



Western Sahara

Standard Note: SNIA/6818

Last updated: 11 February 2014

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Section International Affairs and Defence Section

As concern mounts about the security situation in and around the Sahara, the Western Sahara crisis remains unsolved

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Tindouf refugee camp. Photo: UNHCR

1 The Western Sahara crisis

Western Sahara, which has a population of more than 500,000, has been under Moroccan rule since the departure of Spain, the former colonial power, in 1976. After a long war between Morocco and the Polisario Front, a group that opposed Morocco's claim and wanted self-determination, the UN organised a ceasefire in 1991. Throughout the 1980s Morocco built walls or sand fortifications protecting and enlarging the amount of territory that they controlled. The fortification was lined with mines but the Moroccan government is removing these.

Thousands of Saharawis meanwhile fled to Algeria and Mauritania, where many still languish in refugee camps. The Algerian government currently estimates the number of refugees in its country at 165,000, but the Office of the United Nations High Commissioner for Refugees estimates it at about 90,000.

[UN Security Council Resolution 690 of 1991](#) established a peace-keeping force, the UN Mission for the Referendum in Western Sahara (MINURSO), which was to help implement a plan for a referendum on self-determination. In June 1991 the Polisario agreed to a ceasefire, with effect from September, when the 2,000-strong MINURSO force, would deploy to the region.

In July 1993 the first direct negotiations took place between the Moroccan Government and Polisario. Registration of voters for the referendum then became the issue. Morocco has long had a policy of moving Moroccans into the territory, first established with the Green March of 1975 when 350,000 Moroccans marched into the territory and continued with tax concessions and other inducements for Moroccans to move in.

In June 2001 the UN Security Council unanimously approved a compromise [resolution \(1359 of 2001\)](#), that encouraged the Polisario and Morocco to discuss an autonomy plan for Western Sahara without abandoning the postponed referendum.¹ Disputes over who should be registered to vote in the proposed referendum have meant that it has never happened.

Algeria is close to the Polisario and opposes Morocco's claim to the territory and the issue has poisoned relations between the two countries, whose border has been closed since 1994, at considerable cost to the region's economy. France is more sympathetic to the Moroccan government, while Spain is closer to the Polisario.

2 Western Sahara natural resources

Legally, Western Sahara is a Non Self-Governing Territory. Under the United Nations Charter and resolutions of the UN General Assembly, the populations of Non Self-Governing Territories retain full rights to natural resources and countries that administer these territories must respect those rights. A 2002 legal opinion for the UN suggested that Morocco and other participants should refrain from exploiting those resources unless it is for the benefit of the local population and with their consent.²

Western Sahara is rich in natural resources, particularly phosphate and fish. There is also thought to be oil in the waters off the coast and some exploration is taking place. Both the Moroccan government and the Polisario have signed deals with oil and gas exploration

¹ There have been several UN Security Council resolutions on the negotiation process between Morocco and the Saharawis. [A list is available](#) on the MINURSO website.

² [Letter dated 29 January 2002 from the Under-Secretary-General for Legal Affairs, the Legal Counsel, addressed to the President of the Security Council](#)

companies (the Polisario controls a short stretch of coast outside the Moroccan wall or *berm*). The French company Total and a small US group searched for deposits for the Moroccan government but they abandoned the work a decade ago after pressure from corporate ethics campaigners.

However, Kosmos, a US oil firm, and Total of France have now started exploration again and Kosmos plans to drill its first exploratory well of Western Sahara in 2014.³ In agreements signed with the companies, Morocco pledged to consult the local population and involve them in the contracts, hoping to comply with the conditions set out in the 2002 legal opinion.

Phosphate is mined by a company owned by the Moroccan government.

EU fisheries agreements with Morocco are also highly controversial. Campaigners have criticised the agreements, saying that they are illegal and not supported by the Sahrawi people or organisations representing them.

The latest protocol to the EU Morocco fisheries agreement envisages payments of €40 million per year to the Moroccan government. The summary of the document talks of 'waters falling within the sovereignty or jurisdiction of Morocco',⁴ while the protocol includes a human rights clause which provides for the immediate suspension of the agreement in the event of serious human rights violations.⁵

3 Security concerns

There have been worries about the recent upsurge of terrorism in the Sahara and in the Sahel, the politically and environmentally fragile region on the southern borders of the desert. Outbreaks of violence in Mali, the Central African Republic, Algeria, Libya and Northern Nigeria have all focussed attention on the area, known for smuggling, lawlessness, porous borders and the activities of al-Qaeda in the Islamic Maghreb (AQIM) and related terrorist groups. The overthrow of the Qaddafi regime in Libya led to thousands of weapons spreading across the region.

Links between the Polisario and AQIM have been suggested but there appears to be little evidence for this. Nevertheless, there have been reports of some violent activities and the Sahrawi men in the Tindouf camps could become militarily active if fighting resumed between the Polisario and Moroccan forces.⁶ A breakaway group has targeted the Polisario leadership, arguing against the leadership's approach and calling for a resumption of guerrilla activities against Moroccan forces.

The almost complete absence of livelihoods in the camps and the consequent dependence on aid is a problem. Smuggling and people trafficking are rife in the region and the distinction between such illegal activities and terrorism is hazy. Failure to resolve the refugee problem combined with festering resentment among Saharawis towards the Moroccan authorities could lead to much more serious security problems in the future.

³ ['Morocco says to follow UN rules in disputed Sahara oil hunt'](#), *Reuters*, 5 February 2014

⁴ European Parliament legislative observatory, [2013/0315\(NLE\) - 05/11/2013 Legislative proposal](#)

⁵ ['European Parliament supports new Protocol to the EU-Morocco Fisheries Partnership Agreement'](#), EU press release, 10 December 2013

⁶ IHS Janes, Polisario

4 Recent developments

Polisario Front declared on 10 December 2013 that approval of new Protocol to the EU-Morocco Fisheries Partnership Agreement (FPA) amounts to EU support for Morocco's 'illegal claims' on W Sahara. Protests against the agreement in el-Aayun were violently dispersed by the security forces.

On 11 December the UN General Assembly adopted a [resolution](#) reasserting the right to self-determination and supporting the negotiation process 'to reach solution which allows Saharawi people to exercise the right to self-determination'.

The United Nations Special Envoy for Western Sahara is trying once again to achieve a peaceful resolution to the frozen conflict. Former US diplomat Christopher Ross, appointed in 2009 as Ban Ki-moon's envoy, toured the Maghreb (Northwest Africa) in January 2014, meeting Moroccan Foreign Minister and the Algerian and Mauritanian prime ministers. At the end of the trip, Ross said that there was still no hope of convening face-to-face talks between Morocco and the Polisario.⁷

In January 2014, fifty Saharawi civilians were wounded when security forces dispersed protesters during a demonstration in the city of el-Aayun on 15 January

5 Refugees and human rights

There are some 90,000 refugees from Western Sahara in the refugee camps across the border near the Algerian town of Tindouf.⁸ Deprivation in the camps is rife, while minors represent about 60% of the population.⁹ A nutrition survey in 2012 found that 8% of the camps' residents were acutely malnourished and 17% were underweight. A quarter of residents showed signs of restricted growth because of malnutrition.¹⁰

Morocco has been accused of violating the rights of Sahrawis. After violent clashes at the Gdeim Izik protest camp in Western Sahara in 2011, the Rabat Military Court sentenced 25 Sahrawis to terms from 20 years to life for their part in the disturbances. Human Rights Watch cast doubt on the fairness of the trials and drew attention to allegations that confessions were extracted using torture. The convictions were based almost exclusively on confessions and those convicted included human rights advocates and self-determination campaigners for Western Sahara.¹¹

There are also widespread allegations that Sahrawis are discriminated against within Western Sahara and find it more difficult to get a job or a fishing licence, for example, than Moroccans.

Morocco controls local elections in the part of Western Sahara that it controls, excluding any pro-independence candidates from standing.¹² Despite the constitutional guarantee of freedom of the press, Morocco does not extend that freedom to discussion of Western Sahara and expel or detain Sahrawi journalists who report critically on the matter. Morocco also prevents the formation of Sahrawi NGOs.

⁷ 'New push to end Western Sahara stalemate', *Magharebia*, 30 January 2014

⁸ UN High Commission for Refugees, [2014 UNHCR country operations profile - Algeria](#)

⁹ 'Restoring self-reliance among Sahrawi refugees in Algeria', UNHCR Press release, 30 January 2014

¹⁰ [Nutrition Survey Western Sahara Refugee Camps, Tindouf, Algeria](#). UNHCR/WFP, 2013

¹¹ Human Rights Watch, [Morocco/Western Sahara: Rights Promises Outpace Progress](#), January 2014

¹² [Worst of the Worst 2011](#), Freedom House, 2011

During the 1970s and 1980s there were persistent allegations of mistreatment by the Polisario. Moroccan prisoners were held without trial for long periods and other abuses were committed during the period of fighting. In recent years, however, the situation seems to have improved markedly. The Polisario authorities are fully in control of the camps and there appears to be little dissent to their control. An investigation in 2008 found that Sahrawis in the camp were free to leave and live in the Moroccan-administered part if they wished.¹³

In 2013, the US proposed that the annual extension of the MINURSO mandate at the UN Security Council should extend the body's remit to include observing for violations of human rights in both Western Sahara and in the refugee camps at Tindouf. The Moroccan authorities opposed the proposal and managed to persuade the US representation to drop the proposed amendment.¹⁴

¹³ Human Rights Watch, *Human Rights in Western Sahara and in the Tindouf Refugee Camps*, 19 December 2008

¹⁴ 'UNSC renews MINURSO mandate without US-proposed rights monitoring provision', *KUNA*, 25 April 2014