

International Boundaries Research Unit

**BOUNDARY &
TERRITORY
BRIEFING**

Volume 1 Number 2

**Ceuta and the Spanish Sovereign Territories:
Spanish and Moroccan Claims**

Gerry O'Reilly

Boundary and Territory Briefing

Volume 1 Number 2
ISBN 1-897643-06-3
1994

Ceuta and the Spanish Sovereign Territories: Spanish and Moroccan Claims

by

Gerry O'Reilly

Edited by

Clive Schofield

International Boundaries Research Unit
Department of Geography
University of Durham
South Road
Durham DH1 3LE
UK

Tel: UK + 44 (0) 191 334 1961 Fax: UK +44 (0) 191 334 1962

E-mail: ibru@durham.ac.uk

www: <http://www-ibru.dur.ac.uk>

The Author

Gerry O'Reilly lectures in political geography at University College Dublin and is currently involved in an international EU program researching appropriate scales for sustainable development and transboundary issues. Dr O'Reilly gained his PhD from the University of Durham and is a Research Associate of IBRU. He has held academic and consultancy posts in the USA, UK, France, Tunisia and Algeria, and worked for a number of years for Petrosystems, Compagnie Generale de Geophysique de France. Having lived for over six years in the Western Mediterranean region and travelling extensively in the Arab countries since 1978, he is particularly interested in North African and EU affairs including territorial disputes in the area of the Strait of Gibraltar. His interests include geopolitics, land and maritime boundaries, development and foreign policy issues.

His works include: 'Disputed Territories in the Gibraltar Region: The Crown Colony of Gibraltar and the Spanish Sovereign Territories in North Africa', in *Mediterranean Social Science Review*, 1: 2 (1993); 'Gibraltar: Spanish and UK Claims', *Territory Briefing*, 4, Durham: IBRU Press (1992); 'Kuwait: Boundaries, Oil and Shadow Empires', in *Geographical Viewpoint*, 19, JAGT, Ireland (1990-91); 'Ireland's Foreign Policy and the Less Developed Countries', *Trinity Papers in Geography*, Dublin: TCD (1991); 'Gibraltar et le Détroit: Colonie britannique et Passage géostratégique', in *De Gibraltar à Panamá*, in *Hérodote: revue de géographie et de géopolitique*, 57 (1990); 'The Greater Maghreb Union: Geostrategic and Geopolitical Significance', in *Gulf Report*, 16 (1988); 'Strait of Gibraltar', in G.Blake, J.Dewdney and J.Mitchell (eds), *The Cambridge Atlas of the Middle East and North Africa*, Cambridge: CUP (1987).

NB: The opinions and comments contained herein are those of the author and are not to be construed as those of IBRU.

Contents

	Page
1. Introduction	1
2. Sovereign Status and Historical Arguments	1
2.1 Sovereign Status and Political Administration	1
2.2 Islamic Period	2
2.3 Spanish Period	2
2.4 The Major Plazas	2
2.5 The Minor Plazas	3
3. The Geographical Arguments	3
3.1 The Major Plazas	3
3.2 The Minor Plazas	4
4. The Demography Arguments	4
4.1 The Major Plazas	4
4.2 The Minor Plazas	5
4.3 Inter European-Muslim Conflict	5
4.4 Economy of the Sovereign Territories	6
5. Territorial Claims	9
6. Maritime Claims and UNCLOS	11
6.1 The Waters of Ceuta in relation to the Strait	12
7. Legal Background	13
7.1 Treaties	13
7.2 Moroccan Strategy in International fora: UN and LDCs	14
7.3 The European Union	18
7.4 The North Atlantic Treaty Organization	19
7.5 The Spanish-Moroccan Dilemma	19
8. Boundary Related Issues	22
8.1 Economic Security	22
8.2 Strategic Security	23
8.3 Conflict potential	23
8.4 Future Scenarios	24
9. Conclusion	25
Bibliography	34

List of Figures

		Page
Figure 1	The Quest for Control of the Strait Region: Fragmented Sovereignty.	27
Figure 2	The Maghreb: Spanish Colonial Territories and Moroccan Claims and Acquisitions.	28
Figure 3	Spanish Possessions on Morocco's Mediterranean Coast	29
Figure 4	Ceuta/Sebta	30
Figure 5	Melilla	31
Figure 6	The Minor Plazas	32
Figure 7	The Strait of Gibraltar: Territorial Seas	33

Ceuta and the Spanish Sovereign Territories: Spanish and Moroccan Claims

Gerry O'Reilly

1. Introduction

Both Morocco and Spain claim sovereignty over the five Territories of Ceuta, Melilla, Penon de Vélez de la Gomera, Penon de Alhucémas and the Chafarinas Islands in North Africa. The most important of these is Ceuta which is located at the eastern entrance to the Strait of Gibraltar. Spain claims these territories on historical grounds: right of conquest and *terra nullis* principles; longevity of occupation; national security and the UN territorial integrity of the state principle. Spain stresses that the majority of residents there are Spanish and wish to remain under Spanish rule. Also treaties were signed by Morocco in relation to the Sovereign Territories. Morocco argues that the: UN principles of decolonization must be applied; Spanish occupation obstructs the economic and political independence of the kingdom; the Spanish bases threaten Moroccan national security; and the UN territorial integrity principle applies (UNGA, Res. 1514). Morocco stresses that Spanish arguments for the recovery of the British Crown Colony of Gibraltar substantiate Morocco's to the Plazas (O'Reilly, 1992). Fundamentally, territorial disputes in the region are the legacy of the historical geopolitical organization of the area (Figures 1-2). Because of Spanish control of the Sovereign Territories, since 1986 the EC has common boundaries with an Arab state. The Territories are also within the NATO defence area because of Spanish membership of the Alliance.

2. Sovereign Status and the Historical Arguments

Spain advances historical arguments in justifying its claims to the Plazas, these include right of conquest, longevity of occupation and *terra nullis* principles. Morocco claims that the Plazas were historically an integral part of the Islamic state.

2.1 Sovereign Status and Political Administration

Though the Plazas are an integral part of the Spanish state, they are officially referred to as "*North African Territories under Spanish Supervision*", "*Plazas de Soberania*" (Sovereign Territories) and in everyday speech "*Presidios*". Spain acquired the Plazas in the following ways: Ceuta was ceded by Portugal, Melilla was seized by force, Vélez was occupied with reference to the Treaty of Tordesillas, Alhucémas was ceded by the Sultan, and the Chafarinas were peacefully occupied.

Officially, political administration in the Plazas is civil, but in practice it is military. Ceuta is administered by a major general. Command of the Strait is under the control of the military zone of Cadiz. A commander general in Melilla is responsible for the Minor Plazas. Most of the administration is linked to Granada. Ceuta's court of justice is in Seville and

Melilla's in Granada. Ceuta hosts the consulates of the UK, the Netherlands, Italy, Panama, Portugal, Denmark, Norway and Sweden.

2.2 Islamic Period

The Territories became part of the Muslim empire in the 8th century, and Ceuta became a major centre of export to other Mediterranean cities. In the 15th century, Ceuta had over a thousand mosques, 62 libraries, 43 educational institutions and one university (Rezette, 1967: 27). Between the 8th and 14th centuries Melilla was a leading port city of the Islamic empire (Laroui, 1976).

2.3 Spanish Period

With the *Reconquest* (15th-17th centuries), Christian Spain established the strategic 'Plazas' on the southern shore of the Strait, and in 1642 reconquered the strategic Gibraltar peninsula from Muslim control. Spanish strategy in the Plazas had the function of: defending Iberia against the *jihad*, strengthening the *crusade* (the Plazas offered refuge to Christian shipping); enhancing Spain's prestige as a Mediterranean power; using them as bases in the colonial wars (e.g. 1859-60, 1909-23); and influencing the Straits policy of Morocco and the International Powers, especially Great Britain. Nonetheless, with the signing of the Treaty of Utrecht in 1713, the English Crown established sovereignty over the Gibraltar peninsula. The British presence there has had a major influence on Moroccan and Spanish policies; in fact a hierarchy of geopolitical control was established in the region from the 16th century on.

2.4 The Major Plazas

Ceuta: In 1514, Juan I of Portugal took Ceuta by force and it became Spanish with the union of the Iberian crowns in 1580. With the dissolution of the Iberian union in 1640, and treaty of 1663, the Ceutis opted to remain under Spanish rule. In 1568, Ceuta was definitively incorporated into the Spanish state. In the following two centuries, Ceuta was periodically subjected to Muslim sieges and attacks (1728, 1732, 1771). In the 17th and 18th centuries, Ceuta was used as a penal colony (*Presido*) and in the 19th century it became a 'free port' and economic centre.

Melilla: This territory was conquered by Spain in 1497. It witnessed many Muslim sieges, the most famous being in 1774. Because of its location on the Mediterranean coast and offering access to the Rif mountain region, it had to be defended from attack by land and sea e.g. 1694-96, 1775. Until the 19th century, one of its major roles was that of a penal colony (*Presido*), then it became a free-port (1902) and important military base. It acted as a major 'bridge-head' in the Spanish colonial wars, particularly between 1908 and 1923. It is located 200 km from Ceuta and 185 km from Malaga.

2.5 The Minor Plazas

Penon de Vélez de la Gomera: With the Treaty of Tordesillas (1494), the Pope divided North African waters between the Iberian Powers, with the median line running through Vélez, the west was given to Portugal and the east to Spain. Both parties disputed ownership of Vélez itself, and it was occupied by Spain in 1508. The dispute was settled in Spain's favour by the Treaty of Cintra (1509). Vélez took on the role of a relay station between Ceuta and Melilla being half way between them. Vélez was besieged innumerable times and its fort was destroyed in 1702. During the Spanish protectorate period (1912-56) it was used as a prison.

Penon de Alhucemas: Spain occupied this territory in 1673. It was voluntarily ceded to Charles II on condition that Spain prevent the Turks from occupying strongholds on the Mediterranean coast of Morocco.

The Chafarinas: The sovereign status of these islands has never been clear, a fact noted by all the riparian states. Spain's excuse for occupying the islands in 1848 was that a French scientific expedition had landed there to explore the area so close to its Algerian colony. Thus Spain pre-empted the French annexation by occupying the islands which were made into a free-port zone in 1863 and also became a military base and important fishing centre.

3. The Geographical Arguments

Because the Plazas are part of the Spanish state, the territories were not inscribed on the list of non-autonomous territories drawn up by the UN in 1947. Yet Spain claims that UN Resolution 1514 (XV) of 1960 covers both the Plazas and Gibraltar (UK) on the grounds of the "*territorial integrity*" of the state principle. However, from a physical geographical viewpoint the Plazas are in North Africa (Figures 3-6). Hence the geographical characteristics of the Plazas are particularly important because of their limited size, strategic location and the fact that Spain claims legal maritime zones around them.

3.1 The Major Plazas

Ceuta (19 sq km) is a peninsula which narrows to an isthmus before broadening into the Almina peninsula which is chiefly a military zone; the civilian settlement is concentrated on the isthmus and western part of the peninsula. There are 20 km of sea coast and 8 km of land boundaries. Lying to the north is the harbour protected by two breakwaters (area 340 acres and depth 14.2 meters). The nearest airports are Tangier (96 km), Gibraltar and Malaga.

Melilla (12 sq km) has 3.9 km of coastline and 10 km of land boundaries. Melilla lies to the south of the strategic Spanish island of Alboran. The port offers 73,380 sq meters of anchorage and 11,654 sq meters of pier but is not as good as that of Ceuta. The Major Plazas and particularly Melilla have many military-related buildings, the citadels and iconography attest to their unique role in the history of western Mediterranean international relations.

3.2 The Minor Plazas

Penon de Vélez de la Gomera is a barren rock, and with the adjoining 'Isleta' (Islet) is about 1/20 sq km (15 acres). It is a conical island, 86 m high to the north with a fortress and adjoining buildings. During low water periods Vélez is a tombola, becoming attached to mainland Morocco by a sand spit some 100 m long.

Penon de Alhucémas (170 m x 80 m) is located west of Melilla in the Bay of Ajdir and is 4 km from the Moroccan coast. Less than 27 m high, the three small islands lie 155 km from Ceuta and 22 km east of Vélez. The water depths between Alhucémas and mainland Morocco are less than 5.5 m and the channel is slowly silting up. The village of Alhucémas is within sight of the Moroccan tourist complex of Al Hoceima.

The Chafarinas (2.5 sq) km consist of four archipelagic islands which are located 3.5 km from the Moroccan coast, 26 km east of Melilla and 35 km from the Moroccan-Algerian boundary line. The Chafarinas afford the only natural anchorage which is suitable for all classes of vessel off the Moroccan coast. The islands are surrounded by fish rich waters.

The Plaza's unique geographical characteristics render the task of controlling the territorial boundaries difficult, and the delimitation of the legal maritime boundaries arduous, thus heightening Moroccan-Spanish contentions.

4. The Demographic Arguments

Another argument in justifying Spanish sovereignty over the Territories is that they have been continuously occupied by Spaniards for centuries and that the majority of the population there is Spanish. The Major Plazas have a population of about 150,000 people and it is estimated that there are some 20,000-27,000 Spanish troops stationed there (Heiberg, 1983: 20; *Le Monde*, 13/11/86: 4). Ceuta and Melilla were sparsely populated until about 1906 and thereafter grew continuously until 1940. The population rose substantially between 1950 and 1962, receiving an influx of Europeans (*Pied Noir*) from the newly independent states of Morocco and Algeria. Since the 1970s, the European population has been decreasing.

4.1 The Major Plazas

Ceuta: In 1986, the population was about 70,000 people (55,000 Spaniards and approximately 15,000 Muslims) (*Economist*, 28/6/86: 60). The number of military personnel is estimated at about 12,000 people. Accurate statistics are not available partly due to the fact that it is difficult to enumerate the number of people living in the Muslim shantytowns at Benzou and Prince Alphonse.

The demography of Ceuta has greatly fluctuated over the centuries. In the 18th century, Ceuta's population numbered 7,000 people, of which 50% were prisoners or soldiers. By 1900, the population had risen to about 10,000 people. In 1970, there were 73,000 people, with about 4,000 illegal residents. Of this number 5,000-10,000 were military personnel.

The largest immigration of Jews dates from the 1860s, and Indian and Pakistani immigration occurred mostly via the Crown Colony of Gibraltar and the Tangier International Zone (1923-1956). Nowadays, the majority of young Ceutis go to mainland Spain for educational and career opportunities, while those coming to Ceuta are not long-term residents.

Melilla: The population is estimated to be about 80,000 people, with 45,000 Spaniards, including a 15,000 strong military garrison and about 27,000 Muslims (*Economist*, 28/6/86: 60; *Le Monde*, 22/6/86: 5). According to the Spanish census (1986), the Muslim population numbers about 17,000 people, instead of the usual estimation of 27,000 people. However, 5,000-10,000 Muslims may enter and leave daily (*Financial Times*, 30/9/86: 2).

Like Ceuta, Melilla has demographic problems. In 1860, the population was about 1,800 persons, but the excessive poverty of 1867-68 reduced numbers by 50%. With Spanish penetration of the Rif region (1893-1909), the population rose steadily reaching 41,000 by 1910. By 1950, there were 81,000 Spanish nationals. This number fell to 79,000 in 1960 and 58,000 by 1974 (including 2,000-3,000 garrison personnel). Since the 1970s there has been a drop in births and marriages in the Plaza. In 1974, officially over 90% of the population was Spanish and 3.5% consisted of assimilated Jews (Rezette, 1976: 73).

4.2 The Minor Plazas

Chafarinas Islands (60.7 ha), here the civilian population fell from 500 in 1950 to 38 in 1973, with a garrison of 195 service personnel. The military presence has greatly declined and by 1994 the civilian population had dwindled to a few fishermen.

Penon de Vélez de la Gomera (3.9 ha) has experienced a demographic trend similar to that of the Chafarinas. Its civilian population fell from 500 in 1950 to 8 in 1973 and a garrison of 71 people. By 1994, Vélez was almost deserted of civilians and had only a token garrison presence.

Penon de Alhucemas (1.2 ha), its population fell from 322 in 1950 to 3 in 1973, with a garrison of 63 people (Rezette, 1976: 73). In 1994 there was only a token military presence.

4.3 Inter European-Muslim Conflict

In 1985-86, violent intercommunal strife flared up in the Plazas due largely to the introduction of Spain's new aliens legislation, which directly affected most of Melilla's Muslim population. In 1986, about 6,000 Muslims were awaiting decisions on their applications for Spanish nationality; while only 4,500 hold Spanish passports, 2,400 have residents permits and 4,800 "*special status cards*". These cards do not entitle holders to travel freely, draw social security or rent a house (*Financial Times*, 30/9/86: 2). In 1986, the Spanish government attempted to introduce an 18 month integration plan for the Muslim community but this encountered major problems as its scope was limited. For instance, Muslims born in Melilla do not automatically have a right to Spanish citizenship. For naturalization, 10 years residence has to be proven; this procedure is not easy to implement as the Spanish authorities have denied the presence of many Muslims for decades.

Concerning the Melillinese Muslims demands for Spanish citizenship, only 418 were granted Spanish nationality in 1986, out of a total of 17,000 requests. In protest the Muslims stated that they would print their own identity documents, if the Spanish government did not issue them with official ones. From "*their point of view, the ideal would be joint Spanish--Moroccan nationality for all the inhabitants of Ceuta and Melilla*" (*Economist*, 22/9/86: 62-63). In November 1986, during a general meeting, they passed a resolution affirming "*the Arab and Maghrebi character of Melilla*". For the first time in the history of the Plazas, the Muslim community formally demanded union with Morocco. Such events are a forewarning of major problems for Spain and the EU.

The leader of the Muslim community in Melilla, Omar Mohammed Dudu called on parents to withdraw their children from Spanish schools, unless Arabic and Koranic studies were introduced on the curriculum. He suggested that the Muslim community establish a parallel administration if the local Spanish authorities continued to represent "*only one of the city's two communities*" (*Economist*, 22/9/86: 62-63). In January 1987, Mr Dudu, claiming that his life was in danger fled to Morocco. On 31 January 1987, rioting broke out in the Muslim quarter of Melilla when a group of Muslims marched through the streets calling on the Spanish authorities to decolonize the Territory (*Guardian*, 2/2/87: 6). The Spanish government sent in a special contingent of riot police from the mainland to restore order.

In response to the political activities of the Muslim community, there has been a backlash from the European population. In 1986, the leader of the Spanish National Party of Melilla, Juan Diez de la Cortina, was allegedly involved in terrorist plots and there was speculation about the organization of paramilitary groups (*Financial Times*, 30/9/86: 2). Such activities created a climate of fear and insecurity in the Plazas calling to mind the ethnic-religious bloodbath which marked the latter two years of the Algerian liberation war (1954-62) in which the European community tried to pursue a scorched earth policy before leaving Algeria.

About 40% of the Spanish nationals of Melilla have acquired property in mainland Spain (*Cambio*, 16, 1986; *Le Monde*, 13/4/86). They fear that any type of franchise for the Muslims would sound the death knell for their future. In 1986, Spain pledged over £40 million for infrastructural projects in the Plaza; the first investment on this scale in over 50 years (*Financial Times*, 30/9/86: 2). Frustrated by the ambiguous policies of the Spanish government, the Muslim community is looking to the Moroccan government for support.

4.4 Economy of the Sovereign Territories

Ceuta and Melilla are military strongholds, freeports, oil ports used to supply vessels, and are also fishing, trading and smuggling centres. The main link between the Minor Plazas and especially the Chafarinas and the outside world is via Melilla. While the Minor Plazas are minor garrison centres, they have no economic activities to sustain a sizeable population. The residual port petrol products industry at Ceuta, like the mining industry at Melilla is in decline. Most of the local population earn their livelihood from fishing and tourist-related industries. Military-related spending greatly contributes to the economy of the Major Plazas.

Though made into free-ports in the 19th century, it was only at the beginning of the 20th century that there was substantial investment in the ports of Ceuta and Melilla. Fundamentally this was necessitated by the need to send reinforcements of soldiers and materials during the 1908-1909 War. During the Protectorate era (1912-56), these ports were Spain's direct entrance to the Spanish Protectorate Zone. From the Moroccan stance, the Spanish presence in the Plazas is retarding the economic independence of the Moroccan State.

Ceuta: Ceuta is a major Mediterranean port, valued by Spain and coveted by Morocco. In the 1960s, Ceuta was Spain's first port and is now often referred to as the second. In 1982, 9,253 vessels docked at Ceuta; of this number, 5,696 were Spanish. Vessels bearing the flags of 63 states called at Ceuta; concerning the number of vessels per nation/flag, Spain accounted for 62%, followed by the USSR (5%). The USA accounted for 1% and Morocco for 0.5%. In terms of tonnage, Spain ranked first with 48%, followed by Greece (9.66%). Some 571 tankers docked at Ceuta in 1982. Of these, 326 were Spanish (1,115,143 GRT) and 245 foreign (2,144,588 GRT). In the early 1980s, the port annually handled over 3 million tons of petroleum-related products. This included 843,136 tons of combustible liquids. Some 368 Spanish military vessels (282,425 GRT) also used the port in 1982 (*Memoria Anual Ceuta*, 1982).

In 1982 over 183 Spanish fishing vessels (5,607,250 GRT) used the port facilities, and 46 foreign vessels (4,471 GRT). There were 64 vessels (910 GRT) registered in Ceuta. Over 1,572,367 kg of fish were landed: molluscs (79,066 kg), crustaceans (53,480 kg) and other types (1,439,821 kg). Globally this amounted to a value of over 165 million Pesetas, with the crustaceans accounting for 17 million Pesetas of the total; Melilla's catch averages twice that of Ceuta's. In terms of merchandise handled at Ceuta, after mainland Spain (2,598,483 tons), the USSR ranked second landing 92,346 tons, followed by the Netherlands (70,710 tons) and Germany (70,447 tons). According to Spanish statistics, 45,645 tons of British merchandise were landed at the port and 46,087 tons were embarked for the UK; this would suggest a strong commercial linkage with the Crown Colony. Between 1981 and 1982, there was a 44.33% increase in tonnage from foreign navigation, mostly due to the importation of combustible fuels. The private commercial sector of the port's activities brought in almost 10 million Pesetas. Over 19.5 tons of alcohol and associated products were landed in 1982; tobacco, cacao and coffee amounted to 1,356 tons and imported automobiles accounted for 380,855 tons. Official statistics do not include a clear breakdown of types and numbers of vehicles imported (*Memoria Anual Ceuta*, 1982). Due to the special fiscal regime in the Plazas and the Crown Colony of Gibraltar, the registration and sale of vehicles there have negative fiscal repercussions in southern Spain and Morocco.

Ferries travel between Ceuta, Cadiz, and Melilla, the Canary islands and Algeciras. In the 1980s, the number of passengers using the port of Ceuta was over 2.5 million annually. In 1982, the port handled 290,551 vehicles (*Memoria Anual Ceuta*, 1982: 15). Most of the figures for passenger and vehicle traffic represent through traffic en route to Morocco and mainland Spain. Morocco's official policy is to use the port of Ceuta as little as possible, in an effort to further the economy of Tangier and detract from Ceuta's economic dominance.

Antimony is mined in Ceuta. The outcrop is some 8 by 2 km. There are six exploitable beds in the Territory and the surrounding mountains. Since 1956, the Spanish-Moroccan border has retarded the development of the mining industry, particularly on the Moroccan side. In

Ceuta, the only exploitable deposit left, at San Pancrasio, is derisory. Between 1970 and 1990, production varied between 50-100 tons annually.

Melilla: Essentially, in this century Melilla was a mining port because of its rail links to the Rif iron ore deposits in Morocco. During the Protectorate (1912-56), it exported over 1 million tons of iron ore annually from the Beni Bou Ifrou region. Maximum activity was attained in 1960 when over 1.5 million tons of ore were extracted. In its drive to build economic independence, the Morocco government adapted a policy of refining some of the ore in Morocco and exporting the remainder via the Moroccan port of Nador. Besides ore, thousands of tons of clay and kaolin used to be exported via Melilla. Since the 1970s, Melilla's percentage of Rif mine exports has been steadily declining as Nador's increases.

At the port of Melilla, refrigeration, bulk cargo, tanker and ship repair services are available. In 1982, port traffic included 1,092 vessels, over 2,900,000 GRT (Lloyds, 1984). Passenger traffic through Melilla is much lower than that through Ceuta; in the 1980s, it averaged about 307,000 people annually and vehicle traffic was about 19,000.

In the 1980s, about 1,000 families earned their living from fishing and associated industries. Crustaceans (mostly shrimp) amounted to almost 10% of the total catch, but accounted for 25% of the total value. There are eight fish plants. Morocco extended its exclusive fishing zone from 12 nm to 70 nm in 1970 and the introduction of its 200 nm Exclusive Economic Zone in 1981 has had negative effects on Melilla's fishing industry, despite several fishing agreements between Spain and Morocco.

Like Ceuta, Melilla's tertiary sector and tourist trade are derisory. While both cities, especially Melilla are exotic, with a rich blend of cultures and history, they hold little potential for mass tourism. Melilla is geographically remote and Ceuta's tourist industry potential is limited by lack of space and a limited fresh water supply. It is unlikely that either of the Plazas will gain tourists from the well developed Moroccan, Spanish and Gibraltarian tourist trades.

In both Sovereign Territories, property is 15%-30% more expensive than in mainland Spain. However there is a plentiful supply of cheap Moroccan labour. Unlike Ceuta, Melilla has an airport, Tahuima which is 17 km from the city centre and located on Moroccan sovereign territory. Though used jointly by Spain and Morocco, the history of the airport is reminiscent of the British-Spanish dispute over Gibraltar airport and prospects for joint developments are limited (O'Reilly, 1992). A new airport is under construction some 2 km from the harbour of Melilla. Melilla is linked to Ceuta by road and ship.

There is high inflation in the Plazas and the cost of living is higher there than in mainland Spain. Melilla depends on Morocco for its fresh water and basic foodstuffs, but provides the surrounding Moroccan hinterlands with electricity.

Smuggling in the region of the Plazas is responsible for the loss of millions of Dirhams to the Moroccan exchequer. About US\$800 million worth of illegal merchandise enters Morocco via Ceuta and Melilla annually (Kroner, 1985: 9). By implication, since 1986, this is also a problem for the EU. In comparison, the smuggling trade in the Crown Colony of Gibraltar is estimated *"to be worth £10 million to Gibraltar's exchequer, approximately a tenth of the annual budget"* (Guardian, 10/9/91). Like Tangier, Ceuta and Melilla are

important links on the drugs route and path for illegal immigration between Africa and the EU (*Nouvel Observateur*, 6-12/2/92). The contraband trade has created powerful Moroccan groups in the Rif region which pose a threat to the government as was proven during revolts in the area in 1980s.

Concerning the regime of free-ports in the Plazas, Spain has not seriously tackled the problem of establishing a new fiscal regime. Aside from any direct negotiations about the future status of the Plazas, this contentious issue could be resolved. As well as having negative effects on the Moroccan economy, ironically the contraband trade has disadvantageous repercussions on the economy of southern Spain. The duty free and contraband trade originating in the Plazas enters the Spanish mainland via Algeciras, Tarifa and Gibraltar. In 1985, as many as 800 women were engaged in trafficking between Ceuta and Algeciras. On average there are about 15 arrests per day at the port of Algeciras, sometimes reaching a peak of 200 (Kroner, 1985: 9).

5. Territorial Claims

Morocco's main claim to sovereignty over the Plazas is based on the UN principle of decolonization as the Spanish presence is retarding the political and economic independence of Morocco. Moroccan independence in 1956 was only partial in that Spain did not withdraw from territories claimed by Morocco, which had been held by Madrid prior to the establishment of the French-Spanish Protectorate with the Treaty of Fez in 1912. Allal el Fassi, founder of the nationalist Istiqlal party, leading figure in establishing the state of Morocco and architect of the official map of Greater Morocco (1956), included the Plazas within his vision of the modern state (Figure 2).

In 1956, Morocco only gained about 20% of its historic claim which had included:

- (i) Tindouf and adjoining areas which were given to Algeria by France at the time of national independence (1962);
- (ii) the Spanish Western Saharan territories;
- (iii) Mauritania which was not officially recognized by Morocco until 1969; and
- (iv) the five Spanish Sovereign Territories.

The Moroccan authorities regained sovereignty over:

- (i) the French and Spanish protectorate territories with the Rabat Accords in 1956;
- (ii) the International Tangier Zone and Cape Spartel Lighthouse in 1956;
- (iii) the Spanish territory of Tarfaya in 1958; and
- (iv) the Spanish territory of Ifni in 1969.

While the Moroccan authorities were largely responsible for Spanish withdrawal from the Western Sahara in 1976, its sovereign claim to the region is in dispute and has not been recognized by the international community. An analysis of Moroccan strategy since 1956 in enforcing its territorial claims would suggest that it will not renounce its claims to the Plazas, but rather reinforce them once the Western Sahara conflict has been settled.

Despite Morocco's failure to gain sovereignty over lands disputed with Algeria (1963) and the establishment of the state of Mauritania in 1960, Allal el Fassi's Greater Morocco vision is a linchpin of Moroccan nationalism; these sentiments are shared by all political parties in Morocco. As a government representative stated at Alhucémas at the time of Moroccan independence: "*Morocco will be intransigent and will not cede a single inch of the territories included within its natural boundaries*" (Del Pino, 1983: 8). It must be noted that the 'recovery' of territories and nationalism are vital strategies in assuring the continuance of the Sherifian regime.

Ceuta and Melilla offer the best geographical advantages as ports on Morocco's Mediterranean coastline. The waters surrounding the Plazas are rich in fish stocks. Both Plazas have well developed infrastructures and economies in contrast to Tangier, and the Muslim population is rapidly increasing in the Major Plazas.

The Moroccan authorities also point out that several times in the history of the Plazas (especially 1868-1937), Spain made offers to exchange Ceuta for the British Crown Colony of Gibraltar. Hence this detracts from Spanish arguments about the *hispanicity* of the Plazas, as it is highly unlikely that Spain would ever consider exchanging Cadiz or Tarifa for Gibraltar.

In refuting Spanish arguments about the "*right of conquest*" and *terra nullis* principles, the Moroccan viewpoint is that the Moroccan state has existed since the 8th century. Under Islamic Law (*El Sharia*), the Plazas were an integral part of the Islamic kingdom (*Dar al Islam*) with the Muslim community (*Umma*) there under the rule of Muslim *Emirs*, the ancestors of *Emir Hassan II*.

With reference to Spanish arguments about longevity of occupation, there has been continuous military, civil, administrative and economic occupation throughout the centuries; however the Plazas were held by force. It is doubtful if the Minor Plazas have been continuously inhabited since the 1970s. North African historians also point out that the inhabitants of the Plazas were either driven into exile or exterminated at the time of the Spanish occupation. Hence the Moroccan viewpoint is that the Moroccan authorities never accepted the Spanish colonial presence. In the regional geopolitics of the 18th and 19th centuries, Morocco tried to gain possession of the Plazas by alternating military attacks against the Spanish with diplomatic activity *vis à vis* the British authorities in Gibraltar (e.g.1706) and the French government (e.g.1709) in order to gain allies. Thus Morocco claims that it never renounced its sovereign claim to the territories. However, with the many wars and treaties, Spain tried to gain *de jure* confirmation of its 'sovereign rights' over the Plazas and also to expand its land jurisdiction especially around Ceuta and Melilla. From 1865 on with the signing of the International Cape Spartel Treaty by the major Powers, Spain succeeded in reinforcing international *de jure* recognition of its sovereignty over the territories e.g. Anglo-French Declaration 1904. Concerning Moroccan-Spanish treaties, Morocco and a majority of newly independent states do not support the contention that treaties signed during the colonial period are binding in the post-colonial context.

6. Maritime Claims and UNCLOS

Spain considers the Plazas to be an integral part of the state and hence subject to national legislation and all international laws applicable to Spain including the LOS (UN Convention on the Law of the Sea). Both Morocco and Spain lay claim to the waters adjacent to the Plazas (Limits, 1985; Blake, 1985) (Figure 7).

From a juridic viewpoint, the Plazas are an integral part of the Spanish state; hence, according to the *UN Convention on the Law of the Sea* (1982):

"The sovereignty of a coastal state extends, beyond its land territory and internal waters and,...to the adjacent belt of sea, described as the territorial sea" (Article 2 .1).

"This sovereignty extends to the airspace over the territorial sea as well as to its bed and subsoil" (Article 2 .2).

"Every state has the right to establish the breadth of its territorial sea up to a limit not exceeding 12 nautical miles, measured from the baselines determined in accordance with the Convention" (Article 3).

"Where the coasts of two States are opposite or adjacent to each other, neither of the two states is entitled, failing agreement between them to the contrary, to extend its territorial sea beyond the median line every point of which is equidistant from the nearest on the baselines from which the breadth of the territorial seas of each of the two States is measured".

"The above provision does not apply... where it is necessary by reason of historic title or other special circumstances to delimit the territorial seas of two States in a way which is at variance therewith" (Article 15) (UNCLOS, 1982, A/CONF.62/122, 7/10/82: 3, 6).

While the *"equidistance principle"* may be implemented in the Major Plazas, the situation is more problematic in the Minor Plazas because of their limited area and distinctive geography. According to Article 121, Part VIII of the LOS Convention (1982) *"Regime of Islands"*: islands must be *"naturally formed"* and *"surrounded by water, which is above water at high tide"* (121 .1). Hence the Territorial Sea and other maritime zones may *"be determined in accordance with the provisions of the [1982] Convention applicable to other land territory"* (121 .2). It is stipulated in Article 121.3 that: *"Rocks which cannot sustain human habitation or economic life of their own shall have no exclusive economic zone or continental shelf"*. The rocks and reefs off the Minor Plazas lie close to islands which have been inhabited by Spanish civilians and military personnel for centuries. Nonetheless, because of the very limited area of Vélez and Alhucémas, and their proximity to the Moroccan coast, it would be difficult for Spain to enforce its maritime claims in these two areas.

Concerning Spain's claim to waters around Ceuta, Spain disputes the UK's right to any territorial waters in the Gibraltar area, and also the present maritime boundaries claimed there by Britain. If the Crown Colony were retroceded to Spain, then Spain's territorial seas around the Gibraltar peninsula would overlap with those of Ceuta. In June 1962, the

Moroccan government officially decreed the extension of its territorial waters from 6 nm to 12 nm; in response Spain fortified its military bases and sent warships to protect Spanish fishing vessels in the disputed waters. Morocco extended its exclusive fishing zone from 12 nm to 70 nm in 1970 and introduced its EEZ (200 nm Exclusive Economic Zone) in 1981. No official maps of the claimed maritime boundaries in the Strait region exist.

6.1 The Waters of Ceuta in Relation to the Strait

The Strait of Gibraltar is the only natural entrance to the semi-enclosed Mediterranean Sea. It is 58 km (36 nm) long and narrows to 12.5 km (7.6 nm). The Strait plays a vital ecological role, as about 75% of Mediterranean water lost by evaporation is replaced by inflowing Atlantic currents. Mediterranean water turnover via the Gibraltar Strait takes 70 to 80 years, a major factor in the light of high pollution levels and accidents in the region; which has influenced national and UN maritime policies. Morocco is acutely aware of the problems of pollution, particularly the danger it poses to its fishing industry. These fears were expressed in the UN forum during the UNCLOS negotiations in relation to international usage of the Strait, but Morocco is particularly concerned about the Spanish oil-related activities at Ceuta and Algeciras, and pollution emanating from the massive tourist complexes along the east coast of Spain.

Ceuta is located south of the Crown Colony of Gibraltar. Because the width of the Strait is only 12.5 nm at its eastern entrance and 24 nm at the western entrance, decreasing to 7.6 nm between Tarifa and Punta Ciris, effectively these waters can be claimed as territorial seas by the riparian states. Historically, Morocco and Britain claimed a 3 nm territorial sea in the area, while Spanish claimed 6 nm. As the narrowest part of the Strait is less than 9 nm Spain has historically regarded the centre of the Strait as constituting territorial waters (Bruehl, 1947: 146; O'Connell, 1982: 321). However the international community only recognized the customary 3 nm territorial sea limit in the Strait, thus leaving an international corridor of 1.5 nm at the narrowest part of the Strait. With the UN Convention on the Law of the Sea (1982), all coastal states now have the right to a 12 nm territorial sea, but also there exists specific legal regimes for Straits like Gibraltar (UNCLOS, 1982: Articles 35-44).

Unlike the Turkish, Danish and Magellan Straits, no single treaty or document can be cited as rendering the Gibraltar Strait a legal international strait (Bruehl, 1947: 193). Nevertheless, Gibraltar's legal status has been affected by declarations, agreements and the UN law of the sea (1958 and 1982). Concerning declarations and agreements, the International Treaty of 1865 establishing the 'special status' of the Cape Spartel Lighthouse in Morocco was the first attempt at internationalizing the Strait. The Anglo-Spanish Declaration of 1904 confirmed France's interests on the southern shore. The Algeciras Act (1906), signed by 10 states, while reasserting Moroccan sovereignty paved the way for the Franco-Spanish Protectorate (1912-56). The erection of strategic works and fortifications on the southern shore was forbidden but neither demilitarization nor proper neutralization were implemented, as Ceuta remained heavily militarized. However the Powers established the Tangier Neutral Zone (1923-1959).

Fundamentally, there are three stances concerning the international status of the Strait of Gibraltar:

- (i) that such was secured by the Anglo-French Declaration of 1904 (Colombos, 1967: 222; O'Connell, 1967: 567);
- (ii) that such a declaration (1904) only confirmed a right to a free passage regime that was already considered to exist (Bruel, 1947: 152; Truver, 1980: 178-179); and
- (iii) that historical usage, and customary and conventional law (Law of the Sea 1958 and 1982) render the Strait international and thus subject to the regime of transit passage, one year after the 60th ratification of the 1982 UNLOS Convention.

The Strait's international status may be deemed to exist (transit passage regime, UNCLOS, Articles 35-44), but also its national character with regard to legal maritime zones has been catered for in the UNCLOS. In fact, as the 60th state (Guyana) ratified UNCLOS III on 16 November 1993, the convention comes into force in November 1994. Neither Morocco or Spain fully approve of the new transit passage regime. The juxtaposition of national and international rights and legislation has caused acrimony, particularly in relation to the codification and implementation of UNCLOS (1982). The maritime powers and USA do not favour legislation which may increase the jurisdiction of the riparian states in the strategic Gibraltar Strait (Bennani, 1991).

7. Legal Background

In defending its position on the Plazas, Spain reiterates that Morocco signed at least 12 legally binding bilateral treaties and conventions pertaining to the Plazas. The Moroccan viewpoint is that treaties signed during the colonial era are not binding in the post-colonial context.

7.1 Treaties

The Spanish-Moroccan Peace Treaty of 1776 attempted to settle contentious questions pertaining to the Plazas, especially Articles 10 and 19. While the Treaties of 1782 and 1799 dealt largely with the boundaries of Ceuta. The present land boundaries of Ceuta were determined by the Treaty of Larache in 1845, and those of Melilla by the Moroccan-Spanish Convention of 1862 and the Treaty of Tetouan (1860). Between 1863 and 1871, Spain continuously tried to gain supplementary agreements on boundary protocols. Because of violent incidents at Melilla (1893) over Spanish construction works which Moroccan tribesmen saw as being on their territory, this necessitated another Treaty (1894) and Convention (1895). In 1908, the Spanish authorities abolished the *Neutral Zone* and requested the Sultan to grant authorization for the occupation of the Mar Chica, a lagoon or sandy strip stretching in front of Melilla. The Sultan did not give his consent; nevertheless, the Spanish occupied it and Restingua, the site of a Roman fort, east of the Mar Chica.

The sovereign status of the Plazas was confirmed by convention in 1864, 1866, 1871, 1895 and 1910. These legal instruments did not contain any new territorial clauses but dealt mainly with customs organization and problems in relation to the population in the Rif.

Spanish sovereignty over the Plazas was recognized by the major Powers in such documents as the Anglo-French Declaration of 1904 (Article 8); the Franco-Spanish Convention of 1904; and the Treaty of Fez (1912) also catered for Spain's territorial possessions on the Moroccan coast.

Globally, treaties in relation to the Plazas have not been respected; Spain occupied the neutral zones on Moroccan sovereign territory around Ceuta and Melilla, particularly after 1908, despite protests being lodged by the Sultan and France. Ceuta and Melilla acted as entry points for Spanish penetration of northern Morocco between 1912-56, and as a supply route for General Franco's occupation of the Tangier Neutral Zone (1940-45).

Unlike the above mentioned treaties, under the provisions of Article X of the Treaty of Utrecht (1713), Gibraltar was ceded to the "*English Crown*" by Spain "*to be held and enjoyed absolutely with all manner of right forever*" (HC, 1981).

7.2 Moroccan Strategy in International Fora: UN and LDCs

In the 1950s, Allal el Fassi brought the national and international implications of Moroccan territorial claims to the attention of the international community. Since then successive Moroccan leaders have reiterated this opinion, as have other Arab leaders such as Colonel Qadhafi of Libya in relation to the Plazas (*La Presse de Tunisie*, 12/12/82: 1; *Maroc Soir*, 12/4/85: 1).

Concerning the UN, in 1961, Morocco requested that the UN General Assembly recognize its rights over "*towns and islands in the north*" occupied by Spain. In 1975, the Moroccan authorities sent a memorandum to the UN addressed to the "*Chairman of the Decolonization Committee in reference to Ceuta, Melilla and the Chafarinas Islands*". It stressed that the five Plazas were among "*the last vestiges of colonial occupation*", and that there was a need for the restoration of Morocco's "*territorial integrity*". It was stated that:

"Spain wants to perpetuate its colonial presence on Moroccan territory, at the same time instituting international action to liberate Gibraltar which is in an identical position from all points of view as the Presidios". (UN Doc. A/AC-109-475, 31/1/75).

Morocco formally requested the UN to place the Plazas on the UN list of non-autonomous territories and to apply Resolution 1514 on decolonization.

Spain replied at the UN that the Plazas were "*naturally and ethnically Spanish*" (UN Doc. A/AC-109/477, 13/2/75). Spain made reference to being the successors of the Roman, Byzantine and Visigoth kingdoms, and stated that even when Spain was Muslim, the Plazas formed part of a Spanish-Muslim state. The Spanish delegate stated that there was no relationship between the Spanish occupation of the Plazas and the British occupation of Gibraltar; and that the Plazas were "*Sovereign Territories*" unlike the "*Crown Colony*" of

Gibraltar and hence "*not non-autonomous territories*" (Moroccan Memorandum to UN, 7/3/75; Spanish Memorandum to UN, 18/4/75). The Spanish offensive at the UN did little to strengthen its case. In a show of strength, Spain sent two escort vessels, two troop transporters, a battalion of marines and tanks, a submarine and armed helicopters to the Plazas in February 1975.

After bombings in Ceuta and Melilla in June 1975, 400 Moroccans were summoned by the Spanish authorities for interrogation in Ceuta and dozens of Muslims were expelled from the Territory. The Moroccan government protested against the incident. After the killing of a Muslim street vendor by a Spanish policeman in July 1975, Morocco lodged a protest with the UN Secretary General denouncing:

"violations of the rights of man committed by the Spanish authorities in the Moroccan enclave of Sebta", stating that: *"if such practices continue, the Moroccan government will be constrained to take the necessary measures to protect the rights and interests of its nationals"* (UN Doc. A/AC-109/498, 18/7/75).

In August 1975, the Non-Aligned countries demanded that Spain enter into direct negotiations with Morocco for the return of the Plazas. In October, Morocco once again requested Spain to enter into negotiations at the UN General Assembly. In retaliation, Spain closed the Ceuta land boundary when 400 Moroccans twice attempted to peacefully invade the Territory, similar to Morocco's 350,000 strong Green March on the Spanish Sahara in 1975 which helped speed up Spanish withdrawal there. Tensions decreased in November 1975 when Spain, Morocco and Mauritania signed an agreement on the Western Sahara.

In UN fora, Morocco has supported Spain's claim to the Crown Colony of Gibraltar (Red Book, 1968). Concerning this strategy, Hassan II has stated that:

"If the English restore Gibraltar to Spain, the latter should restore Sebta and Melilla [to Morocco]" (*Maroc Soir*, 26/11/75: 1-2); and:

"the day that Spain comes into possession of Gibraltar, Morocco will of necessity get Sebta and Melilla. No power can permit Spain to possess both keys to the Strait: Gibraltar-Sebta-Melilla is of necessity a Spanish-Moroccan affair, for the faster the Spanish recover Gibraltar, automatically Morocco will get Sebta and Melilla" (*L'Opinion*, 26/11/75).

Again in 1985, Hassan II made reference to the symmetry of the Crown Colony and Plazas problems; he stated that if Spain gains sovereignty over Gibraltar then *"the equilibrium in the Mediterranean would be seriously affected"* and that if Spain tried to retain control over the Plazas that the USSR *"could not tolerate a NATO member state controlling all the keys"* (*Le Grand Maghreb*, 38: 87).

The Moroccan authorities stress that there are similarities between its claim to the Plazas, and particularly Ceuta, and Spain's to the UK Crown Colony. Between 1957 and 1969, in UN fora, Spain based its claims to the Crown Colony on the UN General Assembly (UNGA) Resolution 1514, which includes the *"territorial integrity"* principle, while the UK cites UNGA Resolution 1541 which encompasses the *"self determination"* principle. The Gibraltar issue was put before the UNGA for the first time in 1957. In 1963, the issue was

considered for the first time by a UN Special Committee. Spanish delegates stressed the UNGA Resolution 1514 (XV), which disapproves of: *"any attempt aimed at the partial or total disruption of the territorial integrity of a country"*.

In 1966, the UNGA adopted Resolution 2189 (XXI), *"Implementation of the Declaration Granting Independence to Colonial Countries and Peoples"*. The Special Committee was requested *"to pay particular attention to the small territories"* and the *"right of self-determination"*. Partly in response, in 1967 Britain held a referendum in Gibraltar, stating that the action was in line with UNGA Resolution 2189 (XXI) concerning the interests of the Gibraltarians. Spain objected that it was in contradiction of Resolution 2231 (XXI). In the referendum, the overwhelming majority choose: *"voluntarily to retain their links with Great Britain, with democratic local institutions and with Britain retaining its' present responsibilities"*.

However, a UN Resolution was passed stating that the Referendum was in contradiction of Resolution 2231 (XXI) (20/12/66) and of the Special Committee (UNGA Res. 2353 (XXII) (19/12/67). Due to lack of progress in implementing its sovereign claims, Spain introduced a series of negative measures in relation to the Crown Colony including an economic embargo and the closing of its border with the Colony between 1969 and 1985. The prelude to the opening of the Gibraltar-Spanish border in February 1985 was the Lisbon Agreement (1980) and Brussels Communiqué (1984) in which Spain and the UK agreed to cooperate. Despite this, the agreement remains open to interpretation; and substantive discussions have not yet taken place on the sovereignty issue.

In relation to south-south diplomacy and the LDCs, as early as 1955, the historic Bandung Conference, forerunner of the Non-Aligned Movement and Group of 77 affirmed *"Morocco's independence and integrity within its natural boundaries"*. Since that period all African and Asian organizations have given their support to Morocco. In 1961, Hassan II presented the Moroccan case at the Conference of Non-Aligned states stating that: *"the Spanish colonists continue to occupy and maintain enclaves and bases in the north"*. Shortly afterwards, Spain introduced stricter border controls and many Moroccans were expelled from the Plazas. Bilateral relations deteriorated, and in June 1962, the Moroccan government formally demanded the return of the Plazas. The same year, the Spanish Foreign Minister stated that: *"as far as Ceuta and Melilla were concerned, Spain had nothing to negotiate"* (Rezette, 1976: 152) .

Because of the Moroccan-Algerian War in 1962-63, this interrupted the Moroccan offensive on the Plazas. The following year, Hassan II and General Franco met at Madrid's Barajas airport; while there is no written record of the meeting, it was widely believed that General Franco was prepared to abandon the Minor Plazas and Ifni in return for the king's promise to respect the status quo in the Major Plazas.

In 1975, at an OAU Conference in Addis Ababa, some 25 states lent their diplomatic support to Morocco, and the Arab League in Cairo proclaimed its *"support of Morocco in its current fight for the liberation of its territories occupied by the Spanish, including Sebta and Melilla as well as the other islands off the Moroccan coast"* (Rezette, 1976: 160). In August 1975, the Non-Aligned countries demanded that Spain enter into direct negotiations with Morocco for the return of the Plazas.

After 1975, Morocco intensified efforts in the international arena, stressing the importance of the state's national territorial integrity. The Western Sahara and Plaza issues acted as national rallying cries, taking some of the pressure of Hassan II for constitutional changes in Morocco. Between 1975-1978, there was an attempt at democratization within Morocco, the monarchy being obliged to placate the nationalists, whose relationship with the Crown had been strained because of the tripartite accords signed between Hassan II, Algeria and Mauritania in relation to the Western Sahara (Hodges, 1984; Thompson and Adloff, 1980). In essence, the 1977 legislative elections did not bring democracy; however, all party manifestos included calls for the recuperation of Ceuta and Melilla (Del Pino, 1983: 12).

Besides the question of the Plazas and Gibraltar, in 1978 the question of the 'hispanicity' of the Canary Islands was called into question in the Maghrebi states and the issue was discussed at the OAU Conference in Khartoum. Algeria also raised questions about the 'hispanicity' of Alboran Island and the surrounding seas at the OAU. The ambiguities of the Moroccan-Spanish fishing accords led to several incidents at sea between 1978-92.

With the election of the Spanish Socialist Party (PSOE) in 1982, Sr. Moràn took a more conciliatory stance on the Plaza, possibly being influenced by the Anglo-Spanish experience over Gibraltar (e.g. the Lisbon Agreement). Moràn advocated greater cooperation between Morocco and Spain, especially in relation to economic development in Ceuta, Melilla and their hinterlands. He advocated a *de facto* and *de jure* liberalization of the status of the Muslims in the Plazas. It was hoped that Spanish aspirations for economic development in the Plazas would have bilateral repercussions in helping to diffuse the situation and also be in line with Spanish policy in preparing for entry to the EC. Liberalization policies in relation to the Muslims were also aimed at promoting Spain's new democratic image.

Again in 1982, Morocco put its case before most international organizations and in particular the Arab League, Islamic Conference and OAU. The Moroccan propositions included calls for a petrol embargo, to minimize economic relations with Spain, and the possibility of including on international agendas the 'theme' of the 'dubious hispanicity' of the Canary Islands as well as the threat of non-renewal of bilateral fishing accords with Spain. As *Emir of the Faithful*, Hassan II enlisted the support of the Moroccan *Ulemas* (religious authorities). Morocco intensified its economic isolation of the Plazas and introduced a tax (500 Dihrams) for Moroccan passage from Ceuta and Melilla. With the reconciliation between Algeria and Morocco in 1983-84, in the context of the Union of Arab Parliamentarians (1983), Algeria and all other Arab states lent their support to Morocco. A resolution passed by the representatives of the *Arab Nation* called for an end to colonialism, cooperation among Mediterranean states, and especially Spain and the Arabs; along with security and stability in the region with a "*definitive and just solution to the question of Ceuta and Melilla*" by negotiating, and restitution of Moroccan 'sovereignty' over all the Plazas (Del Pino, 1983: 17).

The Moroccan mass-media presents in detail Spanish strategy in pursuing its claims to Gibraltar, and also gave a lot of media coverage to Spain's support of Argentina's claims to the Falklands/Malvinas Islands, particularly during the war in 1982. As *Al Alam* (the daily newspaper of the *Istiqlal* Party) stated:

"Morocco expects a more positive approach from the PSOE in relation to the Plaza issue, than that of previous Spanish governments" (*Al Alam*, 21/12/83: 1).

According to the Moroccan daily, *Al Charq al Awsat*. Hassan II stated:

"there can be only be a peaceful solution (to the dispute); unless the Spanish take an altogether different initiative; that is to say, a military one. In such circumstances, Morocco will be forced to defend itself" (*Le Grand Maghreb*, 1985, 37: 21).

From the Moroccan perspective, as well as the national arguments put forward by the Sherifian regime, the Moroccan authorities have placed great emphasis on the international aspects of the dispute. For instance, Morocco emphasizes the precedents which may be set by a resolution of Anglo-Spanish territorial dispute. East-West relations and Soviet perceptions of the balance of power in the region were points often raised by Hassan II, particularly when Spain became a member of NATO. Though small territories, sovereign control of the Plaza is perceived by Morocco as a significant element in Mediterranean security, the Euro-Arab dialogue and North-South relations. The latter two points are particularly important since the demise of the USSR. The short lived political Libya-Morocco Union (1984-1986) constituted a clear warning to Spain, the EU and USA that Moroccan aspirations in relation to the Plazas have to be taken seriously. The timing of this political Union is particularly significant as it corresponds to a period of intense Spanish diplomatic activity in relation to EU and NATO membership, and also British-Spanish discussions on Gibraltar.

In 1985, the Libyan leader, Colonel Qadhafi stated that: *"these enclaves used to be Arab towns and consequently there is no reason for Spain to keep them"* (*Maroc Soir*, 12/4/85: 1). He warned that:

"Nobody in the world has the right to oppose the legitimate Arab aspirations to liberation, unity and self-defence . . . and in relation to those who denigrate the Arab-African Union, such an attitude can only be taken up by the enemies of unity, but such people will be surpassed by the flow of events and their destiny is suited to the dustbin of history" (*Al Bayane*, 12/4/85).

Thus the Spanish occupation of the Plazas is perceived by Arab nationalist and Islamic fundamentalist leaders as irrefutable proof of European colonialism.

7.3 The European Union

Spain became a member state of the EC in 1986, and as the Plazas are legally an integral part of the Spanish state, the Union now has common boundaries with Morocco. However, to date the EU does not have sovereign prerogative in relation to the territories of the member states. In 1987, after the dissolution of the Libya-Morocco Union, Morocco officially submitted its application to join the EC. To date, the EU has avoided overt involvement in the Plazas dispute, and has had little influence in resolving the Crown Colony problem but provides a forum for discussions between Spain and the UK. Once the EU has developed a more coherent foreign policy in relation to the Maghreb, this may help facilitate a peaceful resolution of the Plazas problem.

Whatever the historical analogies between the Plazas and Gibraltar, juridically their situations are different in relation to EU treaties. With UK admission to the EC (1973), Gibraltar fell under Article 227.4 of the Treaty of Rome, relating to European Territories for whose external relations a member state has assumed responsibility. Unlike the Channel Islands, Gibraltar is a member of the EU and its citizens are members of the Community "under the auspices of Britain" (Lancaster et al, 1985: 260). Whereas Ceuta and Melilla are integral parts of Spain and hence have the same rights and obligations as applicable in the 12 member states. Concerning the EU Customs Union and regulations, harmonization of fiscal and customs legislation in the Plazas with those in the rest of the EU is an issue which still has to be settled.

7.4 The North Atlantic Treaty Organization

With Spanish membership of NATO in 1982, the Spanish government made it clear in all prior negotiations that it considered the Plazas to be an integral part of Spain and hence if under threat these Territories had to be defended by NATO. Spain also pointed out the geostrategic advantages offered by Ceuta and Melilla on NATO's southern flank. Morocco is closely observing Spanish integration into NATO and is concerned about any future role which the Plazas may play in the Alliance. In any conflict to which Spain is a party and Morocco not, the Plazas become legitimate targets.

As NATO does not have sovereign prerogative in relation to the territories of its member states, the Organization has studiously avoided overt involvement in the Moroccan-Spanish dispute. Both the UK and Spain are NATO member states, however, full usage of the Crown Colony's facilities by NATO members has been retarded because of the UK-Spanish dispute. While the Gibraltar base is used by NATO states, to date they have avoided using the Plazas due to Moroccan sensitivities on the issue.

Morocco has been a close ally of the US since independence in 1956 and has facilitated the implementation of US policies in the Mediterranean/Arab region e.g. Rapid Deployment Force and during the Gulf War (1991). Also Morocco has less extreme policies in relation to Israel than other regional states such as Algeria and Libya. The US has been active on the diplomatic front and in furnishing military supplies to Morocco in relation to the Western Saharan War, but has not become overtly involved. Likewise Moroccan-UK diplomatic relations have been cordial for centuries. As in past ages, during the Spanish embargo of Gibraltar (1969-85), Morocco continued to supply fresh water, foodstuffs and labour to the Colony.

7.5 The Spanish-Moroccan Dilemma

Spain continuously treats all issues pertaining to the Plazas as internal, and is reluctant to accept that the problem is bilateral, ignoring the international dimension in all official statements. Despite unconfirmed reports of secret understandings between the Spanish and Moroccan governments, especially in 1956, 1963, 1975 and 1981, and unofficial reports that King Juan Carlos supports discussions on the sovereignty issue; Spanish intransigence could lead to instability in the region.

It is believed that the King of Spain committed himself in 1981 to the restitution of the Plazas to Morocco. It would seem that this engagement was undertaken by Juan Carlos in a letter transmitted to Hassan II in 1979. When news of this secret correspondence was leaked, the Ceutis, Melillinese and Spanish army reacted with alarm. In an effort to calm the situation the Spanish Minister of Foreign Affairs stated that Ceuta and Melilla would be automatically included in any future agreements between Spain and NATO (Gaudio, 1981: 87). Thus the Cortes has less room for diplomatic manoeuvre in resolving the dispute due to the military's commitment to maintain the Plazas within the Spanish state. It is unlikely that the Spanish military establishment would actively repress Spanish extremist groups in the Plazas which have been operating there since the early 1980s. There is the danger of the polarization of the ethnic communities and autonomous action on the part of the military, as in Algeria between 1958 and 1962.

Amid rumours and conflicting press releases, it was understood that Hassan II had set 1983 as the deadline date for gaining sovereignty over the Plazas (Radio Report, "*Cadena Ser*", 11/12/82; *Diario 16*, 11/12/82; *La Presse de Tunisie*, 12/12/82: 1). The Spanish daily *Diario* (11/12/82), reported that Hassan II's main problem was to know just how far the Spanish government is prepared to go to defend the Plazas.

A peaceful resolution of the Plaza issue is of major importance for the Spanish state because of the Franco heritage which still exists in certain sections of the army. In 1984, the Captain General of the Saragossa Military region, Manuel Alvarez Zalba, was dismissed from his duties for making "*explosive statements*" concerning North Africa. He deplored the Moroccan-Libyan Union (1984-86) affirming that "*this treaty affects Spain and without doubt was the reason for the government's decision to elaborate a new national strategic plan*". He stated that:

"Spain was not sufficiently prepared to defend Ceuta and Melilla from the interior in the event of a Moroccan occupation; and could only hold them by launching an attack itself".

He pointed out that the USA could not support Spain in an armed conflict with Morocco because of its close relationship with Hassan II:

"and besides the USA did not allow us [Spain] to use our M-48 tanks during the Green March [Western Sahara, 1975], which obliged us to use French made AMX-30s" (*Le Monde*, 2/11/84: 5).

The Captain General was voicing the opinion of the army which had been disillusioned with the loss of Spain's North African Territories, and in particular the Spanish government's last minute complicity with the Moroccan authorities in facilitating the success of the Green March in 1975, leading to the withdrawal of the Spanish armed forces from the Western Sahara. Zalba's statements greatly embarrassed the Spanish government which at that time was trying to establish bilateral military accords and joint manoeuvres with Morocco. However, since 1984, joint manoeuvres have taken place in the Strait area.

Those Spanish political organs which support a peaceful withdrawal from the Plazas are hindered not only by the burden of history and the Spanish army, but also by the Spanish Constitution, which was democratically approved by the nation in 1978. Articles 62.2 and

69.4 expressly mention the Spanish sovereign status of Ceuta and Melilla. Articles 2, 8.1, 61.1 and 63.3 confer on the military forces the mission of guaranteeing the sovereignty and independence of the State and to defend its territorial integrity. Articles 167.1, 167.3 and 1.2 proclaim that the national sovereignty resides within the Spanish people. Hence this may be interpreted in two ways, either the Ceutis and Melillineses have the right to veto the policies of the Cortes in relation to future changes in the sovereign status of the Plazas, or the population of the Spain as a whole have the right to make amendments to the Constitution and consequently may decide on a change in the sovereign status of the Plazas.

Another major problem hindering discussions is the presence of a substantial resident Spanish population in Ceuta and Melilla. Though being the heritage of colonialism, like the situation in Gibraltar, the vast majority of the population there do not wish to be decolonized.

The monarchy, *ulemas* (religious councils) and all political parties in Morocco are in agreement on the Sherifian Kingdom's right to the Plazas within the historical and natural boundaries of the state as defined in the 1950s. Since 1956, the gradual decolonization of Morocco has absorbed much of the national energy and has reinforced Moroccan nationalism. While Morocco cannot risk armed conflict with Spain, Hassan II cannot renounce his claim to the Plazas because of the strength of the *Istiqlal* party which has a major influence on Moroccan public opinion. Also in an economically and politically volatile state like Morocco, 'liberation' of the Plazas like the incorporation of the Western Sahara into the Moroccan state serves as a national unifying force. However, despite the fact that Morocco is deprived of its two most important Mediterranean ports, the local Muslim populations benefit greatly from contraband trading.

Disturbances in the Plazas led to the development of extremist groups in the 1980s; these include Spanish right-wing organizations and Islamic fundamentalist associations (*Economist*, 22/11/86: 62-63). These disturbances put greater pressure on the Moroccan authorities to take a more aggressive stance on the Plaza issue. However, Hassan II's regime is acutely aware that Britain's future role in the Gibraltar region, and by association that of the EU and NATO, will largely determine the future of the Plazas.

Hassan II's historic meeting with General Franco in 1963 produced what observers have termed the "*spirit of Barajas*" which refers to a tacit understanding between the two leaders that Morocco would respect the status quo in Ceuta and Melilla in exchange for a resolution of other sovereignty disputes such as Ifni. Neither the *Istiqlal* Party nor the Moroccan Left supported this agreement. The viewpoint of the Moroccan socialist party was reiterated at a national congress in 1972 and has not changed since:

"there is the necessity to mobilize the Moroccan people for the liberation of Ceuta, Melilla and the Chafarinas, and to demand a clear definition of the government in this respect [its strategy for the liberation of the colonies]" (Del Pino, 1983: 12).

The Moroccan Left emphasizes Spanish membership of NATO and the implications which this holds for Morocco in the event of a conflict to which Spain is a party and Morocco not. Historically the Plazas are associated with General Franco as it was from these enclaves that Franco's revolt against the elected government of Spain was launched in 1936, hence Ceuta has remained a symbol of the Spanish military establishment. This linkage was brought to

the fore in the Balista Plan, for the defence of the Plazas against Morocco, and is still taken quite seriously by Spanish military leaders. When the Western Sahara/Saharaoui Arab Democratic Republic conflict is settled, undoubtedly Morocco will reinforce the national effort for the 'liberation' of the Plazas.

8. Boundary Related Issues

For centuries, the Britain presence in the Crown Colony has enabled the UK to play a leading role in guaranteeing the international community security of passage of the Strait, while Spain has played an active role in assuring its national and international security obligations via the Plazas. Despite fears, Morocco has also respected its obligations in relation to security of the Strait since 1956. Nonetheless, the Moroccan-Spanish and Anglo-Spanish territorial disputes add to contentions in the region. Instability on the EU's southern boundary and shores of the Strait of Gibraltar is of crucial concern to the EU and NATO.

8.1 Economic Security

The Crown Colony's advantageous location, economic organization and history of security are important factors in relation to the entire Strait region (Blake, 1983). Gibraltar's political and economic organization have overshadowed those of Ceuta for centuries. However, Ceuta (and to a lesser extent, Melilla) is one of Spain's principal ports, and the EU and NATO's only major territory and port geographically linking Europe, Africa and the Arab world.

The Spanish presence on the southern shore has lent Ceuta the role of the second sentinel of the Strait. This is proven by the policies pursued by the International Powers in approving the Spanish presence in Ceuta during the 19th and 20th centuries; for instance when the southern shore was neutralized during the colonial period, the International Powers did not insist on the demilitarization of the Plazas. Also since Morocco activated its claims to the Plazas, it has gained little or no support from the northern countries.

About 240 vessels a day pass through the Gibraltar Strait (c.73,000 ships per year excluding small vessels and submarines) (O'Reilly, 1987). More than 150 vessels of over 1,000 gross tonnage transit daily, approximately a third of which are oil tankers. Approximately 50 million tons of crude oil were transported via the Strait in 1982, equivalent to 5% of global oil movements by sea. In terms of oil transport, Gibraltar ranks as the third most important Strait in the world, after Bab el Mandeb and Dover. Besides oil, phosphates, iron ore, liquefied natural gas, aluminium, bauxite and grain pass through, mostly northbound. Southbound manufactured goods are also very important. There are up to a dozen ferry-container services daily between Tangier and towns on the European shore; and hourly daylight crossings between Ceuta and Algeciras. Risk of collision is considerable and there is the danger of marine pollution; despite the safety measures introduced by the IMO (International Maritime Organization) in the 1980s.

Two UAM (United Arab Maghreb) states, Morocco and Algeria, have plans to construct a pipeline system across the Strait for the transport of liquefied natural gas. A joint Spanish-Moroccan committee started exploring the feasibility of establishing a fixed-link (bridge or tunnel) across the Strait in the 1980s; estimates of costs involved average about US\$10 billion (*International Herald Tribune*, 9/11/88: 1). From 1983 on, UN organs such as the UN General Assembly lent their support to the bilateral project by adapting resolutions stating that: "*it recommends the governments of Spain and Morocco engage in discussions with all the countries of the subregion*" and "*requests*" all the research organs, governments and international organizations concerned to collaborate with the Moroccan and Spanish authorities in furthering the project (Bennani, 1991). Gibraltar and Ceuta offer the infrastructural geographical advantages to be the termini of the fixed link between the two continents. Hence Gibraltar Strait may be poised to become the main link between the EU and African highway systems via the tunnel or bridge, and a link between the Arab and EU hydrocarbon pipeline systems, while east-west shipping has been steadily increasing since the early 1980s (O'Reilly, 1990).

8.2 Strategic Security

With the rise of the British Empire and opening of the Suez Canal (1869), Gibraltar became a cornerstone of the international order. British strategy was of great importance in shaping international policies in the region, and the Crown Colony will continue to be a major factor in any future resolution of the Plaza dispute.

Today the Crown Colony provides a base for British and NATO naval units and serves as a ship monitoring station. With the advent of modern weapons and Spanish membership of NATO (now the Plazas are also NATO territories), Gibraltar's strategic importance is somewhat diminished. Yet the Strait provides the entrance to the Mediterranean which is an extremely important theatre for submarines. The US and other NATO nuclear-powered missile submarines transit the Strait. Usage of the Strait is also vital to the US and its allies, such as Israel and Saudi Arabia. This was particularly evident during the Arab-Israel War (1967) and the Kuwait-Iraq War (1991). Concerning numbers of military-related vessels and transit, the Gibraltar Strait is probably the second most important strait in the world, after Lombok.

8.3 Conflict Potential

It is unlikely that Morocco, Spain or Britain will renounce claims to the territories in the near future, hence contentions will continue to exist. It is equally unlikely that the populations of Gibraltar, Ceuta or Melilla will vote for a change in the sovereign status of these territories. In the event of a changes being imposed by the Spanish and British governments, any violent reaction on the part of the population in Gibraltar would be short-term, however Spanish withdrawal from the Plazas runs the risk of a revolt from the Ceutis and Melillinese with the possible support of sections of the Spanish army.

The 'liberation' of territories continues to be a national rallying point and strategic policy for Hassan II and the continuance of his regime. Despite contentions concerning Ceuta (e.g. Muslim rights), military action is unlikely, except in the event of a major threat to the

present Sherifian regime from the people of Morocco itself. If there were a violent change of regime, the seizure of Ceuta would also serve as a national rallying point. In the event of an Islamic revolution in the area, not only Moroccan, but also other Maghrebi fundamentalists would be likely to turn their attention to Ceuta. This is particularly true in relation to the rise of the militant fundamentalist Islamic Salvation Front in Algeria. If a fundamentalist regime gains power in Algeria, this will have ripple effects throughout Morocco and Tunisia. Fundamentalist activity has been increasing in the Maghreb since the early 1980s, with the support of Iran and Saudi Arabia, a situation closely observed by the Moroccan and EU authorities.

In the event of Spain gaining control over Gibraltar, then its territorial waters would be joined to those of Ceuta. Hence the entire waters to the eastern entrance to the Strait would be Spanish. In the event of Morocco gaining sovereignty over the Plazas, it would have control over the entire southern portion of the waters of the Strait. The application and respect of international legislation (UNCLOS, 1982) in relation to the transit regime of the Strait and continuance of good relations between Morocco and the international community are vital factors in ensuring security in the region. Security of passage of the Strait is as vital to the international community as is that of Suez, Hormuz and Bab el Mandeb.

8.4 Future Scenarios

Plebiscite: Depending on political developments in the region e.g. retrocession of the Crown Colony, reorganization of NATO, closer EU links with Morocco (and the United Arab Maghreb); it is possible that the Spanish government may follow Britain's example in Gibraltar (1967) by holding a referendum on the future status of the Territories, in the Plazas exclusively or in Spain as a whole. However, such a strategy runs the risk of giving the Spanish inhabitants of the Plazas a permanent veto on policies proposed by the *Cortes* or give the Spanish government the latitude of retarding constructive discussions with the Moroccan authorities on the future of the Plazas.

Intensified Action: If Gibraltar is retroceded, Morocco has made it clear that it will use all means at its disposal to gain control of the Plazas. On the diplomatic front this would include appeals to the UN, EU, UK, USA, Arab League, United Arab Maghreb governments and so forth. However, there is always the possibility of a military or paramilitary campaign.

Considering the history of political relations between Morocco and Spain since 1956, Hassan II may follow precedent by negotiating Spanish withdrawal from the Minor Plazas and then concentrate the national effort on the 'liberation' of the Major Plazas. Because of its geostrategic importance, Ceuta remains the epicentre of the dispute; the future of the other four Plazas is directly contingent on that of Ceuta. In the event of there being a change of regime in Morocco, it is most likely that it would be more 'revolutionary' than the present one (radical Arab socialism or Islamic fundamentalism) which could use the military option for 'liberating' the Plazas, either by direct attack, Green March style operations as in 1975, or covert aid to Arab nationalist or fundamentalist groups. Any of the above listed possibilities would encourage a backlash from the European population in the Plazas.

Economic Cooperation and Development: With the opening of the Spanish-Gibraltar boundary in 1985, the Spanish and UK governments hoped to decrease tensions and establish closer links between the Gibraltar and Spanish communities in the EU context. To date, progress in this bilateral cooperation has been limited e.g. lack of consensus on the status of Gibraltar airport. Considering that Gibraltar forms part of EU and NATO territories and that progress in resolving the dispute has been slow, it is unlikely that very close Spanish-Moroccan economic cooperation will come about in the near future in the Plazas. Similarly Spanish-Moroccan condominium for the Plazas is a very remote possibility considering that such an option has not borne fruit in resolving the Gibraltar and Northern Ireland territorial disputes. It is unlikely that Spanish nationals in the Plazas would accept sovereign links with a state which is economically underdeveloped and does not have EU type democratic institutions.

Treaty or Lease: The Spanish and Moroccan authorities may decide to negotiate a lease or treaty under the auspices of international organizations such as the UN or EU, with a specified time scale, guaranteeing Morocco sovereignty over the Plazas in the future. Spanish administration could be guaranteed over a period of two to three generations, offering the local populations time for economic and cultural adjustment; saving Moroccan and Spanish honour, and offering both governments time to reconcile internal dissensions within their respective political and military establishments. Depending on future political developments in Morocco, a negotiated resolution of the Ceuta dispute could be facilitated by EU and NATO organs.

9. Conclusion

Both the Moroccan and Spanish claims to the Plazas are largely based on the UN principle of the territorial integrity of the state. For centuries, the Plazas have been an integral part of Spain, and their acquisition must be seen in the context of the *Reconquest* and construction of the Spanish state and colonial empire. Nonetheless, their particular geographical characteristics and location in Morocco illustrate the complex geopolitical history of the Strait region. Morocco views the Spanish presence as the legacy of Spain's colonial strategy for control of both shores of the Strait. The Moroccan viewpoint is that once Gibraltar is retroceded to Spain, then automatically the Plazas must be decolonized.

Despite the technical legal differences between the Crown Colony and Plazas disputes, both can be viewed as the heritage of the colonial era. The issue is one of decolonizing territories rather than peoples. This may change in the Plazas in the future where the Muslim population is increasing; Moroccan claims to the Plazas will stress the UN Principle of the rights of the Muslim inhabitants to self determination.

Morocco's policy of avoiding direct confrontation with Spain over the Plazas is "*explained by the impossibility of the Moroccan Government to engage Spain in a show of force*" (De La Serre et al, 1968: 348), particularly as the Western Saharan territorial dispute has not yet been settled.

The geopolitical history of the Strait region illustrates the quest of the riparian states and international community to establish security there. The balkanization of Morocco's northern frontier and ethnic organization within the Plazas can no longer be seen as a purely bilateral affair as contentions pose a threat to regional security on the EU's southern boundary. The dispute has negative effects not only on relations between Spain and Morocco, but also on the supranational organizations to which they belong such as the EU, NATO, OAU, United Arab Maghreb, Arab League and Islamic Conference Organization. The frequently reported clashes between Europeans and Muslims in the Plazas between 1985 and 1990 illustrate how volatile the situation is.

**Figure 1: The Quest for Control of the Strait Region:
Fragmented Sovereignty**

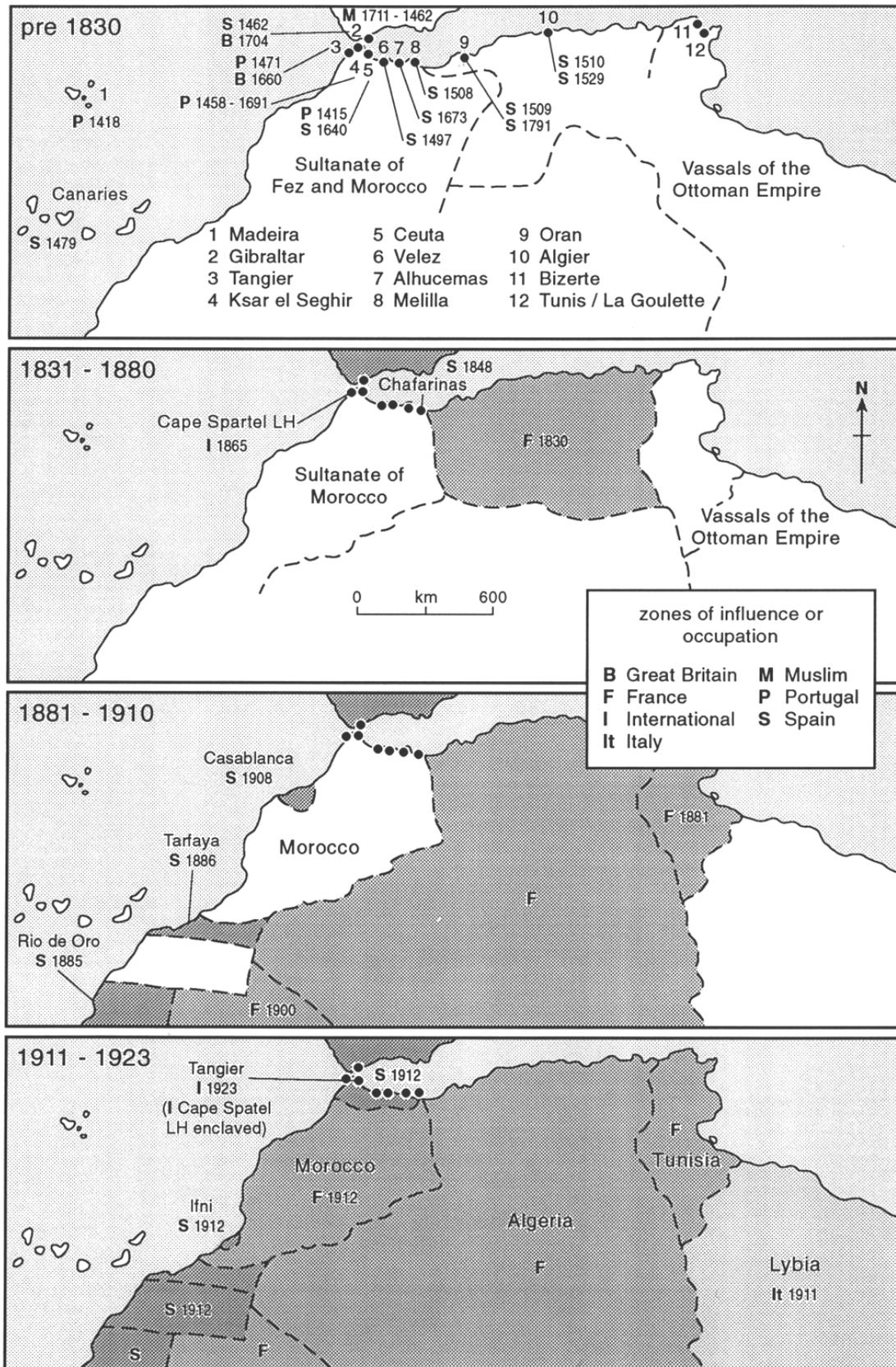


Figure 2: The Maghreb: Spanish Colonial Territories and Moroccan Claims and Acquisitions

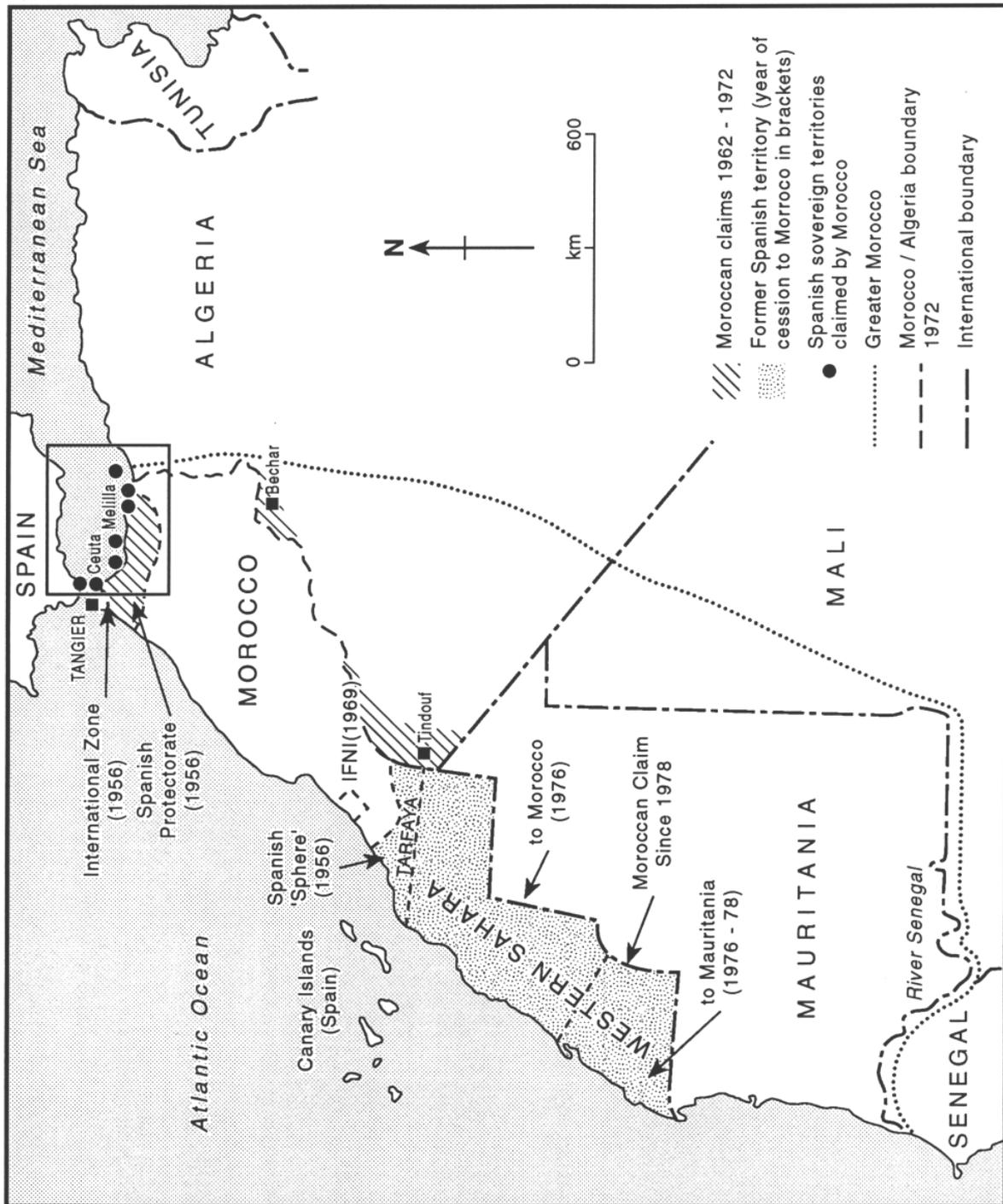


Figure 3: Spanish Possessions on Morocco's Mediterranean Coast

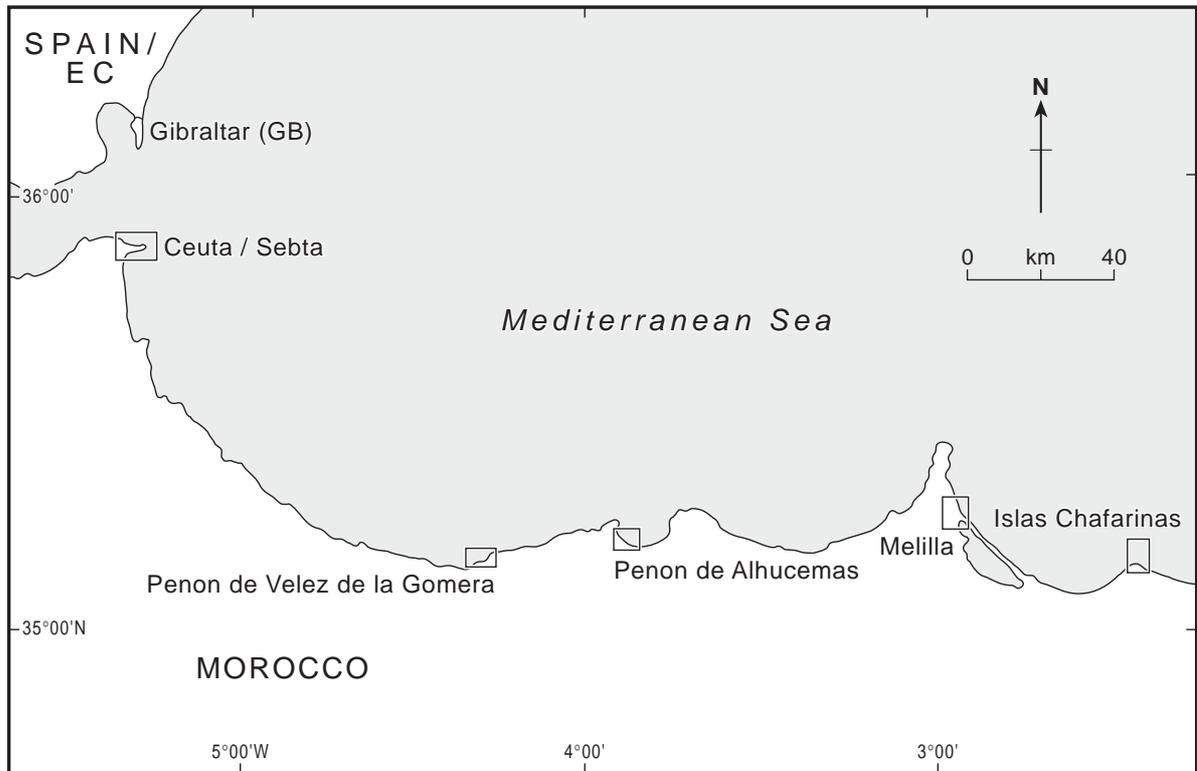


Figure 4: Ceuta/Sebta

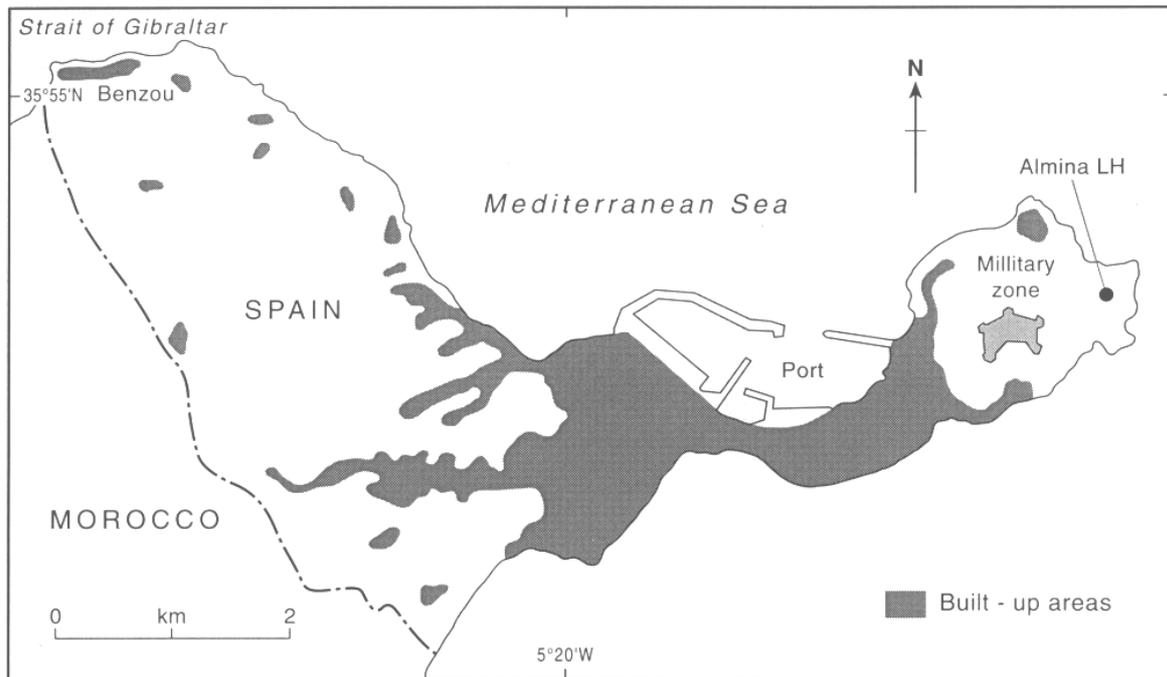


Figure 5: Melilla

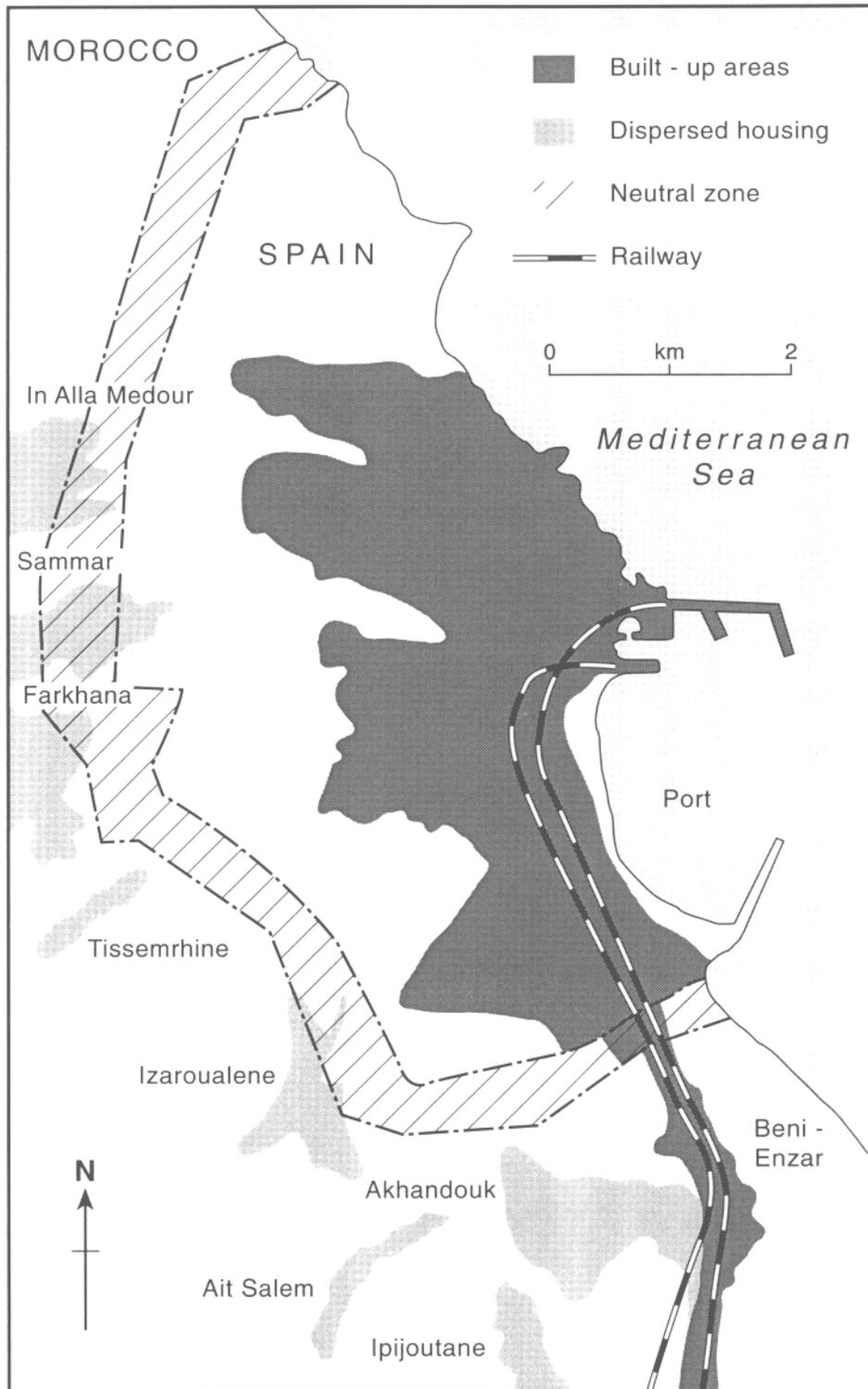


Figure 6: The Minor Plazas

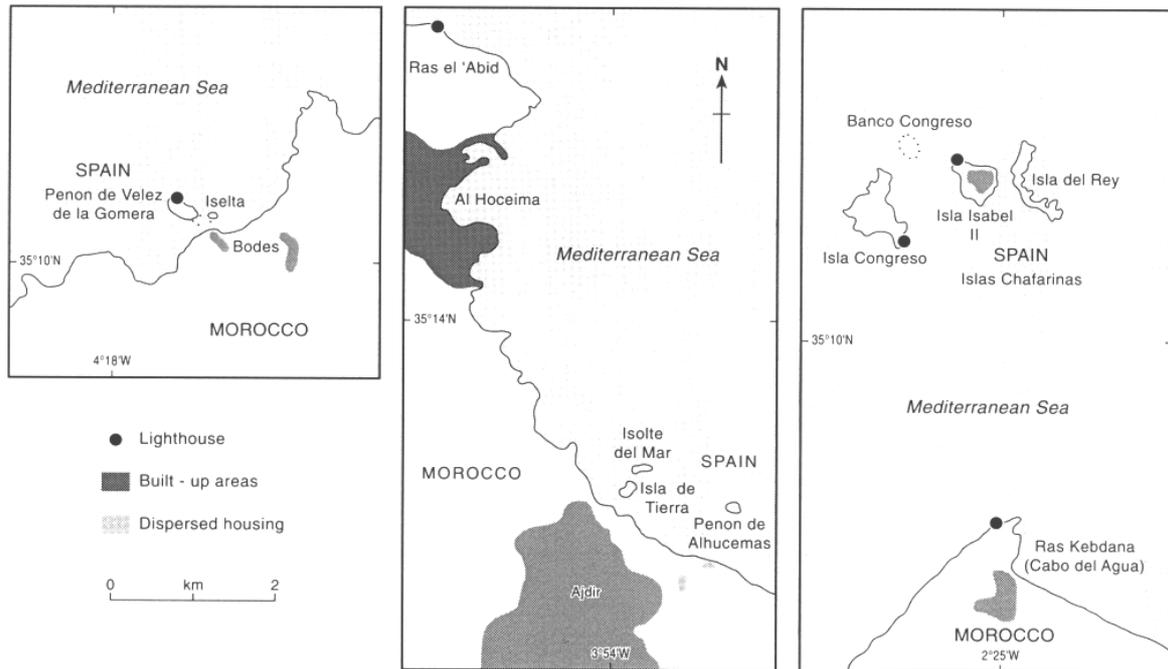
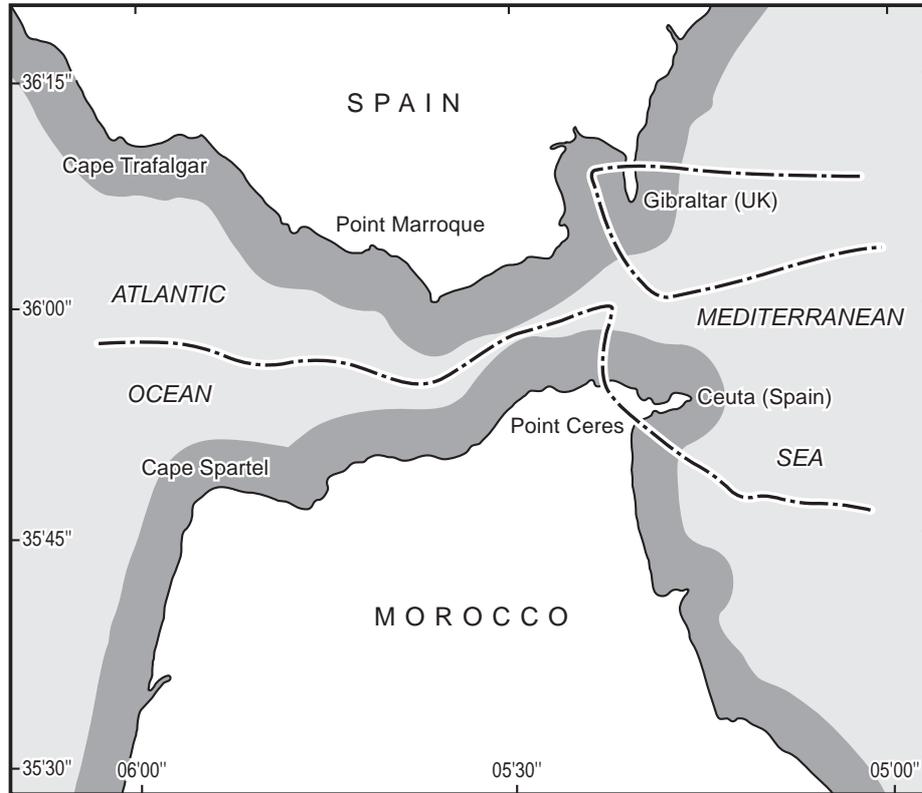


Figure 7: The Strait of Gibraltar: Territorial Seas

0 - 3 nautical miles offshore



0 - 12 nautical miles offshore



Bibliography

- Bennani, M. (1991) 'Le projet de liaison fixe Europe-Afrique a travers le detroit de Gibraltar et son impact sur l'espace mediterraneen' in Habib El Malki, *La Mediterranee en question: Conflicts et interdependances*, Casablanca: Fondation du Roi Abdul-Aziz and Paris: Editions du CNRS.
- Blake, G.H. (1983) 'Gibraltar: Gateway to the Mediterranean' in *Geographical Magazine*, 55, 5: 258-260.
- Blake, G.H. (1985) 'Mediterranean Micro-Territorial Disputes and Maritime Boundary Delimitation' in *II Regime Giuridico Internazionale Del Mare Mediterranea*, University of Rome, Castelgandolfo, 18-19 Oct. 1985. Milan: Cassa Editrice Giuffre.
- Bruel, E. (1947) *International Straits: A Treatise in International Law*, Copenhagen: NNF.
- Colombos, C. J. (1967) *The International Law of the Sea*, London: Longman.
- De La Serre, F. and Marais, O. (1968) 'Les Presides au Maroc et Ifni', in *RFSP*, 7.
- Del Pino, D. (1983) *Ceuta y Melilla: Un Contencioso Pendiente con Marruecos: Por una actitud Espanola y Marroqui realista*, Madrid: Instituto de Cuestiones Internacionales, INCI Publication, No. 20.
- Gaudio, A. (1981) *Maroc du Nord: Cites Andalouses et Montagnes Berberes*, Paris: NEL.
- Geographer (1962) *Geographical Report: The Spanish State*, Washington DC: Office of the Geographer, Bureau of Intelligence and Research, Deptment of State.
- Geographer (1985) *Limits in the Sea: National Claims to Maritime Jurisdiction*, Washington DC: Office of the Geographer, Bureau of Intelligence and Research, Department of State.
- Government of Spain (1968) *The Spanish Red Book on Gibraltar: Gibraltar in the Spanish Cortes*, Madrid: Government of Spain.
- House of Commons (1981) *Gibraltar: The Situation of Gibraltar and UK Relations with Spain*, 7th Report from the Foreign Affairs Committee, London: HM Stationary Office.
- Heiberg, W.L. (1983) *The 16th Nation: Spain's Role in NATO*, National Security Affairs Monograph. Series 83-1, Washington DC: National Security Defense Press.
- Hodges, T. (1984) *The Western Saharans*, London: The Minority Rights Group, Report No.40.

- Kroner, D. (1985) 'Spain's Last African Outposts' in *Swiss Review of World Affairs*, 35, 7: 8-11 .
- Lancaster, T.D. and Taulbee, J.L. (1985) 'Britain, Spain and the Gibraltar Question', in *Journal of Commonwealth and Comparative Politics*, 23: 251-266.
- Laroui, A. (1976) *L'Histoire du Maghreb*, Paris: Maspero, F.M. Petit Collection.
- Lloyds (1984) *Ports of the World*, London: Lloyd's of London Press.
- Memoria anual Ceuta* (1982) Puerto de Ceuta, Madrid: Ministerio de Obras Publicas y Urbanismo, Direction General de Puertos y Costas.
- O'Connell, D. P. (1967, 1982) *The International Law of the Sea*, Oxford: Clarendon Press.
- O'Reilly, G. (1987), 'The Strait of Gibraltar' in Blake, G., Dewdney, J. and Mitchell, J. (eds) *The Cambridge Atlas of the Middle East and North Africa*, London: CUP.
- O'Reilly, G. (1990). 'Gibraltar et le Detroit: colonie britannique et Passage geostrategique', in De Gibraltar à Panamá, in *Herodote: revue de geographie et de geoeolitique*, 57.
- O'Reilly, G. (1992) 'Gibraltar: Spanish and UK Claims', *Territory Briefing*, 4, Durhan: IBRU Press.
- Rezette, R. (1976) *The Spanish Enclaves in Morocco*, Paris: Nouvelles Editions Latines.
- Thompson, V. and Adloff, R. (1980) *The Western Saharans: Background to Conflict*, California: Hoover Institute, Barnes and Nobles Books.
- Truver, S. J. (1980) *The Strait of Gibraltar and the Mediterranean*, Netherlands: Sijthoff.
- Pilot. (1981) *Mediterranean Sea Pilot*, Taunton: Hydrographer of the Navy, MOD.
- United Nations (1982) *UN Convention on the Law of the Sea*.
- Press (Various editions): *Al Bayane. Maroc Soir. L'Opinion. Le Grand Maghreb*, No. 38. *La Presse de Tunisie. Diario. Le Monde. International Herald Tribune. The Economist. Financial Times. The Times. The Guardian. The Weekend Guardian. The Observer. Le Nouvel Observateur*, 'La traversee des affames', 6-12/2/92: 90-91.