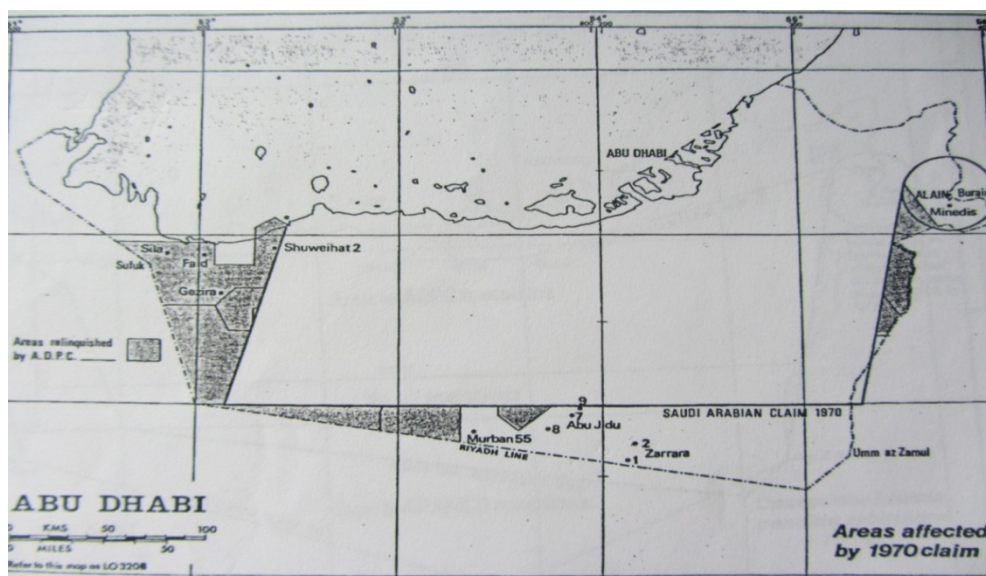
³²⁹ Mr. Goodison (Kuwait), to (FCO), 19 May 1970, FCO8/1334, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p.945.

³³⁰ W. Morris (Jedda), to the (FCO), 6 May, 1970, FCO8/1332, TNA, London in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 849.

³³¹ Mr. Jim Treadwell (Beirut) to (Foreign Office), 31 May 1970, FCO8/1334, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p.141.

Furthermore, when ADPC continued its drilling operations after Shaikh Zayid’s visit to Jeddah, King Faisal declared “if drilling was not stopped the Saudis might use force to remove the company’s equipment. The ruler [Shaikh Zayid] was given until the end of June to reply to these demands.”³³² (See Figure 5.1).

Figure 5.1. Location of Wells in Zararah Oilfield, South of Abu Dhabi



Source: Abu Dhabi Petroleum Company map showing location of oil field at Zararah in relation to Saudi claims of 1970. FCO/8 1338, in *Arabian Boundaries*, vol.11, 1970. p. 498.

Bahrain was the second mediator, but its role was not successful either. Shaikh Isa bin Khalifa, the Ruler of Bahrain, expressed his anxiety about the instability that the Abu Dhabi-Saudi territorial dispute could bring to the Gulf. He proposed to tell King Faisal that: “his attitude to Abu Dhabi could ruin the [Federation]”³³³ In May 1970, King Faisal informed a delegation of Bahraini officials who visited the King on behalf of Shaikh Zayid, that the British had agreed to a boundary that would make Khor al-Udaid Saudi territory. Responding to King Faisal’s claims that the British had acknowledged Saudi sovereignty over Khor al-Udaid, Ambassador Morris sent a telegram to the Foreign and Commonwealth Office on 12 June 1970:

The basis for [the] Saudi claim to [Khor al-Udaid] seems to be our willingness in 1956 to include Saudi access to the sea at the khor in the agenda for Anglo-Saudi discussions, and our statement during the ribbing exercise that we neither affirmed

³³² N e, N.J. Barrington (Foreign Office), to P.J.S Moon, 28 May 1970, FCO8/1334, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 118.

³³³A. J. D. Stirling (Bahrain) Agency to, Sir S Crawford Bahrain Residency, ‘Abu Dhabi/Saudi Arabia,’ 16 May 1970, FCO8/1334, TNA, London in *Arabian Boundaries*, vol.11, ed. Schofield, p. 71.

nor excluded the possibility of discussion of [Khor al-Udaid] at some stage.³³⁴

British government officials strongly opposed the involvement of both Kuwait and Bahrain³³⁵ in the negotiation process between Abu Dhabi and Saudi Arabia.³³⁶ In fact, although the British had failed to advocate on Shaikh Zayid's behalf under the Exclusive Agreement of 1892 against Saudi demands, they wanted to control the involvement of mediators, and interfered with Shaikh Zayid's attempts to arrange for mediators under the Exclusive Agreement. In addition, on 19 June 1970, the Foreign Office sent a telegram to the Political Residency in Bahrain:

We are glad that [the Political Agent in] Abu Dhabi has persuaded [Shaikh Zayid] not to approach the [US] state department at this stage. We must certainly consider carefully what role the Americans could play, but it should be for us on [Shaikh Zayid's] behalf and not [Shaikh Zayid] himself to bring them in as regards enlisting the services of intermediaries from the Gulf area [...] we doubt whether such intermediaries could play a particularly significant role at present.³³⁷

The British had informed the Americans that they should keep out of the boundary question since the British were having a hard time dealing with King Faisal.³³⁸ Here it is unclear why Shaikh Zayid would have considered asking the Americans to mediate in the Abu Dhabi-Saudi border dispute. The FCO documents cited in *Arabian Boundaries* are not helpful in this regard, so one can only speculate based on the available evidence. Certainly the United States had direct interests in aiding Aramco and protecting American military contracts with Saudi Arabia, and as partners with Saudi Arabia, the Americans could push the Saudis to make a reasonable concession.

³³⁴ W. Morris (Jedda), to (Foreign Office), 12 June 1970, FCO8/1336, TNA, London in *Arabian Boundaries*, vol. 11, ed. Schofield, p.256.

³³⁵ There were other regional mediators involved in the UAE-Saudi border dispute — for example, Jordan, Pakistan, Egypt, etc. from 1970 to 1974. The activities of these regional mediators were interrupted by British attempts to control mediator involvement. After the Britain withdrew its military from the Gulf in December 1971 and granted independence to the emirates, the UAE relied almost exclusively on Qatari mediation.

³³⁶ A. J. D. Stirling (Bahrain) Agency to Sir S Crawford, Bahrain Residency, 'Abu Dhabi/Saudi Arabia', 16 May 1970, FCO8/1334, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 71.

³³⁷ (Foreign Office), to (Bahrain) Mr. Stewart, Bahrain Residency, 19 June 1970, FCO8/1337, TNA, London in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 380.

³³⁸ Mr. Stewart (Bahrain), to (Foreign Office), 16 May 1970, FCO8/1332, TNA, London in *Arabian Boundaries*, vol. 11, ed. Schofield, p.892.

5.4 The British Reaction toward King Faisal's Proposal

In response to King Faisal's demands for ADPC drilling at Zararah to stop, the British took security measures in the Batin region, where the oil operations were located, to discourage any possible Saudi aggression south of Liwa.³³⁹ Shaikh Zayid also suggested relocating a squadron of the Abu Dhabi Defence Force from Al-Ain/Buraimi to the Umm al-Zamul area.³⁴⁰ In this context, the Saudi use of force might be not directed against all of Abu Dhabi's territories, but against ADPCs drilling operations in the south of Abu Dhabi only.

At the same time, British officials had drafted a suggested response for Shaikh Zayid to King Faisal's demand, which stated the following:

I believe that there must have been a misunderstanding between us about the outcome of our discussion in Riyadh. When we discussed drilling in the Batin, I had intended that my undertaking to your majesty should be confined to well one at Zararah only. In accordance with that undertaking, I gave instructions that drilling there should be halted...As your majesty will be aware, the oil company concerned is engaged in an extensive and important programme of exploration which it would be unreasonable to delay in view of the heavy expenditure which the company has already incurred. I have every hope that this programme will help in due course not only bring much needed development to the area but also to promote stability there.³⁴¹

The draft reflects how British interests would be affected should ADPC have to suspend its activities and remove its equipment, which would cause considerable losses for the company. In fact, drilling was temporarily suspended on Zararah well no.1 but was shifted for drilling to continue on Zararah well no.3. When King Faisal learnt about the continuation of drilling, he demanded that it must stop in all the territory in question.³⁴² Despite King Faisal's possible use of force to remove the company's equipment,³⁴³ an

³³⁹ (Foreign Office) to (Bahrain), 27 May 1970, FCO8/1334, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, pp. 90-91.

³⁴⁰ Foreign Office minutes by A. A. Acland, "Abu Dhabi/Saudi Arabia", 15 May, 1970, FCO8/1333, TNA, London in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 936.

³⁴¹(Foreign Office) to (Bahrain), 29 May 1970, FCO8/1334, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p.132.

³⁴² Foreign office minutes by A. A. Acland, "Abu Dhabi-Saudi Arabia frontier Dispute, 1 June 1970, FCO8/1335, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p.158.

³⁴³ Note from N. J. Barrington, to P. J. S. Moon, Foreign Office, 28 May 1970, FCO8/ 1334, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p.811.

executive of the Abu Dhabi Petroleum Company wrote to the Foreign and Commonwealth Office requesting the British government to take steps to ensure the continuation of the ADPC's concession rights.³⁴⁴

British officials also promoted the settlement of the dispute as being both financially important for British oil companies and socially important for the people living in the areas. Correspondence between the Foreign Office and the Abu Dhabi Petroleum Company suggests that King Faisal's demands that ADPC's activities should be stopped meant that ADPC's interests were at stake, as the following telegram suggests:

As the Saudi government will be aware, the Abu Dhabi Petroleum Company has for some time been engaged in a programme of exploration for oil resources, including drilling test wells, in what H.M Government and His Highness the ruler of [Abu Dhabi] regard as the southern part of Abu Dhabi territory. Some of these operations are in an area which his Majesty King Faisal has proposed should be regarded as Saudi territory in the proposals which he made to His Highness Shaikh [Zayid] on 4 May, 1970. Shortly after that date certain of the company's operation were temporarily suspended while his Majesty's proposals were being examined. However, the successful discovery and exploitation of the oil resources of the territory would contribute substantially to the development and welfare of the area as a whole. Any delay in operations to explore and exploit such resources not only involves the company in considerable financial loss but, more important, postpones the day when the people of the area can benefit from these resources.³⁴⁵

This letter was written in July 1970, two months after King Faisal had demanded an end to ADPC drilling at the Zararah-Shaybah oilfield. It is interesting because it aligns British interests with the economic development of the area while attempting to limit ADPC's potential financial losses. However, King Faisal continued to pressure Shaikh Zayid and the British, beginning with a demand that drilling should stop at Zararah no.1. Shaikh Zayid had agreed to King Faisal's first demand at their previous meeting on 6 May 1970, but King Faisal later told the British that his demand had also included

³⁴⁴Letter, C. M. Dalley (Abu Dhabi Petroleum Company Ltd), to the (Foreign Office), enclosure: paper on scope and extend of ADPC's operations in the territory of Abu Dhabi, 2 June 1970, FCO8/1335, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p.197.

³⁴⁵Letter, T Brant (Foreign Office), to I.G. MacPherson, (Abu Dhabi Petroleum Company), 'Saudi Arabia/ Abu Dhabi,' 24 July 1970, FCO8/1339, TNA, London in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 568.

Zararah wells nos. 2, 3 and 4.³⁴⁶ Drilling operations had been continuing sporadically since May 1970 at a time when King Faisal's anger was escalating. The FCO reported that:

King [Faisal] accused Shaikh [Zayid] of allowing the Abu Dhabi Petroleum Company (ADPC) to drill in [Zararah] area just north of the modified Riyadh Line...which was regarded as Abu Dhabi territory but which, under the King's proposals, would become part of Saudi Arabia. He asked Shaikh Zayid to order ADPC to suspend drilling forthwith and threatened to remove their rig by force if this was not done.³⁴⁷

In light of this report, it is obvious that the major impediment to negotiations moving forward was that the Saudis and the British had different perspectives of the frontier lines on which their negotiations were based. The Saudis wanted drilling activities to be suspended in term of King Faisal's 1970 proposal. However, the limit of the Abu Dhabi Petroleum Company's concessions was drilling within the modified Riyadh line, which the Saudis had never recognised in the first phase of the Anglo-Saudi negotiations from 1935 to 1949.

5.5 The Dammam Conference

By the summer of 1970, Saudi Arabia and Abu Dhabi had tentatively agreed to meet to look for a potential settlement at a conference in Dammam, an event suggested by the British that would be postponed several times before being abandoned altogether in September. The British helped Shaikh Zayid to prepare for the conference by, among other things furnishing Abu Dhabi with the services of Francis Vallat,³⁴⁸ since they were anxious to make the Saudis believe that Abu Dhabi was ready for "serious negotiations".³⁴⁹ From the British perspective, preparation for serious negotiations meant that Shaikh Zayid had to commit himself to a final settlement of the territorial dispute under the conditions imposed by the Saudis. In July 1970 King Faisal wrote a letter addressed to Shaikh Zayid, a transcript of which was forwarded by the Political

³⁴⁶ Morris (Jedda) to (Foreign Office), 28 May 1970, FCO8/1334, TNA, London in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 97.

³⁴⁷ Foreign Office Minutes by J.M. Edes, "Oil Company Drilling in Abu Dhabi", 11 November 1970, FCO8/1341, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, pp.769-772.

³⁴⁸ Sir Francis Vallat, a former Legal Adviser to the Foreign Office, was singled out to study the boundary question with Shaikh Zayid, but because of Saudi Arabia's uncompromised position over King Faisal's proposals, Vallat's task had at some point to be terminated.

³⁴⁹ A. F. Green (Abu Dhabi), to M.S Weir, Bahrain Residency (Bahrain), 'Abu Dhabi/ Saudi Arabia,' 4 August 1970, FCO8/1339, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 580.

Residency in Abu Dhabi to the Political Residency in Bahrain. In the letter, King Faisal said:

Your Highness referred to the recent proposals which we put to your Highness on 4 May 1970 during your visit to the Kingdom...to remind you of what I stated clearly when I put forward the proposal during our meeting in Riyadh. Namely, that what I would be proposing would be finally to solve the problem of the border between our two countries, and that I was of the firm belief that it was a *generous suggestion* [Al-Ain/Buraimi offer] which your Highness would agree upon without hesitation because it annexed to Abu Dhabi extensive territory which had been subject to dispute and debate for tens of years and guaranteed vital interests to Abu Dhabi...I took on my shoulders personally any repercussions which these proposals might cause within my Government intending to find a lasting solution to the problem between brothers in the Arabian Gulf.³⁵⁰

Britain's mediation role was remarkable in that the British not only communicated individually with Abu Dhabi and Saudi Arabia, but that they also had access to direct information between the parties to the dispute. In light of this transcript, reveals Britain's role in mediating in the Abu Dhabi-Saudi border dispute.

In one sense, British officials could have discussed the letter with King Faisal before he forwarded it to Shaikh Zayid, but the role of manipulator, in which a third party uses its resources to force parties toward a settlement³⁵¹ was not the one assumed by British officials. However, this incident does define Britain's role in the mediation: rather than an overt attempt to manipulate the negotiation process, the British seem to have chosen simply to facilitate communications between Abu Dhabi and Saudi Arabia. By leaving King Faisal's claims unchallenged, the British also let it seem as though Saudi Arabia's Al-Ain/Buraimi offer was a substantial territorial concession and that Shaikh Zayid should move to resolve the dispute.

Regarding the proposed meeting in Dammam, King Faisal expected that Shaikh Zayid would agree to his proposal without counter- or negotiable proposals. In August 1970, Ambassador Morris reported to the Foreign Office about a conversation he had held with King Faisal:

³⁵⁰A.F.Green, (Abu Dhabi), to M.S. Weir, (Bahrain), 'Abu Dhabi/ Saudi Arabia, enclosing translation of letter from King Faisal to H.H Shaikh Zayid bin Sultan Al-Nahyyan, ruler of Abu Dhabi 19 July 1970, FCO8/1338, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p.537.

³⁵¹ Pruitt and Carnevale, *Negotiation in Social Conflict*, p.71.

The king made it clear that his proposals to Shaikh [Zayid] of last May were as far as he could possibly go and in any case represented a very great concession on his part. If [Zayid] was not prepared to accept these proposals in principle there was no point in having any meeting at Dammam either on 6 September or any other time; and in that case the king would withdraw his proposals and revert to the 1949 claim [Al-Ain/Buraimi, Liwa and Khor al-Udaid]. Both sides could then produce all the lawyers and historians they liked and of course no solution would be reached. This was not what he wanted nor he assumed did H.M.G.³⁵²

The British had concluded that King Faisal would stand by his offer of 4 May 1970. According to the FCO, “[Shaikh] Zayid should be prepared to make further substantial concessions with a view to achieving by the end of the negotiations a final settlement involving *for example a joint production zone in the disputed area in the south, plus some boundary adjustments in the west: possibly also giving the Saudis some access to the sea in the Khor al-Udaid area* [emphasis added by the researcher].”³⁵³ As for the British, Shaikh Zayid would have to accept losing his territory in the South and West of Abu Dhabi. It was also very important that, if possible, Shaikh Zayid would commit himself to settling the disputed areas “before the British military withdrawal even if this meant sacrifices.”³⁵⁴ However, because of the divergent views between Abu Dhabi and Saudi Arabia, the meeting was not held.

5.6 Britain’s Interests in the Disputed Areas

In addition to protecting ADPC’s interests as mentioned earlier, a proposal by William Luce included the creation of blocked accounts. Profits from oil production would be put into these blocked accounts and none of the money would be paid out “until Saudi Arabia and Abu Dhabi agreed to reach an agreement. Even if the sovereignty of Zararah is transformed [to Saudi Arabia] at any time in the future would not be impacted on [company’s] right as a concessionaire.”³⁵⁵ King Faisal and Shaikh Zayid both rejected

³⁵² W. Morris (Jedda), to (Foreign Office), 23 August 1970, FCO8/1339, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 626.

³⁵³ (Foreign Office), Douglas-Home to (Jedda), 14 August 1970, FCO8/1339, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 604. [emphasis added]

³⁵⁴ Arthur, Bahrain Residency (Bahrain) to (Foreign Office), 20 August 1971, FCO8/1615, TNA, London, in *Arabian Boundaries*, vol. 12, ed. Schofield, p.421.

³⁵⁵ A. A. Acland (Foreign Office), to C. J. Treadwell (Abu Dhabi), ‘ADPC and Zarara,’ 25 March 1971, FCO8/1614, TNA, London, in *Arabian Boundaries*, vol. 12, ed. Schofield, p.289.

Luce's proposal, and not long afterwards, C. J. Treadwell, the Political Resident, informed the Foreign Office that: "[Shaikh Zayid] thought that our advice to him on settling [south of Liwa] was coloured by our wish to protect our own political as well as British commercial interests."³⁵⁶ The Foreign Office acknowledged: "that [Luce's] proposal would not be in the interest of Abu Dhabi and Saudi Arabia even if they could be persuaded to accept it and that it might cast doubt in [Zayid's] mind on HMG's motives."³⁵⁷

It is very important to note that Saudi Arabia's attempt to draw the British to its side by promising to protect the sovereignty rights of the ADPC's concessions over the disputed areas would be transferred to Saudi Arabia. Documented evidence in *Arabian Boundaries* strongly suggests that the British worked hard to protect the Abu Dhabi Petroleum Company and to satisfy the Saudis. According to a Foreign Office minute from October 1972, British officials secretly received assurances on at least three occasions that Saudi Arabia would honour the British oil company's concessions in the disputed areas. The correspondence between the British and the Saudis was dated May 1970, and Kamal Adham, King Faisal's advisor, also gave these assurances in June and in August.

For example, on 22 August 1970, King Faisal told Sir William Luce: "the rights of existing oil concessionaries onshore and offshore would be preserved in any territory ceded by Abu Dhabi to Saudi Arabia", while Kamal Adham confirmed that British companies would keep the concession rights in their areas and would not be affected by any Abu Dhabi-Saudi Arabia border changes.³⁵⁸ In that context, the British were being prepared for a change in sovereignty over the disputed areas, namely Zararah. Of course, these assurances encouraged the British to persuade Shaikh Zayid to agree to King Faisal's proposal. As discussed in Chapter 4, informal communication (back channel) is off-record, and frequently involves secret discussions outside the formal

³⁵⁶C. J. Treadwell (Abu Dhabi), to A.A. Acland (Foreign office), 'ADPC and Zarara,' 4 April 1971, FCO8/1614, TNA, London, in *Arabian Boundaries*, vol. 12, ed. Schofield, p. 300.

³⁵⁷Foreign Office Minutes by A. Reeve, 'ADPC and Zarara', 23 April 1971, FCO8/1614, TNA, London, with Additional Minutes by S. L. Eggerton, 25 April 1971", in *Arabian Boundaries*, vol.12, ed. Schofield, p.326.

³⁵⁸ Foreign Office Minutes by J.P. Bannerman, 'Rights of Oil Concessionaries and the Abu Dhabi/Saudi Frontier Dispute', 4 October 1972, FCO8/1813, TNA, London, in *Arabian Boundaries*, vol. 13, ed. Schofield, pp. 520-521.

negotiating process.³⁵⁹ The back channel was introduced to the case of the South of Liwa area (Zararah).

5.7 The Abu Dhabi-Saudi Border Disputes in Context of the Federation

Question

The initial plan for a federation of nine Gulf States³⁶⁰ failed for a number of reasons, most notably the conflicting interests of the states themselves, along with Saudi Arabia's refusal to take a position on supporting a federation of nine states until the disputed areas with Abu Dhabi had been resolved. Later, seven states would unify as the United Arab Emirates. In term of the Abu Dhabi-Saudi border dispute the British were concerned about the future of a federation of the emirates, and in April 1971, the Political Agent in Abu Dhabi, C. J. Treadwell, wrote to the Political Resident in Bahrain:

There is a little hope for a union of nine. One unknown factor is the attitude of Saudi Arabia towards a federation of seven states including Abu Dhabi. Saudi Arabia's claim against Abu Dhabi territory might cause [Saudi Arabia] to hesitate before agreeing to recognise any federation of seven.³⁶¹

Saudi Arabia's linking of dispute resolution to recognition of the UAE placed Shaikh Zayid in an extremely stressful position. In July 1971, the British Embassy in Jeddah suggested to the Foreign Office that "if it becomes clear that King Faisal will continue to oppose a Union until the boundary question is solved, it might be possible to persuade [Shaikh Zayid] that it would be worth making further territorial concessions."³⁶² By linking its support for a federation to the resolution of the disputed areas, Saudi Arabia simply complicated the question of the boundary. Ali Ahmed, head of the Gulf Affairs Center in Washington DC, has commented that by linking the settlement of territorial dispute to diplomatic recognition of the future new federation, King Faisal wanted to weaken Abu Dhabi's negotiating position by making the matter

³⁵⁹ Churchman, *Negotiation: Process, Tactics*, p.13.

³⁶⁰ The federation of nine was intended to consist of Qatar, Bahrain and the seven Emirates (Abu Dhabi, Ajman, Dubai, Fujairah, Ras al-Khaimah, Sharjah, and Umm al-Quwain). Ras al-Khaimah acceded formally to the new federation on 10 February 1972.

³⁶¹ C.J. Treadwell (Abu Dhabi), to G. G. Arthur, Bahrain Residency (Bahrain), 'Abu Dhabi/ Saudi Arabia,' 5 April 1971, FCO8/1614, in *Arabian Boundaries*, vol. 12, ed. Schofield, p. 312.

³⁶² A. A. Acland (Foreign Office) to W Morris (Jedda), 'Abu Dhabi/ Saudi Arabia,' 8 July 1971, FCO8/1615, in *Arabian Boundaries*, vol. 12, ed. Schofield, pp. 391-392.

into a heavy burden.³⁶³ In doing this, Saudi Arabia employed tactics of psychological warfare. According to Fisher and Ury, psychological warfare puts the threatened party under stress and thereby produces a subconscious desire to end the dispute by accepting the other party's demands.³⁶⁴

5.8 Abu Dhabi-Saudi Border Disputes in the Context of the US Twin Pillar Policy

As far as the Foreign Office was concerned, the future United Arab Emirates was obliged to establish good relations with Saudi Arabia and Iran in order to ensure its own survival. In June 1970, the British Foreign Office declared:

We fully recognise Saudi Arabia's interest in the political stability of the Gulf. We recognise that Saudi Arabia and Iran will be the natural guardians of that stability after our military withdrawal. Whatever success the Gulf Rulers may have in organising themselves, [they] cannot create a structure with much chance of surviving unless they get their relations with their two big neighbours right; and it is necessary that all three parties [the Emirate Rulers, the Saudis, and the Iranians] should agree among themselves. All this we say to the rulers, the Saudis and the Iranians, in the belief that this is also the best way of looking after our own considerable interests after 1971.³⁶⁵

Saudi Arabia's position was strengthened in terms of the American Twin Pillar policy, even though that policy remained problematic in terms of Abu Dhabi's future relations with both Iran and Saudi Arabia. Abu Dhabi had an outstanding territorial dispute with the Saudis, and at the same time, Sharjah and Ras al-Khaimah had territorial disputes with the Iranians over three islands in the Strait of Hormuz. Based on the analytical framework proposed in Chapter 4, it seemed likely in this regard that Abu Dhabi and Great Britain would form a coalition against Saudi Arabia during the negotiations. What actually happened was that Britain, the United States, Saudi Arabia, and Iran formed a coalition that was not sensitive either to Abu Dhabi's interests or to the future of the proposed federation. It was a coalition aimed at implementing America's Twin Pillar

³⁶³ Ali Ahmed, Interview, Washington DC, 10 November 2010.

³⁶⁴ Fisher and Ury, *Getting to Yes*, p. 140.

³⁶⁵ Foreign Office Minutes by A. A. Acland, 'Abu Dhabi/ Saudi Arabia, enclosing copy of despatch No 3/5 from W. Morris, Jeddah, to A. A. Acland, Foreign Office, "The Abu Dhabi Boundary Kamal Adham and the Way Ahead", FCO8/1337, 15 June 1970, London, TNA, in *Arabian Boundaries*, vol.11, ed. Schofield, p.367.

policy, which would depend on Saudi Arabia and Iran to provide Gulf security following Britain's military withdrawal from the region.³⁶⁶

In addition to Saudi and British pressure to accept King Faisal's proposals, Shaikh Zayid also faced pressure from Iran. For example, Iran's ambassador to Great Britain announced in London that Iran would not recognize or cooperate with a federation unless Iran was recognized as having sovereignty over the three islands claimed by Sharjah and Ras al-Khaimah. According to US government analysis of the Gulf region in August 1970:

We look to the littoral powers, primarily Iran and Saudi Arabia, to cooperate in the regulation of their own affairs, once the British are gone. While the Federation of Arab [emirates] is still struggling to be born, we see no realistic alternative to some sort of federation to assure stability in the lower Gulf. We have encouraged the UK to help the local states to resolve existing disputes over boundaries and concession rights before the end of 1971. Principal disputes are the Iranian claim to Abu Musa and the Tunbs and the Saudi/Abu Dhabi dispute over boundaries and the Buraimi oasis.³⁶⁷

This demonstrated that the American Twin Pillar policy depended on Saudi Arabia and Iran to provide security for the Gulf. Like Great Britain with the Abu Dhabi-Saudi border dispute, the US was similarly positioned, and in significant ways was subordinated to its Twin Pillar policy. Like the British, the Americans had accepted loss of territory by some emirates to Iran and Saudi Arabia. However, the Americans blamed the British for not pushing Shaikh Zayid hard enough towards a settlement and for not having played an effective mediation role in the early stages of negotiations. According to a State Department memorandum dated 27 September 1970:

The British have not been putting any serious pressure on [Shaikh Zayid] of Abu Dhabi to resolve his boundary dispute with the Saudis even though [King] Faisal for the last year has seemed unusually amenable to a settlement. The British do not believe this problem will prevent the formation of the proposed Trucial States Federation. We are not so confident; we doubt

³⁶⁶ For more details on this, see more details in chapter 6, Diplomatic relations with the UAE: Iran-Saudi Arabia, p.131.

³⁶⁷ United States Government Memorandum, from Brooks Wrampelmeier to Mr. Davies, "Situation in the Persian Gulf", 10 August, 1970, File No.A1-5666, National Archives, College Park, Maryland.

Faisal will recognize the federation so long as the boundary problem is unresolved.³⁶⁸

5.9 Saudi Negotiation Strategy and Tactics

From a close reading of the relevant documents in *Arabian Boundaries*, it is clear that in negotiating, the Saudis used a control strategy in which one party uses its power to dominate another negotiator.³⁶⁹ In theoretical terms, ‘control strategy’ is described from the winner’s perspective as opposed to ‘accommodation strategy’, which is described from the perspective of the loser.³⁷⁰ This section shows that the Saudis successfully applied a control strategy using contentious tactics, and this strategy, which was employed by Saudi Arabia throughout the negotiation process, appears to have been characterized by “dirty tricks”. As discussed in Chapter 4, dirty tricks include ‘take it or leave it’, refusal to negotiate, extreme demands, overt anger, harassment, fixed positional commitments, and threats (including threats of use of force).³⁷¹ Dirty tricks do not allow negotiations to proceed peacefully towards outcomes associated with mutual concessions.

The British archival records make it obvious that in implementing a control negotiation strategy the most significant and aggressive tactics used by the Saudis were ‘take it or leave it’ and refusal to negotiate over King Faisal’s proposal of May 1970. Jim Treadwell states: “any attempt to re-negotiate on the basis of Faisal’s Take it or leave it would be quite useless.”³⁷² The Saudis made Shaikh Zayid’s acceptance of King Faisal’s terms a precondition for negotiations to proceed. For example, in August 1970, months before the plan for a conference in Dammam was dropped, Ambassador Morris reported to the Foreign Office about a conversation he had had with King Faisal, in which the King confirmed that there was no point in continuing the negotiation process unless Shaikh Zayid accepted his proposal.³⁷³

³⁶⁸ United State Government Memorandum, from Richard, “*Meeting with Parsons Regarding Persian Gulf*,” 27 September, 1971, File No.A1-5666, National Archives, College Park, Maryland.

³⁶⁹ Rabie, *Conflict Resolution and Ethnicity*, p.71.

³⁷⁰ Saner, *The Expert Negotiator*, pp. 107-111. Also see Baguley, *Communication for Modern Business*, p. 68.

³⁷¹ Fisher and Ury, *Getting to Yes*, p.148.

³⁷² (Abu Dhabi), to (Bahrain), 23 November 1970, FCO/1615, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 477.

³⁷³ W. Morris (Jedda), to (Foreign Office), 23 August 1970, FCO8/1339, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 626.

King Faisal also warned that if Shaikh Zayid did not accept the Saudi offer, he would retract it and return to Saudi Arabia's 1949 claim to 80 percent of Abu Dhabi's territory, including the Al-Ain/Buraimi oasis region.³⁷⁴ Furthermore, he threatened to resolve the disputed areas with or without negotiations. In addition there are many reports that hint at the possible use of force by the Saudis if the disputed areas were not resolved on King Faisal's terms and prior to completion of the British withdrawal from the Gulf in late 1971.

Interestingly, not all the Saudi pressure on Shaikh Zayid came from King Faisal and the Saudi central government. Late in June 1970 the governor of Saudi Arabia's Eastern Province wrote to Shaikh Zayid, complaining that:

We have been informed by our patrols that patrols belonging to your government have entered Saudi territory on a number of occasions and have stationed themselves at water wells, which have been dug by ARAMCO. In particular there was a patrol in the early part of this month commanded by an English captain.³⁷⁵

The governor's letter represents the tactic of harassment, which involves actions designed to annoy the other negotiating party to gain compliance with demands.³⁷⁶ In response to that particular instance of harassment, Abu Dhabi denied the Saudi claim and apparently nothing further came of it; however, the incident illustrates Saudi efforts to keep direct pressure on Shaikh Zayid. By mentioning that a British officer was in command of an Abu Dhabi patrol, the Saudis also indirectly pressured the British.

An informant in Beirut also told the British that King Faisal had lost his temper with Shaikh Zayid for failing to accept his proposal.³⁷⁷ It is not known whether King Faisal's anger, as a contentious negotiation tactic, was real or pretended. Importantly, anger can signal a negotiator's unwillingness to move from a positional commitment,³⁷⁸ and suggests that from May 1970 onwards this might have been King Faisal's aim.

³⁷⁴ W. Morris (Jedda), to (Foreign Office), 23 August 1970, FCO8/1339, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p.626.

³⁷⁵ Letter C. E. Morgan (Abu Dhabi) to T. Brant (Foreign Office), 9 July 1970, FCO8/1338, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 496.

³⁷⁶ Pruitt and Carnevale, *Negotiation in Social Conflict*, p.32.

³⁷⁷ Mr. Jim Treadwell (Beirut) to (Foreign Office), 31 May 1970, FCO8/ 1334, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p.141.

³⁷⁸ Churchman, *Negotiation: Process, Tactics*, p. 10.

I could not find any statements or even a hint in the documents cited in *Arabian Boundaries* that the Saudi tactic of ‘take it or leave it’ and/or the Saudi refusal to negotiate over King Faisal’s proposal were in any way responsible for hindering progress on the negotiations. The Saudis insisted that Saudi sovereignty over the disputed areas claimed by King Faisal was non-negotiable. However, their contentious tactics produced mixed results. On the one hand, Shaikh Zayid met many of King Faisal’s demands,³⁷⁹ but resisted making territorial concessions on the basis of the Saudi offer of 4 May 1970. On the other hand, the desire not to upset King Faisal gave the British another reason to push for a quick settlement, regardless of possible negative outcomes for Shaikh Zayid.

Given Saudi Arabia’s strength in comparison with Abu Dhabi, and Britain’s belief that the dispute should be settled quickly as King Faisal wished, it is not surprising that the Saudis never dropped their control negotiation strategy or the contentious tactics that supported it. Due to Saudi Arabia’s power advantage, Shaikh Zayid did not have the necessary resources to punish Saudi Arabia effectively for its use of dirty tricks; nor did the British provide Abu Dhabi with those resources. Instead, they advised Shaikh Zayid to accommodate Faisal’s demands.

5.9.1 *Playing the Al-Ain/Buraimi Card*

Historically both Abu Dhabi and Saudi Arabia had attached great importance to AL-Ain/Buraimi region, as John Duke Anthony discussed in 1975:

For Zayid, Buraimi has always been a very special oasis...in the center of the emirate’s Eastern Province where, at Al-Ain, he spent most of his formative years prior to becoming Ruler. Until quite recently [Al-Ain/Buraimi] was also a major source, even though 90 miles away, of much of [Abu Dhabi’s] water supply. For Faisal equally, the dispute over Buraimi was of special significance. To him, it was an issue of pride and honor, a reminder of past Wahhabi glories, and more recently, of a humiliating defeat inflicted by Zayid and the British when the Trucial Oman Scouts drove Saudi forces from the area in 1955.³⁸⁰

On 15 May 1970, the British Foreign Office reviewed a report on the status of claims on Buraimi oasis made by Abu Dhabi and Saudi Arabia. The Foreign Office noted that

³⁷⁹ For more details on this, see section 5.10 Abu Dhabi-Negotiation Strategy and Tactics, p.120.

³⁸⁰ John Duke Anthony, *Arab States of the Lower Gulf: People, Politics, Petroleum* (Washington: The Middle East Institute, 1975), p.148.

Saudi Arabia had never dropped its claim to the Al-Ain/Buraimi oasis region. Furthermore, according to Foreign Office minutes, “[King Faisal] feels that his own personal honour and the prestige of Saudi Arabia are deeply involved and can only be satisfied by Abu Dhabi and the Sultanate's acceptance of the Saudi claim.”³⁸¹

Although the Foreign Office continued to receive reports of King Faisal’s extreme anger over the failure to settle the dispute, by August, Dr Rashad Pharon, a senior Saudi official, had told Morris that: “if [Shaikh Zayid] would accept the Saudi proposals for the southern and western boundaries as they stand, then he thought that [King Faisal] would accept this as a settlement of the ‘Buraimi problem’ and drop his claims to the oasis without referendum or ascertainment.”³⁸² In a subsequent telegram to the Foreign Office, Morris recommended that: “we should immediately use all our powers of persuasion to get [Shaikh Zayid] to tell us he would acquiesce in the deal proposed by Dr. Pharon.”³⁸³

In view of Saudi resentment at Britain's past history of humiliating Saudi Arabia and expelling Saudi forces from Buraimi in 1955, the offer which they were now making to drop their claim to Buraimi was clearly seen by them as a major concession. The move was also interpreted by the British as a significant concession. Thus, the British urged Shaikh Zayid to accept King Faisal's terms.

The view from Abu Dhabi and Oman, however, was different. The Ruler of Abu Dhabi and the Sultan of Oman had been jointly administering the Al-Ain/Buraimi oasis region since 1869, after they had expelled Saudi forces. Their sovereignty over the region was temporarily disrupted in 1952, when Saudi Arabia occupied Hamasa. In addition, the British had played an active role in discouraging Saudi claims during the second phase of the Anglo-Saudi negotiations (1949-55) until they were able to expel the Saudis from Buraimi. It could in fact be argued that, by playing the Al-Ain/Buraimi card through publicly maintaining a claim on the oasis during the 1970s and onwards, and informing the British of the possibility of dropping the claim, the Saudis were perhaps responding to the political reality of Abu Dhabi’s sovereignty over Al-Ain/Buraimi. As early as 3

³⁸¹ Foreign Office Minutes by A. A. Acland, ‘Abu Dhabi/Saudi Arabia,’ 15 May 1970, FCO8/1333, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 934.

³⁸² W. Morris, (Jedda), to (Foreign Office), 6 August 1970, FCO/1338, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 553.

³⁸³ W. Morris (Jedda), to (Foreign Office), 8 August 1970, FCO8/1338, TNA, London, in *Arabian Boundaries*, vol.11, ed. Schofield, p.554.

June 1970, C. J. Treadwell, Political Agent in Abu Dhabi, reported that: “the Saudis should be discouraged from thinking that the oasis might be negotiable. Political and strategic considerations aside, [Shaikh Zayid] would encounter the strong opposition of his family if he admitted that the Saudis had a right to be heard on this issue.”³⁸⁴ As is discussed below (in subsection 5.10.1) there were also “hawks” in Shaikh Zayid’s government who strongly opposed both major territorial concessions by Abu Dhabi, and disagreed with Britain’s advice to Shaikh Zayid about settling the dispute.³⁸⁵ In the UAE perspective, the Saudi offer to drop the Al-Ain/Buraimi claim was more a recognition of reality than a significant concession.

This study concludes that playing the Al-Ain/Buraimi card was a Saudi attempt to appear reasonable and legitimate. Playing the Al-Ain/Buraimi card could be interpreted as a negotiating tactic aimed at creating the impression that the Saudis were engaged in making mutual concessions in the negotiation process. As discussed in Chapter 4, compromise and concession, according to Cohen, are dishonourable in Arab culture unless compromise and concession are mutual. Thus, using the Al-Ain/Buraimi card in the negotiation process may have given an impression that the disputing parties were actually involved in a mutual process to resolve their dispute peacefully.

The House of Saud’s Views on the Disputed Lands³⁸⁶

Since the Saudis were offering only Al-Ain/Buraimi to Shaikh Zayid — which Shaikh Zayid and the Sultan of Muscat already possessed — while requiring the Shaikh to surrender Abu Dhabi’s territory in the south and west, it is useful to re-examine the position of the ruling family towards a territorial settlement.

Regarding Khor al-Udaid, it had been claimed by Saudi Arabia since 1935. The British had considered proposals to let Saudi Arabia have Khor al-Udaid in 1938, 1964, and again in the 1970s. On the basis of discussions on 6 October 1970 with Prince Nawwaf ibn Abdulaziz, King Faisal's special adviser for Gulf affairs from 1968 to 1975, Sir William Luce wrote to the Foreign Office:

³⁸⁴ Mr. Treadwell (Abu Dhabi), to (FCO), ‘Abu Dhabi/ Saudi Arabia,’ 3 June 1970, FCO8/1335, TNA, London, in *Arabian Boundaries*, vol.11, ed. Schofield, p.216.

³⁸⁵ “Hawks” in Shaikh Zayid’s government were firmly opposed to the idea that Buraimi belonged to Saudi Arabia and pushed Shaikh Zayid not to accept the Saudi argument.

³⁸⁶ Royal family’s views on the disputed areas.

Nawwaf emphasised that it was difficult to describe the pressures from within Saudi Arabia which King [Faisal] had resisted in putting forward his May proposals. It was absolutely essential that Saudi Arabia should have a 'base' on the Gulf, meaning in the [Khor al-Udaid] area; if the King was going to give up Buraimi [oasis] then he must have something substantial in return, to satisfy his people.³⁸⁷

By "his people," Nawwaf apparently meant the 'hawks' in King Faisal's government or within the royal family who opposed the negotiations over King Faisal's proposal of 1970. Kamal Adham, King Faisal's adviser, had also told Luce that Saudi Arabia needed a commercial outlet to the Gulf at Khor al-Udaid, and that the Saudis were interested in a military presence to enable them to intervene in a seriously deteriorating internal security situation.³⁸⁸ It is also important to point out the role of Aramco in this regard. Mike Ameen, an Aramco representative in Riyadh, informed the Saudis that the territories in the west of Abu Dhabi, namely Khor al-Udaid might be prospective oil-bearing areas.³⁸⁹

Regarding the area south of Liwa, it too had been claimed by Saudi Arabia from 1935 onwards and the Saudis had reaffirmed their claim in 1968 when Zararah oil was discovered. In July 1970, Edward F. Henderson, the British Political Agent in Doha, suggested that

A map should be prepared showing the population's characteristics and movement patterns [This] strikes us as interesting and possibly useful. It would provide a graphic illustration of the validity of the Abu Dhabi position and demonstrate that the underlying purpose of the Saudi claim is not sovereignty but (as we have all along suspected) oil.³⁹⁰

Henderson argued that the significance of the Saudi proposal of 1970 was that it excluded populated areas, and concluded that the Saudis simply wanted the oil south of Liwa.

³⁸⁷ W.H. Luce (Jedda) to (Foreign Office), 4 October 1970, 'Record of Conversation with HRH Prince Nawwaf and HE Sheikh Abdulrahman Al-Helaissi (Saudi Ambassador in London) after Luncheon on 6 October 1970', 6 October 1970, FCO8/1340, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p.711.

³⁸⁸ Douglas-Home (Foreign Office) to W. Morris (Jeddah), to *Abu Dhabi Boundary*, 13 October 1970, FCO8/1340, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 714. For more information and scholarly suggestions as to why Saudi Arabia wanted Khor al-Udaid in 1935, see Chapter 3, p. 55.

³⁸⁹ W. Morris (Jedda) to Foreign Office (A. A. Acland), *Abu Dhabi Boundary*, 23 March 1971, FCO8/1614, TNA, London, in *Arabian Boundaries*, vol.12, ed. Schofield, p. 285.

³⁹⁰ G.P. Wall, Bahrain Residency (Bahrain) to M. A. Holding (Foreign Office), 'Abu Dhabi/Saudi Arabia,' 10 July 1970, FCO8/1338, TNA, London, in *Arabian Boundaries*, vol.11, ed. Schofield, p.508.

5.10 Abu Dhabi's Negotiation Strategy and Tactics

During the negotiation process Shaikh Zayid, who wished to keep Abu Dhabi territory in the West and South, had no clear negotiating strategy, largely because he had depended on British mediation as a factor that would improve Abu Dhabi's position. Instead, the British pushed him to settle the dispute on King Faisal's terms with the result that he found himself almost exclusively on the defensive against Saudi "take it or leave it" tactic and British persuasion. Abu Dhabi was too weak to make effective use of any "tit-for-tat"³⁹¹ tactics to reward cooperative Saudi behaviour or punish competitive Saudi behaviour, and because he was discouraged by the British from making any counter-offers, Shaikh Zayid initially began to yield to Saudi demands.

Regarding the "tit-for-tat" strategy, Pruitt and Carnevale note that when one party to a dispute does not cooperate in negotiations, the other party is perceived as forceful. As a result, the first party may decide to choose collaboration over non-cooperation, with the possible risk that the second party might exploit the first party's collaboration, although it is felt that the second party is unlikely to try to take an advantage of the first party.³⁹² Unfortunately, this explanation overlooks the central role of power in the "tit-for-tat" strategic model, since for such a strategy to succeed, the party that employs it must have enough power to punish or reward the other party's actions.

In the context of the "tit-for-tat" model proposed by Pruitt and Carnevale, Shaikh Zayid could have expected cooperative behaviour from King Faisal. However, Saudi Arabia consistently exploited Abu Dhabi's collaborative behaviour and took advantage of Shaikh Zayid's positive response. For example, following King Faisal's May 1970 proposal, Shaikh Zayid gave the impression that he "would not reject the Saudi proposal out of hand."³⁹³ As noted previously, King Faisal requested Shaikh Zayid to stop drilling at Zararah, and on 18 May Shaikh Zayid sent a letter to King Faisal reporting that: "following my discussion with your Majesty on the 4th of May, I wish to inform your Majesty that there is now no drilling at [Zararah well] no. 1 and that I and my advisors are giving careful consideration to your Majesty's proposals."³⁹⁴ In this

³⁹¹ Pruitt and Carnevale, *Negotiation in Social Conflict*, p. 78.

³⁹² *Ibid.*, p. 73.

³⁹³ Mr. Treadwell (Abu Dhabi), to (Foreign Office), 16 May, 1970, FCO8/1332, TNA, London, in *Arabian Boundaries*, vol. 10, ed. Schofield, p. 904.

³⁹⁴ Wright (Foreign Office), to HH Shaikh Zaid bin Sultan Al Nahiyani, Ruler of Abu Dhabi, 18 May 1970, FCO8/1333, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 13.

context, Shaikh Zayid's actions were consistent with a negotiator who was eager to establish a cooperative negotiation process.

However, on 25 May, Ambassador Morris in Jeddah informed the Foreign Office that Aramco had sent two aerial photography missions to verify Shaikh Zayid's claim that drilling had indeed stopped at Zararah well no.1. This mission had verified Shaikh Zayid's claim, but had also brought back aerial photographs of rigs going up at Zararah well no.3. Aramco officials then "directed King Faisal to issue the policy of [sus]pending drilling in the whole [Zararah] area not only on well no. one."³⁹⁵ Thus, the Saudis responded to Shaikh Zayid's cooperative gestures by escalating demands for a halt to ADPC's activities in the whole area.

As defined by Pruitt and Carnevale, trust, as an "expectation that the other party will cooperate in the future"³⁹⁶ was missing right from the beginning of the negotiation process. The Saudis did not trust Shaikh Zayid's word about stopping drilling at Zararah well no.1 and relied on Aramco to verify that the Shaikh had told King Faisal the truth. After the Saudis shifted their focus from one oil well to all ADPC activity in the Zararah area, Shaikh Zayid had less reason to trust the Saudis as well. By September 1970 Mr. Coles, Political Agent at Dubai, was reporting to the Foreign Office that Shaikh Zayid believed "if [King Faisal] was given an inch he would want an ell^[397] and it was therefore better to begin by offering very little."³⁹⁸

Churchman states that negotiators who do not want a reputation for making negotiable offers will make small concessions, often at no cost to themselves.³⁹⁹ In this context, and according to Mana Saeed al-Otaiba, UAE Oil Minister, Shaikh Zayid's offer suggested that he did not trust the Saudis and had begun by making only small concessions, since he had not developed a dominant consensus within Abu Dhabi that favoured conceding substantial territory to the Saudis.⁴⁰⁰ In an attempt to block the opposing party's stated position, Shaikh Zayid had then tried another tactic, a counter-

³⁹⁵ Mr. W. Morris (Jedda), to (Foreign Office), 25 May 1970, FCO8/1333, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p.66.

³⁹⁶ Pruitt and Carnevale, *Negotiation in Social Conflict*, p.133.

³⁹⁷ An obsolete English unit of length, mainly for measuring cloth, of approximately 1.14.metres/45 inches

³⁹⁸ Mr. Coles (Dubai), to (Foreign Office), 8 September 1970, FCO8/1339, TNA, London, in *Arabian Boundaries*, vol.11, ed. Schofield, p. 653.

³⁹⁹ Churchman, *Negotiation: Process, Tactics, Theory*, p.18.

⁴⁰⁰ C. J. Treadwell (Abu Dhabi), to Bahrain Residency (Bahrain) 27 April 1971, FCO8/1614, TNA, London, in *Arabian Boundaries*, vol. 12, ed. Schofield, pp.337-338.

proposal for a meeting of representatives of both Abu Dhabi and Saudi Arabia at Dammam in 1970. Raymond Saner points out that a negotiation tactic “among the less experienced negotiators is the counter-proposal.”⁴⁰¹ Saudi Arabia wanted territory under Saudi terms; however, Abu Dhabi wanted to discuss Shaikh Zayid’s offers. As noted, the Saudis and the British would both identify Shaikh Zayid as a user of delaying tactics, which Churchman describes as based on the belief that delay can force opponents to consider their position.⁴⁰²

By April 1971, Shaikh Zayid had offered to concede access rights to Khor al- Udaid to the Saudis.⁴⁰³ Mana Saeed Otaiba told the Political Agent in Abu Dhabi that Shaikh Zayid had been eager to make the Saudis an offer but had not yet convinced all the other shaikhs in Abu Dhabi to agree to territorial concessions in either the west or the south.⁴⁰⁴ But on 28 October 1971, Sir William Luce wrote to I. S. Winchester in Jeddah to say that Shaikh Zayid had told him that: “the most he was prepared to offer the Saudis was an oil profit sharing zone, with joint sovereignty, and a strip of his southern border twenty kilometres wide at its widest point.”⁴⁰⁵ By this time, the British were aware that King Faisal had absolutely rejected any settlement involving shared revenues or joint sovereignty.

Regarding the issue of a neutral zone, a senior Saudi official explained that the Saudi experience of a neutral zone with Kuwait had created problems. When the Saudis rejected proposals that included joint sovereignty or the creation of a neutral zone, official analysis by the British supported the Saudi case. For example, creating a neutral zone was thought to be a problematic issue that concerned the rights of American and British oil companies with existing concessions, and the different perspectives of the British and the Saudis towards the definition of the south eastern frontier lines.⁴⁰⁶

⁴⁰¹ Raymond Saner, *The Expert Negotiator*, p.168.

⁴⁰² Churchman, *Negotiation: Process, Tactics, Theory*, p. 28.

⁴⁰³ R. D Hart, Bahrain Residency, (Bahrain) to Reeve, (Foreign Office), ‘Abu Dhabi Surveys,’ 27 April 1971, FCO8/1614, TNA, London, in *Arabian Boundaries*, vol. 12, ed. Schofield, pp.340-341.

⁴⁰⁴ C. J. Treadwell (Abu Dhabi), to Bahrain Residency (Bahrain) 27 April 1971, FCO8/1614, TNA, London, in *Arabian Boundaries*, vol. 12, ed. Schofield, pp.337-338.

⁴⁰⁵ W.H. Luce (Bahrain Residency), to L.S. Winchester (Jedda), ‘Abu Dhabi/Saudi Arabia’, 5 November 1971, Enclosing “Extract From Record of Conversation with the Ruler of Abu Dhabi on Thursday, 28 October 1971”, FCO8/1615, TNA, London, in *Arabian Boundaries*, vol. 12, ed. Schofield, p.467.

⁴⁰⁶ Foreign Office minutes by J.P Bannerman, 28 October 1970, J. M. Edes, 28 October 1970, A. A. Acland, 29 October 1970, A. Reeve, 2 November 1970, enclosing paper, “*Factors Affecting the Establishment of a Saudi-Abu Dubai Neutral Zone*”, 27 October 1970, FCO8/1340, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, pp. 743-751.

The Saudis had previously experienced problems of this kind in the administration of the neutral zone with Kuwait, and in November 1970, the Foreign Office had told the Bahrain Political Residency that: “the Saudis were not prepared for such problems to be raised again in the Abu Dhabi/Saudi Arabia context.”⁴⁰⁷ However, as a result of Saudi inflexibility the British now had to focus on Abu Dhabi’s approach to negotiating the dispute.

5.10.1 The Al-Bu Falah’s Views on the Disputed Lands

As a ruler Shaikh Zayid did not have complete freedom of action in dealing with the disputed areas, since the varying levels of influence among his ruling family affected the way he responded to King Faisal’s May 1970 offer. As early as 3 June 1970, C. J. Treadwell, Political Agent in Abu Dhabi, had informed the Foreign and Commonwealth Office that: “the general problem is not for [Shaikh Zayid] alone. His family’s wishes and public opinion may well be important factors guiding him. He is unlikely to make any concessions.”⁴⁰⁸ By “public opinion”, Treadwell apparently meant, “hawks” in the Abu Dhabi government or within the royal family itself. On 16 June 1970, Treadwell again reported on the “hawks” among Shaikh Zayid’s officials who questioned British advice to Shaikh Zayid and might try to persuade him to ignore it. He also confirmed that he had been told by the Ruler that “public opinion” in Abu Dhabi might not approve if large concessions were made to the Saudis.⁴⁰⁹

In early September 1970 Mr. Coles, the Political Agent in Dubai, informed the Foreign Office that if Shaikh Zayid gave Abu Dhabi territory to Saudi Arabia: “it would be regarded as a disgrace by his people and by his fellow Arabs in the Gulf. [Shaikh Zayid] said that King Faisal liked to speak very strongly on this subject but in his view was not really so uncompromising as he sounded.”⁴¹⁰ Treadwell’s view was that Shaikh Zayid was using his family’s refusal to co-operate as an excuse to delay the process of settling the dispute. On 23 November 1971, a week before British withdrawal from the Gulf, Treadwell sent a telegram to the Bahrain Political Residency:

⁴⁰⁷ (Foreign Office) to G. G Arthur, Bahrain Residency (Bahrain) ‘Abu Dhabi/ Saudi Arabia,’ 5 November 1970, FCO8/1340, TNA, London, in *Arabian Boundaries*, vol.11, ed. Schofield, p.759.

⁴⁰⁸Mr. Treadwell (Abu Dhabi), to (Foreign Office), ‘Abu Dhabi/ Saudi Arabia,’ 3 June 1970, FCO8/1335, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 217.

⁴⁰⁹Mr. Treadwell (Abu Dhabi), to (Foreign Office), 16 June1970, FCO8/1336, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 312.

⁴¹⁰ Mr. Coles (Dubai), to (Foreign Office), 8 September 1970, FCO8/1339, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p.653.

Shaikh Zayid has not made ‘no effort’, but his effort has not been serious. While our mediation has been part stalling and part serious, [Shaikh Zayid] has been playing for time all the way... I am content that Zayid should be left to go on stringing King Faisal along as he judges best on the clear understanding that he is now on his own but I am opposed to causing further damage to our interests by saying anything to King Faisal bluntly on the subject.⁴¹¹

Treadwell’s comments of November 1971 seem inconsistent. After all, it was Treadwell who had warned in June 1970 of “hawks” among Shaikh Zayid’s officials who opposed making substantial territorial concessions to the Saudis. Treadwell’s assessment of British mediation as “part stalling and part serious” also seems curious, since the British had been pushing for some kind of settlement to be based on Shaikh Zayid making substantial concessions almost from the time King Faisal made his offer in May 1970.

5.11 Britain’s Military Withdrawal from the Gulf on 1 December 1971

According to a Foreign Office minutes written on 23 April 1971, Ambassador Morris in Jeddah had told the Foreign Office that: “our difficulty has always been to persuade [Shaikh Zayid] to meet [King Faisal’s] demands in the south and west.”⁴¹² The Ambassador’s remark reflected a consensus that had developed among British officials by 1971 that Shaikh Zayid was the major obstacle to the settlement of the disputed areas. A few days before Britain’s scheduled withdrawal from the Gulf, the Foreign Office was informing Ambassador Morris in Jeddah that substantial British interests were at stake and that, if Britain failed to persuade Shaikh Zayid to meet King Faisal’s demands, Shaikh Zayid “can damage our interests in Saudi Arabia, which remain considerable, if [King Faisal] feels ignored or slighted.”⁴¹³

As British withdrawal from the Gulf approached, no settlement has been found to the disputed areas. In October 1971, the Foreign Office instructed Morris to tell King Faisal that the British had done their best toward resolving the disputed areas.⁴¹⁴ The unsettled boundary question had also put Shaikh Zayid in stressful position. After a meeting with

⁴¹¹ C. J. Treadwell (Abu Dhabi) to Bahrain Residency, (Bahrain) 23 November 1971, FCO8/1615, TNA, London, in *Arabian Boundaries*, vol. 12, ed. Schofield, p. 478.

⁴¹² Foreign Office Minutes by A Reeve, ‘Abu Dhabi /Saudi Arabia,’ 23 April 1971, FCO8/1614, TNA, London, in *Arabian Boundaries*, vol. 12, ed. Schofield, p.324.

⁴¹³ Douglas-Home (Foreign Office) to W. Morris (Jedda), 25 November 1971, FCO8/1615, TNA, London, in *Arabian Boundaries*, vol.12, ed. Schofield, p. 482.

⁴¹⁴ C. J. Treadwell (Abu Dhabi), to Bahrain Residency, (Bahrain) 23 November 1971, FCO8/1615, TNA, London, in *Arabian Boundaries*, vol. 12, ed. Schofield, p. 477.

British officials at Al Ain in April 1971, C. J. Treadwell reported that: “[Shaikh Zayid] was in an emotional state throughout and criticized HMG, though more in sorrow than anger, for giving notice of withdrawal of their protection when the difficult boundary question was still on his hands, also, as he put it, for failing to push the Saudis as well to make sacrifices.”⁴¹⁵ Shaikh Zayid knew that he would soon be completely on his own in dealing with the Saudis, and that mediation by a party other than the British was his only hope of offsetting Saudi power in order to convince King Faisal to offer more reasonable concessions than those proposed in May 1970.

5.12 Conclusion

This chapter concludes that the British mediation role in the Abu Dhabi-Saudi border dispute changed dramatically from 1970 to the latter part of 1971. In the early 1970s, official British policy declared Britain’s new role of “honest broker” or neutral mediator in dealing with the dispute. From the beginning, it was, in practice, an unlikely role for Britain to play since the British had substantial direct interests in the disputed areas, specifically in Zararah with respect to the activities of the ADPC. The involvement of British interests in the disputed areas restricted the role of the British to managing the dispute and carrying messages from Saudi Arabia to Abu Dhabi, which did not help to move the negotiation process forward.

The records for 1970-71 included in *Arabian Boundaries* make it clear that the Saudis expected the British to pressure Abu Dhabi into accepting Saudi Arabia’s terms, and that the British attempts to influence Shaikh Zayid to accept King Faisal’s proposals failed. It was a significant failure, since a high priority for Britain had been either a temporary settlement, or, if possible, any solution at all to the matter of disputed areas, prior to British withdrawal from the Gulf in late 1971. The reason underlying Britain’s reduced involvement in the dispute was due to its refusal to make any serious commitment to its obligations to Abu Dhabi under the Exclusive Agreement of 1892 that might damage its relations with either Abu Dhabi or Saudi Arabia.

Saudi Arabia entered negotiations with the fixed strategic goal, presented in King Faisal’s proposal of 1970, of obtaining recognition of claims to territory in the southern and western areas of Abu Dhabi. To implement that goal, the Saudi government used

⁴¹⁵ C. J. Treadwell (Abu Dhabi) to (Foreign Office), 29 April 1971, FCO8/1614, TNA, London, in *Arabian Boundaries*, vol. 12, ed. Schofield, p. 343.

control strategy, and employed inflexible positions and a range of negotiation tactics that fall into the ‘contentious tactics’ and “dirty tricks” categories discussed on page 85. The only concession beyond King Faisal’s May 1970 proposal was the dropping of the claim to the Al-Ain/Buraimi region. It can be concluded, however, that this can hardly be seen as a significant concession as the Saudi claim to Buraimi was itself weak. In practice, Saudi Arabia was using the Buraimi card to deceive the UAE into believing that both parties were engaged in mutual concessions. In the negotiation process, Saudi Arabia was clearly more powerful than either Abu Dhabi or the British.

In contrast, Shaikh Zayid’s position and Abu Dhabi’s negotiating strategy and tactics seem to have become somewhat confused due to the limited role of the British. By 1970-71, the British were attempting to persuade Shaikh Zayid to settle the dispute on King Faisal’s terms, with the result that Shaikh Zayid found himself on the defensive against Saudi Arabia’s control strategy and British persuasiveness. Realising that he could no longer rely on British support under the Exclusive Agreement of 1892 to offset Saudi power, Shaikh Zayid attempted instead to recruit regional Arab states, such as Kuwait and Bahrain, as mediators. However, since the British insisted on approving any third-party mediation arrangements, Shaikh Zayid’s attempts to offset Saudi power failed. As the British withdrawal date approached, it became apparent that a resolution of the disputed areas on Saudi terms was inevitable, and that after Britain’s withdrawal, Shaikh Zayid would be on his own against the much more powerful states of Iran and Saudi Arabia.

CHAPTER SIX

UAE Independence and Progress Towards A Settlement: From 2 December 1971 to the 1974 Treaty of Jeddah

6.1 Introduction

In the wake of Britain's military withdrawal from the Gulf, it adopted new role in the negotiations. This chapter examines how Britain's proclaimed role changed from that of an 'honest broker' to that of a 'disinterested party' in mediating the UAE-Saudi dispute, and how the latter role was challenged by Saudi Arabia and Iran, both of whom wanted Great Britain to use its power against Shaikh Zayid to reach an outcome favouring them. Although Britain continued actively to support the US Twin Pillar policy, through which Saudi Arabia and Iran would guarantee Gulf security, British involvement in the border issue effectively disappeared after 1971. In terms of the Twin Pillar policy, Shaikh Zayid faced British pressure to establish relations with Saudi Arabia and Iran. On 23 December 1972⁴¹⁶ Britain succeeded in pushing Shaikh Zayid to establish relations with Iran (albeit without addressing the islands issue). However, it failed in the case of Saudi Arabia since it was determined not to become involved in the boundary question or to take a position with either of the parties concerned.

This chapter also analyses the factors that strengthened Saudi Arabia's negotiating position, including its role as a 'disinterested party' (through disengagement in the disputed areas), the Twin Pillar policy, and its economic relations with Britain and the US. Saudi Arabia's close relations with Sharjah, Ras al-Khaimah, and Dubai also played a major role in moving the negotiation process in Saudi Arabia's favour. At the same time, other factors were contributing to the weakening of the UAE's negotiating position and to pushing Shaikh Zayid toward an agreement with the Saudis. The UAE's position was compromised not only by Britain's withdrawal from the Gulf and Iran's occupation of the islands belonging to Ras al-Khaimah and Sharjah, but also by a lack of solidarity among its fellow emirates, the lack of previous political experience, and a potential Saudi military threat against the Emirate of Abu Dhabi.

⁴¹⁶ *United Arab Emirates Mineral and Mining Sector Investment and Business Guide*, (US International Business, Washington DC, 30 March 2009), p.191.

This chapter also follows the development of the last phase of the negotiation process from 29 July to 21 August 1974. The British Archives records and American reports on this period are not comprehensive, and there are many gaps in the historical record.⁴¹⁷ I found difficulties in analysing the verbal agreement reached by the UAE and Saudi Arabia in July 1974 since there is no written record available. Further, based on statements made by Shaikh Zayid, Ahmed Suwaidi, the former UAE foreign Minister, and Mana Saeed al-Otaiba, former UAE oil minister, there is also significant circumstantial evidence that parts of the July 1974 verbal agreement did not appear in the provisions of the Treaty of Jeddah. This would explain why Emirati dissatisfaction with the Treaty of Jeddah began to be expressed immediately after the signing of the document.

Importantly, due to Britain's military withdrawal from the Gulf on 1 December 1971, the balance of power in the Gulf region changed considerably between 1971 and 1974. This had a noticeable impact on the negotiations between the UAE and Saudi Arabia, with the Saudis offering to drop their claim to Al-Ain/Buraimi region. This was portrayed as a major concession to Shaikh Zayid. On the other hand, if one accepts that the UAE did not consider Al-Ain/Buraimi region as a major concession, this would mean that the Saudis were unilaterally imposing the frontier lines on the UAE. It is argued that during the period 1971-74 there was no approach to negotiation that would have suggested any interest in a mutually integrative solution between the UAE and Saudi Arabia after Britain had withdrawn. Instead, the chapter shows that the Saudis used a skilful negotiation strategy aimed at controlling the negotiation process and giving Abu Dhabi no choice other than to accommodate Saudi Arabia's terms.⁴¹⁸ Thus, this study claims that the frontier line was unilaterally imposed on the UAE by the Saudis.

6.2 The Role of Great Britain

6.2.1 British Disengagement after Formation of the UAE

Shortly before the formation of the United Arab Emirates on 2 December 1971, Willie Morris, British Ambassador to Saudi Arabia, discussed the impact of the British

⁴¹⁷It is important to note that the British were not party to the final phase of the negotiation that led to the Treaty of Jeddah.

⁴¹⁸As explained in Chapter 4, accommodation and control strategies are not negotiation strategies if one accepts that negotiation is supposed to be a mutual process. The party that accommodates abandons his interests, and the party that controls satisfies his interests.

withdrawal on the UAE with King Faisal. Morris explained that Britain's treaty obligations to the emirates would end on 1 December. The Trucial Oman Scouts would be transferred to the UAE government, and a new treaty would provide "for consultation in case of need, but there would be no commitment to defend the union."⁴¹⁹ Shaikh Zayid, who would now become the head of the UAE, could count on the British for more advice, but the British would not provide military support to sustain the new federation of emirates.

Three days after the formation of the UAE, Morris told the Foreign Office: "we were responsible for Abu Dhabi's defence and foreign relations; we had not been in a position to act convincingly as a disinterested party. Now, we were really in a position to mediate."⁴²⁰ As discussed in Chapter 5, Great Britain had portrayed itself as an "honest broker" in order to protect its interests, as represented in the ADPC which was operating in the disputed areas. Foreign Office minutes from April 1972 state: "we had spent fifty years trying to solve the dispute without success. We now had no responsibility for it and we did not wish to do anything to encourage King Faisal in the view that we were still involved."⁴²¹ This position was also stated in a Foreign Office telegram from August 1972:

So far as Abu Dhabi/Saudi relations are concerned, having failed to persuade [Shaikh Zayid] to come to an agreement with the Saudis while we were still responsible for his foreign relations, we have no illusions that we can influence him to do so now. We naturally welcome any efforts which others are prepared to take and wish them better luck than we have had ourselves.⁴²²

This attitude can be found in the same sources: for example, as the British Ambassador in Kuwait wrote to the Foreign Office in February 1973: "we had tried for years and had not succeeded. We wondered whether Abu Dhabi's Arab friends might be better at persuading Shaikh [Zayid] than we had been."⁴²³ Yet only six days later, the British

⁴¹⁹ Undated note, W. Morris (Jedda) to (F.O) accompanying "Note by HM Ambassador Jedda of his conversation with King Faisal in Riyadh on 27 November 1971, FCO8/1616, TNA, London, in *Arabian Boundaries*, vol. 12, ed. Schofield, pp. 502-503.

⁴²⁰ W. Morris (Jedda), to (Foreign Office), 5 December 1971, FCO8/1616, TNA, London, in *Arabian Boundaries*, vol. 12, ed. Schofield, p. 498.

⁴²¹ Foreign Office Minutes by A.D Parsons, 'US Interests etc. in the Arabian Peninsula', 12 April 1972, FCO8/1806, TNA, London, in *Arabian Boundaries*, vol. 13, ed. Schofield, p.573.

⁴²² Douglas-Home (Foreign Office) to (Amman), 10 August 1972, FCO8/1813, TNA, London, in *Arabian Boundaries*, vol. 13, ed. Schofield, p. 499.

⁴²³ A. J. Wilton (Kuwait), to P.R.H. Wright, (Foreign Office), 'Saudi-Abu Dhabi Relations,' 21 February 1973, FCO8/1959, TNA, London, in *Arabian Boundaries*, vol. 14, ed. Schofield, p.318.

Ambassador in Jeddah informed the Foreign Office that: “we can expect the Saudis to see any Abu Dhabi initiative as stemming from us and our silence here might confirm them in their view.”⁴²⁴

In this context, British policy on the UAE-Saudi territorial dispute appears to have been to avoid responsibility while carefully managing Saudi perceptions of Britain’s role. In terms of mediation, the British government was not willing to continue as an actual mediator, preferring an Arab state to play this role. After Britain withdrew from the Gulf and from its attempt to play the role of “disinterested party” in the dispute, the British were very careful to avoid actions that might damage relations with either Saudi Arabia or the UAE.

6.2.2 *Anglo-Saudi Relations*

On 28 February 1972, Ambassador Morris had reported to the Foreign Office a conversation with Prince Fahd of Saudi Arabia: “our failure to arrange a settlement of the Abu Dhabi border problem remains the real bone in the throat of Anglo-Saudi relations.”⁴²⁵ By November 1972, the Foreign Office was acknowledging Saudi resentment of Britain’s historical role in the Anglo-Saudi territorial dispute, noting that: “our involvement in the boundary dispute was never strictly as a neutral go-between, but as a protecting power, responsible for the conduct of Abu Dhabi’s external affairs.”⁴²⁶

According to the Foreign Office, it should have been expected that the Saudis would blame the British when Shaikh Zayid refused to concede to King Faisal’s territorial demands before the British withdrawal. This bias was even more pronounced at the British Embassy in Jeddah, which in August 1972 had informed the Foreign Office that: “we think that we might however be able to do something indirectly to mitigate the consequential damage to Anglo-Saudi relations. To this end we would if possible like to avoid deepening the Saudi impression that we do not really care about the dispute.”⁴²⁷

⁴²⁴ Sir Alan Rothnie, British Ambassador in Jeddah 1972-1976, (Jedda), to (Foreign Office), 27 February 1973, FCO8/2129, TNA, London, in *Arabian Boundaries*, vol. 14, ed. Schofield, p. 338.

⁴²⁵ W. Morris (Jeddah), to (Foreign Office), 28 February 1972, FCO8/1909, TNA, London, in *Arabian Boundaries*, vol. 13, ed. Schofield, p.109.

⁴²⁶ A. D. Parsons (Foreign Office), to A. K. Rothnie (Jedda), ‘Saudi Arabia/ Abu Dhabi Relations,’ 30 November 1972, FCO8/1813, TNA, London, in *Arabian Boundaries*, vol. 13, ed. Schofield, p.557.

⁴²⁷ L. S. Winchester (Jedda), to P. R. H. Wright, (Foreign Office), ‘Abu Dhabi/ Iran/ Saudi Arabia,’ 13 August 1972, FCO8/1813, TNA, London, in *Arabian Boundaries*, vol. 13, ed. Schofield, p. 502.

6.3 Diplomatic Relations with the UAE: Saudi Arabia and Iran

On 1 December 1971, one day after the completion of the British withdrawal from the Gulf, the *Financial Times* reported that the survival of the future federation of the UAE would depend on the federation's establishment of relations with Iran and Saudi Arabia. According to the article: "it was thought that religious and traditionalist affinities would hold Saudi Arabia and Iran together as a natural alliance against President Nasser's Socialist revolutionary forces", since the Twin Pillar policy remained viable as long as the smaller Gulf States played a cooperative and subordinate role.⁴²⁸ It also correctly assessed the weaknesses of the new federation, following its formation on 2 December 1971 as an independent state; the UAE lacked the capacity to conduct an effective foreign policy.

Rangarajan argues that, as discussed in Chapter 4, "any nation dependent on another for financial assistance, political support or military hardware suffers a reduction in its [negotiating] power and capacity for independent action."⁴²⁹ After all, the British had handled Abu Dhabi's foreign policy since the Exclusive Agreement of 1892 and had vigorously defended Abu Dhabi's territorial claims from 1935 to 1955. Until the end of the 1970s, Abu Dhabi's national interests were subordinated to the Twin Pillar policy supported by Great Britain. Under those conditions, Shaikh Zayid was forced to establish diplomatic relations with both Saudi Arabia and Iran to ensure the survival of the UAE. Although the British urged Shaikh Zayid to establish diplomatic relations with Saudi Arabia and Iran as part of the Twin Pillar policy, Shaikh Zayid had problems of his own with Iran and Saudi Arabia over the disputed areas. In addition, Shaikh Zayid, as president of the UAE, had also to represent Sharjah and Ras al-Khaimah in territorial disputes with Iran over the occupied Islands in the Strait of Hormuz.

It is very important to note that Sharjah claimed sovereignty over the island of Abu Musa, while Ras al-Khaimah claimed the Greater and Lesser Tunb islands. Britain had begun extensive negotiations with Iran over Iranian claims on the three islands in March 1971, and Sir William Luce had arranged the division of Abu Musa into two zones, a southern zone to be administered by Sharjah and a northern zone to be administered by

⁴²⁸J. D. F. Johns, "Gulf on the Brink-of What? Tomorrow, the Federation of Arab Emirates Comes into Effect-With no Constitution, Capital, Ruler or Revenue", *Financial Times* (London), 1 December 1971.

⁴²⁹Rangarajan, *Limitation of Conflict*, p. 188.

Iran.⁴³⁰ As a result of his ceding the northern zone of Abu Musa, Shaikh Khalid al-Qasimi, the ruler of Sharjah, was assassinated.⁴³¹ The ruler of Ras al-Khaimah, by contrast, had refused to negotiate any deal with Iran with respect to the Greater Tunb and Lesser Tunb, with the result that Iran had landed troops on the two islands and seized them on 30 November 1971, one day before the Britain's military withdrawal from the Gulf, and two days before the formation of the UAE. Although Sharjah was a member of the UAE from its formation on 2 December 1971, Ras al-Khaimah did not join the federation until February 1972, in protest against the occupation of its islands.⁴³²

The situation was further complicated when Prince Sultan, the Saudi Defence Minister, declared that: "sooner or later, if things don't get sorted out, we might have to impose a Saudi solution; we know from the Iranian experience on the Islands that no one will do anything to stop us."⁴³³ Although the Saudis still refused to recognize the UAE, they did establish relations individually with Sharjah, Ras al-Khaimah, and Dubai. Since the federal government of the UAE had assumed responsibility for disputed areas involving member states, Shaikh Zayid had a formal duty to uphold the interests of Sharjah and Ras al-Khaimah.

The British attitude toward the islands is well summarized by this dispatch from the British Embassy in Tehran:

Concerning the restoration to Iran of the Tunbs and Abu Musa. Sir W Luce, the British Foreign Secretary's special envoy, came several times to Iran and held discussions with the appropriate Iranian authorities on this subject. *On the departure of the British Forces from the Persian Gulf, Iranian forces established themselves on the islands, which had been the subject of discussion on 30 November 1971*[emphasis added].⁴³⁴

In light of this report, British officials in Iran at the very least considered the islands as belonging to Iran. Just as the British had defended Abu Dhabi's territorial claims for much of the twentieth century and had moved to Saudi Arabia's side as the British

⁴³⁰ Ahmad Jalal Al-Tadmori, *The Three Arabian Islands, A Documentary Study* (Ras al-Khaimah: RAK National Printing Press, 2000), p. 206.

⁴³¹ Robin Bidwell, *Dictionary of Modern Arab History* (London & New York, Routledge, 1998), p.12.

⁴³² Al-Tadmori, *The Three Arabian Islands*, pp. 119-124.

⁴³³ Foreign Office minute by P.R.H Wright, "Saudi/Abu Dhabi relations", 18 January 1973, FCO8/1959,TNA, London, in *Arabian Boundaries*, vol. 14, ed. Schofield, p. 311.

⁴³⁴ N.W. Browne (Teheran), to B. Smith, (Foreign Office), 'Green Book,' 14 July 1972, FCO8/1809,TNA, London in *Arabian Boundaries*, vol. 13, ed. Schofield, p. 668.

withdrawal approached, they had upheld Sharjah's claim to Abu Musa and Ras al-Khaimah's claim to the Tunbs and then appeared to have shifted to supporting claims by Iran. This statement from the British Government of India, in Lorimer's *Gazetteer of the Persian Gulf, Oman, and Central Arabia (1915)* is worth considering:

The title of the Shaikh of Sharjah to the possession of the island [Abu Musa] was indubitable. Nevertheless it was feared that actual and prospective loss of trade, if not further-reaching political considerations, might tempt the Persian Government to some act of annexation; and the attention of the [British] Government of India was drawn in this connection not only to the island of [Abu] Musa but also to that of Tunb, of which the status was precisely similar.⁴³⁵

According to Anthony Cordesman, "Britain, which saw the shah as the principal future source of stability in the Gulf issues, was not prepared to make an issue of [the islands] and made an arrangement with Iran that allowed it to occupy the islands immediately after British departure."⁴³⁶

Shaikh Zayid had to proceed cautiously on the issue of establishing diplomatic relations with Iran. If he went ahead with full diplomatic relations, he risked alienating Sharjah, Ras al-Khaimah, and their allies within the UAE. At the same time, the Iranians were not pleased with Shaikh Zayid's slow pace with respect to UAE-Iran diplomatic relations. In August 1972, the Shah of Iran met King Hussein of Jordan who reported their conversation to the British ambassador in Amman. The Shah, said the king, had criticized Shaikh Zayid and threatened to withdraw recognition of the UAE⁴³⁷ if Shaikh Zayid did not establish diplomatic relations with Iran. Although King Hussein had advised moderation to both the Shah and Shaikh Zayid, he told the British "that only maximum pressure on [Zayid] by HMG could save the situation."⁴³⁸ General Omer Khammash, a political adviser to King Hussein of Jordan, also informed the British that: "the Shah had told him that [Iran] would withdraw recognition from the UAE in mid-

⁴³⁵J.G. Lorimer, "Attempted Annexation of the Islands of Bu Musa and Tunb by Persia," *Gazetteer of the Persian Gulf, Oman and Central Arabia*, Vol. 1 (Calcutta: Superintendent of Government Printing, 1915), p. 745.

⁴³⁶ Cordesman, *The Gulf and The Search for Strategic Stability*, p.419.

⁴³⁷ The Shah of Iran recognized the UAE after its independence on 2 December 1971. For more details about Iran's occupation of the Islands and its recognition of the UAE see Eric Andrew McCoy, *Iranians in Bahrain and the United Arab Emirates: Migration, Minorities and Identities in the Persian Gulf Arab States*, (Thesis, University of Arizona, 2008), p. 83.

⁴³⁸Balfour (Amman), to (Foreign Office), 10 August 1972, FCO8/1813, TNA, London, in *Arabian Boundaries*, vol. 13, ed. Schofield, p. 496.

September if no progress had been made by then on the question of [Zayid's] relations with Iran, and had made it clear that he regards the ball as being in HMG's court."⁴³⁹

These communications are significant since they show that the Iranians expected Britain to use its power to persuade Shaikh Zayid to establish diplomatic relations with Iran. Although the British informed Prince Fahd of Saudi Arabia in January 1973 of the enormous difficulty in persuading Shaikh Zayid, Zayid did eventually establish full diplomatic relations with Iran because Iran threatened to withdraw recognition of the UAE.⁴⁴⁰ Sharjah and Ras al-Khaimah were not pleased at all, since by that time, Iran had held the islands in the Strait of Hormuz for over two years.

On 23 August 1973, Kamal Adham, King Faisal's consultant and Saudi security chief, travelled to Kuwait for the purpose of reaffirming Saudi-Kuwait relations against Arab radical movements and their mutual cooperation against the dangers of Communism in the Gulf. At the meeting, Stoltzfus, the American Ambassador in Kuwait discussed security issues in the Gulf, specifically the Dhofari rebels in Southern of Oman with Kamal Adham and Shaikh Al-Sabah, president of Kuwait. Consistent with the focus on Communism that grew with American influence in the Gulf, Stoltzfus characterized the insurgency in Dhofar as an ideological threat to the national interests of the U.S. Ambassador Stoltzfus strongly urged Adham to inform King Faisal that he should reconsider establishing diplomatic relations with the UAE since, in the context of Gulf security it was felt that the UAE might be drawn into the communist orbit. According to his report to the U.S about the meeting, "UAE held lack of Saudi-UAE relations was serious gap [in the Gulf]...Presence of strong Saudi Ambassador in Abu Dhabi could also have profound effect on Zayid's thinking, and I said I believed existence Saudi-UAE diplomatic relation would enhance rather than weaken prospects for border settlement between two."⁴⁴¹ However, it should be pointed out that King Faisal had

⁴³⁹Foreign Office Minute by P. R. H. Wright, 'General Khammash', 22 August 1972, FCO8/1813,TNA, London, in *Arabian Boundaries*, vol.13, ed. Schofield, p.512.

⁴⁴⁰McCarthy, British Ambassador in the UAE (Abu Dhabi) to Douglas-Home (Foreign Office), 22 January 1973, 'Record of Meeting between Foreign and Commonwealth Secretary and His Royal Highness Prince Fahd bin Abdul Aziz at the Foreign Office', 25 January 1973, FCO8/1959, TNA, London, in *Arabian Boundaries*, vol. 14, ed. Schofield, p.316.

⁴⁴¹ William Alfred Stoltzfus, US Ambassador in Kuwait, (Kuwait) to Secretary of State (Washington) *Saudi- Kuwait and Saudi-UAE Relations*, 23 August 1973, 1973KUWAIT03059, Available at: www.wikileaks.org/plusd/cables/1973KUWAIT03059_b.html. (Accessed 14 June 2013).

been adamant since 1971 that the Saudi Arabia would not recognise the union of the Emirates until the border dispute had first been settled.⁴⁴²

6.4 Saudi Negotiation Strategy and Tactics

6.4.1 *Continuation of Control Strategy and Contentious Tactics*

Britain's withdrawal from the Gulf and the formation of the UAE did nothing to change the Saudis' negotiation strategy of control implemented through contentious tactics. Ali Ahmed of the Gulf Center in Washington DC, argued that as early as 1968, when the British announced their 1971 withdrawal, King Faisal had accurately assessed Shaikh Zayid's vulnerable position without British protection. As a result, King Faisal did not change his negotiating position and had further burdened Shaikh Zayid by threatening to withhold recognition of a federation of emirates.⁴⁴³

Saudi Arabia had continued to threaten the UAE that it would revert to its original claim of 80 percent of Abu Dhabi's territory, including the Al-Ain/Buraimi oasis, if Shaikh Zayid did not accept the Saudi terms. For example, on 9 December 1971, Ambassador Morris in Jeddah informed the Foreign Office that, "if [Zayid] now accepted King Faisal's offer, well and good, if not [Faisal] would revert to his original claim [1949]."⁴⁴⁴ On 27 February 1972 Morris reported that a Saudi official had told him that King Faisal had made a generous offer to Shaikh Zayid, despite the opposition of his family to such great concessions. The King was not going to bargain about them and if they were not accepted, Saudi Arabia would return to its 1949 claims.⁴⁴⁵

This message indicates that apart from dropping their claim on Al-Ain/Buraimi, the Saudis were not willing to make any further concessions. Their refusal to negotiate put Shaikh Zayid in a difficult position. From the UAE perspective, Saudi Arabia's willingness to drop its Al-Ain/Buraimi oasis claim was not the "generous offer" the Saudis portrayed it to be. As discussed in Chapters 2 and 3, Abu Dhabi and Oman had administered Al-Ain/Buraimi oasis jointly since 1871, and the Saudis had not had effective occupation of Al-Ain/Buraimi region since that date (with the exception of

⁴⁴² W. Morris (Jedda) to Foreign Office, 'Abu Dhabi (Suwaidi) Visit to Saudi Arabia After the Formation', 14 December 1971, FCO8/1616, TNA, London, in *Arabian Boundaries*, vol. 12, ed. Schofield, p.520.

⁴⁴³ Ali Ahmed, Interview, Washington DC, 10 November 2010.

⁴⁴⁴ Morris (Jedda), to (Foreign Office), 9 December 1971, FCO8/1616, TNA, London, in *Arabian Boundaries*, vol. 12, ed. Schofield, p. 510.

⁴⁴⁵ W. Morris (Jedda), to A. A Acland (Foreign Office), 'Saudi/Arab Dhabi boundary,' 27 February 1972, FCO8/1813, TNA, London, in *Arabian Boundaries*, vol. 13, ed. Schofield, p. 482.

their temporary occupation of Hamasa in 1952). In order to control the negotiation process, King Faisal repeatedly claimed that his own constituents (i.e., the royal family within the government) were not satisfied with the way he was dealing with the situation. For example, at the end of August 1972, the British Embassy in Jeddah reported to the Foreign Office the comment by Dr Adnan Pharaon that “No-one should take it for granted that King Faisal would forever be willing or able to maintain his present patient and peaceful policy. Some of the younger princes around him were beginning to argue that the dispute might have to be settled by force.”⁴⁴⁶

The Saudis also continued to pressure Shaikh Zayid on other matters. For example, in December 1973, the same month that Shaikh Zayid met Shaikh Khalifa Al-Thani to discuss the UAE-Saudi territorial dispute; the Saudis were making it extremely difficult for Emiratis to obtain visas to make the pilgrimage to Mecca, restrictions that were not applied to citizens of Oman, Bahrain, Qatar, or Kuwait. The Saudi policy toward Emiratis wishing to make the Hajj placed Shaikh Zayid “in an embarrassing position.”⁴⁴⁷ Shaikh Khalifa then appealed to King Faisal on Shaikh Zayid’s behalf, and the Saudis agreed to relax visa restrictions on Emiratis, but only during the Hajj period.

From the British withdrawal from the Gulf in late 1971 to the Treaty of Jeddah in August 1974, circumstances came together to strengthen Saudi Arabia’s negotiating position. In addition to its status as the most powerful nation in the Gulf, the official British withdrawal, the Twin Pillar policy, and the UAE’s vulnerability as a newly-formed federation gave the Saudis all the advantages and absolutely no incentives to move away from the positional commitments they had established in 1970. King Faisal’s ability to influence domestic affairs within individual emirates of the UAE was another reminder to Shaikh Zayid of the weakness of his own negotiating position.

6.4.2 Saudi Attempts at Influence on Ras al-Khaimah, Sharjah and Dubai

In addition to Saudi Arabia’s continuing position that it would not recognize the UAE until the disputed areas issue was resolved, the Saudis interfered in the UAE’s domestic affairs in ways that could destabilize it and threaten its survival. Wright indicated that “[Shaikh Zayid] may have under-estimated Saudi potentialities for causing trouble in

⁴⁴⁶Sir Alan Rothnie, British Ambassador 1972-1976 (Jedda), to (Foreign Office), 31 August 1972, FCO8/1910-1911, TNA, London, in *Arabian Boundaries*, vol. 13, ed. Schofield, p. 711.

⁴⁴⁷E. F. Henderson (Doha), to A.D. Harris (Foreign Office), ‘Zaid/Khalifah Meeting’, 18 December 1973, FCO8/2129, TNA, London, in *Arabian Boundaries*, vol.14, ed. Schofield, p. 387.

the UAE”,⁴⁴⁸ an assessment that was especially true with respect to Ras al-Khaimah, a poor emirate whose leader must have been extremely unhappy with Shaikh Zayid’s decision to establish diplomatic relations with Iran. In the case of Ras al-Khaimah, despite the fact that Shaikh Zayid had not settled the disputed areas with King Faisal, Saudi Arabia went ahead with aid, including the provision of training and advisers for Ras Al-Khaimah’s police and security forces.⁴⁴⁹ After the Foreign Office had questioned the Saudi Ambassador to Great Britain about Saudi influence in Ras al-Khaimah, their report mentioned that the Saudi Ambassador “was quite categoric in saying that the Saudi Government were supporting Shaikh Saqr [ruler of Ras al-Khaimah] and would continue to do so. The risk that this could lead to the break-up of the Union does not appear to worry them at all.”⁴⁵⁰

The Saudis had also established relations with Sharjah and Dubai. For example, according to Hesam al-Ulama, the Saudi government did not attempt to establish relations with the new federal government of UAE, preferring to maintain its relations with each emirate individually in order to undermine Abu Dhabi. He also explained that Saudi Arabia had longstanding ties with Sharjah, Ras al-Khaimah, and Dubai, characterized by trade, the employment of Saudi judges in the three emirates, and a common involvement in the Saudi centres for Islamic Call and Guidance. Al-Ulama believes that the Saudi tactic of interference in the UAE’s domestic affairs might well have been designed to push Shaikh Zayid into accepting King Faisal’s proposals.⁴⁵¹ Overall, Shaikh Zayid certainly risked the survival of both the UAE and his own leadership. Interference in the affairs of three members of the UAE would put tremendous pressure on Abu Dhabi to accept King Faisal’s proposal. This study proposes a discussion of interference in an opposing party’s internal affairs as amounting to contentious tactics, which must be included in “dirty tricks”.

6.4.3 Saudi Pressure on the British

Interestingly, after the British had withdrawn from the Gulf and declared their new “disinterested party” role, the Saudis continued to press Britain to stay on the Saudi side

⁴⁴⁸ Foreign office minute by P. R. H Wright, “Saudi/UAE relations”, 23 May 1973, FCO8/2129, TNA, London, in *Arabian Boundaries*, vol. 14, ed. Schofield, p.360.

⁴⁴⁹ Minute by J. Q. Greenstock. ‘Ras al-Khaimah/Saudi Arabia’, 17 April 1973, FCO8/2129,TNA, London, in *Arabian Boundaries*, vol. 14, ed. Schofield, pp. 346- 347.

⁴⁵⁰ Foreign Office Minute by P. R. H. Wright, ‘Saudi /UAE relations’, 23 May 1973, FCO8/2129, TNA, London, in *Arabian Boundaries*, vol. 14, ed. Schofield, p.357.

⁴⁵¹ Dr Hesam M. al-Ulama, Interview, Washington DC, 16 November 2010

of the dispute. Fisher and Ury define pressure as one side's structuring of negotiations so that the other side can do nothing except make concessions.⁴⁵² The Saudi National Guard contract is an excellent example. The British had a contract with the Saudis to provide training and equipment to the Saudi National Guard through a British mission in Saudi Arabia. In spring 1972, Saudi Arabia cancelled the arrangement relating to military equipment with the British. In explaining this development, Kamal Adham told a British official: "you (HMG) mess us about over the Abu Dhabi border, so we mess you about over the N.G. contract...this was to show you that you could not have it all your own way."⁴⁵³ From Jeddah, Ambassador Morris wrote that:

The effect has been a breach of confidence in communicating to American firms without consulting us a secret document which was our joint property; gross discourtesy in attempting to cancel from us the nature of their unfriendly act until they were forced to admit it; and great deal of consequent trouble and expense... The Saudi Government's action merits some riposte. An appropriate and not excessive one would be the withdrawal of the National Guard Mission. The Consequences of this riposte would however be much more harmful to us than to the Saudis. They could replace the Mission with an American one; we would lose whatever benefits in contracts and good will the Mission brings; we would lose any part of the National Guard re-equipment programme that otherwise might still come our way.⁴⁵⁴

Three days later, Ambassador Morris sent the Foreign Office a further assessment:

I think we should do nothing at all for the time being about the National Guard Mission, certainly nothing to suggest that we are seriously contemplating its removal. Two possibilities are:

- (a) The prospect that Prince Abdulla will pursue his stated intention to use the Mission as overseers of the American programme: i.e., as a stick to beat the Americans with.
- (b) That without asking for its withdrawal, the Saudis will "freeze" the Mission out as happened to us in 1951 when the US agreed to provide a mission for the Saudi Army.⁴⁵⁵

⁴⁵² Fisher and Ury, *Getting to Yes*, pp.143-44.

⁴⁵³ Foreign Office Minute by H.R. Leach, 'Kamal Adham and the National Guard', 5 March 1972 FCO8/1910-1911, TNA, London, in *Arabian Boundaries*, ed. Schofield, vol. 13, p. 674.

⁴⁵⁴ W. Morris (Jedda), to A.D. Parsons (Foreign Office), 'National Guard and Anglo-Saudi Relations', 5 March 1972, FCO8/1910-1911, TNA, London, in *Arabian Boundaries*, vol. 13, ed. Schofield, p.683.

⁴⁵⁵ *Ibid.*, p. 685.

Despite the fact that the Saudis had turned exclusively to the Americans for support for the Saudi army since 1951, the National Guard and Air Force contracts had been awarded to the British. However, in April 1972, a Saudi official said that the policy had been reconsidered because the British had failed to convince Shaikh Zayid to accept King Faisal's terms of May 1970. According to a British report, the Saudi official had said: "the Saudis thought that the economic [card] was the only card they had to play against us if we did not satisfy them on our Gulf policy."⁴⁵⁶ In September 1972, the Foreign Office reported that:

Omar Saqqaf [Saudi Minister of State for Foreign Affairs] called on Lord Carrington this morning. He said that the main aim of his visit was to improve relations between HMG and Saudi Arabia. In his view steps were required (a) HMG should press Shaikh [Zayid] to solve this dispute with Saudi Arabia so that the Saudis could support the United Arab Emirates (b) A solution must be found to the problems of the Saudi Air Defence scheme.⁴⁵⁷

In fact, the Saudis had already cut British contracts with the Saudi National Guard, and six months later the Saudis were still pressuring the British with threats to cut the contract for the Saudi Air Defence system as well. This message strongly suggests that the Saudis had linked the resolving of the disputed areas to the continuation of Britain's Air Defence contracts with Saudi Arabia. What may be more significant is that in late 1972, and despite the official British withdrawal from the Gulf, the Saudis still believed that Britain could control Shaikh Zayid's approach in the resolution of the UAE-Saudi territorial dispute.

6.5 UAE Negotiations Strategy and Tactics

6.5.1 Shaikh Zayid's Leniency on the Question of Khor al-Udaid

In 1973 Shaikh Zayid sent a delegation to Dammam in Saudi Arabia with the aim of smoothing things over by stressing common interests and finding a formula that would lead to the establishing of diplomatic relations between the UAE and Saudi Arabia. Under the circumstances, he had little choice but somehow to settle Abu Dhabi's

⁴⁵⁶ I. S. Winchester (Jedda), to R. McGregor (Foreign Office), 'Saudi Arms' Purchases and Gulf Policy', 22 April 1972, Enclosing 'Extract from a Record of Conversation between HM Ambassador and Sayed Abdurrahman Mansuri, Legal Adviser to the Saudi Foreign Ministry, 17 April 1972, FCO8/1910-1911, TNA, London, in *Arabian Boundaries*, vol. 13, ed. Schofield, p. 697.

⁴⁵⁷ Douglas-Home (Foreign Office) to (Jedda), 'Saudi Minister of State Visit' 29 September 1972, FCO8/1910-1911, TNA, London, in *Arabian Boundaries*, vol. 13, ed. Schofield, p. 712.

disputed areas with Saudi Arabia. Shaikh Zayid contacted King Faisal to arrange a meeting between the oil ministers of the UAE and Saudi Arabia in Dammam at the end of April 1973, and informed the King that he wished to settle the dispute and establish relations with Saudi Arabia. On 29 April 1973, Mana Saeed Al-Otaiba headed a UAE delegation that arrived in Dammam to discuss the boundary question with the Saudi oil minister, Zaki Yamani, who represented the Saudi delegation. The talks apparently lasted for three hours,⁴⁵⁸ however, an American Embassy official reported that the results of the talks were not known, and that furthermore, “No other Jidda Newspapers reported the talks, nor has embassy heard from other sources any results.”⁴⁵⁹ In fact, the UAE-Saudi talks in Dammam had broken down, and Foreign Office officials concluded that “[Shaikh Zayid] has no fresh proposals to offer and does not intend in the foreseeable future to table any.”⁴⁶⁰

In May 1973 Prince Fahd conveyed a message to the British Prime Minister and the Foreign Office that: “the Saudi Government had been more than disappointed at the negative attitude adopted by the Abu Dhabi delegation at the recent meetings in Dammam.”⁴⁶¹ A few days later, Lord Denman reported that: “Prince Fahd specifically asked me to tell you and the Prime Minister of his own Government’s disappointment at this turn of events and to ask you to use your influence with Shaikh [Zayid] to achieve a settlement.”⁴⁶²

It is clear that as late as May 1973 the Saudis still expected Britain to wield influence on Saudi Arabia’s behalf. The reports are also interesting because they indicate that the Saudis expected Shaikh Zayid to accept their positional commitment to the Saudi terms established in 1970 without any further Saudi negotiations.

Under the circumstances, King Faisal’s remarks about Shaikh Zayid’s failure to respond to the May 1970 proposal could reasonably be interpreted as just one more facet of the

⁴⁵⁸ Nicholas G. Thacher, Embassy Jidda (Jeddah) to Secretary of State (Washington) *Saudi-Abu Dhabi Talks* 29, April 1973, 1973JIDDA01751, available at:

www.wikileaks.org/plusd/cables/1973JIDDA01751_b.html. (Accessed 14 June 2013)

⁴⁵⁹ Nicholas G. Thacher, Embassy Jidda, (Jeddah) to Secretary of state, (Washington) *Saudi-Abu Dhabi Talks*, 30 April 1970, 973JIDDA01770, Available at:

www.wikileaks.org/plusd/cables/1973JIDDA01770-b.html. (Accessed 25 June, 2013)

⁴⁶⁰ Foreign Office Minutes by P. R. H. Wright, ‘Saudi/UAE,’ 23, May 1973, FCO8/2129, TNA, London, in *Arabian Boundaries*, vol.14, ed. Schofield, p. 360.

⁴⁶¹ Rothnie (Jedda), to (Foreign Office), 13 May 1973, FCO8/2129, TNA, London, in *Arabian Boundaries*, vol. 14, ed. Schofield, p. 354.

⁴⁶² *Ibid.*, p. 354.

Saudi control negotiation strategy implemented by contentious tactics. In addition, King Faisal's accusation that Shaikh Zayid had not responded effectively to King Faisal's proposal is also interesting. According to Churchman:

Silence can emphasize a point, give opponents time to absorb a point or reflect on it, or regain the attention of distracted listeners. People are uncomfortable with silence. Failing to respond when expected may lead them to keep talking. Even if opponents do not take the bait, silence can be used to think about what they have said...they must make clear nothing new will be said till they get a response to their own statement.⁴⁶³

Bearing in mind Churchman's remarks, Shaikh Zayid's plan of not responding to Saudi demands may have been a tactic aimed at continuing negotiations or emphasising his own previous counter-proposals, rather than an attempt to avoid negotiations. Perhaps, for example, Shaikh Zayid had been trying to get the Saudis to reconsider his previous proposals of sharing sovereignty over Khor al-Udaid or sharing oil revenues from the Zararah/Shaybah oil field.⁴⁶⁴

After the breakdown in the Dammam talks, Shaikh Khalifa Al-Thani, Ruler of Qatar, agreed in December 1973 to act as an intermediary between Saudi Arabia and the UAE, and during that month extensive discussions took place with Shaikh Zayid about King Faisal's proposal (concerning Khor al-Udaid and Zararah). Shaikh Khalifa noted that: "the Saudis would not relent on the question of oil fields in the [Zararah] area or any others to the south."⁴⁶⁵ He also informed Shaikh Zayid that King Faisal's "take it or leave it" negotiating tactic was still in place and that if Shaikh Zayid wanted Saudi recognition of the UAE, he would have to agree to the concessions that had been demanded by King Faisal in May 1970. The Qatari Ruler played a substantial role in convincing Shaikh Zayid to cede the area west of Sabkhat al-Mattai that included Khor al-Udaid.⁴⁶⁶

It should be remembered that Qatar has common boundaries with both the UAE and Saudi Arabia around Khor al-Udaid. As discussed in Chapter 3, the Qatari-Saudi agreement of 1965 gave the Saudis the right to control Khor al-Udaid, meaning that the UAE had to realise that the Qatari-Saudi agreement of 1965 had formalised the existing

⁴⁶³ Churchman, *Negotiation: Process, Tactics, Theory*, p.49.

⁴⁶⁴ See Chapter 5, Shaikh Zayid 's Negotiations Strategy and Tactics, p.120.

⁴⁶⁵ E. F. Henderson (Doha), to A.D. Harris, (Foreign Office), 'Zaid/Khalifah Meeting', 18 December 1973, FCO8/2129,TNA, London, in *Arabian Boundaries*, vol. 14, ed. Schofield, p. 387.

⁴⁶⁶ *Ibid.*, p. 387.

Saudi control over Khor al-Udaid. It is also important to recall that the UAE had not exercised sovereignty over Khor al-Udaid after 1965, its latest attempt to do so having been in 1958.⁴⁶⁷ In fact the refusal of the UAE and Britain to recognise the 1965 agreement did not change the reality that Saudi Arabia had obtained Khor al-Udaid under that agreement.⁴⁶⁸ The British Archive records do not provide a detailed account of Qatar's mediation but it may be concluded, based on various circumstances, that following Shaikh Khalifa's mediation, Shaikh Zayid decided to cede Khor al-Udaid in 1973, possibly as a result of Qatar's efforts. Arguably, Shaikh Zayid's ceding of territory west of Sabkhat al-Mattai, confirmed Saudi Arabia's rights under the Qatari-Saudi agreement of 1965.

After the failed talks at Dammam, both the Saudis and the British continued by and large to portray Shaikh Zayid as an obstacle to a resolution of the dispute, which in turn continued to be a biased assessment because Shaikh Zayid had offered a significant concession to the Saudis in the west of Abu Dhabi. A more objective assessment would be that Shaikh Zayid had attempted a compromise strategy and had suggested a mediation tactic to move the negotiations towards a mutual resolution of the dispute. This is the kind of situation the literature of negotiation usually describes as producing mutual problem-solving and "win-win" negotiated outcomes⁴⁶⁹ However, the Saudis refused to compromise, instead turning to the British to pressure Shaikh Zayid into agreeing to King Faisal's terms.

6.6 Progress of Negotiations Leading to the Treaty of Jeddah of 1974

6.6.1 *The Meeting of the Organisation of the Islamic Conference at Lahore, 1974*

At Shaikh Zayid's request, Sultan Qaboos agreed to speak to King Faisal during a meeting of the Organisation of the Islamic Conference⁴⁷⁰ at Lahore, Pakistan in late February 1974; Qaboos duly tried to persuade King Faisal to arrange for an exchange of

⁴⁶⁷ See chapter 3, The Context of Anglo-Saudi Territorial Negotiations 1960-1970, pp.68-71.

⁴⁶⁸ Richard N. Schofield, *The Crystallisation of a Complex Territorial Dispute*, p. 42.

⁴⁶⁹ Pruitt and Carnevale, *Negotiation in Social Conflict*, p.36.

⁴⁶⁹Fisher and Ury, *Getting to Yes*, p.43.

⁴⁷⁰ Known from its establishment in 1969 as the Organisation of the Islamic Conference (OIC), its Council of Foreign Ministers changed the name to the Organisation of Islamic Cooperation (retaining the acronym OIC) during their 38th meeting on 28 June 2011.

ambassadors between Saudi Arabia and the UAE.⁴⁷¹ In April 1974, the Foreign Office received a report that King Faisal and Shaikh Zayid had signed a “protocol” in which King Faisal agreed to drop Al-Ain/Buraimi and recognise the UAE in exchange for a vaguely defined section of territory in the south of Abu Dhabi and a corridor to the Gulf near Qatar. What was described as a “protocol” had allegedly been signed, whereby King Faisal agreed to recognise the UAE and give up his claim to Buraimi Oasis region in return for:

- (a) A triangle of Abu Dhabi territory having for one side the 1955 frontier
- (b) A corridor through Abu Dhabi territory to the sea in the vicinity of the base of the Qatar peninsula.⁴⁷²

Of particular significance here was that in 1974, the British and the Americans depended exclusively on second-hand information and that, as a result, information reported about the outcome of the Treaty of Jeddah was inaccurate. For example, Foreign Office officials were unaware of any current Abu Dhabi-Saudi talks. A Foreign Office minute concluded: “we know that the question of the frontier was raised between King Faisal and Shaikh [Zayid] at Lahore in February and there has been some discussion on the subject between HM Ambassador Doha and Saudi Ambassador in Beirut since then.”⁴⁷³ The US Secretary of State received a report from Richard J. Griffin, about the aftermath of the Lahore conference. When the conference failed to achieve a breakthrough over the boundary question, the UAE had requested Qatar to mediate on the UAE’s behalf with Saudi Arabia; the UAE’s foreign minister, Ahmed Suwaidi, confirmed to Griffin that the UAE was “Now relying primarily on mediation efforts of Qataris.”⁴⁷⁴

In the middle of July 1974, the Foreign Office received a report from a British official in Oman that Ahmed Suwaidi had told Sultan Qaboos that: “the UAE was holding very secret negotiations with the Saudis and they appeared to be ‘getting somewhere’.”⁴⁷⁵ In

⁴⁷¹Minute by D.F. Hawley, Muscat, ‘Saudi Arabia/UAE,’ 20 February 1974, FCO8/2357TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p. 165.

⁴⁷² Foreign Office Minute by J. L. Bullard, ‘Buraimi etc.’, 4 April 1974, FCO8/2357, TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p. 167.

⁴⁷³ Foreign Office Minutes by P. R. H. Wright, ‘Saudi/Abu Dhabi Frontier’, 11, June 1974, FCO8/2357, TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p. 171.

⁴⁷⁴ Richard J. Griffin, US Embassy in Abu Dhabi, to (Washington), Secretary of State, *Tour d’Horizon with Foreign Minister Suwaid*, 1 May 1974, 1974ABUDH00520. Available at www.wikileaks.org/plusd/cables/1974ABUDH00520_b.html. (Accessed 15 June, 2013)

⁴⁷⁵ D. F. Hawley (Muscat), to P. R. H. Wright (Foreign Office), ‘UAE/Saudi Arabia/Oman Borders’, 15 July 1974, FCO8/2357, TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p.174.

an alternative version, the US Secretary of State received a report from Michael Sterner, US Ambassador in the UAE, that Suwaidi had commented on the current UAE-Saudi negotiations efforts to the effect that “They are going well.” But he gave no details of the mediators involved, where the negotiations were being held, or details of the proposals being discussed by the two sides.⁴⁷⁶

6.6.2 Announcement of a UAE-Saudi Agreement

On 29 July 1974, the Saudi government announced that a meeting would take place in Abu Dhabi between Prince Fahd and Shaikh Zayid at the latter’s invitation.⁴⁷⁷ It is important to point out that Shaikh Rashid of Dubai, Omar Saqqf and Kamal Adham attended the meeting. The negotiations have been conducted with great secrecy. Shaikh Khalifia, the Ruler of Qatar, was instrumental in bringing the two sides together and mediated the meeting.⁴⁷⁸ On the following day, Saudi Arabia and the UAE issued a joint communiqué announcing that Prince Fahd and Shaikh Zayid had concluded an agreement. In part, the communiqué stated that:

[Prince Fahd and Shaikh Zayid] had studied the border problem between the Kingdom of Saudi Arabia and the Emirates of [the UAE] and reviewed all the proposals which were submitted by a joint committee by the two sides. They reached a solution to this problem, which is acceptable to both sides and initialed an agreement to this effect. The final signing of this agreement will take place during the visit which [Shaikh Zayid] will make to Saudi Arabia in response to an invitation from his majesty king Faisal which was delivered by Prince Fahd.⁴⁷⁹

In fact, there is no clear evidence from the British archives to indicate why Shaikh Zayid suddenly accepted King Faisal’s terms, and that issue remains confusing to this day. However, the British archival evidence does suggest that from 1970 through to 1974, Shaikh Zayid could not realistically have expected the Saudis to move from their positional commitments or to modify King Faisal’s terms. During that time, if Zayid offered a counterproposal, the Saudis refused to even consider it. In addition, Saudi

⁴⁷⁶ Michael Edmund Sterner, US Ambassador in the UAE (Abu Dhabi) to (Washington), Secretary of State, ‘*Border Dispute*’, 22 July 1974, 1974ABUDH00962, Available at: www.wikileaks.org/plusd/cables/1974ABUDH00962_b.html. (Accessed 15 June, 2013)

⁴⁷⁷ Sir Alan Rothnie, British Ambassador 1972-1976, (Jedda), to (Foreign Office), ‘Saudi Arabia-UAE,’ 29 July 1974, FCO8/2357, TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p. 182.

⁴⁷⁸ Foreign Office minute by P.R.H. Wright, “Settlement of the Saudi/UAE Dispute”, 30 July 1974, FCO8/2357, TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p.186.

⁴⁷⁹ Sir Alan Rothnie, (Jedda), to (Foreign Office), 30 July 1974, FCO8/2357, TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p.185.

interference in the domestic affairs of Dubai, Sharjah and Ras al-Khaimah undermined Abu Dhabi and threatened the unity of the new federation.

Evidence from the British archives and American reports point to the vital role played by the Qatari Ruler in persuading Shaikh Zayid in December 1973 and July 1974 to accept King Faisal's terms. By 31 July 1974, the Foreign Office had been informed that, in addition to the Ruler of Qatar serving as mediator, Prince Fahd was representing Saudi Arabia in the negotiations and Ahmed Suwaidi, Mana Otaiba, and Mehdi Tajir were representing the UAE.⁴⁸⁰ At approximately the same time, Hume Alexander Horan, US Ambassador to Saudi Arabia, met Prince Fahd following the secret negotiations between Saudi Arabia and the UAE. Horan reported that, according to Prince Fahd,

Saudi Arabia had obtained its objectives with regard to the disputed [Zararah] oil field and had obtained also a passageway to the Gulf. [Prince] Fahd spoke warmly of the signing ceremony. Shaikh Zayid had made it clear the boundary demarcation was merely a formality. In fact, there were 'no such things as boundaries on the Arabian Peninsula since all of the states were merely branches on the Great tree of their father Faisal'.⁴⁸¹

However, on the UAE side, things were not nearly as clear as Prince Fahd may have suggested to Ambassador Horan. In particular, there were conflicting reports and claims about the disposition of the Zararah oil field. A US document dated 31 July 1974 confirmed that the UAE had kept most of the Zararah field. When Michael Edmund Sterner, US Ambassador to the UAE, spoke to Harbroush, the UAE's Minister of State for Economy and Industry, the latter also confirmed to the ambassador that the UAE had not conceded the majority of the oil field to Saudi Arabia. Harbroush indicated that "UAE will give Saudis larger portion of Zararah oilfield, but not all of it... [of] 3 proven wells in this field presently on Abu Dhabi side, one will now fall in Saudi territory, while other two will remain in Abu Dhabi." But when Ambassador Sterner asked if the Saudis had obtained control of Zararah's production, Harbroush "claimed

⁴⁸⁰ It is important to note that Suwaidi, and Otaiba continued to make statements that are inconsistent with the actual text of the Treaty. That confusion affected British interpretations of the Treaty and raises questions about the competence of the UAE negotiation team. McCarthy, (Abu Dhabi), to (Foreign Office), 31 July 1974, FCO8/2357,TNA, London in *Arabian Boundaries*, vol. 15, ed. Schofield, p. 189.

⁴⁸¹ Hume Alexander Horan, US Embassy in Jeddah, to (Washington), Secretary of State, 'Minister of Interior Prince Fahd Discussions Boundary Settlement with Abu Dhabi,' 31 July 1974,1974JIDDA04458, Available at: www.wikileaks.org/plusd/cables/1974JIDDA04458_b.html. (Accessed 15 June, 2013)

not repeat not”⁴⁸².

In mid-August, however, Abdullah Ismail, Under Secretary at Abu Dhabi’s Department of Petroleum and Industry, contradicted Harbroush’s account. Whereas Harbroush claimed that Abu Dhabi had received two oil wells, Ismail now said that two of the three wells belonged to Saudi Arabia and one to Abu Dhabi. According to his account, “... of [Zararah] wells drilled in [Zararah] field, two would go to Saudis and only one to Abu Dhabi rather than vice versa as indicated by Harbroush.”⁴⁸³ Ismail’s account is clearly consistent with Prince Fahd’s statements to Ambassador Horan that “Saudi Arabia had obtained its objectives with regard to the disputed [Zararah] oil field”,⁴⁸⁴ if not with the remarks made by Harbroush to Ambassador Sterner.

6.6.3 British and American Interpretations of the Agreement

A letter dated 1 August 1974 from the Foreign Office to a British official in Abu Dhabi, suggested that the Saudis seemed to have dropped their consistent refusal to share the oil at Zararah. The British based their conjecture on the fact that it was rumoured that while the Abu Dhabi Petroleum Company would lose wells no. 1 and no. 4, it would retain wells no. 2 and no. 3.⁴⁸⁵ However, the British judgment was premature for two reasons. First, the British had very little information about the terms of the agreement reached by Prince Fahd and Shaikh Zayid. Second, King Faisal and Shaikh Zayid were not due to sign the final agreement, the Treaty of Jeddah, for another three weeks. The Americans also faced constraints with respect to accurate information. According to Ambassador Sterner, reporting from Abu Dhabi on 7 August 1974:

We have still not seen the map of border changes and therefore cannot describe them with any greater precision than general description provided reftel. Only further report we have heard (as yet unconfirmed) is that agreement provides that off-shore

⁴⁸² Michael Edmund Sterner, U.S Embassy in Abu Dhabi to (Washington), Secretary of State, ‘*UAE-Saudi Border Agreement*’, 30 July 1974, 1974ABUDH01009, Available at: www.wikileaks.org/plusd/cables/1974ABUDH01009_b.html, (Accessed 15 June 2013).

⁴⁸³ Sam Peale, US Embassy in Abu Dhabi, to (Washington), Secretary of State, ‘*Signing of UAE-Saudi Border Agreement*’, 15 August 1974, 1974ABUDH01101, Available at: www.wikileaks.org/plusd/cables/1974ABUDH01101_b.html, (Accessed, 15 June 2013)

⁴⁸⁴ Hume Alexander Horan, U.S Embassy in Jeddah, to (Washington), Secretary of state, ‘*Minister of Interior Prince Fahd Discussions Boundary Settlement with Abu Dhabi*’, 31 July 1974, 1974JIDDA04458, Available at: www.wikileaks.org/plusd/cables/1974JIDDA04458_b.html, (Accessed 15 June 2013)

⁴⁸⁵ (Foreign Office) to B. R. Pridham, (Abu Dhabi), 1 August 1974, FCO8/2357, TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p.192.

rights along shoreline ceded to Saudi Arabia are “unaffected”, perhaps meaning that Abu Dhabi retains them beyond normal territorial waters which we suppose would have to be transferred to Saudi Arabia along with shoreline.⁴⁸⁶

In addition, when William A. Stoltzfus, US Ambassador to Kuwait, asked Shaikh Suhaym bin Hamad Al-Thani, Foreign Minister of Qatar, about progress on the UAE-Saudi negotiations, the foreign minister confirmed it had taken three trips to Riyadh during 1974 to reach a settlement in the presence of both King Faisal and Shaikh Zayid.⁴⁸⁷ On 13 August, Brian Pridham (who later became Director of the Centre for Arab Gulf Studies) reported to the Foreign Office remarks by Mana Saeed al-Otaiba, the UAE Oil Minister, that he had negotiated the preliminary agreement with the Saudis. Al-Otaiba said that the Saudis were interested primarily in the oil. According to the British report from Abu Dhabi:

[al-Otaiba] seems to have no doubt however that the final agreement will be reached without any problem and indicated that *from the Abu Dhabi viewpoint there was no objection to the lines being moved to give the Saudis all the oil they wanted*[emphasis added].⁴⁸⁸

The Treaty of Jeddah was proclaimed on 21 August 1974, but the British had still not fully understood its provisions. For example, officials at the Foreign Office concluded that: “there are two particular points of obscurity which we will need to clarify. The first relates to the position of the border on the west of Abu Dhabi. The second relates to the arrangement for oil sharing.”⁴⁸⁹

It is easy to deduce from Foreign Office minutes that the British were not well informed. The Treaty of Jeddah did not contain any provision for oil sharing.⁴⁹⁰ And it is also important to point out that Saudi Arabia did not officially register the Treaty of Jeddah with the United Nations until 1993. While it is true that the British were

⁴⁸⁶ Michael Edmund Sterner, US Ambassador in UAE, Embassy, (Abu Dhabi), to (Washington), Secretary of State, *Further Comments on UAE-Saudi Agreement*, 7 August 1974, 1974ABUDH01053, Available at: www.wikileaks.org/plusd/cables/1974ABUDH01053_b.html. (Accessed 15 June, 2013)

⁴⁸⁷ William Alfred Stoltzfus, US Ambassador in Kuwait, (Kuwait) to (Washington), Secretary of state *Qatari Mediation Efforts on UAE-Saudi Agreement*, 12 August 1974, 1974KUWAIT03381. Available here: www.wikileaks.org/plusd/cables/1974KUWAIT03381_b.html. (Accessed 15 June 2013)

⁴⁸⁸ Brian Pridham (Abu Dhabi), to (Foreign Office), 13 August 1974, FCO8/2357,TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p.218. [Emphasis added].

⁴⁸⁹ Foreign Office Minutes by P. R. H. Wright, ‘UAE/Saudi Border Agreement’, 23 August 1974, FCO8/2357,TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p. 241.

⁴⁹⁰ See Appendix, Article 3, p. 215.

ignorant of the contents of the Treaty in August 1974, the secrecy surrounding the agreement for nearly twenty years would make it extremely difficult to understand.

6.6.4 *The Treaty of Jeddah*

The joint UAE-Saudi communiqué on 21 August announcing the Treaty of Jeddah stated that the UAE and Saudi Arabia would exchange ambassadors, so it appeared that the Saudis had at last agreed to diplomatic recognition of the UAE. The communiqué's emphasis on Arab/Islamic unity clearly reflects a commitment to Gulf security based on shared opposition to radical Arab regimes (Arab nationalist movements).⁴⁹¹ Furthermore, its emphasis on common interests and a common cultural background also suggested that the negotiation was conducted according to Arab negotiation style. For example, during the negotiations at Jeddah in August 1974, King Faisal and Shaikh Zayid had exchanged complimentary remarks in which each ruler acknowledged the other's sovereignty over his territory. This is the account of conversation between Shaikh Zayid and King Faisal:

King Faisal: The whole thing to us is a matter of dignity and honour. British evicted us by force [from Hamasa] and we won't forget that. Our 1970 proposal for Saudi Arabia's eastern border is quite reasonable.

Shaikh Zayid: No, Your Majesty. Your eastern boundary should be like this [taking a pencil and drawing a line in the middle of the Gulf from the Shatt al-Arab to the Strait of Hormuz].

King Faisal: Now, we have a solution. We consider your border in the heart of the Kingdom.

Shaikh Zayid: We consider your order to be at the end of the Emirates.⁴⁹²

In response to a question about the supposed conversation between King Faisal and Shaikh Zayid, Dr al-Ulama said the conversation would be an example of a mutual exchange of "Arab courtesies" or "Arab compliments". Although it is consistent with Arab culture to be courteous and generous with compliments, according to al-Ulama, it is a matter of form and not substance.⁴⁹³

⁴⁹¹H. B. Walker (Jedda), to T. J. Clark, (Foreign Office), "Saudi Arabia/ UAE", 24 August 1974, enclosing translation of Saudi/ Abu Dhabi Joint Communiqué, 21 August 1974, FCO8/2357,TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p. 248.

⁴⁹²Ali M. Khalifa, *The United Arab Emirates: Unity in Fragmentation*, p. 204.

⁴⁹³Hesam al-Ulama, Interview, Washington DC, 16 November 2010.

The UAE delegation and Shaikh Zayid himself were embarrassed by the fervent welcome from the Saudi side on the day that the Treaty was signed. Some sources blamed the UAE side for its failure to prepare the draft without completing surveys or seeking the opinions of specialist consultants.⁴⁹⁴ In addition, the British archives show Shaikh Muhammad Nuri Ibrahim, a Saudi official, indicating that “Shaikh Zayid was a bit of a fool”. Acknowledging that the negotiation process related to the Treaty of Jeddah was rushed, Ibrahim also stated that the Saudis were worried that Shaikh Zayid would change his mind if the talks proceeded more slowly.⁴⁹⁵

Importantly, it became apparent in the immediate aftermath of the signing of the Treaty of Jeddah, that the precise boundaries established under the Treaty were not clearly comprehended, and that representatives of the UAE understood the terms of the Treaty differently. Furthermore, it became known that the UAE had agreed to “secret negotiations” with the Saudis in July 1974 with the pre-condition that Shaikh Zayid would sign an agreement in August.

This situation, in fact, raises questions. Does the text of the Treaty of Jeddah accurately reflect the “secret negotiations” and the verbal agreement reached at the meeting of 29 July 1974? If not, what evidence is there that would support a discrepancy between verbal and written communication? Without evidence, these questions are difficult to answer, but a reasonable person might well wonder whether senior members of the UAE government checked the content of the Treaty before it was signed or Shaikh Zayid had actually understood the provisions of the Treaty before signing it. As discussed in Chapter 4, verbal communication in some matters under negotiation was consistent with Arab negotiating style. However, the event relating to the verbal agreement or secret negotiations remains ambiguous for two reasons. First, the British archival record makes no mention of the meeting and there is no written record of it available, so the content of the discussion at the meeting is not known. Second, it is widely believed that the Articles of the Treaty of Jeddah were based on that discussion. As Chapter 4 suggests, Arabs tend to communicate verbally rather than in writing. That preference would cause problems in the absence of any written record of the verbal communication.

⁴⁹⁴ Anon, “Al-Riyadh Line Blows up a Past, Never Draws a Future”, *Al-Azminah al-Arabiyya* (Kuwait), issue 239, October 1991, p. 7 (in Arabic).

⁴⁹⁵ Minute by H. B. Walker, Jeddah, “Saudi Arabia/UAE”, 14 September 1974, FCO8/2358, TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p. 291.

6.7 Reactions towards Treaty of Jeddah

6.7.1 *Confusion in Understanding the Treaty of Jeddah's Provisions*

On 23 August 1974, two days after the Treaty of Jeddah was announced, the Foreign Office reported an exchange of communications between Mana Saeed al-Otaiba and personnel from British Petroleum. According to the British report, al-Otaiba informed BP that according to the UAE-Saudi agreement:

Where an oil field straddled the boundary further development should be left to the state under which the greater part of that field fell. *Shaikh [Zayid] has however denied to Sir G. Arthur that there have been any special arrangements for oil and that both states retain full rights and responsibilities for oil development and production on their respective sides of the border* [emphasis added].⁴⁹⁶

This telegram was significant because it indicated that after signing the Treaty of Jeddah, Shaikh Zayid and al-Otaiba understood the agreement in two quite different ways. British officials continued to believe that Abu Dhabi still retained two of the oil wells developed in Zararah by the Abu Dhabi Petroleum Company. Brian Pridham stated that according to "authoritative sources," UAE would receive fifty percent of the oil revenues from Zararah.⁴⁹⁷ Confirming that perception, a report on 25 August from the British Residency in Abu Dhabi to the Foreign Office stated: "[Shaikh Zayid may not fully understand what he has signed."⁴⁹⁸ On 27 of August, Wright reports that "several of the implications of the agreement are still unclear. Shaikh Khalifa of Qatar has, for example, told Mr Henderson [British ambassador in Qatar] of his concern at alleged differences of interpretation between the Saudis and the UAE of where the western seacoast border lies. There is also some uncertainty about the implications of the agreement for future oil exploration and development on both sides of the border."⁴⁹⁹

⁴⁹⁶Callaghan (Foreign Office), to (Doha), 23 August 1974, FCO8/2357, TNA, London, in *Arabian Boundaries*, vol.15, ed. Schofield, p.244. [emphasis added]

⁴⁹⁷Pridham (Abu Dhabi), to (Foreign Office), 25 August 1974, FCO8/2357, TNA, London. in *Arabian Boundaries*, vol. 15, ed. Schofield, p.251.

⁴⁹⁸Pridham (Abu Dhabi), to (Foreign Office), 25 August 1974, FCO8/2357, TNA, London. in *Arabian Boundaries*, vol. 15, ed. Schofield, p.249.

⁴⁹⁹ Foreign Office Minutes by P. R. H. Wright, Settlement of the UAE/Saudi Dispute, 27 August 1974, FCO8/2358, TNA, London, in *Arabian Boundaries*, vol.15, ed. Schofield, p 259.

During the first week of September 1974, the Foreign Office reported that al-Otaiba had informed an executive at ADPC that the agreement regarding the division of oil had been verbal and not written down,⁵⁰⁰ and that ADPC was concerned by the ambiguity of al-Otaiba's explanations of this point. An alternative version of al-Otaiba's interpretation of the Treaty was confirmed by him to Sam Peale, US Chargé d'Affaires in Abu Dhabi, to the effect that:

Marzouk [oil] field in west [of Abu Dhabi] being developed by Phillips has been conceded to SAG [Saudi Arabia Government]. As for southern border, stating that line intersected with Saudi border on [the] east at point some 12 km south of tri-nation border intersection. He reiterated that this left most of [Zararah] field to Saudi.⁵⁰¹

If neither Shaikh Zayid nor al-Otaiba seemed to understand the provisions of the treaty, the same was true for Ahmed Suwaidi. On 30 August 1974, the Foreign Office reported a meeting between Suwaidi and the British Minister of State, during which Suwaidi declared that Abu Dhabi had retained between 20 and 25 percent of the Zararah oil field, but failed to enlighten the British as to the distribution of oil revenues under the Jeddah Treaty.⁵⁰² However, in the case of Suwaidi a conflict would eventually emerge between his version and the version that appeared in the Treaty of Jeddah.⁵⁰³ Suwaidi appears to have been unaware of the important details covered in the Treaty, and specifically its provisions with regard to sovereignty over the Zararah oil field and the distribution of oil revenues.

A more puzzling matter is why Ahmed Suwaidi told British officials and oil company executives that, under the Treaty of Jeddah, the UAE retained some of the wells in the Zararah oil field and would share oil revenues with Saudi Arabia while al-Otaiba confirmed that the Zararah oilfield was ceded to Saudi Arabia. Having studied the Treaty, it appears that Suwaidi's statement was false. Even when Suwaidi was asked about the status of the UAE-Saudi maritime boundary, he was vague and did not give an

⁵⁰⁰Foreign Office Minutes by P. R. H. Wright, 'Oil Arrangements under the UAE/Saudi Agreement,' 4 September 1974, FCO8/2358, TNA, London, in *Arabian Boundaries*, vol.15, ed. Schofield, p.282.

⁵⁰¹ Sam Peale, Chargé d'Affaires, UAE Embassy, *Saudi-UAE Border Agreement*, 4 September 1974, 1974ABUDH01197 available at: www.wikileaks.org/plusd/cables/1974ABUDH01197_b.html. See line described by Otaiba in the same cable. (Accessed 15 June 2013).

⁵⁰² Foreign Office Minute by P. R. H. Wright, "UAE/Saudi Border Agreement", 30 August 1974, FCO8/2358, TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p.271.

⁵⁰³ See Article 3 of the Saudi Arabia and United Arab Emirates: *Agreement on the Delimitation of Boundaries (With Exchange of Letters and Map)*, Signed at Jeddah, Saudi Arabia, on 21 August 1974, United Nations Treaty Series 17333. 1-30250, p. 31.

answer to it.⁵⁰⁴ Obviously, he could not give any explanations to the maritime boundaries because these had not been defined yet under Article 5 of the Treaty of Jeddah. When the same question was asked to Shaikh Zayid, he informed Sir G. Arthur that King Faisal wrote to him a letter disclaiming his rights to sea-bed resources off the apart of Abu Dhabi coastline now ceded to Saudi Arabia.⁵⁰⁵ Article five states the following:

The United Arab Emirates recognises the sovereignty of the Kingdom of Saudi Arabia over Huwaysat Island, and the Kingdom of Saudi Arabia recognises the sovereignty of the United Arab Emirates over all the other islands opposite its coast on the Arabian Gulf.

Representatives of the High Contracting Parties shall, as soon as possible, delimit the offshore boundaries between the territory of the Kingdom of Saudi Arabia and the territory of the United Arab Emirates and between all of the islands subject to the sovereignty of each of them. They shall do so on the basis of equity as well ensure free and direct access to the high seas from the territorial waters of that part of the territory of the Kingdom of Saudi Arabia adjacent to the territory of the United Arab Emirates and from the territorial waters of Huwasyat island mentioned in paragraph 1 above, and in such a manner to take account of suitability for deep-water navigation between high seas and that part of the territory of the Kingdom of Saudi Arabia indicated above. *The High Contracting Parties shall have joint sovereignty over the entire water linking the territorial waters of the Kingdom of Saudi Arabia and the high seas, in accordance with the provisions of this paragraph [emphasis added].*⁵⁰⁶

Although Article 5 of the Treaty of Jeddah stated that Saudi Arabia and the United Arab Emirates would have joint sovereignty over the high seas, the vagueness of this Article disturbed both parties to the Treaty. Consequently, King Faisal and Shaikh Zayid agreed to exchange letters of clarification that would be appended to the Treaty. According to King Faisal's letter

“I should like to convey to Your Highness that the understanding of the Kingdom of Saudi Arabia of “joint

⁵⁰⁴ P.R.H. Wright (Foreign Office) to B.R. Pridham (Abu Dhabi), “Settlement of the UAE-Saudi Dispute”, 30 August 1974, FCO8/2358 TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p. 271.

⁵⁰⁵ Foreign office minute by P.R.H. Wright, “UAE-Saudi Border Agreement: List of Questions” 28 August 1974, FCO8/2358 TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p.264

⁵⁰⁶ Article 5 of the Saudi Arabia and United Arab Emirates: *Agreement on the Delimitation of Boundaries (With Exchange of Letters and Map)*, Signed at Jeddah, Saudi Arabia, on 21 August 1974, United Nations Treaty Series 17333. 1-30250.

sovereignty over the entire area linkage the territorial water of the Kingdom of Saudi Arabia and the high seas, in accordance with the provisions of this paragraph” does not extend to ownership of natural resources to be owned by the United Arab Emirates alone as an exception of the rights of joint sovereignty.”⁵⁰⁷

Shaikh Zayid’s letter in response to King Faisal indicates “...the understanding of the United Arab Emirates with regard to the ownership of the natural resources indicated in your Majesty’s letter is in accord with the understanding of the Kingdom of Saudi Arabia”⁵⁰⁸ Taken together, Article 5 and the letters create an arrangement that bestows sovereign powers for both parties. On one hand, the UAE got complete rights to maritime natural resources. At the same time, Saudi Arabia was free to use Khor al-Udaid as a point of access to the high seas. However, according to Schofield, Article 5 still requires further clarification as to the specifics of the exercise of joint sovereignty.⁵⁰⁹

6.7.2 Signs of the Dissatisfaction with the Treaty of Jeddah

Despite the fact that the Saudis had achieved their objectives through the Treaty of Jeddah, Mr Helaissi, the Saudi Ambassador to Great Britain, and Prince Fahd declined an invitation to join British officials and Shaikh Zayid for dinner on 9 September 1974. Helaissi also “added the sour comment that if this invitation was intended as a ‘celebration’ of the UAE/Saudi border agreement, his view was that this was not something which deserved celebration.”⁵¹⁰ Mr. Helaissi’s remarks about the Treaty of Jeddah’s outcome were mainly directed to criticising the Saudi side. Mr. Helaissi’s remarks are significant for several reasons. First, he said, the treaty left the Umm al-Zamul area, which “included important oilfields”,⁵¹¹ on the Abu Dhabi side. Second, the Treaty of Jeddah was largely silent about the Omani border with Abu Dhabi. Zawawi, Oman’s Minister of Foreign Affairs, commenting on the status of Umm al-Zamul to Stoltzfus, US Ambassador to Kuwait, said that “There is oil structure [in] that vicinity being explored both by Abu Dhabi and Oman on their respective sides of border, known

⁵⁰⁷ Ibid.,p.222

⁵⁰⁸ Ibid.,p.223

⁵⁰⁹ Richard N. Schofield, “Introduction to 1974”, in *Arabian Boundaries: New Documents 1966-1975*, Vol. 15, ed. Richard N. Schofield (Cambridge: Cambridge Archive Editions, 2009), xv

⁵¹⁰ Foreign Office Minutes by P. R. H. Wright, ‘The Saudi Ambassador’s View on the UAE/Saudi Agreement’ 4 September 1974, FCO8/2358 TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p.280.

⁵¹¹ Richard Schofield, Interview, Kings Collage, London, 9 April 2010

as Lekhwair on Omani side but another name on western [Abu Dhabi] side of line.”⁵¹² That explained Helaissi’s sour comment as to why the Treaty did not deserve celebration. Quite simply the outcome of the Treaty gave the Saudis no rights over any of the oil in the Umm al-Zamul area.

In addition to the status of Umm al-Zamul, the Saudi Ambassador’s complaint about no Omani participation in the negotiations supposedly suggests a focus on the Al-Ain/Buraimi region. Interestingly, the Saudi complaint about Omani participation seems strange, since 1949 Al-Ain/Buraimi had always been an issue between Abu Dhabi and Saudi Arabia. Although Al-Ain/Buraimi was not mentioned in the Treaty, it was understood that the Saudis would drop their claim to Al-Ain Buraimi region in return for cession of areas in the south and west of Abu Dhabi. Going strictly by the actual text of the Treaty, it seems difficult to understand what the UAE had gained.⁵¹³

If the Saudi Ambassador to Great Britain was the first to suggest Saudi dissatisfaction with the Treaty, by December 1974, signs of Emirati dissatisfaction with the UAE negotiating team had also begun to appear. For example, in a message from Dubai to the Foreign Office, a British official reported a conversation with Mehdi Tajir, the UAE Ambassador in London. According to the British official’s report, Tajir had said:

[it was al-Otaiba’s responsibility] to discuss geographical details with Yamani [Saudi Oil Minister], but he made a nonsense of it. Kicking up a fuss about the areas and in general getting away from the spirit of the agreement. Mehdi told me, on 12 December, that Mana’s demands had so annoyed the Saudis that they had dropped discussion of the subject with him. During his visit, Mehdi had been asked by [Prince] Fahd to smooth things over on the basis of whatever [Zayid] wants we will agree to, as long as we are not made fools of.⁵¹⁴

In any event, Tajir’s statements about Otaiba suggest that by December 1974, dissatisfaction with the Treaty of Jeddah existed in the UAE and Mehdi Tajir wanted to blame someone for an unsatisfactory agreement. It is believed that Mehdi Tajir had a

⁵¹²William Alfred Stoltzfus, Embassy of Kuwait, (Kuwait) to (Washington), Secretary of State, Saudi-UAE Border Agreement as Seen by Oman, 11 August 1974, 1974KUWAIT03347, Available at www.wikileaks.org/plusd/cables/1974KUWAIT03347_b.html. (Accessed 15 June 1974)

⁵¹³ Mr Helaissi’s view about the Treaty of Jeddah represented his own personal opinion, not the views of the Saudi Government. This thesis claims that Saudi Arabia gained its aims through the Treaty of Jeddah. See Chapter 7 analysing the Articles of the Jeddah Treaty.

⁵¹⁴ H. St. J. B. Armitage (Dubai), to T. J. Clark, (Foreign Office), ‘UAE-Saudi Arabia’, 14 December 1974, FCO8/2358,TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p. 303.

personal grudge against al-Otaiba and Suwaidi; for instance Ivor Lucas thinks that the longstanding rivalry between Abu Dhabi and Dubai may well have been reflected in the prickly relationship between Tajir and al-Otaiba.⁵¹⁵ Such feelings may well have extended to their parts in the negotiation process, to relations with the Saudis, and to their reports on the provisions of the Treaty of Jeddah. Overall, residual dissatisfaction was present throughout the negotiation process from 1935 to 1974, and even in the aftermath of the treaty.

6.8 Conclusion

The balance of power in the Gulf region changed considerably as a result of Britain's military withdrawal from the Gulf on 1 December 1971. This fact had a strong impact on the negotiations between the UAE and Saudi Arabia. Initially, it was proposed that Saudi Arabia and Iran would fill the security vacuum created by the British withdrawal; this enabled the Saudi to control the outcomes of the negotiation process. As discussed, Britain's "disinterested role" was challenged by both the Iranians and the Saudis. In the case of Iran, the British pushed the UAE to establish diplomatic relations with Iran. In the case of Saudi Arabia, the Saudis failed to push Britain to make the UAE accept Saudi Arabia's terms. Even when the Saudis used pressure tactics against Britain by cancelling the Saudi National Guard contract and the Air Force Scheme, Britain did not act as an active mediator in the negotiations because it did not want to damage its interests with either Saudi Arabia or the UAE.

The chapter concludes that Shaikh Zayid attempted to negotiate in a straightforward manner. Over three years, he attempted to make several counter proposals, all of which were consistently rejected by the Saudis. During 1973-74, in response to an unyielding Saudi control negotiation strategy, Shaikh Zayid offered more territorial concessions such as an area west of Sabkhat al-Mattai that included Khor al-Udaid in the hope that the Saudis would reconsider their position over King Faisal's proposal. Later in 1974, Shaikh Zayid seems to have given up his 'compromise to accommodate' strategy.

After the British withdrawal from the Gulf, Saudi Arabia's political power increased significantly, enough to enable King Faisal to control the negotiation process. The Saudis pursued a controlled negotiation strategy from 4 May 1970 until the signing of the Treaty of Jeddah on 21 August 1974. Their tactics included a "take it or leave it"

⁵¹⁵ Ivor Lucas, Correspondence, 20 October 2010.

negotiating position, the threat of returning to the Saudi claim of 1949, and a refusal to negotiate. After the British withdrawal, Saudi Arabia also adopted a more aggressive tactic by establishing direct political relations with Ras al-Khaimah, Sharjah and Dubai in attempt to undermine Abu Dhabi. Saudi Arabia's tactics and strategy were successful and, at the end of July 1974, the UAE made a deal over King Faisal's proposals.

This study found that it was hard to follow the development of the UAE-Saudi Arabia secret negotiations held on 29 July 1974, which led to the Treaty of Jeddah in 21 August 1974. This is because the details of these secret negotiations are not available in the British Archives or US reports, and there is therefore no complete picture of the negotiations. The records reveal that the UAE negotiating team⁵¹⁶ reported a series of misleading details about the Treaty to the British and the Americans. I note the discrepancies between statements about the Treaty of Jeddah, as reported in the British and American records, and the actual text of the Treaty that was made public in 1995. From what we do know, it seems that some of the UAE representatives did not act responsibly with regard to the Treaty, or did not understand the scope of their assigned duties. There are several questions to ask about the UAE negotiation team. Did they actually understand the details contained in the Treaty of Jeddah? Were they incompetent negotiators? Did the Saudis deceive them by verbally agreeing to terms that were not in the Treaty's written text? The answers to these questions are important since they might help in identifying the gaps that occurred in the final phase of the negotiation that led to the Treaty of Jeddah.⁵¹⁷ As stated on page 149, the thesis has not been able to answer a few questions and these are among them.

⁵¹⁶McCarthy (Abu Dhabi,) to (Foreign Office), 31 July 1974, FCO8/2357, TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p. 189.

⁵¹⁷ All attempts made by me to interview both Otaiba and Suwaidi failed, due to the sensitivity of their role and the subject of this thesis.

CHAPTER SEVEN

UAE-Saudi Territorial Disputes, 1975-2012

7.1 Introduction

In discussing the revival of the UAE-Saudi Arabia border dispute in 2004, most of the pertinent information came from media accounts and academic newsletters, although such material tended to lack the substantive background of the case study. Ideally, conducting interviews and collecting reports from the UAE and Saudi Arabia Ministry of Foreign Affairs would provide the necessary background to put the recent revival of the dispute into perspective.

Chapter 7 traces the development of the boundary question from 1975 up to the status of the dispute at the present time. It did, however, encounter some difficulties regarding the UAE's stance on the boundary question between 1979 and 1990, an important period during which the political history of the wider Gulf was affected by several crucial events. These events are looked at briefly in order to establish why the boundary question lay dormant for some years.⁵¹⁸

In an attempt to answer the question raised by the revival of the UAE's dispute in 2004, under Shaikh Khalifa (current President of the UAE, who has been in office since 2004), the chapter also tries to distinguish between the two regimes in the UAE that were involved with the boundary question, and whether they continued on the same path or adopted different negotiating strategies. In other words, did that revival reflect continuity with the previous regime? If doing so, it is necessary to overcome the media-created misconception that the UAE's revival of the dispute erupted in 2004; instead it argues that the UAE's dissatisfaction with the Treaty of Jeddah was rooted in the regime of Shaikh Zayid and not in that of Shaikh Khalifa, and therefore goes back to 1975. The chapter provides evidence to support that argument and shows that Saudi Arabia had been fully aware of the UAE's dissatisfaction with the Treaty of Jeddah

⁵¹⁸ This period saw great threats to Gulf security, such as the establishment of the Islamic revolution in Iran and the exporting of Shiite ideology to the Gulf States. In addition, Gulf security was threatened by two wars: the Iran-Iraq war (1980-1988) and the Iraqi invasion of Kuwait (1990). It is important to note that the UAE, Saudi Arabia, and the other Gulf states needed to find a formula for cooperation rather than competition. This led to the establishment of the Gulf Cooperation Council (GCC) in 1981.

since 1975, which is why the Saudis took steps, through Khor al-Udaid and Zararah/Shaybah, to “carry out the August 1974 treaty with the UAE”⁵¹⁹, hastened to register the Treaty of Jeddah with the United Nations, and published it in 1995.

This study examines the Treaty of Jeddah, looking in particular at the Articles relevant to the revival of the territorial dispute from 2004 onwards in an attempt to establish why they are disputed. It considers other issues related to the content of the Treaty, such as ratification, use of language, and the Al-Ain/Buraimi region, and also provides an analysis of the Articles as a whole, in order to demonstrate that the UAE government has not, as suggested by some scholars,⁵²⁰ rejected all of the Treaty’s Articles out of hand.

7.2 The UAE’s Dissatisfaction with the Treaty Articles since 1975

From the public point of view, it might appear that UAE dissatisfaction with the Treaty of Jeddah emerged suddenly in 2004, especially after Shaikh Zayid’s death,⁵²¹ but from the UAE government’s perspective, the Treaty had been regarded as unfair since 1974. Even among scholars, secrecy and misinformation obscured the UAE’s dissatisfaction. For example, Al-Akkad portrayed Saudi Arabia’s dropping of its claim to Al-Ain/Buraimi as a concession made by the Saudis during Shaikh Zayid’s visit to Riyadh in July 1974, but he added that it “is not known exactly what happened”⁵²² and to what extent the Emirates were satisfied with the outcome of the meeting.

In 1975, a year after the Treaty of Jeddah was signed, King Faisal was assassinated by Prince Faisal bin Musaid bin Abdul-Aziz Al Saud. Discussing this untoward event, Saudi state media emphasised the assassin’s mental illness and drug use as well as the corrupting influence of the West, where he had been an undergraduate student. The assassination of King Faisal was possibly the first crisis of succession in the history of Saudi Arabia. According to Posner, the new king, Khalid bin Abdul al-Aziz, “kept a

⁵¹⁹ Anon, “Al-Riyadh Line Blows up a Past and Never Draws a Future” *Al-Azminah al-Arabiyya*, p. 6.

⁵²⁰ Simon Henderson, Interview, Washington, 22 October 2011. Henderson argues that the Articles of the Treaty were imposed on the UAE under duress. On the other hand, John Duke Anthony claims that the UAE did not reject all the Treaty Articles. John Duke Anthony, Interview, Washington, 29 November 2011

⁵²¹ Anon (2005), “Border Disputes Erupt between Saudi Arabia, UAE; Riyadh Denies,” *Arabic News* (23 February 2005). At <http://www.arabicnews.com/ansub/Daily/Day/050223/2005022318.html>, (Accessed 5 November 2009).

⁵²² Salah Al-Akkad. “Federal Trends and Obstacles in UAE,” *International Policy* (Egypt, Arabic) 40 (April 1975), p.153.

low profile ... and let his half-brother [Prince] Fahd ibn Abdul al-Aziz, who became crown prince, control many of the day-to-day operations of the government. Most of the ministers, policies, and programs remained unchanged from Faisal's tenure."⁵²³ In fact Prince Fahd continued as Saudi Arabia's de facto ruler until King Khalid died in 1982, at which point he became king of Saudi Arabia.

Significantly, in the aftermath of the 1975 assassination of King Faisal, Shaikh Zayid found himself having to face virtually the same Saudi team that he had dealt with in the negotiations leading up to the Treaty of Jeddah. As discussed in Chapter 6, Prince Fahd had been categorised at that time as one of the Saudi government "hawks" who was strongly opposed to the UAE team negotiating over King Faisal's proposal.⁵²⁴

The first official attempt by the UAE to gain clarification of the vague provisions of the Treaty of Jeddah occurred six months after King Faisal's assassination, when the UAE foreign minister, Ahmed Al-Suwaidi, visited Riyadh on 28 September 1975. It was reported that the purpose of the visit was not publicly known. However, R. O. Miles told the Foreign Office that according to Ghazi Abdulla Ashur, a UAE informant, the visit was concerned specifically with the problem of free transit along the road between Qatar and Abu Dhabi. Miles noted that, in effect, the Saudi response to the UAE question amounted to: "our territory is your territory and your territory is ours",⁵²⁵ and that the Saudi attitude seemed to have been more of a compliment than clarification of the situation.

Up to 1976, the situation regarding free transit was unclear to both the UAE and Qatar, so they agreed to establish a new highway to link their territories. However, the road building was halted by the Saudis, who claimed that the construction company was operating on Saudi territory.⁵²⁶ In fact both the 1975 visit to Jeddah by the UAE, and the UAE-Qatari action of 1976, drew Saudi attention to the free transit arrangement that existed between Qatar and the UAE, and in 1976, Saudi Arabia duly took action. It was reported in the *Middle East Economic Digest* that a survey team working for the Saudi Ports Authority had examined the possibility of building a port at Ras Khumays, located

⁵²³ Gerald Posner, *Secrets of the Kingdom: The Inside Story of the Saudi-US Connection* (New York, Random House, 2005), p. 73.

⁵²⁴ See Chapter 5, *The House of Saud's Views on the Disputed Lands*, p. 118.

⁵²⁵ R. O. Miles (Jeddah), to T. J. Clark (Foreign Office), 'UAE/ Saudi Frontier', 4 October 1975, FCO8/2422, TNA, London, in *Arabian Boundaries*, vol. 16, ed. Schofield, p. 391.

⁵²⁶ Gideon Biger, *The Encyclopaedia of International Boundaries*, International Boundaries Research Unit, University of Durham, England, 1995, p. 462.

in UAE territory. The report also indicated that Saudi activity at Ras Khumays centred on a 40-man camp for which a Saudi-Irish company had a SR4 million (US\$1.2 million) contract, and further suggested that when the 1974 agreement had been sealed with King Khalid in 1976, this had completed the process of Saudi recognition of the UAE!⁵²⁷

The Saudis had thus succeeded in gaining a “window to the sea” around 15-20 miles wide, which included territory east of Ras Khumays; in so doing they secured more concessions in the west of Abu Dhabi than what had been gained from the Treaty of Jeddah. In return for agreeing to move Abu Dhabi’s border 20 miles in Saudi Arabia’s favour, thus enabling the Saudis to complete the Abu Dhabi-Qatar road through the Saudi corridor, Shaikh Zayid was given a cheque for DH 127.9 million (US\$34.5 million).⁵²⁸ In an alternative version given by Cordesman: “the Saudi government forced Abu Dhabi to move its border 20 miles further east on the Gulf coast, although it paid Abu Dhabi’s ruler, Shaikh [Zayid], some 33 million dollars in personal compensation.”⁵²⁹

The development of the western area of Abu Dhabi was finalised in a new agreement, concluded in 1977, through which Saudi Arabia, under King Khalid, obtained major concessions from 1974-77; it became clear that, under Shaikh Zayid, the UAE had completely relinquished Khor al-Udaid. In 1976 the UAE Ministry of Petroleum had published a map that reflected the major oil concessions (see Figures 7.1 and 7.2). The Saudi action revealed that the western boundary of Abu Dhabi had not been finally settled by the Treaty of Jeddah 1974, and refuted the long-held British belief that, given Khor al-Udaid’s physical characteristics, it was unlikely that the Saudis would annex this coastal strip, because the water was too shallow for navigation.⁵³⁰

In questioning the availability of the 1977 Treaty at the United Nations, it appears that this agreement has remained unrecognized internationally. All the information that could be obtained was that the new treaty’s provisions did not include an Article about

⁵²⁷ The issue of complete Saudi recognition of the UAE in 1976 raised some doubts. Saudi Arabia had established officially diplomatic relations with the UAE on 9 November 1974, when Abdul Aziz Saif al-Midfa, was appointed as Chargé d’Affaires to the UAE, and received his credentials from the Saudi Embassy in Abu Dhabi, sources from: Saudi Embassy, Abu Dhabi, correspondence, 15 July 2013.

⁵²⁸ Anon, “Saudi Window in the Gulf”, *Middle East Economic Digest* (MEED), vol. 24, no 31, 1 August 1980, p. 31.

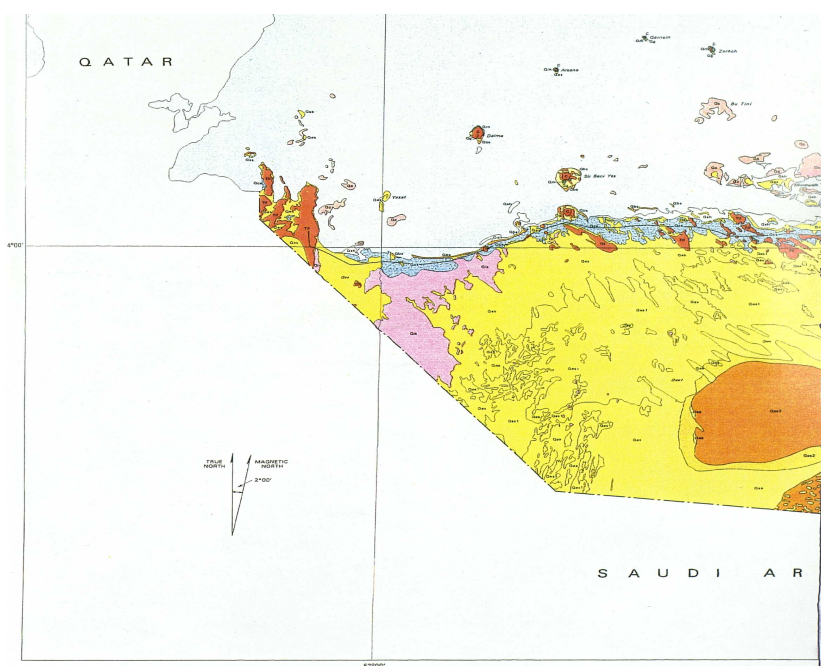
⁵²⁹ Anthony H. Cordesman, *The Gulf and the Search for Strategic Stability*, p. 416.

⁵³⁰ Foreign Office Minutes by N. J. G. Bowie, ‘The Buraimi Dispute’, 15 December 1975, FCO8/2425, TNA, London, in *Arabian Boundaries*, vol.16, ed. Schofield, pp. 392-393.

the status of Zararah. According to a UAE diplomat, under Shaikh Zayid's regime the UAE government sent "many unpublished letters", from 1975 onwards, to King Khalid and to King Fahd informing the Saudis that the Articles of the Treaty of Jeddah would have to be amended since some of the Treaty's provisions could not be implemented, "especially Article 3 related to oil and Article 5 related to the maritime boundary."⁵³¹

In fact, the UAE has continued to send letters to the office of the UN Secretary General that are consistent with the diplomat's statement. For example, a letter from December 2009 mentions a letter from Mana Saeed al- Otaiba to King Khalid on 16 October 1975 and two letters from Shaikh Zayid to King Fahd on 3 November 1993 and 7 November 1998.⁵³² This study assumes that these letters might have requested renegotiation of the status of the Zararah/Shaybah oilfield but not the western land of Abu Dhabi. Interestingly, according to the UAE's Permanent Mission to the United Nations, Saudi Arabia has not replied to these letters. But what is most significant is that Saudi Arabia has been aware of the UAE's dissatisfaction with the Treaty since 1975.

Figure 7.1: The UAE Map of the Ministry of Petroleum (1976)



Sources: Hesam M. J. S. Al-Ulama, *The Federal Boundaries of the United Arab Emirates*, unpublished PhD thesis, University of Durham, 1994, p. 171.

⁵³¹ Anonymous UAE diplomat, Interview, New York, 12 December 2010.

⁵³² Untitled Note, From United Arab Emirates, Ministry of Foreign Affairs, to the Office of His Excellency UN Secretary General, New York, UN, 27 December 2009.

Figure 7.2: Map Depicting the Ceded Territories, 1974-77



Source: UAE University (1993), *The National Atlas of the United Arab Emirates* Al Ain: United Arab Emirates University, p.31.

7.3 Saudi Arabia's Position toward the Articles of the Treaty of Jeddah

7.3.1 *Khor al-Udaid*

For a few years, the Treaty of Jeddah had little impact on the area of Khor al-Udaid and south of Liwa. For example, from 1974 until the 1980s there were no physical Saudi checkpoints between Qatar and the UAE, and citizens of both countries moved freely back and forth without interference from the Saudi government. Also, and despite having gained significant concessions in 1977, the Saudis did not construct the actual road until after 1990. According to a source interviewed for this research who regularly visited relatives in Qatar up to the 1990s it was clear that no Saudi checkpoint had yet been built.⁵³³

However, in June 1990, the direct land road connecting the UAE and Qatar was closed for the first time. The Saudis instead opened a new road, Al-Ghuwaifat, connecting Saudi Arabian territory with the UAE through Al-Sila and closed the old road at Al-Sila, connecting Abu Dhabi with the Qatari border through Sodantale (see Figure 7.3). This was the first time that the direct land transportation route between Abu Dhabi and Qatar had been disrupted. According to a Kuwaiti newspaper, the Saudi actions were

⁵³³ Abu Khalid, Interview, Abu Dhabi, 11 August 2011.

“meant essentially, as it seemed, to carry out the August 1974 treaty with the UAE”,⁵³⁴ to which the present study adds the Treaty of 1977. UAE military sources confirmed that during the 1990s the Saudi government had taken two steps to emphasise its eastern borders. First, the Saudi government paid money to Saudi tribes to relocate near Khor al-Udaid and claimed they had been living there for a long time. Second, the Saudis built various military infrastructures near the inlet.⁵³⁵

Figure 7.3: Map Showing Al-Sila’s Connection to Al-Ghuwaifat



Source: <http://gulfnews.com/news/gulf/uae/general/truck-drivers-endure-hardship-at-uae-saudi-border-1.29072> (Accessed 27 June 2013)

7.2.2 *South of Liwa (Zararah/Shaybah)*

In 1992, the UAE wished to renegotiate the status of the 20 percent of Zararah that was located within Abu Dhabi’s territory. However, Saudi Arabia’s assertion of sovereignty over Shaybah continued throughout the 1990s. As reported by the *Gulf States Newsletter*:

Abu Dhabi officials quietly visited Riyadh in 1992 to discuss the possible joint development of Shaybah and a proposed pipeline across Emirati borders — but this apparently met with a lukewarm response. A more vivid reminder of this resentment was the UAE’s boycott of an oil ministers’ meeting convened by the Saudis when they officially inaugurated Shaybah in 1999.⁵³⁶

⁵³⁴ Anon, “Al-Riyadh Line Blows up a Past and Never Draws a Future,” *Al-Azminah al-Arabiyya* (Kuwait), issue 239, October 1991, p. 6 (in Arabic).

⁵³⁵ Captain Waleed Mohammed Al-Shamis, Head Military Attaché, UAE Embassy, Interview, Washington 26 November, 2010.

⁵³⁶ Anon, “Old Enmities Hold Up Progress on Regional Integration,” *Gulf States Newsletter*, issue 761, 15 July 2005.

It may be worthwhile to emphasize that the Treaty of Jeddah was not publicly available until 1995. Once it had been registered during the reign of King Fahd in 1993, drilling operations in Shaybah were scheduled to start in the same year but were put back several times.⁵³⁷ The major obstacles facing the development of the Shaybah oil field were environmental and technological,⁵³⁸ and following Saudi Aramco's delayed explorations at Shaybah in 1993 the scheduled start was moved forward to summer 1998. The same source indicates that the decision to develop the field was in "part politically motivated."⁵³⁹

Saudi Arabia's political motive was to publish the Treaty of Jeddah and to make the situation clear that under Article 3, the Shaybah field belonged to Saudi Arabia and that the notion of joint development of the oilfield was far-fetched. However, a Saudi source confirmed in 2011 that in just two months Shaikh Mohammed Bin Zayid had made more than two visits to Saudi Arabia, in March and April 2011 with the intention of finding a settlement regarding the 20 percent of Zararah located in Abu Dhabi territory, since it was possible that this percentage of Zararah might still be a negotiable issue.⁵⁴⁰

It is important to note the significance of this field, which produces around 550,000 barrels of oil per day.⁵⁴¹ Jean-François Seznec of Georgetown University, who visited the Shaybah oilfield, confirmed that the Saudis had spent billions of dollars developing the Shaybah oilfield and had high quality equipment that could easily extract oil from the Zararah side in Abu Dhabi.⁵⁴² During an interview with an Emirati worker, who had worked as an oil surveyor for over 30 years in onshore oilfields, he was asked about the current status of the Zararah oil field on the UAE side. He confirmed that UAE oil workers had worked on and off on the 20 percent of Zararah in Abu Dhabi territory, but that because of current tensions in UAE-Saudi Arabia relations, they had not operated there since 2010.⁵⁴³ As indicated, under Article 3 of the Treaty of Jeddah, all oil and

⁵³⁷ Julie Springer and Khalid Altowelli, "Shaybah Field — a History", *Saudi Arabia Oil and Gas* magazine, issue 14, p. 20, available at

http://saudiarabiaoilandgas.com/magazines/SAOG_ISSUE_14/saog14.pdf (Accessed 15 June 2013).

⁵³⁸ Springer and Altowelli, "Shaybah Field — a History", p. 20.

⁵³⁹ Energy Intelligence Group (1999), *Saudi Aramco*, published by EIG, January 1999, obtained from Library of Congress, 2010.

⁵⁴⁰ Saudi Official Source, Exeter, 2 July 2011

⁵⁴¹ William Mark Habeeb, *The Middle East in Turmoil: Conflict Revolution and Change*, Santa Barbara CA: Greenwood, 2012, p. 33.

⁵⁴² Jean-François Seznec, Interview, Washington, 21 November 2010.

⁵⁴³ Anonymous UAE oil worker at Zararah oilfield, Interview, Abu Dhabi, 15 August, 2011. According to his view, the UAE had not waited to renegotiate with Saudi Arabia over the 20 percent of Zararah.

natural gas in the field belongs to Saudi Arabia, but the UAE has repeatedly stated that the Treaty cannot be implemented and must be amended. The Saudis have continued to insist that the provisions of the Treaty are valid.⁵⁴⁴ It could be argued that the current UAE government's stand with respect to the Zararah oil field represents continuity with the approach begun during Shaikh Zayid's regime in 1975.

7.4 Reasons behind Shaikh Zayid's Signing of the Treaty with Saudi Arabia

In 2004, Marcelle M. Wahba, US Ambassador to the UAE, reported a conversation she had had with Rashid Abdullah Al-Nuaimi, the UAE Minister of Foreign Affairs, who had explained to her the reasons why the UAE had reached such a conclusion to the Treaty with Saudi Arabia: "The newly federated Emirates were in a 'to-be-or-not-to-be' position and badly needed Saudi recognition. He noted that the period was marked by border dispute with all [neighbours] and until an agreement was reached, Saudi Arabia had refused to recognize UAE passports."⁵⁴⁵

A consensus has developed among scholars that Shaikh Zayid agreed to the Treaty of Jeddah primarily to ensure the survival of the United Arab Emirates. According to John Duke Anthony, Shaikh Zayid believed that if he got Saudi Arabia away from the members of the federation, it would "free the UAE's hand internally."⁵⁴⁶ As discussed in Chapter 6 Saudi interference in the domestic affairs of members of the UAE had weakened relations among the Emirates and had affected the unity of the federation. Both Anthony and Ali Ahmed (director of the Gulf Institute in Washington, DC), agree that in the early 1970s there were many facets of federation, such as the media section, military forces, internal boundaries and the Communications Ministry in which the UAE was not yet unified. One such example was reported in 1975 by A. D. Harris of the Middle East Department to Ivor Lucas: "Sayed Muhammad Al-Mulla, the Federal Communications Minister, had come to accept the inevitability of federalising internal communication in the UAE and of rationalising external telecommunications too. But,

⁵⁴⁴ United Nations, Treaty Series Vol. 1733, ref. 1-30250: Saudi Arabia and United Arab Emirates: *Agreement on the Delimitation of Boundaries* (With Exchange of Letters and Map), Signed at Jeddah, Saudi Arabia, on 21 August 1974, (registered by Saudi Arabia with the UN on 9 September 1993), p. 31. Text at <http://treaties.un.org/doc/publication/unts/volume%201733/i-30250.pdf>

⁵⁴⁵ Marcelle M. Wahba, U.S Embassy in UAE, (Abu Dhabi), US State Department, (Washington) UAE *has Unfinished Business over its Border with Saudi Arabia*, 04ABUDHABI1989, available at http://www.wikileaks.org/plusd/cables/04ABUDHABI1989_a.html, 16 June 2004, (Accessed 19 June, 2013).

⁵⁴⁶ John Duke Anthony, Interview, Washington 29 November 2010.

Shaikh Rashid [ruler of Dubai] had kept silent on this issue which everyone took to mean that he would go along with any moves pushed through by Abu Dhabi.”⁵⁴⁷

During the 1970s, Shaikh Zayid had also had to confront and deal with an important issue that arose in the early days of the federation, that concerned dual identity. For example, many Bedouin and tribal leaders identified themselves as Shaikhs of the Awamir tribe or Shaikh Mansoori of the Manasir tribe. Additionally, Emiratis from Abu Dhabi and Dubai identified themselves respectively as Dhabiani and Dabawi, instead of being from the United Arab Emirates and therefore Emirati.⁵⁴⁸ In response to a question about Emiratis having dual identities, one to an individual emirate and one to the UAE, Shaikh Zayid said:

In fact we do not blame citizens if they sometimes misinterpret the truth and what I want to assure them is that we are at the beginning of the union and our experience is still new as well. We have no plan designed by a former generation, but we have designed this plan ourselves and we ourselves strove for union as a result of our faith in our nation, and for our benefit that cannot be obtained without union.⁵⁴⁹

Ibrahim Hashim argues that as evidence of Shaikh Zayid’s focus on promoting unity, the Shaikh’s early attempts to unify the media occurred at a time when, for instance, Dubai, Abu Dhabi, and Sharjah had different media channels.⁵⁵⁰ When Ahmed al-Suwaidi, the UAE’s Foreign Minister was questioned in an interview about the status of the federation, he commented that: “three years have passed since the union of the Emirates was established. During this period there have been many achievements both internally and externally. However, there are still some obstacles challenging the federation for which we are trying to find solutions.”⁵⁵¹

In fact, the major challenge faced during the early years of the federation was the unifying of the seven emirates as one United Arab Emirates. In October 1978, Shaikh

⁵⁴⁷ A. D. Harris, (Middle East Department), Ivor Lucas, (FO) *Cable and Wireless Earth Station at Jebel Ali*, 6 February 1975. FCO8/2428, TNA, London, Report obtained from Gulf Centre for Strategic Studies, Abu Dhabi, p.143.

⁵⁴⁸ Hesam Al-Ulama, *UAE Federal Boundaries*, p. 63.

⁵⁴⁹ Anon, “Sheikh Zayed Bin Sultan Al-Nahyan. The President of UAE is in a Press Conference about Union Issues”, *Journal of the Gulf and Arabian Peninsula Studies* (Kuwait), 5 January, 1976, p. 120 (in Arabic).

⁵⁵⁰ Ibrahim Hashim Ibrahim, Interview, Abu Dhabi 15 August, 2011.

⁵⁵¹ Anon, “An Interview with Mr Ahmed Khalifa Al-Suwaidi, UAE Minister of Foreign Affairs, About the Union Issues in Bahrain During his Gulf Visit which Included Kuwait, KSA, Bahrain and Tehran”, *Journal of Gulf and Arabian Peninsula Studies* (Kuwait), 5 June, 1978, p.180 (in Arabic).

Zayid was quoted as saying that putting a federation together took time. Asked specifically about a conflict between policing at the individual and federation levels, he said: “If security varied in the same state, it would be both flimsy and irresponsible and would also change into a security surveillance service. So, we need one security organisation that creates confidence and identifies responsibility when someone makes mistakes.”⁵⁵² Ibrahim Hashim defends Shaikh Zayid’s promotion of a common Emirati identity “as evidence of sound federation policy.”⁵⁵³ Interestingly, Shaikh Zayid announced his resignation as president of the UAE after five years in the post because of difficulties experienced in trying to unify the seven emirates.⁵⁵⁴ With this background, Shaikh Zayid might have valued the federation issue more than the question of the boundary with Saudi Arabia from 1970 to 1974. In other words, his worries about the federation issue might have affected the outcomes of the Treaty of Jeddah.⁵⁵⁵

On the other hand, the annual reviews of UAE affairs for 1974 and 1975 undertaken by British officials frequently criticised Shaikh Zayid, portraying him as the one who had increased internal tensions, due to his policies towards the federation. It was reported that Shaikh Zayid regarded Abu Dhabi as if it were the UAE itself. At the end of 1974, D. J. McCarthy, British Ambassador to the UAE complained that Shaikh Zayid was spending too much on foreign aid and that Abu Dhabi was exercising hegemony over the Emirates.⁵⁵⁶ The British continued in early 1975 to focus on unstable elements that characterised the UAE at that time. The Foreign Office reported that “the President of the United Arab Emirates (UAE), Shaikh [Zayid] of Abu Dhabi, committed the [UAE]

⁵⁵² Anon, “An Interview with Sheikh Zayed Bin Sultan Al-Nahyan, President of UAE, About External and Internal Affairs”, *Journal of Gulf and Arabian Peninsula Studies* (Kuwait), 14 October 1978, p.130 (in Arabic).

⁵⁵³ Ibrahim Hashim Ibrahim, Interview, Abu Dhabi, 15 August, 2011

⁵⁵⁴ “Interview with Shaikh Zayid Bin Sultan Al-Nahyan, President of the UAE, on External and Internal Affairs”, *Journal of the Gulf and Arabian Peninsula Studies* No. 13 January 1978, p128-131, (in Arabic). See also for more details, http://www.wikileaks.org/plusd/cables/1976ABUDH02120_b.html, Sterner, US Embassy in (Abu Dhabi), to (Washington) Secretary of State, “*Shaikh Zayed States he will Step Down as President of UAE*”, 5 August 1975, (Accessed 19 June 2013).

⁵⁵⁵ Ibrahim Hashim Ibrahim, Interview, Abu Dhabi, 11 August 2011.

⁵⁵⁶ D. J. McCarthy (UAE), to M. S. Weir (Foreign Office), ‘The State of the Disunion’, 31 December 1974, FCO8/2422, TNA, London. Report obtained from the Gulf Centre for Strategic Studies, Abu Dhabi, p.17.

to some \$900 million of overseas aid from Abu Dhabi's money, doing so despite growing domestic complaints about his priorities."⁵⁵⁷

It was also suspected that as oil revenues grew for Dubai, Sharjah, Umm al-Qawain, and Ras al-Khaimah, the emirates' loyalty to the UAE would decline.⁵⁵⁸ A 1975 analysis of the relationship between oil development and the UAE's political stability concluded: "each Emirate will have its own oil revenues to be spent in whatever manner."⁵⁵⁹ It is hard to reconcile Britain's assessment of Shaikh Zayid's policy in the 1970s with Shaikh Zayid's efforts to unify the federation.

Other reports claimed that the British policy of selling weapons to each individual emirate was responsible in part for increasing competition among the various emirates and stalling the process of integration between their armed forces. Some reports reveal that British companies were faced with what was labelled "wild and immoral competition" with French and American companies in "an exportation battle" to the UAE's member states.⁵⁶⁰ A report from Antony D. Harris in the Middle East Department to Ivor Lucas, states that

Mr Bryant and I [A. D. Harris] discussed the question of arms sales to the UAE with Mr Jones of MOD Sales on 5 August. MOD Sales are concerned that we might cause unnecessary blood amongst the Emirates and amongst arms salesmen, were we to go straight to Mehdi Tajir [consultant to the Ruler of Dubai and UAE ambassador in London] or the UAE Ministry of Defence on hearing of the slightest interest shown by any of the Emirates in any new equipment. Mr Jones mentioned in particular BAC's efforts to sell "Bee-Swing" to Umm al-Qawain.⁵⁶¹

Another report (entitled *Selling Arms to Different Emirates*) from British Ministry of Defence officials in Dubai to the British Embassy in Abu Dhabi included the following:

⁵⁵⁷ D. J. McCarthy (Abu Dhabi), to Secretary of State (Foreign Office), 'United Arab Emirates (UAE): Annual Review for 1974', 28 December 1974,"FCO8/2422, TNA, London, in *Arabian Boundaries*, vol.16, ed. Schofield, p. 374.

⁵⁵⁸ Foreign Office Minutes by A. D. Harris, 'The UAE Annual Review 1975, 7 January 1975, with Additional Note by T. J. Clark, 8 January 1975", FCO8/2422, TNA, London, in *Arabian Boundaries*, vol. 16, ed. Schofield, p.381.

⁵⁵⁹ Anon, "UAE Internal Tension in 1975," *Gulf Affairs Magazine*, issue 46 (Summer 2006), pp. 204-205, (in Arabic).

⁵⁶⁰ *Ibid.*, p. 207.

⁵⁶¹ A. D. Harris, Middle East Department in the British Foreign Ministry, to Mr. Ivor Lucas, "The Question of Selling Arms to the UAE", FCO8/2430, TNA, London, 6 August 1975. Report obtained from the Gulf Centre for Strategic Studies, Abu Dhabi, p. 314.

“we have been informed by Alvis Ltd that they hope to offer 5CVR(T) Scorpion and associated equipment to Umm al-Qawain. Approval has already been given for the supply of Scorpion to two other [Emirates] of the UAE, Dubai and Abu Dhabi.”⁵⁶² The business of selling arms to different emirates did not focus on the federation’s military forces but added to competitiveness among the emirates. The British had therefore to take some responsibility for damaging the concept of federation in the early 1970s.

7.5 Challenging the Arab Gulf States and Stalemate on the Boundary Issue (1979-90)

This study hypothesises that certain crucial events that occurred in the Arabian Gulf region, such as the establishing of the Islamic revolution in Iran in 1979, the Iran-Iraq war (1980-88) and the Iraqi invasion of Kuwait in 1990, might all have accounted for why the UAE did not publicly revive the boundary question. Posner identified three key events in 1979 that influenced the course of the Gulf’s political history:

- establishment of the Shiite Islamic Revolution in Iran and its export to the Gulf states
- the fundamentalist demonstration at Mecca
- the US-sponsored Israeli-Egyptian Peace Accords at Camp David.⁵⁶³

Basically, Iran’s Islamic Revolution removed the Iranians from the Twin Pillar policy; as a result, the policy collapsed. In 1979, the Iranians attacked the US Embassy in Tehran and took the employees hostage. From then on, Iran became a major enemy of the US.

Fundamentalist demonstrations in Mecca and an Iranian-inspired uprising among Shiites in eastern Saudi Arabia also gave the Saudi leadership two substantial security problems to address simultaneously. The conservative shift in Saudi Arabia that had begun in the aftermath of King Faisal’s assassination, intensified, and anti-Western, anti-American feeling became so strong in the Kingdom that, backed by Crown Prince Fahd, King Khalid refused repeated American requests for Saudi Arabia to endorse the Camp David Accords.

⁵⁶² British political, economic and military files: “British Military sales to United Arab Emirates 1975”, FCO8/2430, TNA, London, 26 June 1975, Report obtained from the Gulf Centre for Strategic Studies, Abu Dhabi, p. 269.

⁵⁶³ Posner, *Secrets of the Kingdom*, pp. 90-99, 165.166.

On 22 September 1980, a year after the establishment of Iran's Islamic Revolution, Saddam Hussein invaded Iran. The Arab Gulf states supported Iraq financially until, after the deaths of a million Iraqis and a million Iranians, the war ended in 1988. Meanwhile, and given this background, the Gulf States had agreed on the need to establish an organisation to define their common interests and to face the security challenges in the Gulf region, and the inaugural meeting of the Gulf countries had been held in Abu Dhabi in May 1981. The Gulf Cooperation Council (GCC) was established initially by Saudi Arabia, Oman, the UAE, Qatar, Bahrain, and Kuwait.⁵⁶⁴

The situation was further complicated when Iraq, which was supported by the GCC, invaded Kuwait on 2 August 1990. In the same year also, the Saudi government gave the US permission to base American troops in Saudi Arabia during the Allied effort to expel Iraq from Kuwait. This revealed the GCC's failure to provide for its members a unified defence system without the need for external intervention.⁵⁶⁵ To put the ability of the GCC states to defend themselves in perspective, it should be pointed out that the GCC was conceived primarily as a trade bloc, rather than a military alliance. Following the Iraqi invasion of Kuwait, Sultan Qaboos of Oman had advocated the formation of a GCC military force of 100,000 troops with the specific purpose of ending dependence on foreign military power; however, Saudi Arabia opposed the idea.⁵⁶⁶

The GCC member states had duly allied with the United States to expel Iraq from Kuwait and continued to rely on the US for regional security. Even after Iraqi troops had retreated to Iraq in 1991, some American troops remained in the Gulf region until after the 2003 invasion of Iraq. During those twelve years, Saudi religious conservatives regularly criticized the Saudi government for allowing US soldiers to be based in an Islamic country. From the perspective of this research, and given this background, the

⁵⁶⁴ Charles W. Freeman, Jr., "The GCC at 25: A *Tour d'Horizon*", *Middle East Policy*, vol. 14 (Winter 2006): p. 148.

⁵⁶⁵ David Priess, "The Gulf Cooperation Council: Prospects for Expansion," *Middle East Policy*, vol. 5, (January 1998), p.17.

⁵⁶⁶ Olivier Da Lage, "Saudi Arabia and the Smaller Gulf: The Vassals Take Their Revenge", paper at Colloque du CERI (Centre d'études et de recherches internationales), Paris, 10-11 January, 2005, text available at <http://odalage.wordpress.com/autres-publications/saudia-arabia-and-the-smaller-gulf-states-the-vassals-take-their-revenge-colloque-du-ceri-10-11-janvier-2005/>

significance of the events noted above might have been that the UAE was forced to leave the boundary question dormant.⁵⁶⁷

7.6 The Disputed Articles in the Treaty of Jeddah

7.6.1 Articles 3 & 4 (*Zararah oilfield*)

It is worth mentioning that in the course of my fieldwork, I found that some scholars had somewhat exaggerated the argument that the UAE rejected the provisions of the Treaty of Jeddah. Through the UN, the UAE stated its position as follows:

The government of the United Arab Emirates had confirmed in its previous correspondence that *parts* [emphasis added] of the boundary agreement of 1974 cannot be implemented in their present context. Moreover, the Government of United Arab Emirates had on more than one occasion expressed its desire for the amendment of some parts of the agreement.⁵⁶⁸

As a result of the 20 years of secrecy surrounding the Treaty of Jeddah, most early interpretations of the Treaty were based on incomplete and sometimes erroneous information, as shown in Chapters 1 and 6. In this context, the British received their most accurate information about the terms of the Treaty of Jeddah in April 1975, when Sultan Qaboos of Oman drew a map on a box of tissues for a British official. Yet the Sultan's drawing indicated that Saudi Arabia, while getting the output of *most* of the Zararah oil field, would still share the oil revenues with the UAE.⁵⁶⁹

Foreign Office minutes in December 1975 reflected British opinions on the subject of the maritime boundary and Khor al-Udaid: "The extent of any Saudi claims to territorial waters is unknown, but the principle of the corridor seems to be of greater importance to the Saudis than actually putting it to some use. The coastal waters are very shallow and most unlikely to be suitable for shipping or for the continuation of a convenient port."⁵⁷⁰ These old British messages suggest that the issues involved in the current revived of the UAE-Saudi territorial dispute are related to Articles 3, 4 and 5 of the Treaty of Jeddah.

⁵⁶⁷ During my fieldwork, no documents were found concerning the UAE's position on the Treaty of Jeddah between 1979-1990. Rather than discussing disputes like those related to the Treaty, the GCC states were firmly preoccupied with security issues.

⁵⁶⁸ Untitled letter, From United Arab Emirates Ministry of Foreign Affairs, Director General, to the Kingdom of Saudi Arabia; United Nations, New York, dated 8 August 2009.

⁵⁶⁹ H. St. J. B. Armitage (Dubai) to I. T. M. Lucas (Foreign Office), 'UAE-Saudi Arabia,' 28 April 1975', FCO8/2425, TNA, London, in *Arabian Boundaries*, vol.16, ed. Schofield, p. 387.

⁵⁷⁰ Foreign Office Minutes by N. J. G. Bowie, 'The Buraimi Dispute', 15 December 1975, FCO8/2425, TNA, London, in *Arabian Boundaries*, vol.16, ed. Schofield, pp.392-393.

In fact, the Sultan (and thus the British) got it wrong about oil-sharing from the Zararah (or as the Saudis prefer, Shaybah) oil field. Articles 3 and 4 of the Treaty of Jeddah are both related to the Zararah-Shaybah oilfield; e.g. we find in Article 3 that:

1. All hydrocarbons in the Shaybah-[Zararah] field shall be considered as belonging to the Kingdom of Saudi Arabia.
2. The United Arab Emirates agrees and undertakes not to engage in or to permit any exploration or drilling for or exploitation of hydrocarbons in that part of Shaybah-[Zararah] field lying to the north of the boundary line.
3. The Kingdom of Saudi Arabia or any company or corporation operating with its permission may engage in exploration and drilling or exploitation of hydrocarbons in that part of the Shaybah-[Zararah] field lying to the north of the boundary line, and the two states shall subsequently reach agreement on the manner in which the Kingdom of Saudi Arabia shall engage in such activities.⁵⁷¹

As it appears here, under the Treaty of Jeddah the UAE received nothing from the Zararah-Shaybah oilfield. Yet for many years various UAE officials, miscellaneous informants engaged by the British, and a number of scholars expressed the view that the Articles of the Treaty provided for oil-sharing between Saudi Arabia and the UAE with respect to the Zararah-Shaybah field. Secrecy made such confusion possible. For example, as mentioned in Chapter 1, Hamadi reported that the Treaty of Jeddah provided for oil-sharing from the Zararah-Shaybah oil field between Saudi Arabia and the UAE.⁵⁷² With respect to Article 3 of the Treaty of Jeddah, Schofield has noted that,

with cross-boundary reserves, it was (and remains) usual practice to unitise the resource so that if 80 percent of the field lies in one state and the remaining 20 percent in the other, then revenue deriving from exploitation will be split correspondingly, however joint exploitation of the oilfield structure is specified or facilitated.⁵⁷³

Another restriction on the use of oil reserves was introduced in Article 4: “the Kingdom of Saudi Arabia and the United Arab Emirates each undertake to refrain from engaging in and from permitting the exploitation of hydrocarbons in that part of its territory in

⁵⁷¹ United Nations, *Saudi Arabia and United Arab Emirates*, p.31.

⁵⁷² Hamadi, *Saudi Arabia's Territorial Limits*, pp.45, 64-67, 80,109.

⁵⁷³ Richard N. Schofield, “Introduction to 1974,” in *Arabian Boundaries*, vol.15, ed. Schofield, p. xiii.

which the hydrocarbon fields primarily located in the territory of the other state extend.”⁵⁷⁴ As Schofield comments on Articles 3 and 4 together:

whereas Saudi Arabia seemingly got the rights to all of the Shaybah [-Zararah] structure, including its minority portion within the UAE, any other trans-boundary fields discovered subsequently could/can only be operated by the state in whose territory the majority of the structure lay [lies], if this article remains in effect. The minority owner in territorial terms therefore has no right to develop its share.⁵⁷⁵

Al-Shaikh indicates, furthermore, that Article 4 has continued to cause controversy in recent years. As an example he notes that the UAE’s oil minister was the only oil minister in the GCC who did not attend the inauguration of the Shaybah oilfield in March 1999, as a way of signalling the UAE’s long-standing dissatisfaction with the Jeddah Treaty’s Articles.⁵⁷⁶ Given the scholarly material quoted above concerning Articles 3 and 4, the UAE’s current position may require some clarification. According to *Arabic News*,

The UAE news agency quoted the UAE minister of state for foreign affairs and chairman of the permanent committee for borders between the UAE, Hamdan Bin Zayed al-Nahyan, as saying that his country considers that parts of an agreement signed in 1974 have become inapplicable, noting that Abu Dhabi calls for the introduction of fundamental changes for these parts. The agency has not explained the nature of the ‘fundamental’ changes demanded by the UAE.⁵⁷⁷

In term of examining Articles 3 and 4 in the context of the revival of the territorial dispute, an anonymous UAE diplomat stated on 15 August 2011 that the UAE wanted changes, mainly to Article 3 of the Treaty that would make provision for sharing the oil from the Zararah/Shaybah oil field. Noting that Shaikh Zayid had obviously believed in August 1974 that the UAE and Saudi Arabia were agreeing to share the oil, but that this had not been included in the provisions of the Treaty, the diplomat argued that it was within the UAE’s rights to request an amendment to Article 3.⁵⁷⁸

⁵⁷⁴ United Nations, *Saudi Arabia and United Arab Emirates*, p.31.

⁵⁷⁵ Schofield, “Introduction to 1974,” p. xiv.

⁵⁷⁶ Al-Shaikh, *Saudi Arabia and its Gulf Co-operation Council Neighbours*, p. 120.

⁵⁷⁷ Anon, “UAE Demands Fundamental Changes for its Borders with Saudi Arabia”, *Arabic News*, 20 June 2005, <http://www.arabicnews.com/ansub/Daily/Day/050620/2005062025> , (Accessed 12 October 2009).

⁵⁷⁸ Anonymous UAE Diplomat, Interview, New York, 15 November 2011.

Marcelle Wahba, US Ambassador to the UAE, also reported to the US State Department that Abdullah Rashid Al-Nuaimi, Under Secretary at the Ministry of Foreign Affairs, had expressed the view that “the UAE thinks it is not fair that [they] cannot utilize [the 20 percent of the oilfield located in Abu Dhabi].” The UAE government had described its current revival of the dispute or its position toward the Articles of the Treaty as a process to formalise the Treaty and not to create a problem with Saudi Arabia. However, the Ambassador thought that opening up the question of the 20 percent of the Zararah oil field with Saudi Arabia “will be an uphill battle.”⁵⁷⁹

7.6.2 *Article 5 (The Maritime Boundary)*

In December 1975 the British, in addition to wondering about oil sharing at the Zararah oil field, were keen to know how the Treaty of Jeddah affected the maritime boundary between the UAE and Saudi Arabia. Article 5 of the Treaty of Jeddah requires that “both parties shall as soon as possible delimit the offshore boundaries between the territory of the Kingdom of Saudi Arabia and the territory of the United Arab Emirates.”⁵⁸⁰ For several reasons this never happened. In August 2009, the Saudi Foreign Minister stated his government’s call for the UAE to comply with Article 5.⁵⁸¹

UAE had repeatedly failed to participate in delineating the maritime boundaries and affirmed Saudi Arabia’s desire to implement Article 5 as soon as possible.⁵⁸² However, the UAE countered that Article 5 could no longer be implemented and repeated the UAE’s position to the effect that several Articles of the Treaty of Jeddah, including Article 5, required amendment.⁵⁸³

The UAE’s position regarding Article 5 may require some clarification. First, it is important to note that the UAE is not member to the 1982 UN Convention on the Law

⁵⁷⁹ Wahba, US Embassy in UAE (Abu Dhabi), US State Department (Washington), ‘UAE has Unfinished Business over its Border with Saudi Arabia’, 04ABUDHABI1989, Available at www.wikileaks.org/plusd/cables/04ABUDHABI1989_a.html, 16 June 2004, (Accessed 19 June 2013).

⁵⁸⁰ Article 5, Treaty of Jeddah, 21 August 1974

⁵⁸¹ Untitled Note, From the Ministry of Foreign Affairs of the Kingdom of Saudi Arabia to the Ministry of Foreign Affairs of the United Arab Emirates, New York: United Nations, 9 August 2009

⁵⁸² From Saudi Arabia: [Note containing a response of Saudi Arabia](#) to the memorandum of the United Arab Emirates, *concerning the Joint Minutes on the land and maritime boundaries to the Agreement of 4 December 1965 between the State of Qatar and the Kingdom of Saudi Arabia on the delimitation of the offshore and land boundaries*, 5 July 2008, New York: United Nations, 16 November 2009

⁵⁸³ Untitled Note, United Arab Emirates, Ministry of Foreign Affairs, undersecretary, To the Secretariat of the United Nations, Office of His Excellency the Secretary-General”, New York: United Nations, 17 November 2011

of the Sea (UNCLOS), so the UAE is not obligated to comply with the Saudi claim for delimiting the maritime boundaries.⁵⁸⁴ Second, Article 5 cannot be settled due to conflicts with the 1969 territorial agreement between Abu Dhabi and Qatar, as well as with the UAE-Qatar Dolphin Pipeline agreement of 2004. The UAE has filed its objection with the UN as follows:

The Joint Minute signed on 5 July 2008 [Saudi-Qatari agreement of 1965] is incompatible with the terms of the Agreement on the settlement of the maritime boundaries and ownership of islands between the Emirates of Abu Dhabi and Qatar, signed on 20 March 1969 and registered by both parties with the General Secretariat of the United Nations on 14 December 2006. It is also incompatible with the terms of the agreement between the United Arab Emirates and the State of Qatar regarding the Dolphin Pipeline signed on 25 September 2004, and registered with the General Secretariat of the United Nations on 5 April 2006.⁵⁸⁵

It is important to understand why such a position was taken, and whether or not the UAE's current position is related to conflicts or contradictions within the Articles of the Treaty of Jeddah, especially Article 5. This study shows that the UAE's position is related to a perceived conflict between the Qatari-Abu Dhabi agreement of 1969 and Article 5 of the Treaty of Jeddah. Similarly there are internal contradictions in the Saudi-Qatari agreement of 1965, which might also clash with Article 5 of the Treaty of Jeddah. For example, Article 3 of the Saudi-Qatari agreement of 1965 states that "an international survey company shall be commissioned to carry out a survey and establish on the ground the boundary points and boundary lines between the two countries in accordance with the provisions of this agreement and to prepare a map of the land and offshore boundaries between the two countries."⁵⁸⁶ However, Article 5 of the Qatari-UAE agreement of 1969 states that "At the earliest possible opportunity the boundary points defining the lines (which refer to the offshore boundary geographic co-ordinates)

⁵⁸⁴ United Nations Convention on the Law of the Sea (concluded at Montego Bay, Jamaica on 10 December 1982) Ref: MZN 66.2009.LOS (Maritime Zone Notification), Deposit by the United Arab Emirates of a list of geographical coordinates of points, pursuant to Article 16, para. 2 of the convention, 10 March 2009. Available at http://www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/mzn_s/mzn66.pdf (Accessed 15 June 2011)

⁵⁸⁵ United Arab Emirates, Ministry of Foreign Affairs: *Note concerning the Joint Minutes on the land and Maritime boundaries to the Agreement of 4 December 1965 between the State of Qatar and the Kingdom of Saudi Arabia on the delimitation of the offshore and land boundaries on 5 July 2008*: New York, United Nations 16 June 2009

⁵⁸⁶ Article 3, Saudi Arabia-Qatar Agreement, 4 December 1965

joining them shall be drawn on an accurate map in two copies and signed by the two parties showing the definitive offshore boundary between two countries.”⁵⁸⁷

It is important to note that Article 3 of the Saudi-Qatari agreement called for Saudi Arabia and Qatar to delimit their offshore boundaries, which was done in 2008 and that this delimitation might conflict with Article 5 of the Abu Dhabi-Qatari agreement and Article 5 of the Treaty of Jeddah which remains unsettled. This is why the UAE’s current offshore boundaries with Qatar and Saudi Arabia remain problematic, and why it is difficult to settle Article 5 of the Treaty of Jeddah, which calls for both the UAE and Saudi Arabia to delimit their offshore boundaries. This study shows that it was not possible for the complexities of the boundaries among the three states to be settled individually, and agrees with Schofield’s statement that “the offshore boundaries could be worked out trilaterally between Qatar, Saudi Arabia and Abu Dhabi.”⁵⁸⁸ Saudi Arabia’s position regarding the Abu Dhabi-Qatari agreement of 1969 is particularly significant, since it further complicated the situation of the offshore boundary. It is important to note that Saudi Arabia consistently rejected the legitimacy of that agreement, and that the UAE similarly rejected part of the 1965 territorial agreement between Qatar and Saudi Arabia. One of Saudi Arabia’s letters protesting against the 1969 Abu Dhabi-Qatari agreement states that:

The Kingdom of Saudi Arabia did not initially recognize the original agreement signed between the Principalities of both Abu Dhabi and Qatar on 20/3/1969, which claims the delimitation of the Kingdom’s maritime area which extends next to the coasts of each of the State of Qatar and the State of United Arab Emirates. Since 1969, the Kingdom of Saudi Arabia has continued to communicate its objection to this Convention to each of the two countries as well as the previous states; and is still rejecting it to this day.⁵⁸⁹

In term of examining Article 5 in the context of the revival of the territorial dispute, an unusual incident of an armed conflict over the maritime boundary occurred on 13 March 2010, when UAE patrol boats stopped three small Saudi coastguard vessels opposite Khor al-Udaid. The UAE was informed that they had entered the UAE’s territorial

⁵⁸⁷ Article 5, Abu Dhabi-Qatar Agreement, 20 March 1969

⁵⁸⁸ Douglas-Home, Foreign Office, to Abu Dhabi, FCO8/1338 11 August 1970, TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, pp. 596-597.

⁵⁸⁹ Saudi Arabia: [Note containing a response of Saudi Arabia](#) to the memorandum of the United Arab Emirates concerning the Joint Minutes on the land and maritime boundaries to the Agreement of 4 December 1965 between the State of Qatar and the Kingdom of Saudi Arabia on the delimitation of the offshore and land boundaries, 5 July 2008, New York: United Nations, 16 November 2009

waters without permission, and they were immediately asked to leave. However, one Saudi boat refused to comply and shots were exchanged.⁵⁹⁰

I was curious about why such an event had occurred, and was told by an informant that Saudi Arabia hoped, by causing trouble on the UAE's maritime boundary, to provoke the UAE into negotiations related to Article 5.⁵⁹¹ According to Pruitt and Carnevale, harassment involves actions that are designed to annoy the other party so as to gain compliance with demands.⁵⁹² From the UAE's perspective, Saudi boats had crossed the UAE's maritime boundary in the hope that the UAE would join Saudi Arabia in negotiating or identifying the UAE-Saudi maritime boundaries that had been left unsettled under the Treaty of Jeddah. However, the UAE made it clear that there would be no settlement related to Article 5 unless the other contentious Articles in the Treaty were considered at the same time. Both Saudi Arabia and the UAE therefore filed their objections with the UN, and Articles 3, 4, and 5 of the Treaty of Jeddah continue to be disputed.⁵⁹³

7.6.3 *Article 6 (The Official Map)*

Article 6 of the Jeddah Treaty indicates that an international company would be required to prepare an official map to reflect the current boundaries between the two countries; it states: "this map, after signature by the representatives of the High Contracting Parties, shall be the official map showing the desired boundaries and shall be annexed to this agreement and an integral part thereof"(Figure 7.4).⁵⁹⁴ Notwithstanding, no one knows for certain whether Emirati officials understood the delineation of the UAE's boundaries as depicted on the new map, as stipulated in Article 6, or the extent to which the UAE was satisfied with the map that accompanied the Treaty of Jeddah in 1974. Here there is a question to be asked about the official map. Did the UAE participate in preparing the map or it was designed by Saudi Arabia? Circumstances perhaps indicate that the official map might have been imposed on the UAE.

I was keen to examine maps of the UAE from its independence in 1971 to the present, and found that the UAE is still using an older version of the map that does not conform

⁵⁹⁰ For more information about the Saudi account of this, see *Events 2010-2011* p.193

⁵⁹¹ Anonymous UAE, Interview, Abu Dhabi, 15 August 2011.

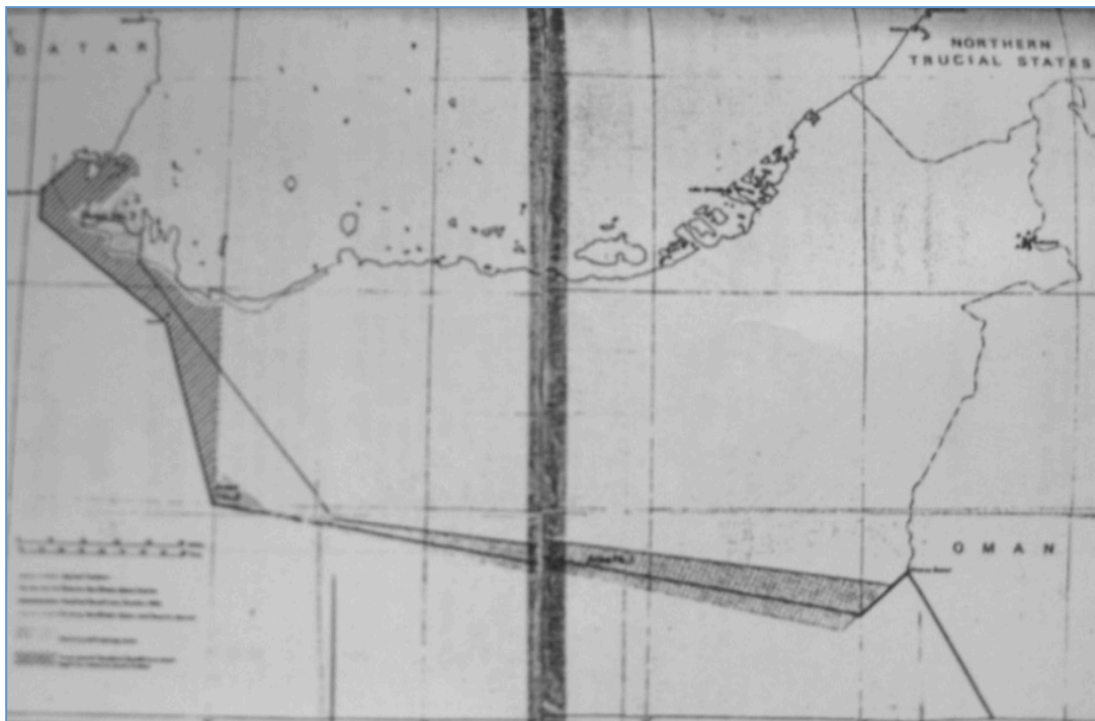
⁵⁹² Pruitt and Carnevale, *Negotiation in Social Conflict*, p. 32.

⁵⁹³ For more information about the Saudi account of this, see *Events 2010-2011* p.193

⁵⁹⁴ Article 6, Treaty of Jeddah, 21 August 1974

with the map attached to the Jeddah Treaty. Typically, government documents, academic studies and textbooks in the UAE continue to feature maps that show Zararah and Khor al-Udaid as UAE territories. Thus, maps of the UAE found in primary, intermediate and secondary schools, and in academic books at university level included both Khor al-Udaid and Zararah. The most important source of maps is *The UAE Atlas*, the only atlas to have been published since 1993. It shows demographic locations, locations of gas and oil fields, agricultural areas, etc,⁵⁹⁵ and also focuses exclusively on maps that position both Khor al-Udaid and most of the Zararah oilfield within the UAE mainland (Figure 7.5).

Figure 7.4: Map of the Treaty of Jeddah of 1974



Source: Foreign Office Minute by J. P. Bannerman, “Saudi-Abu Dhabi Frontier Settlement,” 16 August 1974, enclosing map illustration the cession, FCO8/ 2357, TNA, London, in *Arabian Boundaries*, ed. Schofield, vol. 15, p.234.

⁵⁹⁵ UAE University, *The National Atlas of the United Arab Emirates*, Al-Ain: UAE University, 1993.

Figure 7.5: Map Published in the Atlas of 1993



Source: National Atlas of the United Arab Emirates , Al Ain: UAE University, 1993, p. 6.

However, it is rare to find maps that conform to the boundaries established under the Treaty of Jeddah. When asked about the two versions of maps issued, a UAE oilman at the ADCO Company said: “the UAE has not yet had formal boundaries with Saudi Arabia.”⁵⁹⁶ As far as examining Article 6 in the context of the revived territorial dispute, UAE-Saudi tensions emerged after Abu Dhabi’s Information Ministry published the *UAE Yearbook* for 2006; this included a new map, showing Abu Dhabi’s territory extending west to Qatar’s southern border to include Khor al-Udaid, as well as south from Liwa to include part of the Zararah/Shaybah oil field (Figure 7.6). Interestingly, there has been no map of the UAE published in the *UAE Yearbook* since 2006, although various maps were always included in the Yearbook before the public revival of the boundary issue in 2004 (Figures 7.7 and 7.8). As noted, UAE maps still come in two versions, but most of those published focus exclusively on showing Khor al-Udaid and Zararah within Abu Dhabi’s mainland.

Another matter related to the UAE published map concerns the issuing of identity cards to citizens.

⁵⁹⁶ Anonymous UAE oil worker at ADCO, Interview, Abu Dhabi, 15 August 2011.

Figure 7.6: The UAE Yearbook Map of 2006



Source: <http://www.uaeyearbook.com/Yearbooks/2006/ENG/> page 6-7 (Accessed 27 June 2013)

Figure 7.7: The UAE Yearbook Map of 2004



Source: www.uaeyearbook.com/Yearbooks/2004/eng/?page=28 (Accessed 27 June 2013) pp. 6-7.

Figure 7.8: The UAE Yearbook Map of 2003



Source: www.uaeyearbook.com/Yearbooks/2003/eng/?page=80 pp. 36-37 (Accessed 27 June 2013)

In addition to the map published in the *UAE Yearbook 2006*, the map printed on the back of the UAE's national identity card (ID card) increased tensions between the UAE and Saudi Arabia. In 2007, Saudi Arabia had agreed to a Gulf Cooperation Council initiative that would permit citizens of GCC member states to travel to other member states using their national ID cards rather than passports. However, in August 2009, the Saudis refused entry to UAE citizens presenting their ID cards since the map design on the reverse of the UAE card did not conform with the boundaries established under the Treaty of Jeddah in 1974.⁵⁹⁷ As a result, Emiratis with ID cards arriving at Saudi checkpoints were asked to return to the UAE, although Emiratis travelling with passports were permitted to enter.⁵⁹⁸

Sezneç has speculated that the UAE deliberately put the maps on the new national ID cards in 2009 to provoke the Saudis into further discussion about amending the Jeddah

⁵⁹⁷ Loveday Morris, quoting Dr Ibtisam Al-Kitbi, a professor of Political Science at the UAE University, in "ID Dispute Prompts Calls for Better Way of Resolving Gulf Disputes", *The National* (Abu Dhabi), 28 August 2009, available at www.thenational.ae/news/uae-news/id-dispute-prompts-calls-for-better-way-of-resolving-gulf-disputes

⁵⁹⁸ Ahmed Al-Mazrouei, Interview, Al-Ain, 15 August 2012. It is important to note that the UAE passport does not have a UAE map printed on it, as the ID card has.

Treaty Articles.⁵⁹⁹ However, this study disagrees with Sezneç's thinking since, based on my fieldwork in the UAE in August 2012, the map printed on ID cards renewed in 2011 had been modified by the authorities to conform with the boundaries as established under the Treaty.⁶⁰⁰ Al-Kitbi argues that the issue of ID cards was simply an example of Saudi Arabia trying to dominate the GCC states as the "big brother" figure.⁶⁰¹

Saudi Arabia did, however, protest to the UN, emphasising that the relevant authorities in the UAE should be instructed to make their maps conform to the stipulations of the Treaty of Jeddah.⁶⁰² Significantly, the Saudis only adopted a firm position towards the UAE's published maps after 2006 although, as the revival of the territorial dispute got under way, they became quite angry about the UAE's 2006 map and the national identity cards.⁶⁰³

7.7 Issues Related to the Treaty of Jeddah's Contents

7.7.1 Ratification

There are other issues that are not directly related to the recent revival by the UAE of the territorial dispute. However, for two reasons it seems useful to look at them in some detail. First, the content of the Articles of the Jeddah Treaty is full of ambiguities. Secondly, it will be helpful to examine the UAE's views on other Articles of the Treaty in order to better understand its position towards the whole agreement. This study suggests that the first issue is the question of ratification. There have been rumours in the media that the Treaty of Jeddah is not binding on the UAE since the UAE has never ratified it. For example, Abdul Khaleq Abdullah notes that, "the UAE has not yet ratified the Treaty and the Articles are not binding on the UAE"⁶⁰⁴ Similarly, Habeeb claims that since the UAE has not yet ratified the treaty, the border issues with Saudi Arabia remain unresolved;⁶⁰⁵ although this is mistaken thinking on the part of scholars. Nothing is stated about 'ratification' in the Articles of the Treaty; thus, entering into

⁵⁹⁹ Jean-Francois Sezneç, Interview, Washington, 21 November 2010.

⁶⁰⁰ The UAE may have decided to change the ID card in 2011 because they understood that this strategy was not working with the Saudis.

⁶⁰¹ Loveday Morris, "ID Dispute Prompts Calls for Better Way of Resolving Gulf Disputes." *The National* (Abu Dhabi), 28 August 2009.

⁶⁰² Untitled Letter from the Ministry of Foreign Affairs of the Kingdom of Saudi Arabia, to the Ministry of Foreign Affairs of the United Arab Emirates, New York: United Nations, 7 November 2009.

⁶⁰³ See section on the chronology of the revival of the dispute since 2004-2012, pp.186-193.

⁶⁰⁴ Abdul Khaleq Abdullah, a professor at UAE University, Interview, Cambridge, 15 July 2010

⁶⁰⁵ Habeeb, *The Middle East in Turmoil*, p. 33.

force upon ratification is not a precondition. As an example of a Treaty requiring ratification, Article 6 of the Saudi-Qatari agreement of 1965 explicitly indicates that: “this agreement shall be considered to have entered into force after the exchange of instruments of ratification by the two governments.”⁶⁰⁶ In contrast, Article 9 of the Treaty of Jeddah indicates that: “this agreement shall enter into force immediately on signature.”⁶⁰⁷ Based on Article 9, the UAE has been bound by the Treaty’s Articles since 21 August 1974. In addition this Article refutes the alleged argument for ratification.

7.7.2 *Use of Language*

The language applied in the Treaty of Jeddah also raises some doubts. For example, Article 2 of the Treaty of Jeddah, states that “the land boundary between the Kingdom of Saudi Arabia and the United Arab Emirates starts from point (a) on the coast of the Arabian Gulf at the *approximate geographical location* [emphasis added].”⁶⁰⁸ Regarding Article 2, Schofield has noted that it “leaves little doubt as to where the boundary beings.”⁶⁰⁹ He further maintains that the language applied in the Treaty reflects a careless use of concepts, although there is some justification for this as it was still an early boundary treaty.⁶¹⁰ This study found it interesting to examine the linguistic formulations used in earlier treaties signed with Saudi Arabia, such as the 1965 Saudi-Qatar Agreement. It showed that the same formula was applied in this Agreement’s Article 2, which defined the land boundary between the Kingdom of Saudi Arabia and Qatar as “extending thence in a straight line to a point on the shore of Khor al-Udaid at *the approximate geographical locations.*”⁶¹¹

The language applied in the Treaty of Jeddah also tends to lack a substantive formula to indicate consensus. For example Article 3 states: “The United Arab Emirates agrees and undertakes not to engage in or to permit any exploration or drilling for or exploitation of hydrocarbons in that part of Shaybah-[Zararah] field lying to the north of

⁶⁰⁶ United Nations, Treaty Series Vol. 1733, ref. I- 30249 *Agreement on the delimitation of the offshore and land boundaries between the Kingdom of Saudi Arabia and Qatar*, Saudi Arabia, Riyadh, (registered at UN on 9 September 1993)

⁶⁰⁷ Article 9, Treaty of Jeddah, 21 August 1974

⁶⁰⁸ Article 2, Treaty of Jeddah, 21 August 1974.

⁶⁰⁹ Schofield, “Introduction to 1974”, p. xiv.

⁶¹⁰ Ibid., p. xiv.

⁶¹¹ Article 2, Saudi-Qatari Agreement, 4 December 1965.

the boundary line”,⁶¹² while Article 5 states: “The United Arab Emirates agrees to the construction by the Kingdom of Saudi Arabia on the islands of Al-Qaffay and Makasib of any general installations it may wish to establish thereon.”⁶¹³ Instead of using phrases such as “it has been agreed” or “the two parties have agreed to the following”, the content of the Treaty lacks a mutual consensus in its provisions.

In terms of ambiguity, Article 5 of the Treaty of Jeddah states “the Kingdom of Saudi Arabia recognises the sovereignty of the United Arab Emirates over all the islands opposite its coast on the Arabian Gulf.”⁶¹⁴ This type of formula opens up the possibility of disputes over which islands belong to whom. This vague Article does not indicate the names of the islands that are supposed to belong to the UAE; nevertheless the same Article explicitly indicates that the UAE recognised Saudi Arabia’s sovereignty over Huwaysat Island.

7.7.3 *Al-Ain/Buraimi Issues and Umm al-Zamul*

As discussed in Chapters 5 and 6, the purpose of a series of negotiations from 1970 to 1974 was to press Saudi Arabia to drop its claims to Al-Ain/Buraimi oasis in exchange for giving diplomatic recognition to the UAE federation, for the ceding of areas in the west of Abu Dhabi, and for sharing revenues from Zararah in the south.⁶¹⁵ But, even though the Saudis achieved their aims through the Treaty of Jeddah, the crux of the Al-Ain/Buraimi issue was not mentioned or even hinted at.⁶¹⁶ Instead, the Treaty meant that Saudi rights were retained over Zararah/Shaybah (in Articles 3 and 4). In fact, going strictly by the text of the Treaty, it is difficult to understand what the UAE actually gained from this Treaty, which Schofield described as “the most bizarre international boundary agreement ever signed between two states.”⁶¹⁷ It could be argued that the Saudis successfully used the Al-Ain/Buraimi card as a bargaining chip to gain their aims through the UAE-Saudi negotiations from 1970-74.

Another issue that remained unclear in the Treaty of Jeddah was the status of the territory around Umm al-Zamul, an area located between Oman, UAE and Saudi

⁶¹² Article 3, Treaty of Jeddah, 21 August 1974

⁶¹³ Article 5, Treaty of Jeddah, 21 August 1974

⁶¹⁴ Ibid.,

⁶¹⁵ As concluded in Chapter 6, Shaikh Zayid, unlike some of his negotiating team, was not aware of ceding the whole Zararah oilfield. British Archive records show that after he had signed the Treaty, Shaikh Zayid still thought that Zararah was shared.

⁶¹⁶ Schofield, Introduction to, 1974, xv.

⁶¹⁷ Schofield, Introduction to 1974, xii.

Arabia. As far back as 1974 it had been an issue of concern to the Saudi Ambassador in London, who thought that the Jeddah Treaty gave the UAE more land around Umm al-Zamul. In 2004 the US Ambassador confirmed that the UAE government wished to negotiate “the delimitation of the convergence point of the tri-border area between the UAE, Saudi Arabia, and Oman.” Abdullah Rashid, Under Secretary at the UAE’s Foreign Affairs Ministry, told the Ambassador that: “The Emiratis would like there to be a trilateral agreement on the points of convergence...the UAE would like to resolve the remaining UAE-Saudi border issues...Only the dispute with Iran over the islands would [then] remain.”⁶¹⁸

7.7.4 *Article 7*

While some Articles were rejected by the UAE, others were accepted and applied, most notably Article 7:

A joint technical commission shall be formed of three members from each of the two countries to prepare specifications for the work required of the aforesaid company, to establish the boundary points and boundary lines between the two countries in accordance with the provision of this agreement and to supervise the implementation of the work and examine its results.⁶¹⁹

The best study to have examined the status of Article 7 is Al-Shaikh’s doctoral thesis. During his fieldwork in 1998, the author visited the Saudi-UAE boundary (south and west of Abu Dhabi) and noted that:

... the boundary line of about 500 kilometres was demarcated from point A to point E... the author saw that two types of demarcation markers were established. The major boundary points from A to point E ... are made of pyramid-shaped concrete pillars about one metre above the ground. Beside each of these concrete pillars is a witness post ... showing the pillar number (A) or (B) as well as the direction of the previous and next pillars. A second type of marker intermediates the major points A-E. These intermediate markers, each a kilometre apart, are concrete pillars set on a round concrete base with a height of about one metre above the ground.

⁶¹⁸ Wahba, US Embassy in UAE, (Abu Dhabi), US State Department, (Washington) “*UAE has Unfinished Business over its Border with Saudi Arabia*”, 04ABUDHABI1989, available at http://www.wikileaks.org/plusd/cables/04ABUDHABI1989_a.html, 16 June 2004, (Accessed 19 June 2013).

⁶¹⁹ Article 7, Treaty of Jeddah, 21 August 1974

He further indicated that there were “unpublished agreements between the Saudi government and the UAE to renew those boundary marks in the near future and replace them with more enduring types of pillars and marks.”⁶²⁰

7.8 Chronology of Revival of the Dispute since 2004

7.8.1 Events in 2004

It is important to understand the current UAE government's view of Shaikh Zayid's negotiating strategy with Saudi Arabia prior to 2004. As previously discussed, Shaikh Zayid had hoped to finalize the question of western Abu Dhabi when he made additional concessions in 1976. He also hoped that in response to those concessions the Saudis would reconsider sharing revenues from the Zararah oil field. Shaikh Zayid had been dissatisfied with Article 3 of the Treaty of Jeddah since 1974 but in his lifetime never achieved his goal of 20 percent of Zararah oil revenues. The current UAE government has adopted a different negotiating approach in term of the boundary question with Saudi Arabia. Following Shaikh Zayid's death in 2004, the UAE government changed its negotiation strategy and made the amendment of Article 3 a condition for settling maritime boundaries under Article 5. Also, it has hoped to renegotiate Shaikh Zayid's compromise strategy over the Khor al-Udaid region (25 km west of Abu Dhabi) and to continue Shaikh Zayid's negotiating strategy in term of finding a settlement in 20% of Zararah lies in Abu Dhabi. Thus, the current UAE's negotiating strategy can be seen as an attempt to push Saudi Arabia toward an integrative negotiation strategy that could produce a win-win resolution of the boundary question for both countries

In 2004, just a month after the death of Shaikh Zayid, the UAE publicly raised the question of the boundary with Saudi Arabia.⁶²¹ According to Abdullah Rashid, “after the two countries had signed a border agreement in 1974, *the UAE realized it had conceded more than it should have done* [emphasis added]...It was a case of ‘force majeure’.”⁶²² As a result, Shaikh Khalifa, current President of the UAE, asked for amendments to some of the Treaty Articles; however, Saudi Arabia responded that the

⁶²⁰ Al-Shaikh (2001), *Saudi Arabia and its Gulf Co-Operation Council Neighbours*, pp. 127-130

⁶²¹ Shaikh Zayid died on 2 November 2004

⁶²² Wahba, US Embassy in UAE, (Abu Dhabi), US State Department, (Washington) “UAE has Unfinished Business over its Border with Saudi Arabia”, 04ABUDHABI1989, available at: http://www.wikileaks.org/plusd/cables/04ABUDHABI1989_a.html, 16 June 2004, (Accessed 19 June 2013).

boundary question had been closed since 21 August 1974 with the exception of Article 5 that related to the maritime boundaries. The UAE government then launched a public initiative to secure substantial changes to the Articles of the Jeddah Treaty.⁶²³ From an Emirati perspective, the demand for modification of the Treaty of Jeddah was a significant event. According to an article in the June 2005 *Gulf States Newsletter*,

Sheikh Khalifa initially raised the border issue when he visited Riyadh in December 2004, his first official foreign trip as new head of state. The Saudis quietly nudged it aside. But like a long hidden rock now exposed by the shifting of the dunes, a longstanding Emirati grievance over the circumstances in which the frontier was defined 31 years ago will not go away. Early this year, Prince Naayef dismissed reports of a row as ‘baseless’.⁶²⁴

Saudi officials and the media consistently portrayed border issues as minor, technical, and related only to maritime boundaries. The Saudi Foreign Minister, Saud al-Faisal, said that “there are no differences with the UAE”, and regretted that the media had created stories of differences between two Arab states.⁶²⁵ His statement is interesting; having examined the development of the territorial negotiations leading up to the Treaty of Jeddah, it would have been fairly obvious that a potential dispute might erupt in the future between the UAE and Saudi Arabia.

7.8.2 *Events in 2005*

During December 2004, after UAE-Saudi talks related to the Treaty of Jeddah Articles had been broken off, Shaikh Khalifa visited Qatar, and the causeway project intended to link Doha to Abu Dhabi was announced.⁶²⁶ Receiving the announcement, the Saudis expressed their dissatisfaction:

Riyadh lodged formal protests against plans for a causeway linking Qatar with the UAE. Riyadh noted that ‘the causeway is impossible because it passes through Saudi territorial waters and the Kingdom should have been notified’ — in a move widely seen as a sign of Saudi displeasure at the way bilateral talks had

⁶²³ The timing of the question of the boundary being raised is crucial since it shows that Shaikh Zayid’s sons were not satisfied with the way their father had dealt with Saudis over the question of the boundary.

⁶²⁴ Anon (2005), “Riyadh Diplomatic as UAE Grievance Resurfaces”, *Gulf States Newsletter* issue 760, 24 June.

⁶²⁵ Anon (2005), “Al-Faisal: Saudi Arabia, UAE Work to Settle Sea Borders, Politics”, *Arabic News*, 25 March, at <http://www.arabicnews.com/ansub/Daily/Day/050325/2005032519.html>, (Accessed 12 October, 2010)

⁶²⁶ Duraid Al-Baik, “Causeway to Link UAE and Qatar Announced”, *Gulf News*, 22 December 2004.

developed, and frustration that the Emiratis would not back down over the border.⁶²⁷

Because of the Saudi protest, the UAE and Qatar decided to make some changes to the project. The original plan for the UAE-Qatar causeway had been for a 40-kilometre link, but the two parties agreed to make some modifications by lengthening it to 65 km in order to avoid passing through Saudi Arabian territorial waters.⁶²⁸ Interestingly, the Saudis claim that the causeway project passes through Saudi territorial waters although a Saudi-UAE maritime boundary has not as yet been delineated. It appears therefore that the Saudi government believes it defined its maritime boundary with the UAE based on the Saudi-Qatar maritime agreement of 1965. The UAE government claims that this agreement has no effect on the UAE's offshore boundaries. The UAE government has adopted the position at the United Nations that the Saudi-Qatar maritime border violates the UAE-Qatari offshore agreement of 1969. In response, the Saudi government claims that the 1969 UAE-Qatari maritime agreement has no effect on Saudi maritime boundary.

In fact, the proposed causeway would be longer and cost around US\$13 billion. In this context, Ali Ahmed claimed in an interview that the UAE would never get Khor al-Udaid back and that as an alternative, the proposed causeway project was the only option to link the UAE with Qatar. He further pointed out that "if the Bahrain-Qatar 'Bridge of Love' causeway is executed, it would be connected with the King Fahd causeway which already links Bahrain with Saudi Arabia."⁶²⁹ If the UAE-Qatar and Qatar-Bahrain causeways were to be completed, it would therefore be possible to travel around the UAE, Qatar, Bahrain, and Saudi Arabia exclusively by causeway.

Here there is another question as to why the UAE decided to come up with such an expensive project. According to Abdullah Rashid "[Emiratis] don't want to be separated from the Qataris by a slice of Saudi waters."⁶³⁰ It seemed that the UAE had planned to renegotiate the status of the area west of Khor al-Udaid during Shaikh Khalifa's visit to

⁶²⁷ Anon, "Old Enmities Hold Up Progress on Regional Integration", *Gulf States Newsletter* 761 (15 July 2005).

⁶²⁸ Anon, "UAE-Qatar causeway to cost \$13b," *UAE Interact*, 11 February, 2008, (Accessed 16 January 2013), [http://www.uaeinteract.com/docs/UAE-Qatar_causeway_to_cost_US\\$13b/28626.htm](http://www.uaeinteract.com/docs/UAE-Qatar_causeway_to_cost_US$13b/28626.htm)

⁶²⁹ Ali Ahmed, Interview, Washington, 15 November 2010.

⁶³⁰ Wahba, US Embassy in UAE, (Abu Dhabi), US State Department, (Washington), "UAE has Unfinished Business over its Border with Saudi Arabia", 04ABUDHABI1989, available at http://www.wikileaks.org/plusd/cables/04ABUDHABI1989_a.html, 16 June 2004, (Accessed 19 June 2013)

Jeddah in 2004, but this did not work. The UAE then realised that the question of Khor al-Udaid, 25 km west of Abu Dhabi, was not a negotiable issue.⁶³¹

It is important to state that Shaikh Zayid had already ceded Khor al-Udaid in 1974, so that the current UAE government had no right to claim Khor al-Udaid in, and after, 2004. Also, it is equally important from a Saudi perspective to note that Khor al-Udaid had been ceded to Saudi Arabia under the Saudi-Qatari agreement of 1965, and that during the 1970s, Saudi Arabia probably wanted the UAE to confirm that cession, instead of having to negotiate Khor al-Udaid with the UAE. Based on evidence provided above, Saudi Arabia gained major concessions west of Sabkhat Al-Mattai, including Khor al-Udaid, in 1977. Hence, the current UAE government, including Shaikh Zayid's sons, might not agree on the cession having been made by Shaikh Zayid during 1974-77, as was clearly obvious in Abdullah Rashid's remarks to the US ambassador in 2004 that "*the UAE realized it had conceded more than it should have...*"⁶³² It could also be said that the causeway project represents a last hope for the UAE to link its lands with Qatar.

Another question is what benefit there is of using the UAE-Qatar causeway instead of the current route from the UAE to Qatar (where Emiratis have to pass through Saudi checkpoints to get to Qatar). Although the causeway would be a longer and more expensive route, it would not involve stopping at a Saudi checkpoints in order to go to Qatar. John Duke Anthony and Jean-Francois Sezneç both agree that a UAE-Qatar causeway would be "worth it." According to Anthony, building this causeway is a beneficial project for both states, as it would increase travel, business, and tourism.⁶³³ Sezneç commented that,

Executing the UAE-Qatar causeway and the Bahrain-Qatari causeway would definitely strengthen the relations among UAE, Qatar, and Bahrain; for example if the Bahrain-Qatari causeway is built, that would increase the chances for Bahraini unemployed to find work in Qatar. Most of them are Shi'a and desperate to find to work in Bahrain. Also, if the Qatari-Abu Dhabi causeway is built it will increase movements, business, and the long-term ties these countries have together and create a

⁶³¹ Official Saudi sources, The Exeter Gulf Conference, Exeter University, 2 July 2011

⁶³² Wahba, U.S Embassy in UAE, (Abu Dhabi), US State Department, (Washington) "*UAE has Unfinished Business over its Border with Saudi Arabia*", 04ABUDHABI1989, available at http://www.wikileaks.org/plusd/cables/04ABUDHABI1989_a.html, 16 June 2004, (Accessed 19 June, 2013).

⁶³³ John Duke Anthony, Interview, Washington, 29 November, 2010.

block to Saudi Arabia, which somehow would remind us of the nine federations.⁶³⁴

However, executing the causeway projects among the three states have been delayed. Although some scholars have argued that the causeway projects are dead, Qatari sources have confirmed that “the [Qatari-Bahraini] causeway will, of course, see the light of day.”⁶³⁵

7.8.3 *Events in 2006*

On 26 September 2004 the UAE and Qatar signed an agreement which involved Qatar supplying gas to the UAE.⁶³⁶ The gas-supplying firm was later known as Dolphin Energy. Based in Abu Dhabi, Dolphin Energy had received approval from the UAE and Qatari governments to build a pipeline from Ras Laffan in Qatar to Taweelah in Abu Dhabi. Much of the work had been completed on the pipeline between 2004 and 2006, and Dolphin Energy was due to begin delivering natural gas to customers in Abu Dhabi (see Figure 7.9). However, in July 2006 the Saudi government protested about the project — since the pipeline passed through Saudi Arabia’s claimed territorial waters; they claimed it violated their territorial waters. It was believed that Saudi Arabia had targeted the Dolphin project as a negotiating ploy to expand the border dispute with the UAE at a time when a high proportion of work on the pipeline had been completed.⁶³⁷ The Saudis eventually settled the matter quietly, and construction of the Dolphin pipeline continued.

Since both the UAE-Qatar causeway and the Dolphin pipeline involved alleged violations of Saudi Arabia’s territorial waters, the question here is why the Saudis dropped their complaint against Dolphin yet maintained their protest against the

⁶³⁴ Jean-Francois Sezneç, Interview, Washington, 21 November 2010. Speaking of the ‘nine federations’, Sezneç was referring to the federation of nine Gulf States that would have included the states of the UAE, Bahrain and Qatar, but which never came into being, to a large extent because Saudi Arabia refused to offer its support for the plan.

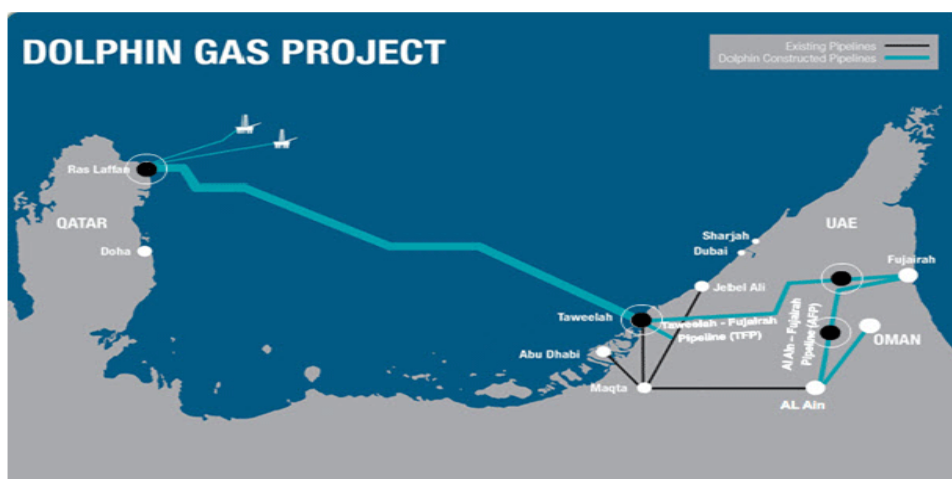
⁶³⁵ Shabina Khatri, “Official: Bahrain-Qatari Causeway to Open at Least Five More Years Later Expected,” *Doha News*, 15 December 2012, at <http://dohanews.co/post/38618689508/official-bahrain-qatar-causeway-to-open-at-least-five>, (Accessed 13 March 2013)

⁶³⁶ United Nation Treaty Series Vol. 2365, ref. 1-42574: United Arab Emirates and Qatar: *Agreement between the Government of the United Arab Emirates and the Government of the State of Qatar relating to the transmission of gas by pipeline between the State of Qatar and the United Arab Emirates* (with annexes and map). Abu Dhabi, 26 Sep 2004 Entry into force: 9 July 2005 (registered at UN on 5 April 2006). Text of agreement available at <http://www.almeezan.qa/AgreementsPage.aspx?id=1483&language=en>

⁶³⁷ Anon (2005), “Dolphin Hit by Riyadh’s Bolt from the Blue”, *Middle East Economic Digest* (MEED), vol.50 , 14 July, p. 11.

causeway. In answer to this question, Ali Ahmed said it was because the Saudis could take advantage of the Dolphin project by demanding fees for the passage of natural gas through Saudi territory but the same could not be said of the Qatari-Abu Dhabi causeway,⁶³⁸ a view shared by Sezneç. Dolphin Energy succeeded in starting gas production in July 2007 that involved producing and processing natural gas from Qatar's offshore North Field, and transporting the processed gas by undersea pipeline to the UAE and Oman.⁶³⁹

Figure 7.9: Map of the Dolphin Energy Project



Source: Official Dolphin Energy website <http://www.dolphinenergy.com> (Accessed 13 March 2013).

7.8.4 *Events in 2008*

On 5 July 2008, the Saudis signed Joint Minutes with the Qataris “concerning the desire of the two countries to finalize the delimitation of the maritime borders between them beyond [Khor] al-Udaid.”⁶⁴⁰ As mentioned earlier, the UAE had refused to recognize the Saudi-Qatari Agreement because it was incompatible with the 1969 Agreement between Abu Dhabi and Qatar as well as the 2004 UAE-Qatar Agreement to build the Dolphin natural gas pipeline. However, as discussed previously, it has been suggested that resolution of the maritime boundaries would require the renegotiation of

⁶³⁸ Ali Ahmed, Interview, Washington, 15 November 2010.

⁶³⁹ Dolphin Energy official website at <http://www.dolphinenergy.com>, (Accessed 13 March 2013).

⁶⁴⁰ United Nation Series ref. A-30249: *Joint Minutes on the land and maritime boundaries to the Agreement of 4 December 1965 between the State of Qatar and the Kingdom of Saudi Arabia on the delimitation of the offshore and land boundaries*, Jeddah, 5 July 2006, Entry into force: 16 December 2008 (registered at UN on 19 March 2009). Available at <http://treaties.un.org/pages/showDetails.aspx?objid=0800000280227a9e>

agreements among Saudi Arabia, Qatar and UAE since that would help in fulfilling the requirements of Article 5 of the Treaty of Jeddah between the UAE and Saudi Arabia.

7.8.5 *Events in 2009*

There were two major events in 2009 that increased levels of tension over the question of the boundary between the UAE and Saudi Arabia; ID cards, as discussed earlier, and inspections at the Saudi border of trucks coming from the UAE. According to a UAE source, ID cards represented the second major border crisis started that year by Riyadh with the UAE, while “the first was the crisis over preventing the passage of trucks.”⁶⁴¹ The Saudis portrayed these inspections as part of an anti-smuggling campaign. According to a witness quoted in a news report, the process of crossing the Saudi border became much slower when Saudi border officials found smuggled goods.⁶⁴² *Gulf News* reported in 2010 that at one point at least two thousand trucks coming from UAE had been left idle at the border.

Even though the UAE had responded to Saudi demands and had changed the map on the back of the UAE ID cards in 2011, the Saudi inspections of UAE trucks became a problematic issue. According to *Gulf News*, the situation worsened in 2012, being reminiscent of June 2009 when the queue of trucks had stretched for kilometres along the Al-Sila-A-Ghuwaifat border, causing misery for truck drivers and losing customers for companies located in Qatar (see Figure 7.10).⁶⁴³ One of the truck drivers was reported as saying that, “the problem isn’t on the UAE side. It’s Saudi customs where the delay is. It takes so long to get there — maybe five days. They take another day to get the papers handed back — that’s if there’s no problem. If there’s a problem, then maybe three or more days.”⁶⁴⁴ It is believed that the intensive time-consuming inspections by the Saudis of trucks entering Saudi Arabia occurred just weeks after the UAE had pulled out of the GCC monetary union on 21 May 2009 because the GCC Central Bank was scheduled to be located in Riyadh instead of Abu Dhabi. According

⁶⁴¹ Anon, “Saudi Protest over UAE Maps Damaging Gulf Ties: Observers See Latest Saudi Move Against UAE Likely to Harm Future of Gulf Cooperation Council,” *Middle East Online News*, 23 August 2009, available at <http://www.middle-east-online.com/english/?id=33830>, (Accessed 12 October 2010).

⁶⁴² Anon, “Trucker Crisis Hits Border Again,” *Gulfnews.com*, 17 November 2009.

⁶⁴³ Mick O’Reilly, “Scores of Trucks stuck at UAE-Saudi Arabia Border,” *Gulfnews.com*, 7 March 2012, at <http://gulfnews.com/gntv/news/thousands-of-trucks-stuck-at-uae-saudi-arabia-border-1.1004498> (video) (Accessed 21 July 2013).

⁶⁴⁴ Mick O’Reilly, “Truck Line at UAE-Saudi Border Stretches to 22 km Tuesday afternoon”, *Gulf news.com*, 3 April, 2012, at <http://gulfnews.com/news/gulf/uae/traffic-transport/truck-line-at-uae-saudi-border-stretches-to-22km-tuesday-afternoon-1.1003364>, (Accessed 21 July 2013)

to Dr Karasik: “part of it relates to the monetary union, because of course Saudi Arabia has for a long time played the role of big brother. They can’t absorb that somebody else could have its own way.”⁶⁴⁵

Figure 7.10: The Map of Al-Sila-Ghuwaifat Checkpoints



Source: <http://gulfnews.com/news/gulf/uae/traffic-transport/truck-line-at-uae-saudi-border-stretches-to-22km-tuesday-afternoon-1.1003364> , (Accessed 16 June 2013).

7.8.6 Events in 2010-2011

Another aspect of the current UAE-Saudi dispute involved their undefined offshore boundaries. In 2010 an armed incident occurred over the maritime boundary, details of which were reported by the UAE’s Ministry of Foreign Affairs to the Saudi Foreign Ministry:

On the afternoon of Sunday 13/3/2010 at 16:40, three patrol boats carrying the numbers (746 S). (749 S) and (750 S)...entered the UAE’s territorial sea at a location lying to the west of the UAE’s Island of Khardal... Immediately after that, the UAE patrol boats surrounded the Saudi patrol boats and asked them to leave the territorial sea of the UAE. One refusing to comply, the Saudi patrol boats were asked to head for the UAE’s station at Ras Khumais to explain the reason for their

⁶⁴⁵ Loveday Morris, quoting Dr Theodore Karasik (Director of Research, Institute for Near East and Gulf Military Analysis, Dubai), in “ID Dispute Prompts Calls for Better Way of Resolving Gulf Disputes”, *The National*, 28 August 2009, in <http://www.thenational.ae/news/uae-news/id-dispute-prompts-calls-for-better-way-of-resolving-gulf-disputes>, (Accessed 23 July 2013)

presence in the territorial sea of the UAE. The Commander of the Saudi patrol boats did not comply and brandished a weapon in the face of the personnel of a UAE patrol boat which replied by firing warning shots.⁶⁴⁶

On 21 March 2010 the UAE Ministry of Foreign Affairs informed the Saudi Arabian Foreign Ministry that “at 15:00 in the afternoon on Wednesday 17/3/2010, the crew of the Saudi patrol boat no (749 S) were handed over to the Saudi side and minutes to that effect were signed. The Saudi side did not make any observation.”⁶⁴⁷

Interestingly, this was not the first such incident; a similar event had occurred on 8 September 2009, when some Saudi boats crossed the median line that lies off the UAE’s territorial waters. The UAE Ministry of Foreign Affairs reported the incident to the United Nations on 12 November 2009; the Saudis replied with a note protesting that it had been “a coastguard patrol boat engaged in normal duties in the internal waters of the KSA.”⁶⁴⁸

Such sensitive events in 2009 had not been widely reported by the media, unlike the incident in 2010 which attracted much media attention. *The National*, for example, reported that the Critical National Infrastructure Authority (the CNIA) had investigated the incident through the *Saudi Gazette* which indicated that Saudi fishermen were crossing the Saudi mainland, specifically in the Qatif area. Their chiefs said that the fishermen were not aware that they had crossed international boundaries and had strayed into UAE territorial waters. *The National* also quoted Dr Mustafa Alani, Director of the security department of the Gulf Research Centre, as saying that 99 percent of those detained by the UAE had violated UAE territorial waters inadvertently. However, Alani also pointed out that, “we have a problem with the smuggling of humans, illegal substances, and arms. That’s why authorities arrest any fishermen who cross the borders so they can investigate whether it’s an innocent act or if they had any criminal intentions.”⁶⁴⁹

According to a sensationalistic account by the British newspaper, *The Telegraph*,

⁶⁴⁶ Untitled letter, United Arab Emirates, Ministry of Foreign Affairs to the Ministry of Foreign Affairs of the Kingdom of Saudi Arabia, Riyadh, United Nation, New York, 15 March 2010.

⁶⁴⁷ Ibid.,

⁶⁴⁸ Untitled letter, United Arab Emirates, Ministry of Foreign Affairs, Director General, to The Office of His Excellency UN Secretary General, New York, UN: [12 November 2009](#).

⁶⁴⁹ Haneen Dajani, “Fishermen Who Sailed from Saudi port in Custody for Entering UAE Water Illegally,” *The National*, 24 June 2010.

The Saudi vessel was forced to surrender, and its sailors were delivered into custody in Abu Dhabi for several days, before being released and handed over to the Saudi embassy earlier this week. The clash happened in disputed waters between the coasts of Saudi Arabia, Abu Dhabi and the peninsula on which the gas-rich state of Qatar sits. The seabed is rich with oil deposits, while the Dolphin pipeline project to carry natural gas direct from Qatar to Abu Dhabi has provoked irritation in the Saudi authorities. Nevertheless, direct conflict between the two countries' armed forces is highly unusual.⁶⁵⁰

Eventually, Saudi Arabia and the UAE appealed to the United Nations and by 2011 the two sides had firmly established their positions. In a note to the UN's Secretary-General, the Saudi government called for the UAE to comply with implementation of Article 5 of the Treaty of Jeddah.⁶⁵¹ The UAE on the other hand wrote to the UN Secretary-General saying that the UAE government "reconfirms that Article Five of the 1974 agreement is no longer capable of implementation and is included among other Articles of the 1974 Agreement in which the Government of the United Arab Emirates had called and still calls for their amendment."⁶⁵²

7.9 Conclusion

The intention of this chapter was to demonstrate that Saudi Arabia had been fully aware of the UAE's dissatisfaction with the Jeddah Treaty since 1975 and had therefore taken steps towards the implementation of the Treaty Articles since the 1990s. First, Saudi Arabia established the Al-Ghuwaifat checkpoint in 1990; secondly, it published the Treaty of Jeddah in 1995; and thirdly, exploitation of Zararah/Shaybah was undertaken in 1998. The registration of the Treaty was very disappointing to the UAE side, which had been sending letters to Saudi Arabia since 1975 requesting amendments to some of the Articles of the Treaty before its publication. However, Saudi Arabia insisted that the Articles had been strictly binding on the UAE since 1974.

Despite following developments relating to the disputed Articles from 1975 up to 2012, no sources were available concerning government statements and/or the UAE's position on the Treaty of Jeddah's Articles from 1979 to 1990. This study speculated that during

⁶⁵⁰ Richard Spencer, "Naval Battle between UAE and Saudi Arabia raises Fears for Gulf Security: A Naval Clash in the Gulf has Reignited Fears over the Security of the World's Most Important Shipping Lanes and Disputed Oilfields", *The Telegraph* (London), 26 March 2010.

⁶⁵¹ Untitled letter, The Ministry of Foreign Affairs of the Kingdom of Saudi Arabia, to The Secretariat of the United Nations Office of His Excellency the Secretary-General, New York, 15 June 2011

⁶⁵² Untitled letter, The Ministry of Foreign Affairs, Undersecretary, United Arab Emirates, to the Secretariat of the United Nations- Office of His Excellency the Secretary-General, 17 November 2011.

this period, there was a great deal at stake in the Gulf region, including the Iraq-Iran war and the Iraqi invasion of Kuwait. Therefore, all the small Gulf States needed to find a formula for cooperation under the Saudi umbrella, and this culminated in the establishment of the Gulf Cooperation Council.

The chapter concluded that the most controversial Articles were those related to the Zararah/Shaybah oilfield (Articles 3 & 4), official maps (Article 6) and the maritime boundaries (Article 5). The Saudis have insisted on fulfilling Article 5 of the Treaty of Jeddah on the strictest terms, while the UAE insists that Article 5 is no longer capable of implementation; nor are other Articles of the Treaty, especially Article 3 related to oil. The situation is further complicated by the fact that the successful fulfilment of Article 5 would most probably further require renegotiation of both the 1965 Saudi-Qatari Agreement (which was reaffirmed in 2008), and the 1969 Abu Dhabi-Qatari Agreement.

As was discussed, once the UAE had revived the question of the boundary in 2004, the various methods of retaliation employed by Saudi Arabia against the UAE suggested serious tensions and deterioration in UAE-Saudi relations. Saudi measures including preventing Emiratis travelling with UAE national identity cards from crossing the Saudi border, harassing the UAE maritime boundary, protesting against the causeway and the Dolphin Energy projects, and holding up trucks for days, have all had negative effects on UAE-Saudi relations.

Under Shaikh Khalifa, the current UAE government's negotiating strategy for dealing with the boundary question with Saudi Arabia has deviated from that of Shaikh Zayid's regime. As indicated, Shaikh Zayid had already ceded the area west of Sabkhat al-Mattai in 1976, a cession that had also been confirmed in a map published by the UAE Ministry of Petroleum in 1976 (see Figure 7.1). However, Shaikh Zayid had continued hoping to renegotiate the expected 20 percent share of the Zararah oil field revenues. From 2004 onwards, the UAE government declared that Shaikh Zayid had ceded more territory than he should have done. The current UAE government properly requested some adjustment over the area west of Sabkhat Mattai. When Khor al-Udaid was seen as a non-negotiable issue for the Saudis, the Qatar-UAE causeway emerged as a way to link the UAE and Qatar. The UAE negotiating strategy shifted to focus on the 20 percent of the Zararah oil field that lies in Abu Dhabi territory. Thus, the current UAE's

negotiating strategy can be seen as an attempt to push Saudi Arabia toward and integrative negotiation strategy to finalise the remaining issues.

CHAPTER EIGHT

Conclusion

There are two schools of thought on Britain's role in delimiting the boundaries of the Arabian Peninsula. Some scholars have portrayed Britain as having arbitrarily delimited these boundaries without adequate consideration for existing economic, political and social organization.⁶⁵³ The best example of this is Britain's unilateral delimitation of the Abu Dhabi-Saudi boundary in 1955 — an imposition only made possible by Britain's dominant military power in the region at the time.

Significantly, the Treaty of Jeddah in 1974 superseded Britain's 1955 unilaterally declared boundary. For twenty years following the Treaty of Jeddah, Arab scholars promoted another interpretation: the 'Arab solutions' model, which held that a resolution of the UAE-Saudi border dispute only became possible after Britain withdrew from the Gulf and the UAE became fully independent.⁶⁵⁴ This model is flawed for two reasons. First, advocates of the 'Arab solutions' model did not have access to the text of the Treaty of Jeddah; their belief that the treaty was equal and fair to both parties was based on hearsay alone — the text of the Treaty did not become public until 1995. Second, the Treaty of Jeddah failed to resolve the dispute: the UAE's government has been dissatisfied with the Treaty dates back to 1975, it has been actively and publically attempting to revise the Treaty since 2004 — as Chapters 7 explain.

The interests of British and American oil companies played a decisive role in the territorial dispute between Abu Dhabi and Saudi Arabia. As Chapter 3 discusses, Abu Dhabi's territorial claims were located in the British 'sphere of influence', east of the Blue Line, where British oil companies operated: the Iraq Petroleum Company, the Anglo-Iranian Oil Company, and the Abu Dhabi Petroleum Company. The eastern Saudi territories were operated by the US-owned Arabian American Oil Company (ARAMCO), which meant that any territorial concession Abu Dhabi made to Saudi Arabia would benefit ARAMCO, and therefore the US, if that territory contained oil or gas.

⁶⁵³ J. B. Kelly, and Julian Walker

⁶⁵⁴ Abdullatif A. Alshaikh, Abdulkarim M. Hamadi, and Hesam M. Al-Ulama.

Therefore, it would be more accurate to say that, for more than two decades, from 1935 to late 1955, British self-interest and Abu Dhabi's territorial claims conveniently coincided. During the Anglo-Saudi territorial negotiations of 1935-55, the British government worked to maintain the concessions held by British oil companies east of the Blue and Violet Lines, which meant defending Abu Dhabi's sovereignty over the territories claimed by Saudi Arabia. However, during the final phase of Anglo-Saudi negotiations (1970-71), Britain sought Saudi guarantees that British oil concessions would be honoured if Saudi Arabia obtained sovereignty over Zararah/Shaybah and Khor al-Udaid. As Chapter 5 demonstrates, King Faisal assured Sir William Luce that British oil companies would keep their concession rights in any area conceded by Abu Dhabi to Saudi Arabia.⁶⁵⁵

This thesis offers eight conclusions about the UAE-Saudi border dispute, shedding new light on the subject. The first four concern the role and influence of Britain in the settlement of dispute, while the last four concern factors that hindered the dispute's resolution. On the basis of these conclusions, it offers an assessment at the end of this chapter about the future prospects and progress toward a lasting resolution of the UAE-Saudi border dispute.

The first conclusion is that the British only acted decisively on frontier issues when they felt compelled to do so, usually within the context of Britain's larger regional mission. Britain's changing roles in the Gulf during 1800-71 influenced the course of the settlement of the dispute. Before the oil era, Britain focused mainly on the coastal areas and did not actively intervene in the affairs of the hinterland. British policy towards the hinterland before the development of oil interests there can be summarised as follows:

The British Government has always been averse to the extension of [Wahhabist] influence in Oman. No precedent can be quoted of actual interference between Muscat and [Wahhabi] powers by our Government, but it has always lent moral support to Muscat in the differences of that State with [Wahabbis] by sending vessels-of-war to the Arab Coast when hostilities threatened.⁶⁵⁶

⁶⁵⁵ Foreign Office Minutes by J.P. Bannerman, 'Rights of Oil Concessionaries and the Abu Dhabi/Saudi Frontier Dispute,' 4 October 1972, FCO8/1813, TNA, London in *Arabian Boundaries*, vol. 13, ed. Schofield, pp. 520-521.

⁶⁵⁶ "The Occupation of Buraimi" by Sayyid Azzan b. Qais 1869-1870, in *Records of The Emirates, Primary Documents 1835-1871*, Vol. 3, ed. Penelope Tuson (Oxford: Archive Editions, 1990), p. 378.

Britain only intervened diplomatically in cases impacting on the stability of the coast, undermining Britain's maritime truce and its influence with the coastal rulers.⁶⁵⁷

As Chapter 2 demonstrates, when the British pressured the Ottoman governor of Egypt in 1838 to withdraw from Al-Ain/Buraimi oasis, it was because they feared an Ottoman threat to Britain's sphere of influence in the coast. Britain's approval of Abu Dhabi's punitive raid against the Qubaisat at Khor al-Udaid in 1837 was done in the context of Britain's responsibility for maintaining the maritime peace against piracy and protecting its trade with India. An extremely important aspect of Britain's Gulf mission was preventing imperial encroachment on Britain's sphere of influence; actions to contain the Ottomans in the Arabian Peninsula were justified by the Ottoman's failure to combat piracy. Britain's recognition of Abu Dhabi's sovereignty over Khor al-Udaid in 1871 was done in the context of imperial rivalry between Britain and the Ottoman Empire; it was done to stop Ottoman encroachment into Britain's sphere of influence. The Ottomans' competing claim over Khor al-Udaid forced Britain to recognize Shaikh Zayid the Great's claim.⁶⁵⁸ Likewise, the Exclusive Agreement of 1892, through which Britain obtained control over Abu Dhabi's foreign affairs and maritime defence, was also designed to protect Britain's sphere of influence against rival imperial powers, initially the Ottomans and French, later the Germans and Russians.

During the 1930s, when Britain's sphere of influence was threatened by Ibn Saud's territorial claims east of the Blue Line, it used Khor al-Udaid as a bargaining chip with the Saudis in 1938 (and again in 1964). When British interests were threatened in World War II and Britain needed Ibn Saud to remain neutral in the war, Britain offered Shaikh Shakhbut Al Nahyan £20,000 as compensation for conceding Khor al-Udaid to Saudi Arabia. Since 'spheres of influence' are not recognised under international law, Britain had to defend its sphere of influence along the coast through a combination of means.⁶⁵⁹

The second conclusion is that Britain's approach to the affairs of the Gulf shaped the development of the Saudi-UAE border dispute and likely prolonged it. For example, Britain's assertion, first made in 1934, that Saudi Arabia was a successor-state to the Ottoman Empire was, for many reasons, not a convincing argument and indeed had

⁶⁵⁷ J. E. Peterson, Interview, Arizona, 8 January 2010.

⁶⁵⁸ Peterson, "Britain and State Formation in the Gulf", p. 211.

⁶⁵⁹ Alshaikh, *Saudi Arabia and its Gulf Co-Operation Neighbours*, p. 91

been quite a dubious concept from the beginning. First, when the British embraced the Ottoman successor-state argument, it was judged by a Foreign Office lawyer, W. E. Beckett, to be illegal under international law. Second, what strengthened the Saudi position against the Ottoman successor-state argument was Britain's recognition of Ibn Saud as an independent ruler in the Anglo-Saudi treaties of 1915 and 1927. Neither of these treaties mentioned anywhere that Britain considered Saudi Arabia to be bound by the Anglo-Ottoman Conventions of 1913 and 1914.

This study also reveals that Britain did not always fulfil its treaty obligations towards the states it was protecting. Most notably, during the period between King Faisal's proposal of 4 May 1970 and Britain's withdrawal from the Gulf on 1 December 1971, Britain chose to ignore its treaty obligation to defend Abu Dhabi against Saudi territorial claims.

The third conclusion is that the past history of Anglo-Saudi negotiations (from 1935 to 1955) shaped the 1970-74 negotiations, although that history had a varying influence on the participants: Abu Dhabi, Saudi Arabia and the British themselves. Shaikh Zayid believed that this past history meant that he could trust Britain support his territorial claims in the 1970s, but his trust proved to be ill-placed. Britain did not meet his expectations because Britain had a conflict of interest: it had substantial strategic and commercial interests, forcing it to limit its role as an 'honest broker' in order to avoid damaging British interests in either Saudi Arabia or Abu Dhabi after 1971. It was likely for this reason that Britain chose to describe as a "substantial concession" King Faisal's 1970 offer to abandon claims to the Al-Ain/Buraimi oasis region. That offer probably did not strike Shaikh Zayid as a "substantial concession" at all.

As discussed in Chapters 2 and 3, Abu Dhabi and Oman had administered the Al-Ain/Buraimi oasis region jointly from 1869 to the present, except during the Saudi occupation of 1952-55. This study has found no evidence proving an effective Saudi presence in Buraimi after 1869, with the exception of 1952-55. Shaikh Zayid was thus fully aware that King Faisal was merely offering him territory that was already his. Supposedly, if the British and Saudis were promoting Al-Ain/Buraimi oasis region as a "substantial concession" to Abu Dhabi, this concession should have been recorded automatically in the Treaty of Jeddah of 1974 by way of confirmation. But Al-Ain/Buraimi oasis is not even hinted at in the Treaty.

For King Faisal, the past history influencing his perception of the dispute in the 1950s-70s was Britain's expulsion of Saudi forces from Hamasa and its unilateral delimitation of the boundary with Saudi Arabia in 1955 — both of which were humiliating defeats for the Saudis. Saudi Arabia never accepted the 1955 boundary that recognised Khor al-Udaid, the Liwa oasis, and the Al-Ain/Buraimi oasis region as belonging to Abu Dhabi. The absence of a written agreement on the 1955 boundary made it even harder for Abu Dhabi and the British to negotiate with Saudi Arabia during the 1970s. This thesis argues that, since Saudi Arabia had offered to drop Al-Ain/ Buraimi oasis region in 1970, the Saudis had most probably maintained their 1949 claim (which included the Al-Ain/Buraimi oasis region) as the basis of their negotiations during 1970-74. At the same time, during these negotiations, Saudi Arabia threatened Abu Dhabi by stating that it would revert to its original 1949 claim if Shaikh Zayid did not accept the Saudi proposal of 1970. In fact, it is hard to reconcile the Saudi negotiating position in the absence a mediator who could have offset Saudi power during the last phase of the negotiations.

For the British government, it was the Buraimi Crisis of 1952-55 that most influenced the way it saw and managed the dispute. Britain had hoped that the expulsion of Saudi forces at the end of the Buraimi Crisis and its unilateral delimitation of the boundary with Saudi Arabia might settle the question of Al-Ain-Buraimi oasis region once and for all. After Britain found itself in a conflict of interest over the dispute during the last years of its negotiations, however, Britain nonetheless tried to persuade Shaikh Zayid that the Saudi offer to drop its claim to Buraimi was a “substantial concession”.

The fourth conclusion is that the Saudi-Abu Dhabi territorial negotiations of 1970-71 and the Saudi-UAE negotiations of 1971-74 differed significantly, particularly with regard to Britain's role and involvement. During 1970-71, Britain was still treaty-bound to defend Abu Dhabi territory under the terms of the Exclusive Agreement of 1892. Despite this, Britain advised Shaikh Zayid to accept King Faisal's proposal of 1970. This study reveals that Britain's announcement in 1968 that it would withdraw its military from the Gulf and its protection from Abu Dhabi in 1971, had a significant impact on Britain's role. Britain switched from defending Abu Dhabi's claims to attempting to persuade Shaikh Zayid to make concessions. In 1970, Britain declared itself to be an 'honest broker' in dealing with the dispute. This was, in practice, an unlikely role for Britain to play. For one thing, Britain had substantial oil interests in the disputed areas, especially with regard to the Zararah/Shaybah oil field. This placed

Britain in a conflict of interest position after Saudi Arabia guaranteed it would British concessions in Zararah/Shaybah if the area was conceded to Saudi Arabia.

After Britain withdrew its military from the Gulf in December 1971, it proclaimed a new role for itself in the dispute: that of ‘disinterested party’ — an advisor and observer rather than a participant. However, the new role was strongly challenged by Saudi Arabia. It wanted Britain to use its influence with Shaikh Zayid to reach an outcome in its favour. It placed considerable pressure on Britain in this regard, threatening to cancel its lucrative military contracts with Britain if Britain did help persuading Shaikh Zayid to accept Saudi terms. But Britain refused, and the contracts were cancelled.

After 1971, Britain wanted to avoid damaging Anglo-Saudi relations as well as its relations with UAE, and attempted to remain neutral in the dispute, but Saudi Arabia placed great pressure on Britain to help settle the dispute in its favour and would not accept neutrality.

The fifth conclusion is that the US Twin Pillars policy shaped the context of the UAE-Saudi border dispute. Both Saudi Arabia and Iran had border disputes with the UAE. Both placed pressure on Britain to persuade the ruler of the UAE to agree to their terms. Under the Twin Pillar policy, Iran and Saudi Arabia were expected to assume Britain’s role of guaranteeing Gulf security, ensuring that Britain’s withdrawal did not leave behind a security vacuum. This greatly increased Saudi Arabia’s bargaining position during 1970-74, further reinforced by its threat to use military force to settle the dispute and its refusal to recognise the newly-established federation of the UAE until the dispute was resolved to its satisfaction. The Twin Pillar policy helps explain why the British government did not publically condemn Iran’s occupation of the Lesser and Greater Tunb islands belonging to Ras al-Khaimah, even though the occupation had occurred while the emirate was still a British protected state. It was in that context that the Saudi Minister of Defence, Prince Sultan, warned the UAE in 1973 that “sooner or later, if things don’t get sorted out, we might have to impose a Saudi solution; we know from the Iranian experience on the Islands that no one will do anything to stop us.”⁶⁶⁰

The US Twin Pillar policy legitimised Saudi Arabia and Iran’s exercise of power in the Gulf region at the expense of the small Gulf States. This severely limited Shaikh

⁶⁶⁰ Foreign Office Minutes by P. R. H. Wright, “Saudi/Abu Dhabi relations”, 18 January 1973, FCO8/1959, TNA, London, in *Arabian Boundaries*, vol. 14, ed. Schofield, p. 311.

Zayid's options in resolving the dispute. If he asserted UAE territorial claims, he might find himself portrayed as an "impediment" to the resolution of the dispute. If he accommodated Iran's demands, he might be perceived as betraying the interests of Ras al-Khaimah and Sharjah, both of which had a separate dispute with Iran concerning the islands, as well as strong political ties with Saudi Arabia. If he accommodated Saudi Arabia, he could be challenged by 'hawks' in the Abu Dhabi government who argued that Al-Ain/Buraimi was not a "negotiable issue"⁶⁶¹ and who were strongly opposed to making any significant territorial concessions to the Saudis. Jim Treadwell, Britain's Political Agent in Abu Dhabi during 1968-71 and Britain's first Ambassador to the UAE, went further in his assessment by claiming that if Shaikh Zayid accommodated Saudi Arabia, he might be assassinated by the 'hawks' within the royal family in Abu Dhabi — just like Shaikh Khalid Al-Qasimi, Ruler of Sharjah, who was assassinated in January 1972 after he agreed to cede half of the island of Abu Musa to the Iranians two months before. The Twin Pillars policy meant that the future of the UAE depended on Shaikh Zayid's ability to satisfy both Saudi Arabia and Iran.

The sixth conclusion is that several factors favouring Saudi Arabia hindered the settlement during 1970-74. British records portray Shaikh Zayid's refusal to accept King Faisal's proposal of 1970 as the greatest single obstacle. Britain's Ambassador to Saudi Arabia during 1968-72, Sir Willie Morris, believed that "our difficulty has always been to persuade [Shaikh Zayid] to meet [King Faisal's] demands in the south and west."⁶⁶² However, as Shaikh Zayid's position weakened after 1968 and again after 1971, he slowly changed his position on King Faisal's 1970 proposal from resistance, to concession, and finally to accommodation. All the while, King Faisal stuck to the 1970 proposal, offering no real concessions in return.

King Faisal's inflexibility undoubtedly caused Britain to focus on Abu Dhabi's negotiating approach rather than Saudi Arabia's. The two major obstacles to the dispute's resolution were, first, Britain's unilateral declaration of the Abu Dhabi-Saudi boundary in 1955 and, second, King Faisal's refusal to consider Abu Dhabi's counter-proposals. Britain confessed to the obstacle caused by its imposition of the boundary in 1955. As Ambassador Morris commented in June 1970, "we are basing ourselves only

⁶⁶¹ Mr. Treadwell (Abu Dhabi), to (FCO) 'Abu Dhabi/ Saudi Arabia,' 3 June 1970, FCO8/1335,TNA, London, in *Arabian Boundaries*, vol. 11, ed. Schofield, p. 216.

⁶⁶² Foreign Office Minutes by A Reeve, Abu Dhabi/Saudi Arabia, 23 April 1971, FCO8/ 1614, in *Arabian Boundaries*, vol. 12, ed. Schofield, p 324.

on our own view of the legal justification for our action in 1955, which has never been accepted by the Saudis.”⁶⁶³ As discussed in Chapter 3, the 1955 boundary declaration awarded Liwa oasis, the Al-Ain/Buraimi oasis region and Khor al-Udaid to Abu Dhabi, but Saudi Arabia persistent refusal to accept that boundary eventually forced Abu Dhabi to settle the dispute. Unwritten agreements about any lines proposed by the British between 1935 and 1971 in fact made it even harder to base the 1970-74 negotiating process on a solid foundation, as did the timing of Britain’s withdrawal, which left the UAE vulnerable to Saudi military action, placing Shaikh Zayid under considerable pressure to accept Saudi Arabia’s terms.

The evidence suggests that Saudi negotiating behaviour impeded the progress of UAE-Saudi territorial negotiations during 1970-74. That obstacle was represented by a Saudi-controlled negotiating strategy that was implemented with contentious tactics such as threats, a ‘take it or leave it’ attitude, extreme demands and, most importantly, interference in the UAE’s domestic affairs and its refusal to negotiate over Shaikh Zayid’s offer of oil-sharing or joint sovereignty with respect to the Zararah/Shaybah oilfield and Khor al-Udaid. But, ultimately, it was this same strategy and tactics that forced Abu Dhabi to settle the dispute on Saudi terms.

The seventh conclusion is that there was no negotiating approach that would have suggested any interest in a mutually-integrative solution between the UAE and Saudi Arabia during 1971-74. As explained in Chapter 4, there are certain strategies that can be brought in during the negotiation process that utilise either contentious or problem-solving tactics. Saudi Arabia pursued a strategy aimed at controlling the negotiation process in its favour and gave Abu Dhabi no choice other than to accommodate Saudi demands. As a control strategy, this approach allowed for a ‘win-lose’ outcome only. As discussed at some length in Chapters 5 and 6, to achieve its goals, Saudi Arabia pursued a controlled negotiation strategy, supported by contentious tactics including serious threats that were both explicit and implied. The explicit threats included refusing to recognise the UAE diplomatically until the dispute had been resolved, and threatening to return to Saudi Arabia’s 1949 territorial claims if the 1970s Saudi proposal was not accepted without further negotiation. The first threat jeopardized the existence of the UAE and the second jeopardized the territorial integrity of Abu Dhabi. The implied threat involved Saudi Arabia informing Shaikh Zayid that if the dispute

⁶⁶³ W. Morris, (Jedda) to (FCO), 12 June 1970, FCO8/1335, TNA, London, in *Arabian Boundaries*, vol.11, ed. Schofield, p. 256.

were not resolved during King Faisal's lifetime, Saudi 'hawks' would take the disputed areas by force, as Britain's Ambassador to Saudi Arabia during 1972-76, Sir Alan Rothnie, told the Foreign Office in 1972: "Some of the younger princes around [King Faisal] were beginning to argue that the dispute might have to be settled by force."⁶⁶⁴

By contrast, and due to Saudi Arabia's fixed position and Britain's passive role in the negotiations of 1970-71, Shaikh Zayid's negotiating strategy seems to have been confused and unclear. It could be said that before Britain's withdrawal from the Gulf in 1971, his negotiating strategy had been based on compromise in order to move Saudi Arabia towards mutual concessions and cooperation. However, after Britain's withdrawal, Shaikh Zayid soon exhausted all remaining means to gain a better offer than that made by King Faisal and had little choice but to settle the dispute as soon as he could by adopting what is known as an 'accommodating strategy' — a strategy through which a negotiator satisfies his opponent by abandoning his own interests.⁶⁶⁵

As Chapter 4 explained, accommodation and control strategies are not negotiation strategies based on mutually positive outcomes. This thesis defines negotiation as a peaceful process aimed at a mutual resolution of a conflict. Applying this concept to the negotiations of 1970-74 reveals that there were no 'negotiations' as such — the huge differences in power between Saudi Arabia and the UAE enabled the former to more or less impose a settlement on the latter. It is most likely that Saudi Arabia imposed the Hamzah Line of 1935, the first line proposed by Saudi Arabia in the Anglo-Saudi territorial negotiations of 1935-49 that included both Khor al-Udaid and part of Liwa oasis. Supposedly, Saudi Arabia had won the Hamzah Line in 1974 and formalised it in the map attached with the Treaty of Jeddah. As shown in chapter 7, the UAE had published two maps, one that conformed to the map annexed with the Treaty of Jeddah, and one that depicted the line imposed on Saudi Arabia in 1955 — i.e., the map on the back of the 2009 issue of the UAE national identity card, the map in the 2006 *UAE Year Book*, and the map found in many Emirati academic publications. Thus, it could be said that the imposed line of 1955 and the map of 1974 were not reached through a mutually integrative approach between the UAE and Saudi Arabia. This is why the UAE government felt justified reviving the question of the boundary in 2004 in order to

⁶⁶⁴ Sir Alan Rothnie, British Ambassador 1972-1976 (Jedda), to (Foreign Office), 31 August 1972, FCO8/1910-1911, TNA, London, in *Arabian Boundaries*, vol. 13 ed. Schofield, p. 711.

⁶⁶⁵ Saner, *The Expert Negotiator*, p. 68.

renegotiate the Articles of the Treaty of Jeddah: the Articles had not been ‘negotiated’, they were not the result of mutual compromise, they had simply been imposed.

The eighth conclusion is that the UAE agreed in July 1974 to make a deal with Saudi Arabia, albeit under unclear conditions, based on the Saudi proposal of May 1970. What is significant to note is that Shaikh Zayid made a deal on only part of King Faisal’s proposal, which was to cede territory west of Sabkhat Al-Mattai,⁶⁶⁶ including Khor al-Udaid. To remove any doubt as to whether or not the UAE had ceded Khor al-Udaid officially in 1976, Shaikh Zayid gave further concessions to Saudi Arabia, starting from west of Ras Khumais including Khor al-Udaid. More recently a US document confirmed in 2003 that the cession was only made in the west of Abu Dhabi, at Khor al-Udaid: “Shaikh Zayid made resolution of the dispute with the Al Saud a top priority and, in 1974, initiated an agreement allowing for cession by Abu Dhabi of some territory in the west of the country to Saudi Arabia in exchange for the establishment of diplomatic relations.”⁶⁶⁷

Thus, under this cession, the current UAE government had no right to claim Khor al-Udaid in 2004. In fact, during Shaikh Zayid’s lifetime, there had been no statements or action made regarding the status of Khor al-Udaid. Map 7.1 by the UAE Ministry of Petroleum in 1976 shows that Saudi Arabia had gained more concessions in 1976 than in 1974.⁶⁶⁸ I found no evidence in British records that Shaikh Zayid offered any proposal to cede the whole Zararah/Shaybah oil field during 1970-74. The UAE’s position was clear — from the beginning, the complete loss of Zararah had been an unacceptable concession.

In fact, the oilfield was the sticking point in the whole negotiation process. Circumstantial evidence suggests that Shaikh Zayid believed he had agreed to an oil-sharing arrangement in July 1974, though this is not reflected in the actual text of the Treaty of Jeddah. After reaching the conclusion of the Jeddah Treaty, “Shaikh Zayid denied to Sir G. Arthur that there [had] been any special arrangements for oil [...] both

⁶⁶⁶ The ceding of “west of Sabkhat Al-Matti,” as described in *Arabian Boundaries*, is a loose depiction of where the line starts and ends. For example, it can easily be understood from that description that Saudi Arabia would gain more concessions from Abu Dhabi than Khor al-Udaid only, since the latter lies or is located on the base of Qatar, a bit further from west of Sabkhat Al-Matti.

⁶⁶⁷ Richard A. Albright, US Charge d’Affaires, The US embassy in UAE, to (unknown receiver) UAE, *Oman Formalize Border Pact*, 27 October 2003, 03ABUDHABI4764, available at <https://wikileaks.org/cable/2003/10/03ABUDHAI4764.html>. (Accessed 27 June 2013).

⁶⁶⁸ The new concessions were finalised in a new Treaty in 1977.

states retain full rights and responsibilities for oil development and production on their respective sides of the border.”⁶⁶⁹ This study shows that, unlike some of his negotiating teams, Shaikh Zayid seems to have believed that the Treaty of Jeddah gave the UAE oil-sharing rights at Zararah. After the Treaty of Jeddah had been signed, Shaikh Zayid firmly believed that Zararah was to be shared between UAE and Saudi Arabia. Some of the UAE negotiation team statements emphasised that the Saudis assured Shaikh Zayid on 29 July that Abu Dhabi would keep 20 percent of the Zararah revenues. This reveals that the verbal negotiations in July were not reflected in the Treaty of Jeddah on 21 August 1974.

Unfortunately, details of the secret negotiations were not recorded, so it is difficult to follow the final phase of the negotiating process. British and American reports indicate that there was considerable ambiguity during the final phase of negotiations. It appears from these records that some of the UAE representatives did not act responsibly with regard to the provisions of the Treaty, or failed entirely to understand the scope of their assigned duties. Francis Vallat (former Legal Adviser to the Foreign Office) indicated that the UAE negotiating team was not eligible to negotiate with Saudi Arabia because it was “weak”, and indeed the UAE team included no legal experts, technician, lawyers, or geographers. That partly explained why Schofield described the Saudi-UAE border agreement of 21 August 1974 and its outcome as “the most bizarre international boundary agreement ever signed between two states.”⁶⁷⁰

The lack of experts on the UAE negotiating team would explain, in part, the poor outcome for Abu Dhabi. When Shaikh Zayid came to realise the gap between the oral agreement of 29 July 1974 and the text of the Treaty signed on 21 August — mainly Article 3 relating to Zararah — he was quick to express his dissatisfaction. Abu Dhabi sent several letters of protest to Riyadh, beginning in 1975, with copies lodged with the United Nations. The UAE government’s position on Article 3 of the Treaty therefore, dates back to 1975 and not to 2004, when it was first made public.

From the eight conclusions above, the following can be deduced: the prospect of a final settlement of the UAE-Saudi territorial dispute is not possible at present, unless the parties make fundamental changes to their positions. Saudi Arabia wants to negotiate

⁶⁶⁹ Callaghan (Foreign Office), to (Doha), 23 August 1974,” FCO8/2357,TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p. 244.

⁶⁷⁰ Schofield, “Introduction to 1974”, p. xii

only on Article 5 of the Treaty concerning the maritime borders in the Khor al-Udaid area, while the UAE insists that some of the Treaty Articles are no longer acceptable, especially Article 3 on Zararah/Shaybah. Given the events since 2004, it would be difficult to say that Saudi Arabia and the UAE have moved further towards adopting an integrative negotiation strategy. What has changed is that, in the context of the United Nations, Saudi Arabia and the UAE theoretically now are equally capable of treating negotiation as a zero-sum game; both countries have adopted incompatible positions with respect to the possible amendment of the Treaty of Jeddah.

There are a few possible ways to settle the dispute. Much of the border tension between UAE and Saudi Arabia over the Khor al-Udaid region to the west of Abu Dhabi could have been eliminated. Since the 1990s, land travel between the UAE and Qatar (through Saudi Arabia) has been naturally subject to Saudi checkpoints. The project of the UAE-Qatari causeway is a very time-consuming, expensive, and technologically challenging alternative to the current road, which passes through Saudi Arabia. This thesis suggests the construction of a new direct land route between UAE and Qatar would eliminate the burden of a UAE-Qatar causeway and avoid potential future maritime conflicts between Saudi Arabia and the UAE. The way in which border formalities can be eliminated are to follow the kinds of examples that exist elsewhere in the world of “non-stop” roads, which connect two countries. There are examples of “non-stop” roads, which connect two countries without border formalities when the road crosses the territory of a third country. For example, the road from Dubai to Hatta passes through a small part of the Omani territory. Before 1990, West Berlin was connected with West Germany by a “non-stop” railway built through East Germany. Thus, the UAE and Qatar could in all reality share a direct land route border with one another without having to confront the formalities of Saudi checkpoints.

Interestingly, a month after the signing of the Treaty of Jeddah, British officials believed “the border agreement is in general terms which allow for the establishment of a joint working party to settle details such as oil exploitation and maritime boundaries later on.”⁶⁷¹ The agreement, then, provided for joint mechanisms to determine details of maritime boundaries and oil production. At the same time, it noted a great deal of confusion among Emiratis in Abu Dhabi as a result of “the vagueness of the

⁶⁷¹ Brian Pridham (Abu Dhabi), to (Foreign Office), 9 September 1974, FCO8/2358,TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p.288.

agreement.”⁶⁷² The present agreement is vague in terms of UAE ownership of offshore islands, the Al-Ain/ Buraimi oasis region, the oil sharing arrangements at Zararah and the definition of the UAE and Saudi maritime boundaries. All of this indicates that the Treaty of Jeddah’s provisions were more like a draft rather than a final agreement. The effects of the Treaty have been described as a “stroke of the pen.”⁶⁷³ Thus, the Treaty requires drastic amendments with regard to maritime boundaries and the Zararah oil field to reduce tensions in the UAE-Saudi relationship. Clear maritime boundaries are not possible until the UAE and Saudi Arabia reach a new maritime agreement that defines the ownership of the offshore islands and a definitive offshore boundary line in order to reach to a clear understanding of the Saudi and the UAE territorial waters.

Regarding Article 3, this does not give the UAE the right to develop or exploit the 20 percent of Zararah that lies within Abu Dhabi—there is no provision for revenue sharing. UAE efforts since 1975 have not persuaded the Saudis to reconsider Article 3. However, if the Saudis were to reconsider their position on Article 3 and a settlement became possible, that would not only impact positively on UAE-Saudi relations, it might have a positive influence on a number of GCC issues as well. This thesis suggests that resolving Article 3 in the UAE’s favour would likely encourage the UAE to agree to many GCC initiatives and projects initiated or backed by Saudi Arabia. The UAE could therefore link the resolution of the Treaty’s Articles to GCC issues of importance to Saudi Arabia. For instance, there is the issue of the UAE’s withdrawal in 2009 from the GCC’s negotiations for a future monetary union. If the UAE was to consider returning to the negotiations and accepting Riyadh as the location of the future GCC Bank, the Saudi government might consider that a sufficient concession to begin a renegotiation of the Treaty’s Articles.

Finally, since UAE maps including the contested areas since 2006 have repeatedly angered the Saudis, a mutually-agreed map is required. The establishment of a new land border between Abu Dhabi and Qatar, the resolution of the maritime boundary, and an equitable division of the Zararah oil field revenues are prerequisites for such a map.

⁶⁷² Ibid., p.288.

⁶⁷³ H.St.J.B Armitage, (Dubai), to T.J.Clark (Foreign Office), UAE-Saudi Arabia, 14 December 1974, FCO8/2358,TNA, London, in *Arabian Boundaries*, vol. 15, ed. Schofield, p. 303.

APPENDIX 1

Agreement on the Delimitation of Boundaries (with Exchange of Letters)

No. 30250

SAUDI ARABIA
and
UNITED ARAB EMIRATES

Agreement on the delimitation of boundaries (with exchange of letters and map). Signed at Jeddah, Saudi Arabia, on 21 August 1974

Authentic text: Arabic.

Registered by Saudi Arabia on 9 September 1993.

ARABIE SAOUDITE
et
ÉMIRATS ARABES UNIS

Accord relatif à la délimitation des frontières (avec échange de lettres et carte). Signé à Jeddah (Arabie saoudite) le 21 août 1974

Texte authentique : arabe.

Enregistré par l'Arabie saoudite le 9 septembre 1993.

Vol. 1733, I-30250

بسم الله الرحمن الرحيم

حظرة صاحب السمو الاخ الشيخ زايد بن سلطان آل نهيان

رئيس دولة الامارات العربية المتحدة -

يا صاحب السمو .

يسرني ان اشير الى الفقرة (٣) من المادة الخامسة من اتفاقية تعيين الحدود بين بلدنا

الموقعة بتاريخ ٣ شعبان ١٣٩٤ هجرية الموافق ٢١ اغسطس ١٩٧٤ ميلادية .

واود ان اهرب لسوكم ان مفهوم السلطنة العربية السعودية للسيادة المشتركة على كامل المنطقة

التي توصل - طبقا لحكم هذه الفقرة - بين المياه الاقليمية الخاصة بالسلطنة العربية السعودية والبحر

العلم لا يشمل تلك الثروات الطبيعية الكائنة في قاع البحر وما تحت القاع حيث تظل تلك الثروات سلوكة

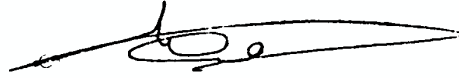
لدولة الامارات العربية المتحدة بصفة منفردة وذلك استثناء من حقوق السيادة المشتركة .

لانذا كان مفهوم السلطنة العربية السعودية في هذا الشأن يتفق مع مفهوم دولة الامارات العربية

المتحدة فأنني ارى ان يعتبر كتابي هذا وجواب سوكم عليه بمثابة اتفاق لتقرير ذلك وصح ملحقا

بالاقتافية المشار اليها اصلاح .

وتفضلوا يا صاحب السمو بقبول اولر تحياتنا واحمدق تقديرنا . . .



فهد بن عبد العزيز آل سعود

ملك السلطنة العربية السعودية

جدة في ٣ شعبان ١٣٩٤ هجرية .

الموافق ٢١ اغسطس ١٩٧٤ ميلادية .

بسم الله الرحمن الرحيم

حضرة صاحب الجلالة الملك فيصل بن عبدالعزيز آل سعود

ملك المملكة العربية السعودية

يا صاحب الجلالة ،

يسرني ان اشير الى كتاب جلالتم المؤرخ ٣ شعبان ١٣٩٤ الموافق ٢١ اغسطس ١٩٧٤ والذي نصه ،
 " حضرة صاحب السمو الاخ الشيخ زايد بن سلطان آل نهيان ، رئيس دولة الامارات العربية المتحدة .
 يا صاحب السمو .

يسرني ان اشير الى الفقرة (٣) من المادة الخاصة من اتفاقية تعيين الحدود بين دولتي الامارات العربية المتحدة بتاريخ ٣ شعبان ١٣٩٤ هجرية الموافق ٢١ اغسطس ١٩٧٤ ميلادية ، واود ان اعرب لسموكم ان مفهوم السلطنة العربية السعودية للسيادة المشتركة على كامل المنطقة التي توصل - طبقا لحكم هذه الفقرة - بين اليابسة الاقليمية الخاصة بالسلطنة العربية السعودية والبحر العام لايشمل تلك الثروات الطبيعية الكامنة في قاع البحر وما تحت القاع حيث تظل تلك الثروات مملوكة لدولة الامارات العربية المتحدة بصفة منفردة وذلك استثناء من حقوق السيادة المشتركة . فاذا كان مفهوم السلطنة العربية السعودية في هذا الشأن يتفق مع مفهوم دولتي الامارات العربية المتحدة فأنتي ارى ان يحتب كتابي هذا وجواب سموكم عليه بمثابة اتفاق لتقرير ذلك ويصبح ملحقا بالاتفاقية المشار اليها اعلاه . وتفضلو يا صاحب السمو بقبول اوتبر تحياتنا واصدق تقديرنا
 جدة في ٣ شعبان ١٣٩٤ هجرية ، الموافق ٢١ اغسطس ١٩٧٤ ميلادية ،

فيصل بن عبدالعزيز آل سعود ، ملك المملكة العربية السعودية

ويسرني اخبار جلالتم بان مفهوم دولة الامارات العربية المتحدة بشأن ملكية الثروات الطبيعية المشار اليها في كتاب جلالتم يتفق ومفهوم السلطنة العربية السعودية .
 وتفضلو يا صاحب الجلالة بقبول اوتبر تحياتنا واصدق تقديرنا .»



زايد بن سلطان آل نهيان

رئيس دولة الامارات العربية المتحدة

جدة في ١ شعبان ١٣٩٤ هـ .

الموافق ١١ اغسطس ١٩٧٤ م

على كامل النطقة التي توصل - طبقاً لحكم هذه الفترة - بين المياه الانليبية الخاصه بالملكة العربية
السمودية والبحر العام .

المادة السادسة

تتولى احدى الشركات المالية المختصة التي يختارها البلدان القيام بسح وتحديد نقط وخطوط
الحدود الموضحة في المادة الثانية اعلاه على الطبيعة واعداد خريطة بالحدود البرية بين البلدين
وبا يتعلق بذلك من بيانات اخرى لتكون تلك الخريطة ، بمد توقيع مثلي الطرفين المتعاقدين الساميين
عليها ، هي الخريطة الرسمية المبينه للحدود المطلوبة ، وتلحق بهذه الاتفاقية كجزء مكل لهذا .

المادة السابعة

تشكل لجنة فنية مشتركة مكونة من ثلاثة اعضاء من كل من البلدين للقيام باعداد مواصفات الاعمال المطلوبة
من الشركة المذكورة اعلاه ، وبيان نقط وخطوط الحدود بين البلدين وفقاً لأحكام هذه الاتفاقية والقيام
بالإشراف على تنفيذ تلك الاعمال ودراسة نتائجه .

المادة الثامنة

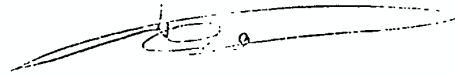
حررت هذه الاتفاقية من نسختين باللغة العربية تحتفظ كل دولة بنسخة منها .

المادة التاسعة

تصح هذه الاتفاقية نافذة النفعول نسو التوقيع عليها .

المادة العاشرة

حررت هذه الاتفاقية في مدينة جدة بالملكة العربية السعودية في اليوم الثالث من شهر شعبان
عام ١٣٩٤ هجرية ، الموافق لليوم الحادى والعشرين من شهر اغسطس عام ١٩٧٤ ميلاديه .



فيسل بن عبدالعزيز آل سعود
ملك المملكة العربية السعودية



زايد بن سلطان آل نهيان
رئيس دولة الامارات العربية المتحدة

- ٢ - توافق دولة الامارات العربية المتحدة وتلتزم بعدم القيام باية عمليات بحث أو تنقيب عن الموارد الهيدروكربونية أو استثمارها أو استغلالها، أو الاذن بذلك في ذلك الجزء من حقل (النسيه - زواره) الذي يقع شمال خط الحدود
- ٣ - يجوز للملكة العربية السعودية أو لاية شركة أو مؤسسة تعمل باذن منها، القيام بعمليات البحث والتنقيب واستثمار واستغلال الموارد الهيدروكربونية في ذلك الجزء من حقل (النسيه - زواره) - الذي يقع شمال خط الحدود، ويتم فيها بعد اتفاق الدولتين على طريقة قيام الملكة العربية السعودية بتلك العمليات .

المادة الرابعة

تلتزم كل من الملكة العربية السعودية ودولة الامارات العربية المتحدة بالامتناع عن القيام باية عمليات استثمار أو استغلال للموارد الهيدروكربونية أو الاذن بذلك، في ذلك الجزء من اقليمها الذي تشدد اليه حقول الموارد الهيدروكربونية الواقعة بصفة رئيسية في اقليم الدولة الاخرى .

المادة الخامسة

- ١ - تعترف دولة الامارات العربية المتحدة بسيادة الملكة العربية السعودية على جزيرة حويصات . وتعترف الملكة العربية السعودية بسيادة دولة الامارات العربية المتحدة على جميع الجزر الاخرى المقابلة لساحلها في الخليج العربي .
- ٢ - توافق دولة الامارات العربية المتحدة على ان تنشئ الملكة العربية السعودية على جزيرتي التناهي وركاب أية منشآت عامة ترزب في اثانها عليهما .
- ٣ - يتم مثلوا الطرفين المتعاند بين السامين في اقرب وقت ممكن بتعيين الحدود البحرية بين كل من اقليم الملكة العربية السعودية واقليم دولة الامارات العربية المتحدة وبين كل من الجزر الخاضعة لسيادة كل منها وذلك على اساس العدالة التي تحقق للمياه الاقليمية الخاصة بذلك الجزء من اقليم الملكة العربية السعودية الجايز لا تليم دولة الامارات العربية المتحدة والمياه الاقليمية الخاضعة لجزيرة حويصات المذكورة في الفقرة (١) اعلاه اتصالا حرا بيناها بالبحر العام وحيث يراعى تسي تحقيق ذلك للصلاحيه للملاحة المسمية بين البحر العام وذلك اليق الشار اليه اعلاه من اقليم الملكة العربية السعودية . ويكون لكل من الطرفين المتعاند بين السامين السيادة المشتركة

وتتعد من هذه النقطة بخط مستقيم يتجه الى الجنوب الشرقي حتى نقطة (ج) موقعها الجغرافي .

خط العرض	٠١	٥٦	٢٢	شمالا
خط الطول	٥٢	٣٤	٥٢	شرقا

وتتعد من هذه النقطة بخط مستقيم يتجه شرقا بجنوب الى نقطة (د) موقعها الجغرافي .

خط العرض	٤١	٣٧	٢٢	شمالا
خط الطول	١٤	٠٨	٥٥	شرقا

وتتعد الحدود من هذه النقطة بخط مستقيم يتجه الى الشمال الشرقي تاركا (ام الزبول) شرقي النقط

(هـ) التي موقعها الجغرافي .

خط العرض	٠٢	٤٢	٢٢	شمالا
خط الطول	١٠	١٢	٥٥	شرقا

وتتعد الحدود من نقطة (هـ) بخطوط مستقيمة تصل النقاط ذات المواقع الجغرافية الآتية :-

النقطة	خط العرض - شمالا			خط الطول - شرقا		
و	١١	٣٢	٢٣	٠٠	٣٠	٥٥
ز	٠٠	٠٠	٢٤	٠٠	٣٤	٥٥
ح	٠٠	٠١	٢٤	٠٠	٥١	٥٥
ط	٠٠	١٣	٢٤	٠٠	٥٤	٥٥
ي	٥٠	١١	٢٤	٠٠	٥٠	٥٥

ومن النقطة (ي) تمتد الحدود الى نقطة (ك) موقعها الجغرافي التقريبي ٥٠ ١٣ ٢٤ شمالا

و ٥٠ ٥٥ شرقا ومن نقطة (ك) تمتد الحدود الى نقطة (ل) موقعها الجغرافي ١٩ ٢٤ شمالا

و ٥٠ ٥٥ شرقا بحيث تتركز الفرى الثلاث الواثمة شرقي نطلقا (داخل اقليم السلطنة العربية السعودية .

ومن نقطة (ل) تمتد الحدود الى نقطة ثلاثي حدود كل من السلطنة العربية السعودية ودولة الامارات

العربية المتحدة وسلطنة عمان والتي سيتم الاتفاق عليها بين الدول الثلاث .

و جميع النقاط المذكورة اعلاه موضحة بشكل مبدي على خارطة بمقياس رسم ١ : ٥٠٠٠٠٠٠٠٠٠ مرافقة

لهذه الاتفاقية وموقع عليها من الطرفين المتعاقدين السابيين .

المادة الثالثة

١ - تعتبر كافة المواد الهابذ روكريونيه الموجودة في حفنل (الشبيه - زواره) منفرقة للسلطنة العربية

السعودية .

[ARABIC TEXT — TEXTE ARABE]

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

ان حضرة صاحب الجلالة الملك فيصل بن عبدالعزيز آل سعود
ملك المملكة العربية السعودية
وحضرة صاحب السمو الشيخ زايد بن سلطان آل نهيان
رئيس دولة الامارات العربية المتحدة

عملاً ببيادى التسوية السخاء التي تدين بها الامة الاسلامية وانطلاقاً من روح التضامن
الاسلامي التي تظلل الجزيرة العربية واستناداً الى روابط المودة بينهما ، وواصر الاخاء بين شعبيهما
الشقيقين ، وعلاوة الجوار القائمة بين بلديهما .
ونظراً لرغبة كل من الدولتين في تحيين الحدود البرية والبحرية بين اقليبيهما بصفة نهائية
في ظل الاخوة الاسلامية وروح الاخاء العربي .
نقد اتفق الطرفان التمتعان السايان على ما يأتي :

المادة الاولى

يكون خط الحدود البرية الذي ينصل بين اقليم المملكة العربية السعودية واقليم دولة الامارات العربية
المتحدة هو الخط الذي يتحدد طبقاً لأحكام هذا الاتفاقية .

المادة الثانية

تبدأ الحدود البرية بين المملكة العربية السعودية ودولة الامارات العربية المتحدة من النقطة (أ) على
ساحل الخليج العربي بمرتمها الجغرافي التقريبي .

خط العرض	٥٨	١٢	١٤	شمالاً
خط الطول	٢٦	٣٥	٥٦	شرقاً

وتنتد من هذه النقطة بخط مستقيم يتجه جنوباً الى نقطة (ب) موقعها الجغرافي :

خط العرض	٢٤	٠٧	٢٤	شمالاً
خط الطول	٢٦	٣٥	٥٦	شرقاً

[TRANSLATION]

AGREEMENT¹ BETWEEN THE KINGDOM OF SAUDI ARABIA AND
THE UNITED ARAB EMIRATES ON THE DELIMITATION OF
BOUNDARIES

His Majesty King Faisal Bin Abdul-Aziz al Saud, King of Saudi Arabia,
And His Highness Sheikh Zayed Bin Sultan Al Nahyan, President of the United
Arab Emirates,

In pursuance of the principles of the Holy Shariah professed by the Islamic
Community, proceeding from the spirit of Islamic solidarity that embraces the Ara-
bian Peninsula, and on the basis of the bonds of amity between them, the links of
brotherhood between their fraternal peoples and the relationship of neighbourliness
existing between their two countries,

And in view of the desire of each of the two States to delimit the offshore and
land boundaries between their territories in a definitive manner in a spirit of Islamic
brotherhood and Arab fraternity,

The High Contracting Parties have agreed as follows:

Article 1

The land boundary separating the territory of the Kingdom of Saudi Arabia and
the territory of the United Arab Emirates is the line delimited in accordance with the
provisions of this Agreement.

Article 2

The land boundary between the Kingdom of Saudi Arabia and the United Arab
Emirates starts from point (a) on the coast of the Arabian Gulf at the approximate
geographical location of:

Parallel 24° 14' 58" north;
Meridian 51° 35' 26" east.

It extends from this point in a straight line proceeding in a southerly direction
to point (b) at the geographical location of:

Parallel 24° 07' 24" north;
Meridian 51° 35' 26" east.

It extends from this point in a straight line proceeding in a south-easterly direc-
tion to point (c) at the geographical location of:

Parallel 26° 56' 09" north;
Meridian 52° 34' 52" east.

It extends from this point in a straight line proceeding east by south to point (d)
at the geographical location of:

Parallel 22° 37' 41" north;
Meridian 55° 08' 14" east.

¹ Came into force on 21 August 1974 by signature, in accordance with article 9.

The boundary extends from this point in a straight line proceeding in a north-easterly direction, leaving Umm al-Zumul to the east of point (e) at the geographical location of:

Parallel 22° 42' 02" north;
Meridian 55° 12' 10" east.

The boundary extends from point (e) in straight lines joining the points at the following geographical locations:

<i>Point</i>	<i>Parallel - north</i>	<i>Meridian - east</i>
f	23° 32' 11"	55° 30' 00"
g	24° 00' 00"	55° 34' 10"
h	24° 01' 00"	55° 51' 00"
i	24° 13' 00"	55° 54' 00"
j	24° 11' 50"	55° 50' 00"

From point (j), the boundary extends to point (k) at the approximate geographical location of 24° 13' 45" north and 55° 45' east, and from point (k) the boundary extends to point (l) at the geographical location of 24° 19' north and 55° 50' east, so that the three villages located to the east of point (k) are left inside the territory of the Kingdom of Saudi Arabia. From point (l), the boundary extends to the intersection of the boundaries of the Kingdom of Saudi Arabia, the United Arab Emirates and the Sultanate of Oman, on which agreement shall be reached by the three States.

All of the aforesaid points are shown in a preliminary manner on a map¹ on the 1:500,000 scale annexed to this Agreement and signed by the two High Contracting Parties.

Article 3

1. All hydrocarbons in the Shaybah-Zarrarah field shall be considered as belonging to the Kingdom of Saudi Arabia.
2. The United Arab Emirates agrees and undertakes not to engage in or to permit any exploration or drilling for or exploitation of hydrocarbons in that part of the Shaybah-Zarrarah field lying to the north of the boundary line.
3. The Kingdom of Saudi Arabia or any company or corporation operating with its permission may engage in exploration and drilling for and exploitation of hydrocarbons in that part of the Shaybah-Zarrarah field lying to the north of the boundary line, and the two States shall subsequently reach agreement on the manner in which the Kingdom of Saudi Arabia shall engage in such activities.

Article 4

The Kingdom of Saudi Arabia and the United Arab Emirates each undertake to refrain from engaging in and from permitting the exploitation of hydrocarbons in that part of its territory to which the hydrocarbon fields primarily located in the territory of the other State extend.

¹ The annexed map referred to in article 2 does not form an integral part of the Agreement (information supplied by the Government of the Kingdom of Saudi Arabia).

Article 5

1. The United Arab Emirates recognizes the sovereignty of the Kingdom of Saudi Arabia over Huwaysat island, and the Kingdom of Saudi Arabia recognizes the sovereignty of the United Arab Emirates over all the other islands opposite its coast on the Arabian Gulf.

2. The United Arab Emirates agrees to the construction by the Kingdom of Saudi Arabia on the islands of Al-Qaffay and Makasib of any general installations it may wish to establish thereon.

3. Representatives of the High Contracting Parties shall, as soon as possible, delimit the offshore boundaries between the territory of the Kingdom of Saudi Arabia and the territory of the United Arab Emirates and between all of the islands subject to the sovereignty of each of them. They shall do so on such a basis of equity as will ensure free and direct access to the high seas from the territorial waters of that part of the territory of the Kingdom of Saudi Arabia adjacent to the territory of the United Arab Emirates and from the territorial waters of Huwaysat island, mentioned in paragraph 1 above, and in such a manner as to take account of suitability for deep-water navigation between the high seas and that part of the territory of the Kingdom of Saudi Arabia indicated above. The High Contracting Parties shall have joint sovereignty over the entire area linking the territorial waters of the Kingdom of Saudi Arabia and the high seas, in accordance with the provisions of this paragraph.

Article 6

A duly qualified international company to be selected by the two countries shall survey and delimit on the ground the boundary points and boundary lines set forth in article 2 above and prepare a map¹ of the land boundaries between the two countries and other related data. This map, after signature by the representatives of the High Contracting Parties, shall be the official map showing the desired boundaries and shall be annexed to this Agreement as an integral part thereof.

Article 7

A joint technical commission shall be formed of three members from each of the two countries to prepare specifications for the work required of the aforesaid company, to establish the boundary points and boundary lines between the two countries in accordance with the provisions of this Agreement and to supervise the implementation of the work and examine its results.

Article 8

This Agreement was drawn up in two copies in the Arabic language, one copy to be retained by each State.

Article 9

This Agreement shall enter into force immediately on signature.

¹ Not reproduced herein for technical reasons.

Article 10

DONE at Jeddah, in the Kingdom of Saudi Arabia, on 3 Sha'ban A.H. 1394,
corresponding to 21 August A.D. 1974.

ZAYED BIN SULTAN AL NAHYAN
President of the United Arab Emirates

FAISAL BIN ABDUL-AZIZ AL SAUD
King of Saudi Arabia

EXCHANGE OF LETTERS

I

Jeddah, 3 Sha'ban A.H. 1394,
corresponding to 21 August A.D. 1974

Your Highness,

I have the honour to refer to article 5, paragraph 3, of the Agreement delimiting the boundaries between our two countries signed on 3 Sha'ban A.H. 1394, corresponding to 21 August 1974.

I should like to convey to Your Highness that the understanding of the Kingdom of Saudi Arabia of "joint sovereignty over the entire area linking the territorial waters of the Kingdom of Saudi Arabia and the high seas, in accordance with the provisions of this paragraph" does not extend to ownership of the natural resources of the seabed and subsoil, inasmuch as these resources continue to be owned by the United Arab Emirates alone as an exception to the rights of joint sovereignty.

Should the understanding of the Kingdom of Saudi Arabia in this regard accord with that of the United Arab Emirates, I propose that this letter and the reply of Your Highness thereto should constitute an agreement establishing that fact and should be annexed to the aforesaid Agreement.

Accept, Your Highness, the assurances of our highest consideration and most sincere esteem.

FAISAL BIN ABDUL-AZIZ AL SAUD
King of Saudi Arabia

His Highness
Sheikh Zayed Bin Sultan Al Nahyan
President of the United Arab Emirates

II

Jeddah, 3 Sha'ban A.H. 1394,
corresponding to 21 August A.D. 1974

Your Majesty,

I have the honour to refer to Your Majesty's letter dated 3 Sha'ban A.H. 1394,
corresponding to 21 August 1974, which reads as follows:

[See letter I]

I have the honour to inform Your Majesty that the understanding of the United Arab Emirates with regard to the ownership of the natural resources indicated in Your Majesty's letter is in accord with the understanding of the Kingdom of Saudi Arabia.

Accept, Your Majesty, the assurances of our highest consideration and most sincere esteem.

ZAYED BIN SULTAN AL NAHYAN
President of the United Arab Emirates

His Majesty
King Faisal Bin Abdul-Aziz Al Saud
King of Saudi Arabia

[TRADUCTION]

ACCORD¹ ENTRE LE ROYAUME D'ARABIE SAOUDITE ET LES
ÉMIRATS ARABES UNIS RELATIF À LA DÉLIMITATION DES
FRONTIÈRES

S. M. le Roi Faisal Bin Abdul-Aziz Al-Saud, Roi d'Arabie saoudite, et

S. A. le cheikh Zayed Bin Sultan Al-Nahyan, chef de l'Etat des Emirats arabes unis,

Compte tenu des saints préceptes de la charia qu'observe la communauté islamique, de l'esprit de solidarité islamique qui baigne la péninsule arabique, des liens d'amitié et de fraternité qui unissent leurs deux peuples et de la relation de bon voisinage qui existe entre leurs deux pays,

Eu égard à la volonté des deux Etats de délimiter définitivement les frontières terrestre et maritime entre leurs territoires, dans un esprit de fraternité islamique et arabe,

Les deux hautes parties contractantes sont convenues de ce qui suit :

Article premier

La frontière terrestre qui sépare le territoire du Royaume d'Arabie saoudite et celui des Emirats arabes unis est la ligne fixée par les dispositions du présent Accord.

Article 2

La frontière terrestre entre le Royaume d'Arabie saoudite et les Emirats arabes unis commence au point (a), qui est situé sur la côte du golfe Arabique et dont les coordonnées géographiques approximatives sont :

24° 14' 58" de latitude N
51° 35' 26" de longitude E.

Elle se prolonge ensuite vers le sud, en ligne droite, jusqu'au point (b), dont les coordonnées géographiques sont :

24° 07' 24" de latitude N
51° 35' 26" de longitude E.

Elle se prolonge ensuite vers le sud-est, en ligne droite, jusqu'au point (c), dont les coordonnées géographiques sont :

22° 56' 09" de latitude N
52° 34' 52" de longitude E.

Elle se prolonge ensuite vers l'est/sud-est, en ligne droite, jusqu'au point (d), dont les coordonnées géographiques sont :

22° 37' 41" de latitude N
55° 08' 14" de longitude E.

¹ Entré en vigueur le 21 août 1974 par la signature, conformément à l'article 9.

Elle se prolonge ensuite vers le nord-est, en ligne droite, jusqu'au point (e) [Umm az-Zumul reste à l'est du point (e)], dont les coordonnées géographiques sont :

22° 42' 02" de latitude N
55° 12' 10" de longitude E.

Elle se prolonge ensuite en ligne droite, jusqu'aux points suivants, dont les coordonnées géographiques sont :

<i>Point</i>	<i>Latitude N</i>	<i>Longitude E</i>
(f)	23° 32' 11"	55° 30' 00"
(g)	24° 00' 00"	55° 34' 10"
(h)	24° 01' 00"	55° 51' 00"
(i)	24° 13' 00"	55° 54' 00"
(j)	24° 11' 50"	55° 50' 00"

La frontière se prolonge ensuite jusqu'au point (k), dont les coordonnées géographiques approximatives sont 24° 13' 45" de latitude nord et 55° 45' 00" de longitude est, puis (l), dont les coordonnées géographiques sont 24° 19' 00" de latitude nord et 55° 50' 00" de longitude est, de façon que les trois villages situés à l'est du point (k) restent sur le territoire du Royaume d'Arabie saoudite. La frontière se prolonge ensuite jusqu'au point d'intersection des frontières du Royaume d'Arabie saoudite, des Emirats arabes unis et du sultanat d'Oman, question qui fera l'objet d'un accord entre les trois Etats.

Tous les points susmentionnés sont indiqués à titre préliminaire sur une carte¹ à l'échelle de 1/500 000 jointe en annexe au présent Accord et signée par les deux hautes parties contractantes.

Article 3

1. Toutes les ressources en hydrocarbures du champ de Shaybah-Zarrarah sont réputées appartenir au Royaume d'Arabie saoudite.

2. Les Emirats arabes unis s'engagent à ne pas mener et à ne pas autoriser d'activités de prospection ou de forage visant à exploiter les ressources en hydrocarbures qui se trouvent dans la partie du champ de Shaybah-Zarrarah située au nord de la ligne frontière.

3. Le Royaume d'Arabie saoudite et toute société ou entreprise opérant avec son autorisation peut mener des activités de prospection ou de forage visant à exploiter les ressources en hydrocarbures qui se trouvent dans la partie du champ de Shaybah-Zarrarah située au nord de la ligne frontière. Les deux Etats s'entendront sur la façon dont le Royaume d'Arabie saoudite mènera ces activités.

Article 4

Le Royaume d'Arabie saoudite et les Emirats arabes unis s'engagent à ne pas mener et à ne pas autoriser d'activités visant à exploiter les ressources en hydrocar-

¹ La carte annexée, mentionnée à l'article 2, ne fait pas partie intégrante de l'Accord (renseignement fourni par le Gouvernement du Royaume d'Arabie saoudite).

bures qui se trouvent sur leurs territoires mais qui font partie de champs d'hydrocarbures situés principalement sur le territoire de l'autre État.

Article 5

1. Les Emirats arabes unis reconnaissent la souveraineté du Royaume d'Arabie saoudite sur l'île de Huwaysat, et le Royaume d'Arabie saoudite reconnaît celle des Emirats arabes unis sur toutes les autres îles qui font face à sa côte dans le golfe Arabique.

2. Les Emirats arabes unis acceptent que le Royaume d'Arabie saoudite crée sur les îles d'Al-Qaffay et de Makasib tous les établissements publics qu'il souhaite y construire.

3. Des représentants des hautes parties contractantes délimitent, dans les plus brefs délais, la frontière maritime entre le territoire du Royaume d'Arabie saoudite et celui des Emirats arabes unis ainsi qu'entre toutes les îles relevant de la souveraineté de l'un ou l'autre État. Ils s'acquitteront de leur tâche avec équité de façon à ménager un accès libre et direct à la haute mer à partir des eaux territoriales adjacentes à la partie du territoire du Royaume d'Arabie saoudite contiguë au territoire des Emirats arabes unis et des eaux territoriales de l'île d'Huwaysat, mentionnée au paragraphe 1 ci-dessus. Ils veilleront également à ce que la navigation en eau profonde soit possible entre la haute mer et la partie du territoire du Royaume d'Arabie saoudite mentionnée plus haut. Les hautes parties contractantes exerceront conjointement leur souveraineté sur toute la zone qui relie les eaux territoriales du Royaume d'Arabie saoudite et la haute mer conformément aux dispositions du présent paragraphe.

Article 6

Une entreprise internationale spécialisée choisie par les deux États est chargée d'effectuer les levés, de déterminer sur le terrain les points et les lignes frontière indiqués à l'article 2 ci-dessus et d'établir une carte¹ de la frontière terrestre entre les deux pays ainsi que d'autres données connexes. Une fois signée par les représentants des hautes parties contractantes, cette carte devient la carte officielle délimitant la frontière et elle est jointe en annexe au présent Accord, dont elle fait partie intégrante.

Article 7

Il est créé une commission conjointe comptant trois membres de chacun des deux États, chargée de définir les modalités des opérations susmentionnées, de déterminer les points et les lignes frontière entre les deux pays conformément aux dispositions du présent Accord, de superviser le déroulement de ces opérations et d'en examiner les résultats.

Article 8

Le présent Accord est rédigé en deux exemplaires en langue arabe, chaque État recevant un exemplaire.

Article 9

Le présent Accord entre en vigueur dès sa signature.

¹ Non reproduite ici pour des raisons techniques.

Article 10

FAIT à Djeddah, Royaume d'Arabie saoudite, le 3 cha'ban 1394 de l'hégire, soit le 21 août 1974.

Le chef de l'Etat
des Emirats arabes unis,
ZAYED BIN SULTAN AL-NAHYAN

Le Roi d'Arabie saoudite,
FAISAL BIN ABDUL-AZIZ AL-SAUD

ÉCHANGE DE LETTRES

I

Djeddah, le 3 cha'ban 1394
de l'hégire, soit le 21 août 1974

Votre Altesse,

J'ai l'honneur de me référer au paragraphe 3 de l'article 5 de l'Accord relatif à la délimitation de la frontière entre nos deux pays, en date du 3 cha'ban 1394 de l'hégire, soit le 21 août 1974.

Je tiens à vous informer que, pour le Royaume d'Arabie saoudite, il est entendu que l'exercice conjoint de la souveraineté « sur toute la zone qui relie les eaux territoriales du Royaume d'Arabie saoudite et la haute mer conformément aux dispositions du présent paragraphe » ne confère aucun droit de propriété en ce qui concerne les ressources naturelles des fonds marins et du sous-sol. Ces ressources restent la propriété exclusive des Emirats arabes unis, sans préjudice des droits de souveraineté conjointe.

Si la position du Royaume d'Arabie saoudite sur ce point correspond à celle des Emirats arabes unis, je propose que la présente lettre et votre réponse soient considérées comme un accord réglant cette question et qu'elles figurent en annexe à l'Accord susmentionné.

Veuillez agréer, Votre Altesse, les assurances de ma très haute considération et de ma plus grande estime.

Le Roi d'Arabie saoudite,
FAISAL BIN ABDUL-AZIZ AL-SAUD

Son Altesse
Cheikh Zayed Bin Sultan Al-Nahyan
Chef de l'Etat des Emirats arabes unis

II

Djeddah, le 3 cha'ban 1394
de l'hégire, soit le 21 août 1974

Votre Majesté,

J'ai l'honneur de me référer à votre lettre datée du 3 cha'ban 1394 de l'hégire, soit le 21 août 1974, libellée comme suit :

[Voir lettre I]

J'ai l'honneur de vous informer que la position des Emirats arabes unis au sujet de la propriété des ressources naturelles dont il est question dans votre lettre correspond à celle du Royaume d'Arabie saoudite.

Veillez agréer, Votre Majesté, les assurances de ma très haute considération et de ma plus grande estime.

Le chef de l'Etat des Emirats arabes unis,
ZAYED BIN SULTAN AL-NAHYAN

Sa Majesté
Faisal Bin Abdul-Aziz Al-Saud
Roi d'Arabie saoudite

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