



Briefing 2024: Western Sahara and MINURSO

Recommendations to the UN Security Council

Immediately

- Move to a **six-monthly reporting cycle** for the new Personal Envoy of the Secretary General, followed by open consultations on said report, to reflect the urgency and seriousness of the situation and ensure it receives sufficient attention and visibility on the international agenda.
- Grant MINURSO the **legal mandate to monitor, report on and intervene in matters of human rights** in territories controlled by both the Kingdom of Morocco and the Frente POLISARIO. Artificial institutional limitations paired with pandemic-era restrictions made MINURSO redundant in the lead-up to the current violent conflict. It must be enabled to fulfil its original purpose. This mandate must remain in place until a referendum has been held, and its findings must be reported directly to the UN Security Council.
- Demand an **end to arms sales to Morocco**, in the light of the ongoing conflict and the Moroccan military's use of drones to kill Saharawi, Mauritanian and Algerian civilians.
- Demand an **end to the illegal extraction of natural resources from Western Sahara**, including renewable energy and the export of agricultural produce, which disregards the interests and wishes of the indigenous Saharawi.

Such action would serve to uphold international law, build on the recognition by courts around the world of the Saharawi's right to control their natural resources, and enable the international community to collectively move past the global era of exploitative colonialism.

- Incorporate **climate change** considerations into MINURSO's mandate, by monitoring the impacts of increased desertification and flooding on the livelihoods of Saharawi refugees, and considering how Moroccan dominance of Saharawi natural resources impacts GHG emissions.

As soon as possible

- Set a firm **date for a free and fair referendum**—with an option for independence—to be carried out in Western Sahara in line with the established international legal norm of self-determination and the UN's institutional mission to end colonisation.
- Develop a robust peace plan under Chapter VII of the UN Charter to enforce the outcome of the referendum in the event that any of the parties do not respect the decision of the Saharawi electorate.

Western Sahara Action Forum is an international coalition of organisations dedicated to the protection of human rights and the implementation of international law in Western Sahara

This year East Timor has celebrated 25 years of independence. Timor Leste, like Western Sahara, was invaded and occupied in 1975. At the time its independence, many thought Western Sahara – another territory awaiting decolonisation, occupied by a larger neighbour - would soon follow. The next year, 2000, the UN issued the list of those eligible to vote in the referendum. But, 45 years after being invaded, those hopes have been dashed.

Summary

1. The UN Secretary General's Personal Envoy, Staffan de Mistura, needs strong support from the Security Council to find a way to cease hostilities and break the political deadlock between Morocco and the Frente POLISARIO.
1. 80 civilians have been killed in Moroccan drone strikes on travellers in Western Sahara in the last three years. Fighting has been ongoing in Western Sahara since Morocco broke the terms of the ceasefire agreement in 2020. The Security Council has still not taken effective action, such as demanding a halt to arms sales to Morocco. Inaction just reinforces Morocco's longstanding strategy of non-compliance with UN resolutions knowing that there will be no consequence.
2. MINURSO still has no mandate to monitor and report on human rights in Western Sahara, despite Moroccan forces continuing to violate the human rights of the Saharawi people living in the occupied territory, and Moroccan drone strikes killing Mauritanian and Algerian civilians passing through Western Sahara, as well as Saharawis.
3. The Saharawi people's right to self-determination remains unrealised despite the presence of MINURSO, which was established to organise a referendum on self-determination. Morocco continues its 30 year obstruction of the peace process.
4. The US, the UK and the EU all condemn Russia's invasion and occupation of part of Ukraine and have imposed sanctions. But when it comes to Morocco's occupation of Western Sahara the silence is deafening.
5. Morocco has increased illegal exports of phosphates from Western Sahara, and continues to profit from the territory's other resources, including renewable energy. Meanwhile the Saharawi people are not represented in the UN Framework Convention on Climate Change (UNFCCC) process and face rising climate hazards.
6. The Polisario remain committed to a limited military strategy and political solution, but support for a more aggressive position is rising among the younger generation of Saharawis.
7. Numerous evolving time-sensitive crises contribute to the rising urgency of the situation.

Rising Urgency of the Situation

The Saharawi people—particularly those in the Tindouf refugee camps—are at severe risk of the looming threat of climate change. Those in the camps already suffer from long droughts interspersed with brief but dramatic rainfall, leading to consistently severe flooding. These difficult conditions, alongside the steady depletion of groundwater, will only become more severe as the earth continues to warm. The international community needs to address the plight of the Saharawi refugees before climatic conditions in Tindouf grow even more dire and the camps become uninhabitable.

Since Morocco's illegal breach in Guerguerat in November 2020, which constituted a violation of the existing ceasefire and Military Agreement No. 1, the Saharawi people have been engaged in active conflict. This daily violence is a result of the failure of the international community to pursue a just resolution.

The further escalation of violence—potentially embroiling Morocco in a wider regional conflict—is inevitable without action from the UN. Moroccan drones are killing civilians from around the region¹. Younger Saharawis, frustrated by the lack of progress and the lack of international pressure for a political resolution, are increasingly supportive of escalating the military conflict: a pro-escalation candidate won 30% of the vote in last year's SADR presidential elections.

As time passes, Morocco continues to cement its presence in occupied Western Sahara, intensifying its occupation and hindering the establishment of an independent Saharawi state. The government offers tax incentives for Moroccan citizens to move into the occupied Saharawi territory. It implements marketing campaigns aimed at cementing its 'Southern Provinces' as a global tourism destination. Through these efforts, the Moroccan government aims to diminish the potential of the international peace process and secure its claim over Western Sahara.

Each year that passes without progress toward a just resolution of the conflict in Western Sahara represents the further compounding of intergenerational trauma and socioeconomic disparities among the Saharawi youth. Empirical evidence suggests that refugees suffer from significant trauma, and hundreds of thousands of Saharawi children—the number rises each day—grow up knowing nothing but the sands of Tindouf and a future in limbo.

Additionally, the inconsistent quality of health and educational services in the refugee camps means that Saharawi children inevitably fall behind on numerous elements that are crucial for future success. Even if the Saharawi people were to be granted sovereignty and control over the whole of Western Sahara *today*, they would lag behind their contemporaries in various socioeconomic respects for generations.

Thus, the international community must push for a solution *now* in order to mitigate these inevitable and serious effects as much as possible.

¹ Annual Report 2024, Saharawi Mine Action Coordination Office.

Political Process and renewed armed conflict

The UN Secretary General's Personal Envoy Staffan de Mistura has been active in meeting with the Polisario Front and Morocco, and with other regional powers. The Security Council must firmly support Mr de Mistura's efforts, or Morocco will simply obstruct all possibility of peace.

Armed conflict has continued in the territory, as it has since Morocco's illegal breach of ceasefire positions at Guerguerat in 2020. Saharawi forces regularly shell Moroccan positions on their military wall (the 'berm').

Morocco is using drones to attack both Saharawi forces, and civilians in the liberated territory of Western Sahara. 80 civilians have been killed by Moroccan drones, including many from Mauritania and some from Algeria who were travelling through the territory. These drones, supplied by Israel, Turkey and the US, clearly pose a lethal threat to civilians in the region.

Morocco continues to insist that any negotiations must be about its "autonomy plan", which has unsurprisingly been endorsed by Morocco's long-time backer France. But this plan is not a recipe for peace. It is a device to underpin its military occupation of much of the Western Sahara and its ongoing campaign to eliminate Saharawi national and cultural identity. Morocco cannot grant autonomy to Western Sahara and its people as Morocco does not have any internationally recognised sovereignty over the territory. Nor does the Moroccan autonomy proposal satisfy international norms of autonomy; the Moroccan king would control decisions. It would involve the Saharawi people accepting the authority of the Moroccan security forces that have spent much of the last 50 years persecuting them. It is not a realistic proposal.

The plan is incompatible with upholding resolutions 658 and 690 of the UN Security Council, which determined there should be a referendum of the Saharawi people through which they would choose between independence and integration with Morocco. This is the right of the Saharawi people to self-determination, as citizens of a Non-Self-Governing Territory.

The position of the US remains unclear. President Biden has yet to undo President Trump's recognition of Moroccan sovereignty over Western Sahara in December 2020, that reversed decades of foreign policy following Israeli pressure. Yet neither has the mooted US Consulate in occupied Western Sahara become a reality. The US simply says that it supports UN efforts to find a peaceful solution.

As to the UN: MINURSO retains 'self-determination' as a fundamental component of its mandate – in keeping with the UN Charter. Still, Morocco insists that it would not recognise the legitimacy of any vote with independence as an option. Of course, this stands in stark contrast to the insistence by Moroccan ministers that many Saharawi favour Moroccan rule. In reality, Saharawi living in occupied Western Sahara face repression, human rights abuses and economic inequality.

The Security Council must empower MINURSO to stand up to Moroccan intimidation.

Human Rights

All UNSC resolutions pertaining to Western Sahara since 2018 have emphasized the need for compromise, suggesting that compromising on the human rights of a subjugated people robbed of their right to self-determination is morally and legally just. This sentiment must not be allowed to continue.

The human rights abuses committed by Moroccan forces in Western Sahara are disturbing and unacceptable in their own right. They also threaten the work of MINURSO and hinder a peaceful resolution of the conflict by deepening mistrust of Morocco and perpetuating a climate of fear among the Saharawi people. It is clear that a human rights mandate, one that ensures the rights and well-being of the Saharawi people, would directly advance MINURSO's core mandate.

Morocco routinely bars journalists from entering occupied Western Sahara in order to shield itself from international criticism of its violations of Saharawi's political rights. Amnesty International notes that Saharawi human rights activists are subject to "intense surveillance" by the Moroccan government², making it difficult for them to avoid arrest. These arrests are sometimes brutally violent, and activists are regularly sentenced to long prison terms in unfair trials. Crucially, international human rights lawyers looking to aid Saharawi political prisoners are expelled from the country, making resistance to Moroccan injustice nearly impossible.

Natural Resources and Climate

Morocco continues to systematically and illegally extract natural resources from occupied Western Sahara. Morocco remains one of the world's top producers of phosphates and has increased its exports from Western Sahara in the last year³. This year French multinational Engie has been contracted to build a wind-powered desalination plant in Western Sahara intended to provide water for the Moroccan-controlled tomato export industry.

Western Sahara President Brahim Gali has called for Western Sahara to be admitted to the UN Framework Convention on Climate Change. At present, the territory is accounted for under Morocco, who can use Saharan sun and wind towards its Nationally Determined Contribution to slowing climate change.

The UN's failure to solve the conflict in Western Sahara has thus resulted in the exclusion of the Western Sahara government from global climate governance and finance mechanisms. Meanwhile, the Saharawi people - many living as refugees in one of the most inhospitable parts of the Algerian desert as a consequence of Morocco's brutal occupation - are increasingly exposed and ever more vulnerable to worsening climate hazards to which they have hardly contributed themselves.

² Morocco/Western Sahara: UN Must Monitor Human Rights In Western Sahara And Sahrawi Refugee Camps. Amnesty International, Public Statement, 10th October 2018.

³ P is for Plunder 2024, Western Sahara Resource Watch. <https://wsrw.org/en/news/the-phosphate-exports>

Conclusions

Morocco's obstruction of the peace process, violations of human rights, and illegal extraction of natural resources in Western Sahara continue to foster instability in the territory. The denial of the Saharawi people's right to self-determination continues to exacerbate feelings of tension, frustration and discontent, fuelling the flames of conflict.

Despite Saharawi civilians being at risk of state violence for simply believing in self-determination, peacekeeping troops stationed in Western Sahara are not empowered to take any action. This is indefensible; MINURSO must be granted a mandate to monitor and maintain human rights. The UN must reassure the Saharawi people that international law and human rights will be respected in Western Sahara, as the absence of such assurances has facilitated the renewal of conflict in the territory.

The UN Security Council must follow the steps outlined in this briefing to save lives and stave off further deterioration in Western Sahara.