

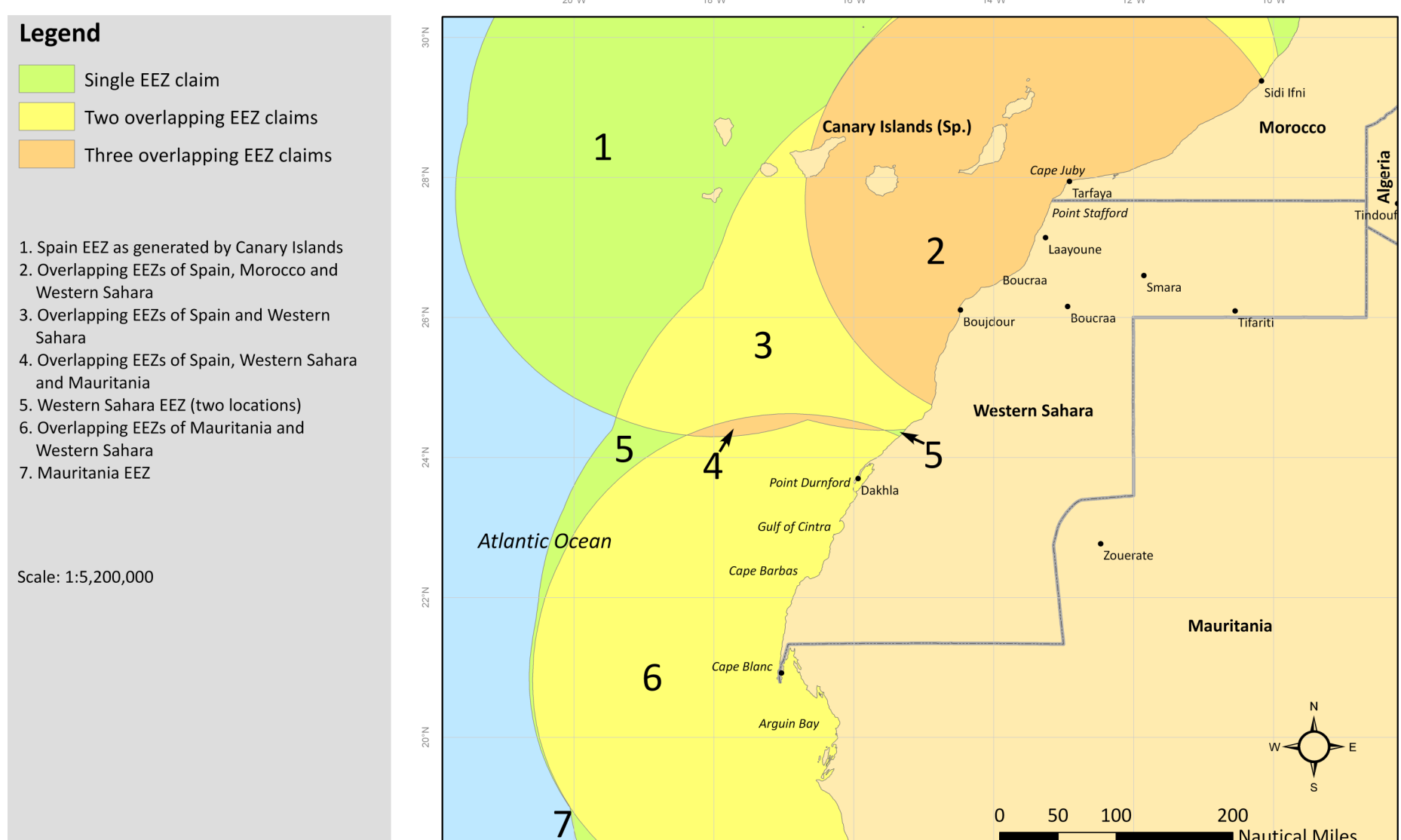
The Western Sahara Case: Defining Ocean Territory for Africa's Last Colony

Background

Western Sahara, known as “Spanish Sahara” until 1975, is the last colonial territory in Africa. Occupied by Morocco and Mauritania that year after Spain’s withdrawal, its people have been unable to exercise their right of self-determination under a United Nations sponsored process. The development of Western Sahara’s natural resources has complicated matters. The nearby waters of the Atlantic Ocean have a rich fishery and oil exploration in the seabed has begun. Does the exploitation of natural resources prolong the Western Sahara conflict? Will such resources be available to the people of Western Sahara at independence? The maps here illustrate the GIS application of current international law to divide ocean areas by the drawing of maritime boundaries. The boundaries demarcate the 12 nautical mile (NM) territorial sea and a 200 NM exclusive economic zone (EEZ) for Western Sahara in the Atlantic Ocean. In doing so, they illustrate the area that must be preserved from exploitation pending the Saharan people’s self-determination.

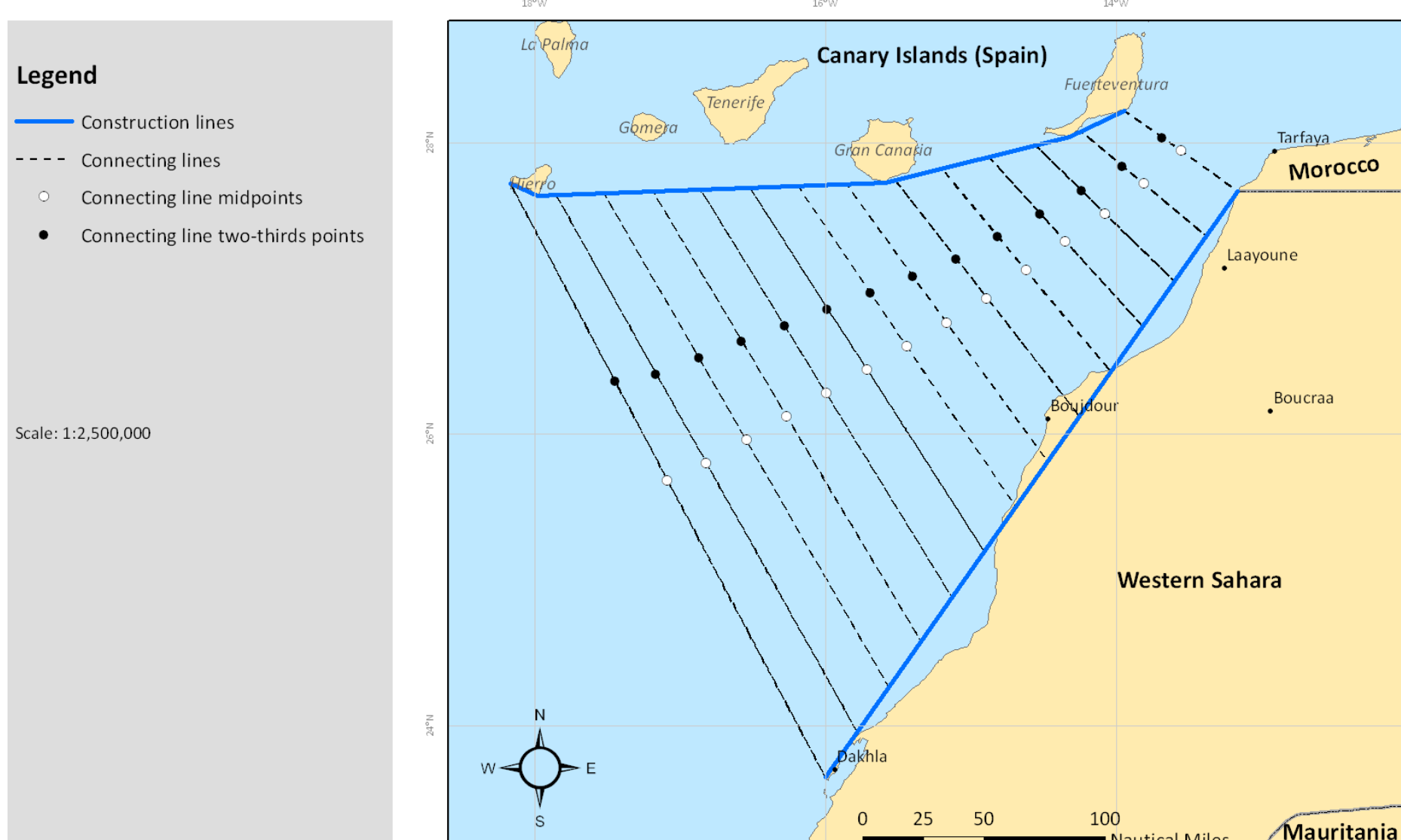


Northwest Africa from Senegal to the Strait of Gibraltar



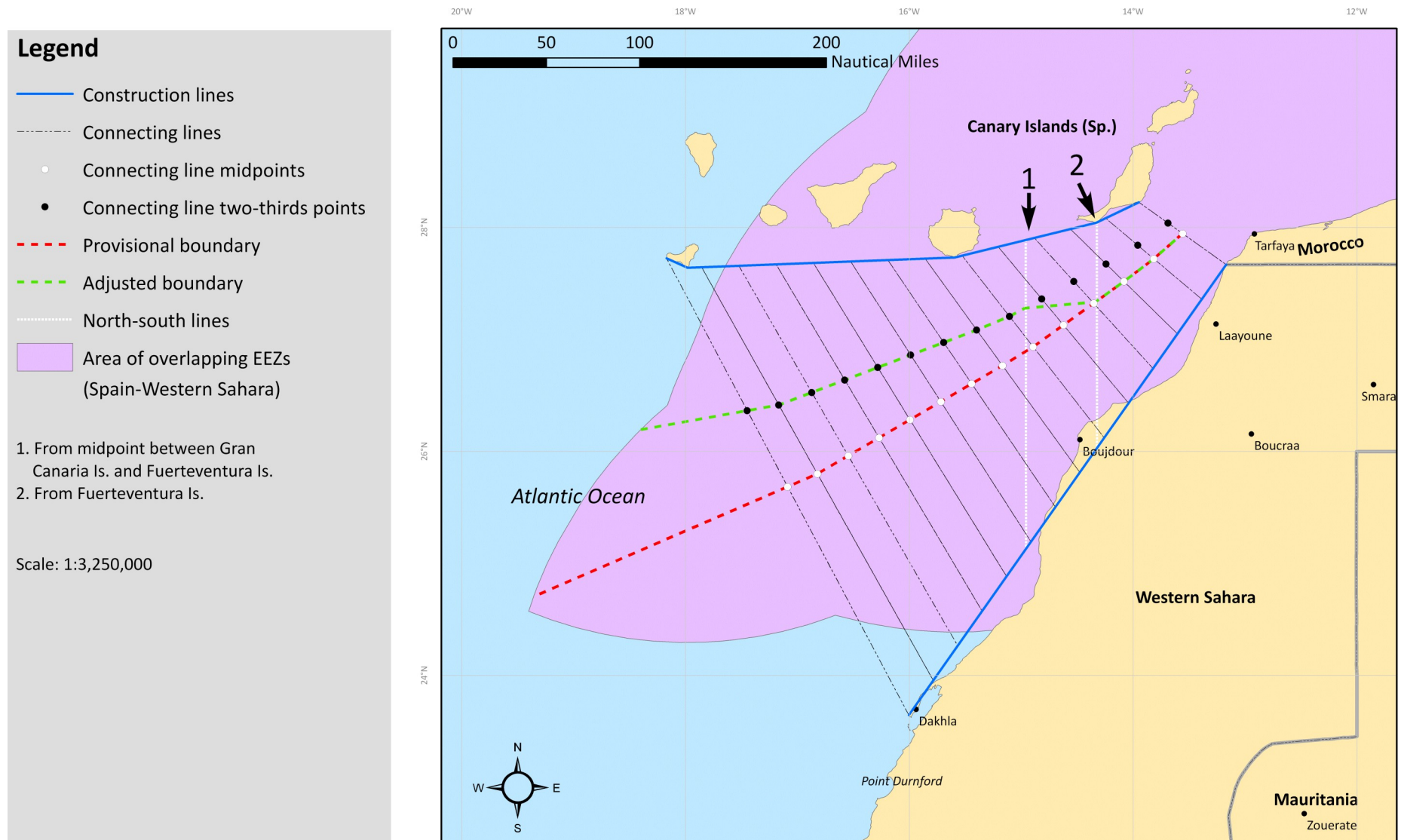
Map 1—EEZ Claims in the Western Sahara Region

The 1982 UN *Law of the Sea Convention* – a multilateral “constitution” for use of the world’s oceans with 160 States having signed on – created the 200 NM EEZ. In the EEZ, a State has the exclusive right to explore and exploit ocean resources, including fisheries, seabed petroleum and mineral deposits. There are four States which claim 200 NM EEZs in the area of Western Sahara. This map shows how the four claims overlap, which are complicated by the presence and archipelagic nature of Spain’s Canary Islands. Unless boundaries are established to apportion these overlapping EEZ areas, each State can legitimately claim the natural resources of its entire EEZ. This can lead to conflict, excessive exploitation resources, and no clear accountability for the resources of Western Sahara, a territory that remains under occupation and whose people have not yet exercised their right of self-determination.



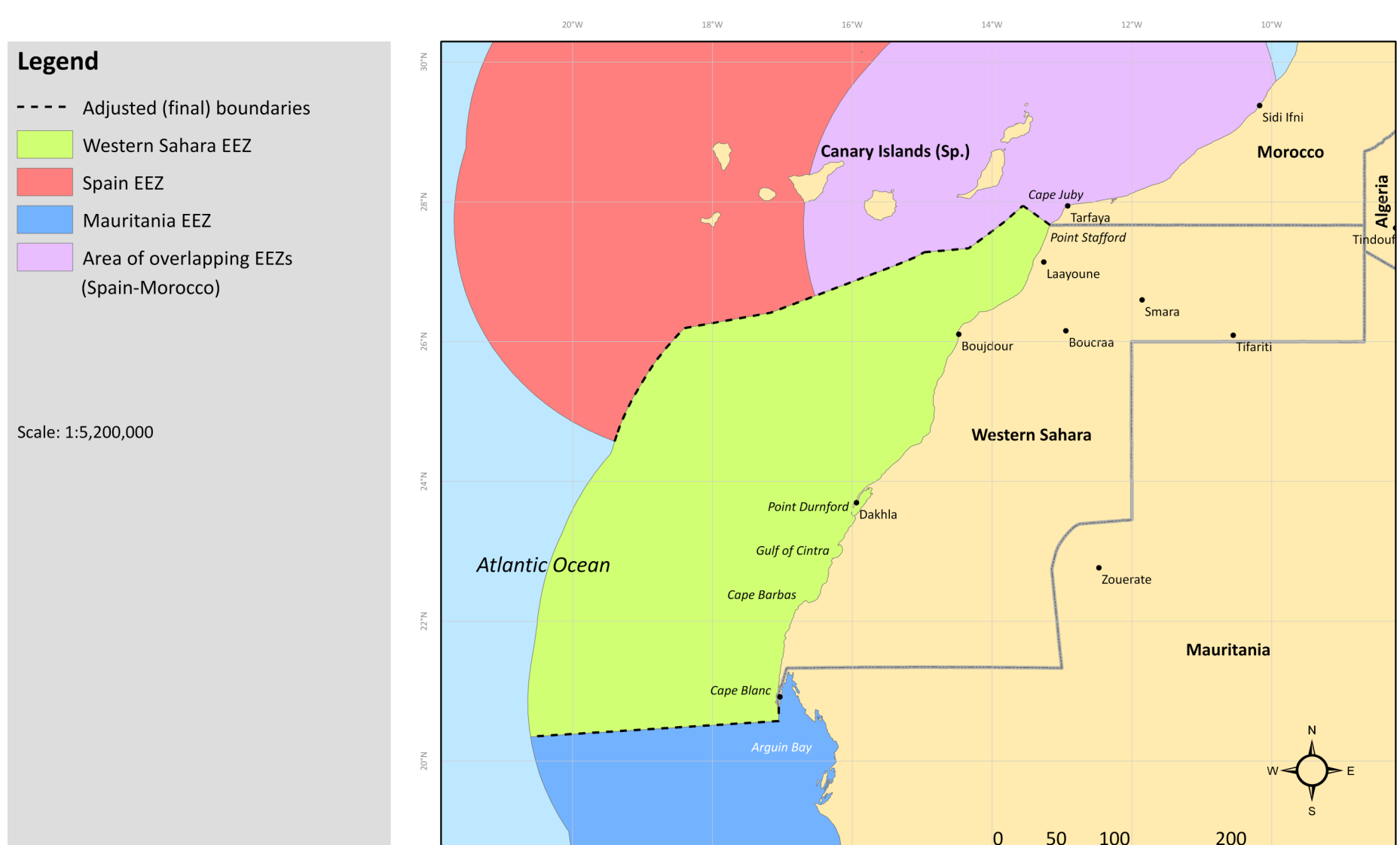
Map 2—Constructing the Boundary Lines

Western Sahara has four possible maritime boundaries: two in the north and two in the south. The situation in the south for a 12 NM territorial sea together with a 200 NM EEZ boundary extending westward into the Atlantic Ocean is simple. The two boundaries can be drawn as an equidistant (or “median”) line between the coasts of the two States involved: Mauritania and Western Sahara. In the north, the situation is more complicated. This requires setting up “construction lines” along the coasts of each State involved. This allows a more accurate and credible assessment of the effect of the coastal geography of Morocco, Spain and Western Sahara in the boundary-making process.



Map 3—Defining a Provisional Boundary Line

Coastal States began claiming EEZ areas and developing them in the 1970s. However, the principles of apportioning them by drawing boundaries were uncertain at first. The *Law of the Sea Convention* did not prescribe any rules. Three decades later, the International Court of Justice and the Permanent Court of Arbitration have resolved the principles of maritime boundary making. There are three steps in the drawing of an ocean boundary, whether for a 12 NM territorial sea or a 200 NM EEZ, or both in the case of Western Sahara: (1) determine the coastal areas of the States claiming overlapping maritime areas; (2) draw a “provisional” equidistant (or median) line boundary between the coasts involved; and (3) adjust the provisional line to account for geographic features and to ensure an equitable outcome. This map shows a provisional median line boundary for Western Sahara’s northern ocean area.



Map 4—The Ocean Area of Western Sahara

The ocean area of Western Sahara is resolved. The provisional boundary line is adjusted to account for the discontinuous profile (or “façade”) of Spain’s Canary Islands as it faces south into the area of overlapping EEZ claims. The adjustment is done over three segments of the EEZ boundary between the two States. In the extreme east, no adjustment is made because of relative closeness of the African coast and Fuerteventura Island. The middle-central part of the boundary is adjusted or shifted north one-sixth of the overall distance between the Saharan and Canary Islands coasts. In the westernmost arc of the boundary, the Saharan coastline loses all influence past 200 NM to the EEZ extending from Hierro Island, the most westerly of the Canaries. The EEZ areas resulting to Spain and Western Sahara are then checked to ensure they are proportional to the lengths of the coastlines that generated them, as shown in Map 3. With the Western Sahara’s “ocean space” known, there can be a clearer understanding of natural resources issues as part of the ongoing conflict about the issue of Western Sahara and the right of the Saharan people to self-determination.