Egyptian Cloud of Doom or Enduring Desire for Islands

Once started, the crisis in relations between Saudi Arabia and Egypt is unstoppable. Let us recall that Riyadh was one of the forces that in 2013 catapulted President A.Sisi to power, although to the untrained observer, this was not obvious. For Riyadh, it was important to remove the Muslim Brotherhood from power, which the Saudi stronghold suspected of being ready to “snort” with Saudi Arabia’s main enemy – Iran. At that time, Saudi authorities hoped that, in exchange, Egypt would become a docile instrument in the hands of the Saudi Kingdom, and would be prepared to align itself to the wishes of its “elder brother”.

Furthermore, Riyadh was convinced that Cairo had nowhere else to turn to, to escape Saudi Arabia’s hot embrace, primarily since Egypt entered a period of long-term economic and social problems, and was thus in dire need of financial and other assistance from the Saudis. In order to ensure that no doubts were raised that things will go on as planned, in April 2016, during King Salman’s “historic” visit to Egypt, A.Sisi was promised large-scale economic assistance amounting to about 25 billion dollars, in addition to the earlier-promised 9 billion dollars. In return, the Egyptian leader had to forget about any kind whatsoever of renewal of relations with Iran. He was also mandated to increase Egypt’s participation in the Yemeni operation, starting March 2015. Egypt had to align itself on the side of the anti-Huthi alliance led by Riyadh and go along with the Saudi policy on Syria.

The transfer of the islands of Tiran and Sanafir allegedly affiliated to Saudi Arabia was to be the “icing on the cake”. This would allow Saudi Arabia to gain control over the passage of ships in the Gulf of Aqaba. Arguing for the passing of this transaction, the Saudis reiterated that the island had been transferred for temporal use to Egypt in 1950, as a result of a deal between King Farouk and Saudi King Abdelaziz. Allegedly, the Egyptian king sent the husband of his sister with a message to King Abdelaziz to allow Egypt to take over control of the two islands, with the aim of ensuring security. And allegedly, such permission was granted. Referring to President Gamal Abdel Nasser’s daughter, Hoda Abdel Nasser, the Saudis claimed that they allegedly possess in their archives a document entitled ‘Annex to the Main Provisions, Included in the Ministry of Foreign Affairs Archive of February 28, 1950’. This document allegedly states that “in view of recent actions by Israel, which identify the two islands of Tiran and Sanafir in the Red Sea at the entrance to the Gulf of Aqaba as being under imminent threat, the Government of Egypt, with the full consent of Saudi Arabia, has been ordered to take over control of these two islands, and this action has been done.” Anwar Sadat himself had allegedly admitted Saudi Arabia’s claim of ownership of these islands. It was reported that Anwar Sadat was personally involved in the negotiations at Camp David, and wrote that the islands belonged to Saudi Arabia. Other arguments were given in favor of Saudi Arabia’s affiliation with the islands, including the correspondence between the famous Saudi Foreign Minister, Saud al-Faisal, and his Egyptian counterpart, Ismat Abdel Magid, between 1989 and 1990.

However, this full confidence of the Saudis in their allegation was called into question in the autumn of 2016, when the Administrative Court of Egypt under the State Council of Egypt supported the decision earlier adopted by the court of first instance on annulment of the April agreement on the transfer of the islands to Saudi Arabia, and the government’s appeal against it was rejected. However, the State Affairs Commission challenged these verdicts, and at the end of September 2016, the Court on Urgent Cases suspended the decision of the Administrative Court. Nevertheless, it was obvious that the issue of the transfer of the islands still stalled.
The Saudis tried to apply economic levers on Egypt. From October 1, 2016, the Saudi main oil corporation, Saudi Aramco, discontinued its monthly preferential deliveries of 700 tons of oil products to Egypt. Not only did it fail to help Riyadh, but further complicated the situation.

The situation got even worse later on. On January 16, 2017, the State Council of Egypt, which is considered Egypt’s highest court, dismissed the appeal that the government had filed in response to the earlier-adopted decision on the illegality of the April 2016 agreement on the “return” of the Saudi islands. Moreover, the lawyers’ arguments on the hand-over of the islands of Tiran and Sanafir to Riyadh were declared insolvent, while the people supporting Egypt retaining these islands presented very powerful maps dating back to 1906, 1912, 1913 and 1922, where the islands are designated as belonging to Egypt. Interesting to note here is that then, Saudi Arabia did not even exist as a state, with it only appearing in 1926.

It is now obvious that the case has reached a dead end. Saudi Arabia is pinning its hopes on a resolution by the Constitutional Court, which will meet on February 12, as well as at a lobby by a number of Egyptian parliament officials supporting its position. They, in turn, rely on the fact that the legal conflict between the decision of the Constitutional Court and the parliament will be resolved in favor of the latter as the bearer of the legislature.

In Riyadh, the developing situation is being blamed on "troublemakers" from the former naseerists (particularly Hamdina Al-Sabbah), and the Saudis are reassuring themselves by thinking that A.Sisi himself is in support of the amicable transfer of the islands, and that only a small minority is disputing this decision. However, there is reason to think that this is not true, to say the least. Egypt has recently witnessed a widespread development of a robust public opinion that under no circumstances should the islands be handed over. These sentiments, albeit widespread, are primarily based on national pride and the principle of sovereignty, rather than simply on legal arguments (although these look quite convincing), which numerous court decisions confirm. Opposition to this solution is based on the fact that even if A.Sisi really wanted to keep his promises, he could not do so without jeopardizing his credibility as Head of State.

The story serves as a clear indication that Egyptian-Saudi relations have entered a phase of a serious crisis. And this no longer deals with the issue of control or ownership of the islands. The main issue here has now become about Egypt’s foreign policy and its degree of independence. It seems that the people prevailing in Cairo are those betting on the strengthening of the country’s sovereignty, even at the cost of erupting a very serious quarrel with its powerful neighbor. This is evidenced by the reluctance of the Egyptians to "buckle" under pressure from their “benefactor” in the issue surrounding Egypt’s participation in the Yemeni operation, where Egypt has limited itself to merely patrolling the Yemeni airspace using six of its planes and the passage of its Navy’s vessels along the coast. There is nothing resembling a large-scale participation in a ground operation against Huthis, as desired by Riyadh. Likewise, Egypt has also refused to follow in line with the Saudi approach on Syrian affairs, and is all the more inclined to support the Russian initiative, including in the UN. In general, the Egyptian leadership is increasingly demonstrating that it will still fight to regain a leading position in the Arab world, which it lost during the period of Arab unrest, which, in the irony of history, has been dubbed the ‘Arab Spring’. And, apparently, this spirit will grow further, and attempts to exert pressure by introducing all sorts of sanctions, as in the case with Russia, will lead to the opposite results.

Meanwhile, Riyadh is trying not to further aggravate the accumulated animosities, and still considering revitalizing strategic cooperation with Egypt as an integral part of Saudi Arabia’s security network against the growing Iranian threat.

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