



Conflict Over the Delimitation of Waters Between Spain and Morocco

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ABSTRACT

This paper analyzes the conflict generated by the unilateral delimitation of the Exclusive Economic Zone (EEZ) by Morocco in 2020, which directly affects the waters adjacent to the Canary Islands archipelago and the Tropic seamount region. It examines Morocco's strategic motivations -territorial, economic and geopolitical- as well as the Spanish State's response, based on international law of the sea and bilateral dialogue mechanisms. The study underlines the growing relevance of marine resources in contemporary international politics and proposes ways for a cooperative resolution of the dispute, taking into account both the legal framework of UNCLOS and shared economic and environmental interests.

1. Introduction.

At the beginning of January 2020, the Moroccan country announced two new fundamental laws, which would delimit its territorial seas and its Exclusive Economic Zone (EEZ), the latter of which would be extended to 200 nautical miles. The application of the new laws would give a turning point in the already existing relations between Morocco and Spain, since the new maritime delimitation included areas which were in front of Western Sahara, a region whose sovereignty is still an active dispute in the framework of the United Nations (2). These actions by Morocco are beginning to cause concern in the Spanish territory due to the overlap with the EEZ of the Canary Islands, a territory which is a strategic point both for geopolitics and for the general economy. (13)

When we speak of Western Sahara, we must consider that it is a non-self-governing territory considered by the international community, which has been administered de facto by Morocco since 1975, after the withdrawal of Spain (23). If we

talk about its waters, in the Moroccan EEZ, we understand that this is a clear strategy to consolidate its sovereignty over these lands that are currently in dispute. Spain, although it has officially supported the UN resolutions and guidelines on the self-determination of the Saharawi people, finds itself in a rather delicate position, given the close economic and diplomatic ties it maintains today with Morocco

The conflict area will include Atlantic waters adjacent to Mount Tropic, which is an underwater formation of great geopolitical and economic interest. This formation contains deposits of large amounts of tellurium, which is a metal so necessary in the global energy transition, due to its use in the manufacture of solar panels and latest generation batteries. According to advanced studies, it is estimated that this mountain contains up to 10% of global tellurium reserves, which makes it the most important strategic resource for Spain, Morocco and the European Union as a whole

When Spain pronounced itself on this conflict, Morocco unilaterally perceived the decision adopted by the Spanish state, which would later unleash a series of diplomatic reactions. On the other hand, and in response to the actions taken by the Moroccan state, Spain stated that any delimitation of maritime extension involving overlapping EEZs should be resolved in accordance with the United Nations Convention on the Law of the

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Sea (UNCLOS).

Mount Tropic will not only be a relevant element in terms of its mineral resources, but also because of the impact it will have on fishing and other natural resources that will directly affect the economy of the Canary Islands (5). This archipelago, which is strategically located off the African coast, plays an important role in the relations between the European Union and the African continent. Therefore, when the new extension of waters in the Moroccan EEZ is established, it will lead to take measures and precautions not only in Madrid, but also in Brussels.

In the context described above, the actions taken by Morocco underline a clear strategy to consolidate itself territorially and economically that puts bilateral relations between the two neighboring countries to a considerable test. In turn, it will highlight the growing importance of marine resources in today's geopolitics, especially in a world that is constantly looking for sustainable alternatives to ensure energy security and surplus.

Figure 1: Map of maritime claims of Spain, Morocco, Portugal and Sahara in Macaronesia.



Source: FairPolitik, 2025.

2. Morocco's Motivations in The Delimitation of Maritime Waters: A Strategic Analysis.

The adopted extension of Morocco's Exclusive Economic Zone (EEZ) in January 2020, which was extended to 200 nautical miles, clearly reflects a calculated action combining political, economic and geopolitical objectives. This measure adopted, which included waters adjacent to Western Sahara, would have generated tensions with the Spanish state, due to the overlapping with the EEZ of the Canary Islands and on the exploitation so far of the resources contained in Mount Tropic. When

we analyze the motivations that Morocco could have for this extension of waters, we can understand it from three fundamental perspectives: the reaffirmation of its sovereignty in that territory, the exploitation of the natural resources contained in the Monte Tropic underwater formation and the geopolitical strategy it was applying to consolidate its influence in the Atlantic and the Mediterranean. (8) (17) (25)

2.1. Reaffirmation of Sovereignty.

When it comes to the control of Western Sahara, it would have always been one of the main pillars of Morocco's policy since 1975, when Spain withdrew from this territory. The new maritime extension, which includes waters off Western Sahara, will not only be a technical move, but a political statement that will reinforce the Moroccan narrative about its sovereignty in that region. Morocco has integrated the Saharawi waters into its legal framework, which would pose an almost direct challenge to the consideration that the territory would be considered "non-self-governing" under UN resolutions.

When the extension of maritime territory takes place, Morocco is seeking to consolidate its control over Western Sahara not only on the terrestrial level, but also on the maritime one, legitimizing de facto its administration of the territory. When this move is made, it has profound implications, since it would be reaffirming its position before the international community, and in turn, internally, it would reinforce its political support of its population, feeding nationalism and cohesion in a matter of interest for the wealth of their country. When this context is analyzed, it is demonstrated how maritime law has become an extension of the current policies of territorial sovereignty, especially in disputed contexts and territories.

2.2. Exploitation of Natural Resources.

The richness of the potential of the disputed waters would be another key factor in Morocco's decision. Mount Tropic, an underwater formation that would be located near the Canary Islands, contains large reserves of Tellurium, a mineral that will be needed later in the global energy transition. The aforementioned resource, which is used in the manufacture of solar panels and advanced batteries, has become an important strategic element in the world, which is sought as a potential substitute for fossil fuels, which are becoming increasingly scarce. When rough estimates of the quantity of this element were initially made, it was concluded that Mount Tropic could hold up to 10% of the world's tellurium reserves, making it a top economic priority for Morocco.

On the other hand, Tellurium presents a high potential leading to the discovery of hydrocarbons (10) and other strategic minerals, which would make it possible for Morocco to diversify its economy and thus drastically reduce its dependence on key sectors such as agriculture and tourism.

The exploitation of these resources could also position this country as a key player in the supply of these critical minerals for the global economy, attracting in turn new foreign investors and thus strengthening its ability to compete in powerful international markets. For all these reasons, maritime delimitation

will not only respond to direct economic interests, but will also represent a commitment to the future. In the global context that will be marked by the energy transition, it will be able to control areas with strategic resources, providing economic and diplomatic advantages. By reclaiming these areas, Morocco seeks to ensure its participation in emerging renewable energy markets and consolidate its relevance in the international green economy.

2.3. Geopolitical Strategy.

When dealing with geopolitical perspectives, Morocco would be using the delimitation of its EEZ as a possible tool to strengthen its strategic position in the Atlantic and Mediterranean region. The control of the established maritime areas allows it to expand its sphere of influence, consolidating itself as a key bridge between the African continent and Europe (15). In turn, this allows it to promote movement in the alignment of diversification strategies in its international alliances, strengthening its relations with the European Union and other powerful partners such as the United States (9).

When they proposed the extension of their EEZ, it would also have an impact on bilateral relations with Spain, which had been one of the countries that played a crucial role in economic, migratory and security cooperation in the region. Morocco, by strengthening its presence in maritime waters, would position itself as an indispensable partner in establishing stability in the

Western Mediterranean and the Atlantic. With this approach it seeks to balance the existing diplomatic pressure at the international level with the strengthening of its regional influence, showing that the Moroccan country would be able to make its own decisions in order to protect its strategic interests.

Analyzing the context of the Moroccan country, what was sought was the investment of foreign countries, in order to explore the resources in its EEZ. The projection it would have in this area would give an image of stability and control over its maritime areas, which would lead to a vision of trust among multinational companies interested in the energy and mining sectors.

3. Spain's Reaction.

Spain's reaction to Morocco's decision to extend its territorial sea and Exclusive Economic Zone (EEZ) to 200 nautical miles reflects a combination of strategic concern, active diplomacy and defense of international law (14). Spain has expressed concern mainly because of the economic and geopolitical implications of this extension, which directly affects the interests of the Canary Islands. Spain put forward a strategy that would combine bilateral dialogue and insistence on compliance with international regulations, which sought to protect its resources and maritime sovereignty.(4)

One of the country's main concerns was going to be the natural resources present in the waters near Mount Tropic (16), which is a strategic area located southwest of the Canary Islands (18). This underwater event contains important deposits of tellurium. However, it would not be their only concern, since

the area would also be rich in fishery resources (6), which are almost the mainstay of the Canary Islands trade. Later, Spain would fear that the inclusion of these areas in the Moroccan EEZ could result in the unilateral plundering of all these existing resources, in turn affecting the economic and environmental sustainability of this region. When Morocco extended its EEZ, this would have a negative effect on Spanish fishing activities (11), since they would face restrictions in traditional fishing zones due to the involvement of Morocco.(26)

As an institutional reaction, Spain would have opted for diplomatic dialogue. When these laws were approved in 2020, the Spanish government found it necessary to create a bilateral working group (19) to establish guidelines for maritime delimitation in the disputed areas. This approach

sought to resolve existing differences through direct negotiations, in which the provisions of the United Nations Convention on the Law of the Sea (UNCLOS) would be respected (12), which would establish that any overlapping of EEZs should be resolved through mutually agreed upon arrangements between the parties involved (10). However, the progress that had been made in this dialogue had been limited, as there were already existing tensions between the two countries, such as the migration crisis that hit Ceuta in 2021. These disagreements would underline the complexity of Spanish-Moroccan relations, which would henceforth be marked by economic interdependence as well as political disagreements.

Overall, Spain has a reaction that reflects a cautious but firm policy that will combine the defense of its economic and strategic interests, which is committed to resolving disputes through peaceful and legal means. This approach would bring to light the importance of bilateral relations between the two countries, since

Morocco would be a key partner in issues such as migration management and regional security. Not all of the changes, however, would be manifestly swift; diplomatic advances and the possibility of unilateral actions by Morocco would highlight the challenges that Spain will face in managing maritime conflicts. As competition for marine resources, on the other hand, intensifies on the international scene, this case highlights the importance of the oceans, not only as sources of wealth, but also as spaces for negotiation and diplomacy between countries.(21)

Conclusions.

When there is a conflict over the delimitation of territorial waters between the two countries, particularly around Mount Tropic and the EEZs in the Atlantic, it will require ties based on international law and a shared interest in regional stability. Tensions between the two countries have so far been contained within the framework of dialogue, but the absence of a definitive delimitation of the waters currently represents a permanent source of uncertainty that could be aggravated by the advancement of economic, technological or geopolitical interests. Therefore, three lines of action are proposed as possible solutions to the conflict between countries. (27) (28)

Figure 2: Port of Mogan.



Source: spania.no.

Bilateral agreements.

The most direct and effective way would be the formalization of a bilateral treaty between Spain and Morocco that precisely delimits their respective EEZs. Such a treaty should establish equitable criteria based on principles recognized by the United Nations Convention on the Law of the Sea (UNCLOS, 1982) (12), such as equidistance or equity, while also considering relevant

factors such as the geographical configuration of the Canary Islands, the presence of Western Sahara as a non-self-governing territory and the extension of the continental shelf (22). The treaty could include shared management mechanisms for the exploitation of strategic resources in areas where there are overlaps or common interests, such as Mount Tropic, with high values of tellurium and other minerals critical for the energy transition.

In addition, these agreements could include clauses on environmental protection, scientific cooperation, and conflict resolution channels to prevent future tensions. The existence of similar agreements in other regions of the world demonstrates that bilateral diplomacy is possible even in sensitive scenarios when both parties share long-term interests and political will.(20)

International mediation.

A complementary or parallel alternative would be the intervention of international bodies with legal and diplomatic legitimacy, such as the International Court of Justice (ICJ) or the United Nations (UN). Spain and Morocco could submit the dispute to the ICJ by means of a special jurisdiction agreement or resort to conciliation mechanisms available within the framework of the UNCLOS (12). This route would allow a solution based on internationally recognized legal principles, providing objectivity to the process and generating a useful precedent for other similar maritime disputes.

However, this approach requires both parties to accept the jurisdiction of the relevant body, which can be complex, especially in the case of Morocco, whose position on Western Sahara adds a political dimension to the conflict. However, recourse to international mediation could represent a constructive way out if the bilateral dialogue stalls or if there is an escalation that jeopardizes regional stability.(24) (30)

Cooperation in research and exploitation.

Beyond legal delimitation, a pragmatic and long-term solution is to establish a joint framework for scientific, technical and economic cooperation for the exploration and sustainable exploitation of Atlantic marine resources. Spain and Morocco could promote binational research consortia or public-private partnerships operating in disputed areas under shared rules, ensuring equitable exploitation of benefits and protection of the marine environment.

This type of cooperation would not only build mutual trust, but would also strengthen the energy and economic security of both countries, aligning with the global goals of sustainability and ecological transition. It would also allow the development of technical and institutional capabilities for deep-sea resource management, an area that still requires much innovation and regulation.(29)

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