

# Western Sahara: beyond complacency

Anouar Boukhars

»» Since its annexation of the Western Sahara in 1975, Morocco has used incentives and threats to win the support or at least the acquiescence of the indigenous population. Such quest for authority and legitimacy has been contested locally, even if the prospect of an independent Western Saharan state remains unrealistic. Most great powers, including the United States, wish that the disputed territory remain Moroccan. Western governments fear the possibility of another weak state, almost the size of Britain, appearing in an area already afflicted by many fragile or failing states. 'Only a handful of Latin American and African countries hold contrary views', writes Spanish journalist Ignacio Cembrero.

The stand-off between Morocco and the Algerian-backed Popular Front for the Liberation of Saguia al-Hamra and Rio de Oro (Polisario) – a Sahrawi independence movement founded in 1973 and based in Algeria – has already had disastrous human, economic, and political consequences across North Africa. From the onset of the war in 1975 until the 1991 ceasefire, the conflict also caused the displacement of thousands of people (current estimates vary between 100.000 and 150.000), resulted in the death of thousands of fighters, and led to the division of the territory. On the one side, a heavily-fortified Moroccan zone, protected by defensive walls (called the 'Berm') built in the mid-1980s and manned by 150,000 soldiers, constitutes 85 per cent of the territory. The Polisario controls the remaining area.

## HIGHLIGHTS

- Growing volatility and trans-border terrorism and militancy in and around North Africa make the Western Sahara conflict a potential stability risk for the region.
- The top priority for most Sahrawis remains genuine self-governance, including better access to and management of natural resources.
- Rabat must expedite its efforts to improve human rights and governance practices in the Western Sahara.

»»»»» In light of the growing instabilities in and around North Africa and the difficulties of controlling trans-border terrorism and militancy, the international community is increasingly setting sights on the Western Sahara conflict as a potential stability risk for the region. United Nations Secretary-General Ban Ki-moon recently warned about the vulnerability of the Sahrawis in the Polisario-controlled refugee camps in southwest Algeria to recruitment by 'criminal and terrorist networks'. Many youths, he added, are also expressing 'support for radical courses of action such as resuming hostilities against Morocco'. To stave off such scenarios, Ban Ki-moon has urged both Morocco and the Polisario to engage 'in genuine negotiations' and embrace 'a logic of give and take' to break the cycle of unproductive actions and reactions. He has also called on all interested parties (the US, France, Spain, the United Kingdom and Russia) to ramp up pressure for the resolution of the conflict.

### **BACK TO SQUARE ONE**

After thirty-eight years, a lasting resolution to the conflict is still not in sight. Reaching a settlement is a necessity but the means for bringing it about are limited. Diplomacy remains fraught with pitfalls and challenges. Any attempt to change the trajectory of negotiations is ferociously resisted by one party or the other. The failed attempt by the US in April 2013 to extend the mandate of the United Nations Mission for the Referendum in the Western Sahara (MINURSO) to include human rights monitoring in the territory is just the latest example of the political complexities that surround the Western Sahara dispute.

Not even the United Kingdom defended the 'face it and fix it' human rights resolution. What the US saw as a harmless move that did not contradict its official position in support of autonomy as the best framework for resolving the dispute, others regarded as badly thought-out and ill-timed. The Group of Friends of the Western Sahara (France, Russia, Spain, and the

UK) was displeased for not being consulted at a time of great uncertainty in North Africa and the Sahel. 'It was the wrong time, wrong strategy', said a senior French diplomat. The same discomfort was felt in Spain, which in theory should have been more receptive to the US's plan. Historically, centre-right governments, like the Popular Party-led administration currently in power in Madrid, have had tense relations with Morocco and tended to be more sympathetic to the Polisario. But given the economic crisis and record-high unemployment, Spain preferred not to damage its deepening economic ties with Morocco. Concerned about setting a precedent for other territorial disputes, Russia had its own domestic reasons for opposing the US initiative, despite strong lobbying from Algeria, its closest political and economic ally in North Africa.

Given their proximity to Western Sahara, many in Europe do not want to instigate instability and disorder in the vast Sahara desert. As James Badcock from *El País* observed after the violent riots of November 2010 in Laayoune, the prospect of a region 'on the fringes of southern Europe' descending into civil turmoil or, if the Algerian-backed Polisario is granted its wishes of independence, 'without a major military force in charge of security', is a source of concern to the West.

In Morocco, a wave of heightened nationalism swept the country. Probably not since 1975 when Morocco annexed the Western Sahara, a territory it has always considered as its own, has the country seen such mobilisation of the population and the political elite behind the monarchy to thwart the 'US machination'. For Rabat, handing the management of human rights to an international trusteeship system would have been the first step towards dismembering the country. For Morocco, the next target of the Polisario and its supporters would have been natural resources.

The US thought that bulldozing its resolution through the Security Council would break the

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logjam; instead, the conflict is back to square one. The ball is in Morocco's court now. In interviews conducted recently in the Western Sahara and Rabat, awareness of the need to address the socio-economic and human rights grievances that drive protests was evident.

Until very recently, senior officials seemed oblivious to the damage that festering human rights problems, growing social malaise and social strain have done to the country's image and credibility. Since they presented their promising special autonomy plan for the territory in 2007, Moroccan authorities have fallen into a complacency trap, basking in the praise of major Western powers over their new accommodating approach to resolving the conflict.

## **It is time for Rabat to act on its promises to improve its management of the area and prepare the region for autonomy**

Morocco, as Spanish scholar Bernabé García López aptly put it, erred in assuming that the support of local intermediaries, economic development and international backing for its autonomy plan would be enough to gain legal recognition of its territorial possession and the locals' acceptance of

its rule. As such, Rabat failed to recognise that failure to improve quickly human rights and accountability, and a not too transparent management of resources, would affect its image abroad. Its hard-line stance against promoters of independence, a refusal to legalise their associations, and its dithering in the implementation of advanced regionalisation only fuelled domestic and international criticism. Indeed, since 2005, the Polisario has used reported violations of human rights and mismanagement of resources in the Western Sahara to gain support in international fora and bolster its case for independence.

## **THE CHANGING NATURE OF THE OPPOSITION**

Socio-economic and political grievances have so far driven conflict and indigenous Sahrawi activism for independence. The Sahrawi ethnic diaspora and the refugees across the border in Algeria fuel the grievances of their kinsmen in the Moroccan-administered area and facilitate dissent. Local independence advocates, such as activists Aminatou Haidar and Ali Salem Tamek, both born outside the disputed territory, actively try to mobilise their community's discontent. However, their capacity to shape the independence discourse and strategy inside the Moroccan-controlled territory is still limited. This was demonstrated by the low turnout of protesters who took to the streets in Laayoune in May in favour of the US plan. Generous estimates put the number of protesters at 1,000 to 2,000, out of a population of 250,000.

The inability of the Polisario to fuel a popular revolt against Morocco's rule does not mean that dissent could not degenerate into violence, however. In fact, a new and unpredictable generation of protesters is emerging. They are less ideological, but more individualistic and violent than their elders. This disengaged group has yet to embrace unionism (autonomy within the Moroccan state) or, ominously for Morocco, independence. This is the generation, to quote a local human-rights activist, that has made the region more prone to sudden eruptions of rage and violence.

The perception of economic injustice and political marginalisation, precipitated by elite manipulation and corruption, and fuelled by ethnic cleavages and tribal tensions, can serve as potent triggers for identity conflict and rebellious action. They also contribute to the frequent spontaneous outbursts of discontent among the Sahrawi youth. The ethnic unrest and violent rampages that hit Laayoune in 2010 and Dakhla in 2011 are a reminder of how volatile social peace is.

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»»»»» Tensions are also exacerbated by a break-down of the traditional order and the absence of any credible local authority. Legal community-based groups, associations and intermediary bodies are so far inactive. Their cooptation has severely damaged their reputation and credibility. It has also weakened and discredited traditional conflict management and mediation mechanisms. The Royal Advisory Council for Saharan Affairs (CORCAS) is an example of how poorly-led and badly-organised are the institutions that are supposed to represent the interests of the Sahrawis. Since its creation in 2006, the CORCAS has remained undemocratic, its five commissions have never met, and nearly half of its 144 members do not live in the Western Sahara. Moreover, members are appointed by the palace rather than being directly elected, thus depriving it of institutional legitimacy.

To move forward, it is vital that bodies like the CORCAS be restructured in a way that reflects electoral accountability, proximity, and transparency. Without strong and credible Sahrawi interest groups and political elites, it will be impossible to advance the transition process towards regional autonomy of the Western Sahara.

### **WHAT'S NEXT?**

Morocco must articulate more clearly the rules and the design of its special territorial arrangement for the Western Sahara. It is time for Rabat to act on its promises to improve its management of the area and prepare the region for autonomy.

The top priority for most Sahrawis remains genuine self-governance, including better access to and management of natural resources. Morocco's significant investments (nearly \$3 billion just for critical basic infrastructure) have not fostered sustainable development. Instead, they have contributed to consolidate a traditional spoils system, whereby local tribal leaders, notables, influential Sahrawi refugees who deserted the Polisario, and elected officials scoop

up most of the economic and political opportunities. The region is almost entirely dependent on state welfare and social assistance. Direct aid programmes target 34,000 Sahrawis, with a budget of over \$68 million. This represents half of the national aid budget devoted to Morocco alone. The Moroccan state also devotes \$535 million annually to combat poverty in the Western Sahara through direct and indirect aid. The main problem is not necessarily a lack of resources and investment but rather opacity, waste, and inequitable distribution.

Earlier this year, the Economic, Social and Environmental Council, an independent advisory institution to the Moroccan government, released an exhaustive report about the root causes of the political, social and economic problems facing the Western Sahara. It is the first time that a commission was allowed to investigate, interview and operate unhindered in the area. The report's unusual candour broke many taboos. The fact that it was made public also reveals a growing realisation in government circles in Rabat that only openness and transparency can help address the enormous socio-economic challenges.

The same shift can be seen regarding human rights. The creation in 2011 of the independent National Council for Human Rights (CNDH) and the recent enhancement of its investigative powers is a first step in this regard. The CNDH now has regional commissions (HRDC) that independently monitor the situation of human rights, investigate complaints, and issue special reports. In Western Sahara alone, three regional commissions were formed in the summer of 2011. The selection process was transparent, though not all-inclusive. Some activists assert that very few advocates for independence were selected. Now it is vital that these efforts by the Council be broadened and deepened. Also, confidence-building programmes with the police and those devised to combat the prevalent culture of impunity of misconduct by the security forces must be supported, as well as the regional commissions' complaints system in charge of dealing with allegations of police abuse.

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In interviews carried out in Rabat, Laayoune and Dakhla, some state authorities and local elected officials admitted that more must be done to protect freedom of speech. There is a realisation that suppressing opposing views will not help Morocco's case. Only democracy can.

### THE WAY FORWARD

The challenges ahead are paramount. The process of reconciling people and government has only just begun. The April 2013 failed attempt by the US to broaden the mandate of the MINURSO to include human rights monitoring in the Western Sahara was a warning to Morocco to act quickly on its promises to improve human rights and governance practices in the area.

In discussions with senior officials in Rabat, some willingness towards self-criticism could be detected. The US rebuke presents Morocco with an opportunity to re-assess and correct its course. Morocco's Western supporters, especially the United States and France, can help expedite this self-correcting process by prodding Rabat quickly to start devolving political power to the territory, consecrate the protection of civil liberties and demonstrate that the exploitation of natural resources actually benefits the local population.

If progress is achieved, it would be equally, if not more important, to sell Morocco's trade-off proposal to sceptical Western Sahrawis. Dozens of interviews in Laayoune and Dakhla reveal that most indigenous Sahrawis are either uninformed about the details of the autonomy plan or just do not trust that Morocco is serious in its calls for granting self-governance to the territory. Politicising human rights issues as Polisario supporters do in the international community will not solve the conflict nor will attempts to boycott products originating from the Western Sahara or bar the development of natural resources. This will only harm the local population.

Diplomatically, the contours of resolving the Western Sahara conflict are well-known. Indeed,

they were outlined by no other than the architect of the MINURSO, Javier Perez de Cuellar, the fifth Secretary-General of the United Nations. 'I was never convinced that independence promised the best future for the inhabitants of the Western Sahara', he wrote in his memoirs in 2006. 'Their number, however counted, is less than 150,000, and aside from its phosphate deposits the land is poor, offering meager prospects of viability as a separate country. Such political leadership as exists is not impressive and in some cases is not Sahrawi in origin'. The only realistic solution, he added, is for the Western Sahara to be integrated as an autonomous structure within Morocco. This 'would have spared many lives and a great deal of money'.

Such was the diagnostic of his successor, Boutros Boutros-Ghali, who admitted that a referendum on self-determination could never happen. Erik Jensen, UN undersecretary-general and head of MINURSO (1994 to 1998), Bernard Miyet, former United Nations under-secretary-general for peace-keeping operations (1997-2000), and Peter Van Walsum, personal envoy of the UN secretary-general for the Western Sahara (2005-2008), all reached the same conclusion. As expressed in 2003 by the Algerian retired general, Khaled Nezzar, once a staunch defender of independence, the last thing that North Africa needs is more fragmentation.

*Anouar Boukhars is associate fellow at FRIDE, non-resident scholar at the Middle East Programme of the Carnegie Endowment for International Peace, and assistant professor of International Relations at McDaniel College in Maryland.*

**e-mail: [fride@fride.org](mailto:fride@fride.org)  
www.fride.org**