

Western Sahara Conflict

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Introduction

The paper revolves around the study of the Western Sahara Conflict with special attention to its historical background, the actors involved, the current situation and the possible outcomes (if any) in the future.

Historical Background

Before Moroccan Influence

The first records of habitation in Western Sahara go back to 1000 B.C., with the movements of the Sanhaja Berber tribes into the region. After the introduction of the Camels around 50 AD and the maintenance of the lucrative trade routes based on trans-saharan transportation of goods, regional communication was easier and another tribe started to encroach on this business: the Zanata Berbers. This competition would continue until the emergence of the Almoravids (composed by arab tribes) in the region and their rapid expansion. It is also important to mention that the current sarahawis are a ethnic mixture of the original Sanhaja people and the arab tribes that were recurringly fixating in the region (specially the Beni Hassam);

After Moroccan Influence

The Moroccans trace back their influence in Western Sahara to the Almoravid Caliphate in 1060 A.D.^A This influence would last for several dynasties. The period of reign of Moulay Izmail saw the further expansion into the Sahara, however in his death the territories that the Sultan controlled were (after a period of civil instability and internal political competition) divided into two different branches: the Bled Makhzen - territories that the Sultan had direct religious and political control/sovereignty, and the Bled Siba - territory where the Sultan had nominal religious sovereignty but no direct political control.

During this period the Sarahwi tribes continued to live their semi-nomad lifestyle, not abiding by national borders and wandering around the region (including Algeria and Mauritania) according to their needs. However some extent of political organization could be seen, even if with the tribal mindset always present: the djeema (the council of forty) is an example of a inter-tribal assembly which had competences ranging from judicial to defense to diplomatic matters.

Spanish Influence

Spain's interest in the moroccan region was not a new consideration. Before the start of the colonization of Western Sahara in 1884, both Mellilla and Ceuta (cities in North Morocco) were in spanish hands for centuries. However it was the first time that an European power had direct presence in this region. It was also the effective end of Moroccan local influence for a time. After the Treaty of Fez in 1912 and the treaty between France and Spain in the same year, which helped consolidate the spheres of influence of both countries (with Western Sahara being acknowledged has a Spanish colony), the expansion of the spanish presence and interests in the territory grew until culminating in the full control of Western Sahara in 1934, renaming it Spanish Sahara. Witout counting with the intial conflictts when Spain's presence in the region wansn't consolidated, the Spanish interaction with the locals was generally peaceful and only under pressure from France, did the spanish authorities intervinned harshly.

Spanish Retreat and Beggining of the Conflict

After the independence of Morocco in 1956, the regional theater of operations started becoming more complex, not only because of the interests of Moroccan politicians to build the Greater Morocco (an union of Mauritania, Western Sahara, Morocco and parts of Algeria under the control of the Moroccan sultan) but also because of the support of several Sarahwi tribes towards the Liberation Army (a military unit created by Moroccan authorities to fight French and Spanish presence). After the military Ecouvillon operation and the Cintra agreements of 1958 (Morocco helped Spain in exchange for land), the region was stabilized for a while. The new breaking point started in 1963 when the United Nations, in accordance with Resolution 2072, declared the Western Sahra region a «non-self governing territory to be decolonised». Moroccan influence and internal destabilization by the Sarahwi population promoted a bigger international pressure, culminating in the resolution

of the UN General Assembly in 1966 that requested Spain¹ to organize a referendum for the self-determination of the Sahrawi people.¹ Spain in order to cool the pressure from outside and at the same time reduce internal revolt, founded the *Djeema*: a Sahrawi General Assembly based on past tribal traditions from the Sahrawi people. This move backfired, since Sahrawi locals disatisfied with the *Djeema*, which they saw as a fake project and not serious movement towards self-determination, created the *Harakat Tahrir* (the Saharan Liberation Movement) in 1967. The MLS was unprecedented because it was the first urban political and non-violent movement for the Independence of Western Sahara by Sahrawis.² The movement wouldn't have a direct impact in the political situation since it was a target of heavy crackdowns (including the disappearance of its leader in 1970), but it was an² important pillar in the development of the Sahrawi national identity. The rebellion continued in a more violent approach by the Sahrawi by organizing in several resistance groups. The *Frente Popular de Liberación de Saguía el Hamra y Río de Oro* (Polisario), one of the resistance movements, was formed in 1973 and had initially good relations with Morocco. Specially having in consideration that, during the colonial rebellion phase, the first leader of the organization was a supporter of the integration of the region with the Kingdom of Morocco.³

In December of 1974, Spain finally yielded after being placed in an unfavourable position both internationally, with the UN passing resolution after resolution favoring a referendum for the self-determination of the Sahrawi people in Western Sahara, and internally with the theater of operations in the region becoming increasingly hostile towards Spanish presence. In this period Spanish authorities did a census in order to register the inhabitants that would be available to vote in the referendum that would offer the Sahrawis the rights to choose between independence or integration with Spain.

This move by Spain alarmed both Morocco and Mauritania, since both countries claimed Western Sahara as part of their own territory. To solve the question, both proposed that the conflict should be solved by the International Court of Justice. The ICJ would arbitrate the matter deciding if Western Sahara (having in consideration the history of the region and its people before the Spanish presence) belonged to any of these countries or if no such ties existed. The conclusions of the ICJ on October 16, 1975, would forever change the future of the region. In the report, the ICJ found «the existence, at the time of Spanish colonization, of legal ties of allegiance between the Sultan of Morocco and some of the tribes living in the territory of Western Sahara.» It also states the «existence of rights, including some rights relating to the land, which constituted legal ties between Mauritanian entities, as understood by the Court, and the territory of Western Sahara.» However it concluded by stating that the «materials and information presented to it do not establish any tie of territorial sovereignty between the territory of Western Sahara and the Kingdom of Morocco or the Mauritania entity. Thus the Court has not found legal ties of such a nature that might affect the application of resolution 1514 (XV) in the decolonization of Western Sahara and, in particular, of the principle of self-determination through the free and genuine expression of the will of the peoples of the territory.» In other words, both Mauritania and Morocco couldn't stop the referendum from occurring. It's also worth mentioning that maybe because of the intent of showing a complete and unbiased study of the situation or for pure ignorance of possible future reprisals, the International Court of Justice starts the conclusions of the report by giving possible justifications to both Morocco and Mauritania towards no intervention in Western Sahara.

Morocco will interpret the resolution as a justification that Western Sahara was a region ruled by the Sultan of Morocco prior to the Spanish intervention under the *Bled Siba* system. This will prompt the Sultan to announce the "Green March", a march of almost 350,000 Moroccan civilians supported by 20,000 soldiers that entered Western Sahara in November 6 of 1975 and prompted the Spanish forces to retreat to more defensible positions. This event, the new pressure from Mauritania and the worsened health conditions of Generalissimo Franco⁴ led Spain to sign the Madrid Tripartite Accord on November 14 of 1975. Western Sahara was divided in three parts, the two northern parts were passed to Morocco, while Mauritania was awarded with the most Southern part. Spain would completely withdraw in February of 1976.

However this agreement didn't include the consultation of the will of the Sahrawi and more specifically the Polisario Front who had grown to be the most important resistance group in the region. Following the decisions in the agreement, Polisario declared the Independence of Western Sahara as the newly formed Sahara Arab Democratic Republic (SADR) and declared war on both Morocco and Mauritania.

Development of the conflict and Ceasefire

¹ <http://www.worldlii.org/int/other/UNGA/1966/101.pdf>, (last time checked 1/04/2018);

² Van Brunt Smith, Danielle, *FMO Country Guide: Western Sahara*, 2013;

³ Abdenay Lamiri, Captain, page 11;

⁴ Spanish authorities were afraid that a military conflict in Western Sahara would affect the fragile political situation in Spain.

Polisario, backed by several soviet block members like Algeria and to some extent Cuba and Lybia, engaged in open guerrilla warfare against both Mauritanian and Moroccan forces. Mauritania would retreat in 1979 after being exhausted and not being able to successfully cope with the highly mobile and flexible guerrilla type that Polisario forces were using. A peace agreement was signed and the Mauritanian claims to the south of Western Sahara were abandoned, which led to the Moroccan occupation of the third part. Just like Mauritania, Morocco was having difficulties dealing with sarahwi militar tactics. It was only after 1981, when the Sand Wall started getting constructed that the situation started changing.⁵ It successfully hindered the flexibility and mobilization of Polisario across the contested territory. However after the change of advantages in the terrain, Polisario started waging war in the International system. Several countries recognized the Sarahwi Arab Democratic Republic and even more important, in 1984, the African Union officially recognized SADR leading to the resignation of Morocco from membership of the organization.

By 1990, the Western Saharan War, started to gain attention from the United Nations. And leading to a proposal by Perez Cuellar (UN Secretary General during that period), both parts signed in September of 1991, a ceasefire and an agreement that a referendum would be made that would give the Sarahwi population a choice between Independence or integration with Morocco. The United Nations also organized a peace-keeping mission that would maintain the ceasefire and create the conditions for a proper referendum to be made: the Mission des Nations Unies pour l'Organisation d'un Référendum au Sahara Occidental" (commonly known as MINURSO).

Negotiations Developments since the Ceasefire

The Ceasefire Agreement of 1991 known as the **Settlement Act** was important to bring peace to the region, however the implementation of the plan regarding the referendum quickly hit a stalemate when disagreements between the identification of eligible voters appeared. According to Abdenaby Lamiri, the Polisario defended that only the inhabitants found eligible from the Spanish Census of 1974 should be able to vote. On the other hand, Morocco argued that Sarahwis that were borned after 1974 should vote, plus the Sarahwi refugees from the colonial war that fled to Morocco before 1974 (most of them pro-integration).⁶

The Referendum negotiations didn't developed until James Baker was appointed the Personal Envoy of the UN Secretary-General for Western Sahara, in March 1997. In 2000, after considerable negotiations to both parts, the **Baker Plan I** (also known as the Framework Agreement) was proposed to the parties involved in the conflict. It offered temporary autonomy to Western Sahara within the context of Moroccan Sovereignty. A local government would be elected with increased powers (excluding defense and foreign policy matters). After five years, a referendum would be made where the inhabitants could choose integration or continued autonomy. Although Morocco quickly accepted the solution, both Polisario and Algeria rejected it. Polisario rejected it on the grounds that Morocco could flood the referendum with Sarahwi loyalists, while Algeria didn't want to lose influence with the Polisario. Besides it was largely seen has a possible annexation of Western Sahara within Morocco.

James Baker didn't gave up and came up with the **Baker Plan II** in 2003. The process consisted of a temporary independent Western Saharan government (that would last 4 to 5 years) and elected by the people eligible by the Spanish census. Afterwards a referendum would be made with the possible voting options: Independence, integration or autonomy. While the Polisario and Algeria supported the plan, Morocco quickly refused based on the fact that a possible option for Independence would be politically unconceivable to the Crown who had as a basis for its support the annexation of Western Sahara. With the rejection, James Baker would resigne in 2004.

The Stalemate continued until 2007, when under the UN Security Council pressure, both parties (Polisario and Morocco) submitted proposals to resolve the conflict. **Polisario initiative** consisted of defending a referendum for Independence while promising that the rights of the Moroccan settlers who had been flooding to the region would be respected and a share of the exploration of natural resources in the region. Morocco refused because it didn't offered any real advantages from the current geostrategic position of Morocco in the region and because a possibility of Western Sahara becoming independent still existed.

The **Moroccan Autonomy Plan** consisted on granting autonomy to the Western Sahara region while in the context of Moroccan Sovereignty. The biggest change between this proposal and the Baker Plan I, was that the last also offered the option for the sarahwi population to vote for integration, while in the MAP, no such option exists. The United States, France and Spain offered support to the plan proposed by Rabat. The Polisario

⁵ The Sand Wall is a defensive structure of sand and stone walls with approximately 2,700 kms filled with bunkers, landmines and fences. It separates the territory controlled by Morocco and the territory controlled by the Polisario.

⁶ Abdenaby Lamiri, Captain, pag 77.

once again rejected the proposal due to the fact that Independence was out of the occasion of the Moroccan authorities. Since then no other serious initiative has been made by both parts to end the current stalemate.

Geography of Western Sahara

Western Sahara is located in the Northwestern African region, bordered by Mauritania in the south, Morocco in the North, the Atlantic Ocean in the West and Algeria in the East. It covers an area of 266,000 km² mostly composed by desert with the occasional small rocky mountains. It has a harsh continental climate in the interior with hot dry summers and cold, dry winters. The coastal area has more moderate temperatures due to the ocean winds.

Due to the harsh conditions, the population of the area lived a semi-nomadic lifestyle that only changed when Spanish intervention in the area led to a growing urbanization process. A process that was speed up when large quantities of phosphate were found in the region, and the Sahrawi started working on the mining sector. This change promoted the creation of an Sahrawi collective identity which led to the beginning of Sahrawi nationalism.⁷

With Moroccan economic intervention and the movement of large quantities of settlers to the area, the urbanization the population is continuing to increase. The population is estimated to be around 567,000 inhabitants according to U.N. estimates. ¹¹ It is also believed that a great percentage of this population are Moroccan settlers that have moved in due to economic support offered by the government in Rabat. The Sahrawi people compromise the rest of the inhabitants in the region. A significant number of Sahrawi refugees are currently located in the Tindouf refugee camps in Algeria. SADR headquarters are also localized in Tindouf. The region is rich in phosphate but also in fish around the coastal area. There is also rumors that there may be rich oil and natural gas reserves in the oceanic coast.¹²

Politically the region is divided between the Moroccan controlled territory which compromises the majority of the territory and SADR controlled territory which compromises the barren land in the south and east, near the borders of Algeria and Mauritania. While the UN has setup several buffers zones since 1991. B

Main Contenders

Marocco:

Rabat views the region as a de-jure part of Moroccan territory and is not in any position to consider any project that could lead to an independent Western Sahara. This vision gained momentum after the Independence of Morocco from France, when nationalists started defending the Great Morocco project that defended historic rights to Mauritania, Western Sahara and parts of Algeria. C With the Independence of Mauritania and a stalemate in the border war with Algeria, Rabat started watching the region of Western Sahara like the last possibility for the dream to come true.

Morocco has shown a favorable view towards projects for a referendum that included options for autonomy or integration within Morocco. And an unfavorable view towards Independence projects of the region or an addition of Human Rights Survey powers to MINURSO.

The Sultan of Morocco, in his speech for the 42th anniversary of the Green March, in 2017, has shown the usual position of the country: « Firstly, No to any solution to the Sahara question other than within the framework of Morocco's full sovereignty over its Sahara and the Autonomy Initiative, which has been declared serious and credible by the international community;».⁸ Morocco is the party who has the most to win by continuing the Status Quo since it controls the majority of the contested territory and already explores the regional natural resources.

SADR/POLISARIO

Polisario defends the complete Independence of the region through a referendum. It also defends that only the eligible voters and descendants accepted in the Spanish Census of 1974 should be able to vote.

In its 2007 proposal, Polisario was ready to concede to Morocco part of the natural resources exploration and the complete protection of the rights of Moroccan settlers if a referendum for self-determination was made where independence would be one of the possible outcomes.

However the dependence on the support of Algeria has injured SADR credibility in the international system. No western country has recognized SADR. And the opposition by Polisario to Human Rights surveys in Tindouf refugee camps has also been criticized.

⁷ Van Brunt Smith, Danielle, FMO Country Guide: Western Sahara, 2013

⁸ <https://www.morocoworldnews.com/2017/11/233192/full-text-of-king-mohammed-vis-speech-on-the-42nd-anniversary-of-green-march/>, (last viewed in 1 April of 2018)

Algeria

As the main political, logistical and military supporter of POLISARIO, Algeria has an enormous influence in the negotiations between both parts.

Algeria has repeatedly refused the proposals of Morocco and the U.N. that would isolate Algiers from SADR and that would give Western Sahara officially to Morocco. POLISARIO is also a useful political and diplomatic tool to use against its geopolitical rival in the region: Morocco. Besides, the discussion of the borders between both countries is still not definitely over, and so the presence of the headquarters of SADR in Tindouf (one of the cities claimed by Morocco) is also ideologically important. An improvement in the diplomatic relations between Algeria and Morocco could lead to a better probability of this conflict being solved.

Mauritania

Mauritania has had, since the retreat of 1979, a neutral position in the conflict.

United Nations

The U.N. has tried to solve the conflict several times through the Referendum. The negotiations and the stalemates have also been linked to the several Personal Envoys to Western Sahara and the different Secretary-Generals. James Baker was an example of a period of serious attempts by the United Nations to break the negotiations stalemate. The Security Council pressure in 2007 was also important for the proposals of Polisario and Morocco in the same year. However all of the efforts have proven not enough to solve the conflict.

United States

The superpower has several times supported its ally Morocco regarding the situation in Western Sahara. Besides the logistical support during the conflict between 1976-1991, it has also considered Morocco's Autonomy Plan as «serious, realistic, credible».⁹

The main concern in the area is security stability. Morocco has been seen as a stable and reliable ally against terrorism in the region and so there is no indication that the U.S. position will change when it comes to Western Sahara.

It's interesting that in a Human Rights Report on the region, the U.S. Department of State has found indication of prosecution by the Moroccan Authorities of saharawi pro-independence activists.¹⁰

France

Having economic interests in the area since colonial times and still having somewhat cool relations with the Algerian Government, France has viewed favorable the Moroccan side in the conflict: France has supported the Moroccan Autonomy Plan.

Spain

The position of Spain is complex. While it has several agreements with the Moroccan government regarding fishing rights and illegal immigration, the Spanish enclaves of Ceuta and Melilla, and some of the coastal islands, are still a source of conflict between the two countries.

Spain has supported the 2007 Moroccan Autonomy Plan, however this support could be seen as a way of satisfying Rabat and not raise any issues regarding the enclaves.

Ideology and Concept of the Conflict

The conflict has been seen as the fight by the Saharawi people for the right of self-determination. However this discussion gets complicated because it could be considered as an internal conflict if we focus in the clashes between the Saharawi minority and the authorities in the Moroccan controlled areas. Or as an international conflict if we consider SADR as a sovereign state since it's recognized by several countries including the African Union, has a territory and a people. Again the debate is open, since SADR could also be considered fully dependent on Algerian support and, as such, not a fully sovereign state.

There is also the irredentist ideology of Morocco based on the idea of taking back the former lands of Greater Morocco. This idea is deeply connected with the legitimacy of the crown and has such, Western Sahara is a very sensible subject to the Sultans of Morocco due to the political hazard that could be created if an independent Western Sahara was to become a reality.

⁹ <https://www.reuters.com/article/us-morocco-westernsahara-usa/u-s-supports-moroccan-autonomy-plan-for-western-sahara-idUSKCN0WL0OX> , (last viewed in 1 April of 2018)

¹⁰ <https://www.state.gov/j/drl/rls/hrrpt/2016/nea/265526.htm> (last viewed in 1 April of 2018)

Future of the Conflict and Conclusion

In the current days there has been an escalation of both the threats of the parts involved but also of the pressure of the United Nations with the election of António Guterres as Secretary-General.

The U.N. is preparing a report to decide if MINURSO should be extended for one more year. Furthermore there was a big debate in 2016 about adding the human rights foulder to the mission. A decision that was deeply contested by Morocco.

The movements of both Polisario and Morocco have been creating new tensions in the border, with Morocco threatening to occupy MINURSO buffers zones.¹⁶¹¹ However the ceasefire should continue since the parties involved are not prone to move against the United Nations. Both parts have had a tendency of seeing the referendum has a zero-sum game, where one party wins it all and the other loses all of its claims. As such, the current status quo insures that both sides still have a position in the discussion. If a comparison was made about who wins the most with the Status Quo, Morocco is the clear winner since it controls most of the region and is capable of exploring its natural resources (even if with some diplomatic difficulties like the EU contest of the fish agreements). The support of the U.S. (more concerned with regional security than a small border conflict) and France, give Morocco a diplomatic stronghold of support for the continued presence in Western Sahara. Algeria is also happy with the Status Quo since it can use Polisario has an instrument to destabilized the main geopolitical rival in the region.

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¹¹ <https://www.aljazeera.com/news/2018/04/morocco-warns-polisario-provocation-western-sahara-180402081056065.html>, (last viewed in 1 April of 2018)