

Claimed territoriality of Coastal Countries and Territories Overlapping (Case Study: The Conflict of Iran and Pakistan on territoriality at the Mouth of Gwadar bay)

Omran Rasti ¹

Assistant Professor of Political Geography, University of Birjand , Birjand , Iran

Ali Ashrafi

*Lecturer of Remote Sensing and GIS, University of Birjand, Birjand, Iran. And PhD
Student, University of Tehran, Tehran, Iran*

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Extended Abstract

1. Introduction

Conferences and conventions related to law of the seas has not been successful in convincing the coastal countries all the time. Some of these failures stem from vagueness in the law such as the drawing method of straight baselines, e.g., Bay closing line, and the way in which baselines are selected. Gwadar bay, located on the northeast corner of Oman Sea, is a small bay between Iran and Pakistan. The most important goal of this study is to investigate the territoriality in the carter of Gwadar bay, the conformity of these territorialities to the seas convention law, the conformity and overlap of Iran's baselines to those of Pakistan in carter of Gwadar bay, the drawing of the maritime boundary between Iran and Pakistan, and the location of baseline points between these two countries with regard to the maritime boundary. Finally, a suggestion will be proposed to solve any probable discord which stems from the overlap of baselines and territoriality conflicts.

2. Theoretical Framework

Political geography, as a field of study of human geography, examines the function of politics and power in the division, aggregation, and organization of space and, conversely, the effects of geography, spaces, and places produced in political processes. The most important concept that derives from the above definition is the concept of territory and its related concepts, such as territoriality and human territoriality. The political geography of the sea is conceptually and theoretically dependent on the key concepts of the political geography. Therefore, the most important concept on which the theoretical foundation of this study is based is the concept of human territoriality.

3. Methodology

In a descriptive-analytic method, this study intends to investigate documents and laws of these two countries with regard to the maritime boundary and territories. One

1 Corresponding Author. Email: orasti@birjand.ac.ir

of the goals of this study is to evaluate the consistency or inconsistency of the United Nations Convention on the Law of the Sea by applying these claims and territorialities on maps by ARCGIS software and conducting cartographic analysis.

4. Findings and Discussion

The first feasible step for territoriality in the crater of Gwadar bay dates back to the cabinet enactment on July 21, 1973 in which the coordinates of 25 baseline points in Persian Gulf and Oman sea were assigned and declared. Based on these points and their coordinates, point 25 is located on the surface of water in the mouth of Gwadar bay. Pakistan also declared the coordinates of baseline points in August 29, 1996. The straight baseline points, which is a continuous system, is constructed from connecting 10 points (a to k). Point a in this system is located on water surface in the mouth of Gwadar bay. The last endeavor with regard to territoriality in the crater of Gwadar bay is the common endeavor in 1997 in order to delineate the maritime boundary between the two countries. The aforementioned boundary agreement consists of an introduction and 7 articles, which is enacted in the legislative assembly. Based on the first article of this agreement, the coordinates of the points on the maritime boundary which separates internal water, Territorial Sea, Contiguous Zone, and Exclusive Economic Zone between Iran and Pakistan was declared.

The most important measure for these two coastal countries is to pass laws related to maritime area as well as determining and declaring coordinates for straight baseline points, and as a result determining the maritime boundary. Point (25) from Iran's straight baseline and Point (a) of Pakistan's straight baseline are located on water body and in the entrance of Gwadar bay, which has some demerits based on the convention for baseline drawing. In addition, drawing these two points with the aid of geographical coordinates shows inconsistency between these two points and overlapping two baselines. Mentioning the inconsistency and emphasizing the use of these two points with their coordinates may cause a conflict between these two countries.

However, Iran and Pakistan reached to an agreement in 1997, and determined a maritime boundary. It seems that point (1) is a good substitute for point (25) in Iran and point (a) in Pakistan since it is located in the nearest distance to these two points, and it is located in the estuary of the bay, on which the two countries have reached to an agreement.

Keywords: Territoriality, Bay, Points of Baseline, Maritime boundary, Gwadar bay

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