The Western Sahara Peace Process: Tragedy or Farce?

https://www.e-ir.info/2012/05/10/the-western-sahara-peace-process-tragedy-or-farce/

JACOB MUNDY, MAY 10 2012

At the end of every April, a small drama plays out in the UN Security Council. This is when the UN Mission for the Referendum in Western Sahara (MINURSO, its French acronym) comes up for its annual renewal. Western Sahara — Africa's last colony according to the United Nations — is largely ignored by the Security Council the other eleven months of the year. The Secretary-General has a Person Envoy working on the case, former US Ambassador Christopher Ross, one of the great Arabophone diplomats of his age. The mandate given to Ambassador Ross, to achieve a mutually acceptable political solution that will afford Western Sahara its long denied right to self-determination, is a farce and everyone knows it.

Morocco, the country that has illegally occupied Western Sahara since 1976, has made it abundantly clear that self-determination (that is, a referendum on independence) is out of the question. Backing Morocco's unilateral assertion of sovereignty over Western Sahara is a member of the Permanent Five, France. What the United States is to Israeli interests on the Council, France is to Morocco's. Even when Morocco does not hold a seat on the Council (as it will for the next two years), Paris and Rabat are thick as thieves when it comes to protecting Morocco's control over Western Sahara.

By now it is well known that there is no will from the other permanent members of the Council to challenge France and Morocco on this issue. So every April Western Sahara's "group of friends" (France, Russia, United States, United Kingdom, and Spain, the *de jure* administering power) comfortably assume their well established roles in the well scripted dramaturgy called the Western Sahara peace process.

For the native people of Western Sahara, who call themselves Sahrawis, the peace process has become a tragedy. Dispossessed of their homeland by Spain in 1885 and then Morocco nearly a hundred years later, the Western Saharan nationalist movement has found strong support in neighboring Algeria (Morocco's regional adversary) and the African Union. That support, however, has its limits. Unlike East Timor, Western Sahara's Asian twin in the annals of botched UN decolonizations, the Sahrawis remains under foreign domination or in exile. This year half the native population "celebrated" their thirty-seventh year in refugee camps in the roughest corner of the southwestern Algerian Sahara.

Sahrawi nationalists have become used to the cheap promises of the international community. Spain first promised a referendum on independence in 1974, prompting Morocco to invade the territory in 1975 right as Franco lay on his deathbed. As Moroccan and Western Saharan nationalist forces led by the Polisario Front waged war for Africa's most sparsely inhabited desert territory, the Organization of African Unity (OAU), now known as the African Union, attempted to convince Morocco that a referendum was the only way out. After years of stalling by Rabat, the OAU decided to recognize Western Sahara as sovereign nation under the Saharan Arab Democratic Republic. The issue then moved to the UN Security Council where it lingers to this day.

First established in 1991, MINURSO was implemented to achieve one simple task: to organize a vote on independence (or integration with Morocco) for some 300,000 native Western Saharans. At the time, the King of Morocco, Hassan II, was nominally committed to a referendum on independence, so long as his "Sahrawis" were also allowed to vote. After eight years of painstaking technical negotiations and the tedious individual vetting of over 180,000 potential voters, MINURSO finally seemed ready to hold a referendum in the summer of 1999 — right when

Hassan II died and the UN referendum in East Timor turned into a bloody fiasco. Morocco's willingness to contemplate a referendum on independence died with Hassan II, as did the Security Council's willingness to press the Moroccan regime towards a contentious and ambiguous end game without clear final status arrangements. This is when the language of a *mutually acceptable political solution* began to creep into the peace process.

At that time, James Baker, the former US Secretary of State, was in the driver's seat of the negotiations. With the referendum on hold, Baker first attempted to work with Morocco to see what level of autonomy Rabat might be willing to grant Western Sahara. In principle, Morocco's new leader, King Mohammed VI, was committed to devolving central authority to a quasi-independent Western Sahara, so long as ultimate sovereignty rested with him. In practice, the Moroccan negotiation team proved unwilling to consider even the most banal power-sharing arrangements.

Baker put forward a framework for discussion but his diplomatic blurring of the meaning of self-determination prompted a strong rejection from Polisario and Algeria. The Western Saharan independence movement has always insisted that any final status arrangement— be it integration, autonomy, or independence— had to be approved by the people of Western Sahara in a referendum. Algeria, thanks to its position in the global hydrocarbon market, wields enough influence to make sure that Polisario is listened to. The Security Council surprisingly agreed with Polisario, urging Baker to find a mutually acceptable political solution *that will provide for self-determination*.

It is this language, which persists in UN Security Council resolutions on Western Sahara to date, that essentially gives both parties the ability to fire the person holding the position of the Secretary-General's envoy. If Morocco feels that self-determination is being forced upon them, as they did when Baker put forward his final proposal in 2003, then they can stonewall in the name of a mutually agreed solution. If Polisario feels that self-determination is being undermined, then they can unilaterally declare no confidence in the Envoy and hope for a better hand next time. This is exactly what happened to Baker's successor, Dutch diplomat Peter Van Walsum.

Not only is the Personal Envoy to Western Sahara expected to work miracles with an empty toolbox, the Secretariat has historically tolerated the parties' unilateral rejection of the Envoy and members of the Security Council have failed to arm the Envoy with the means to get anything done.

This is the knife's edge Ambassador Ross has walked since becoming the Personal Envoy in 2008. While Ross has managed to hold countless rounds of negotiations, there is apparently little to show for it. Polisario begrudgingly attends because they trust Ross, while Morocco's "negotiating team" literally reads from a script prepared by the Palace from which they do not dare deviate from (thanks to the Interior Ministry minders watching over the Moroccan negotiators). For the past three years, both sides have mostly restated the positions they marked out in 2007: Morocco is willing to grant Western Sahara special regional status (an autonomy proposal that lacks all the legal hallmarks of genuine autonomy), while Polisario is willing to discuss post-referendum guarantees for a referendum that Morocco, and so too the Security Council, is unwilling to allow.

Today most of the debate surrounding the now routine renewal of the long moribund Western Sahara mission is not focused on MINURSO's actual mandate (to hold a referendum). For several years, the major debate has been whether or not MINURSO should be allowed to monitor and report on human rights violations in the Moroccan occupied territory and the Polisario refugee camps in southwest Algeria. All other UN missions have this mandate, but morality and reason has its limits vis-à-vis French neocolonial interests. While the United States and United Kingdom (both ostensibly neutral in the dispute) favor the addition of human rights monitoring protocols to MINURSO's mandate, their leverage over France is limited to one drastic threat: veto the renewal of MINURSO. As the presence of MINURSO — *as is* — is the key to maintaining a status quo Rabat and the Élysée see as beneficial, if sub-optimal; there appears to be some leverage to be gained from the veto (apart from any horse trading the Council members might do on other pet issues).

Last year the United States indeed is reported to have threatened to veto MINURSO to force Paris to acquiescence to human rights language in the April 2011 resolution. Washington got its way but with little to show for it. The 2012 draft report of the Secretary-General on Western Sahara (i.e., the initial draft written by MINURSO personnel in the territory) had little to say about human rights violations because Moroccan authorities systematically blocked the

Mission from interacting with Sahrawis (as they have since blue helmets arrived in 1992). In New York, Ban Ki-moon's office and the peacekeeping department massaged these inconvenient truths out of the final public report that was released in April 2012 (as the Secretariat has done since 1992).

The warrant for including human rights language in the 2011 resolution came out of the first but largely forgotten uprising of the Arab Spring. In October and November 2010, thousands of Sahrawis attempted to re-occupy Western Sahara by setting up a protest camp outside of the territory's largest city. A brutal Moroccan crackdown followed, resulting in several Sahrawian and Moroccan deaths. If mass violence is required for the Security Council to take a baby step towards expressing concern about human rights in Western Sahara, imagine what it will take for the Security Council to take MINURSO's original mandate seriously.

—

Jacob Mundy *is an Assistant Professor of Peace and Conflict Studies at Colgate University. He is coauthor with Stephen Zunes of Western Sahara: War, Nationalism, and Conflict Irresolution (Syracuse University Press), which went into its second printing in 2011. His current research in Libya, Sudan, and Algeria focuses on the relationship between the international response to mass atrocities and the global locations/allocations of energy resources.*