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by Jacob Mundy



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Cover image: A man sits alone near the road between the Dakhla Refugee Camp and Awsaard Refugee Camp, June 24, 2003 (UN Photo by Evan Schneider).

WAITING FOR DISRUPTION: THE WESTERN SAHARA STALEMATE

BY JACOB MUNDY

The Western Sahara conflict is fast approaching its 40th anniversary with no end in sight. A web of geopolitical interests keeps the conflict in a permanent state of limbo. At the heart of this web is the U.N. Security Council, which has managed the conflict since the late 1980s. The council has been historically reticent to take dramatic action to resolve the dispute and remains so today. Though there has been “peace” in Western Sahara since 1991 when a cease-fire came into effect, all efforts to reconcile Morocco’s claim of sovereignty against the local population’s right to self-determination have failed. The status quo thus seems indefinitely sustainable. Unless the conflict takes a sudden turn for the worse, it is unlikely that the international community will make the tough choices necessary to achieve a lasting solution. Therein lies the paradox of the Western Sahara peace process: The peace process now exists to contain the conflict, but only a crisis will save Western Sahara.

For these reasons, observers often speculate as to which forces could shake things up in Western Sahara. In recent years, three developments have emerged that initially appeared to have the potential to unbalance the deadlock: the Arab Spring, the 2012 Mali crisis and renewed oil and gas interest in the area. However, it is unlikely that a popular mass revolt will drive Morocco out of Western Sahara, or bring down the Moroccan monarchy. Meanwhile, it is abundantly clear that North Atlantic powers see Morocco as a bulwark of stability in a region plagued by civil strife along the Mediterranean coast and by terrorist groups in the Sahara. Finally, international energy companies that have returned to Western Sahara seek to work with Morocco to exploit the contested territory’s possible riches. Whether or not oil companies will bring peace or war to Western Sahara will likely hinge on the response of the territory’s nationalist movement, which remains to be seen.

A BRIEF HISTORY OF THE STALEMATE

Morocco invaded Western Sahara in 1975 as the Spanish colonial authorities were about to conduct a referendum on the territory’s independence. Rather than face war with its neighbor across the Strait of Gibraltar, Madrid opted to transfer its colonial authority to Morocco and Mauritania. The United Nations viewed this transfer as largely illegitimate and continued to call for the territory’s self-determination. A local nationalist movement, led by the Polisario Front, had been fighting the Spanish for several years and, upon Morocco’s invasion, began to receive significant support from Rabat’s regional rival, Algeria. In the chaos of the invasion, nearly half of the native Sahrawi population fled to Algeria, where they live today as refugees under Polisario’s control; today they number over 100,000. The Morocco-Polisario war—Mauritania left the territory it controlled in Western Sahara in 1979—dragged on until 1991, when a cease-fire was declared to allow a U.N. mission to organize a referendum.

The U.N. arrived in Western Sahara with the intent to solve the conflict in less than 12 months by organizing a vote on independence. Twenty-three years later, the mission is still there. Disputes over how to register voters for the referendum dragged on until Moroccan King Hassan II died in 1999 and was succeeded by his son, Mohammed VI. King Mohammed soon reversed his father’s position and rejected the idea of an independence referendum. Morocco signaled its willingness to grant the territory autonomy but has steadfastly rejected any plan that has an independence option. In 2007, Morocco presented a formal autonomy proposal, but it has been treated as a non-starter for Polisario so long as an independence vote is off the table.

Since 1997, three U.N. envoys have attempted to mediate the dispute, including former U.S. Secretary of State James Baker. The current U.N. envoy, former U.S. Ambassador Christopher Ross, has held the position since 2008. For all intents and purposes, Morocco has stopped negotiating and even tried to have Ross dismissed in 2013. Morocco's current position demands that Polisario accept its autonomy proposal as the basis of negotiations. Polisario is willing to discuss any proposal so long as it includes a referendum on independence, which is technically Western Sahara's right under international law as Africa's last non-self-governing territory.

The Western Sahara impasse owes as much to the mutually incompatible positions of the parties as to the U.N. Security Council's unwillingness to place demands on either of them. Western Sahara's relatively low standing on the international agenda owes as much to the territory's intrinsic features as to its extrinsic ones. Intrinsically, the conflict suffers from obscurity because of the territory's geography. Even with the large number of Moroccan settlers that have moved there in the past three decades, it is still one of the least densely populated countries. The native Sahrawi population is estimated to be less than half a million strong. Unlike other African countries along the great desert, Western Sahara has neither a mild Mediterranean coast nor a tropical south to augment the endless desert that defines its landscapes. What Western Sahara does have are some of the world's richest fishing grounds off its long Atlantic coastline and some significant phosphate deposits.

But when the great powers of the Security Council look at Western Sahara, they do not simply see fish, phosphates, a protracted humanitarian crisis or Africa's last colony. Paris and Washington, most of all, see one of their strongest allies, Morocco, and one of the world's most important energy producers, Algeria. Both of these states are not only pivotal to stability in the Maghreb, they are increasingly viewed as important players on the African and Middle Eastern stages as well. Yet the Western Sahara conflict is not simply a Moroccan-Algerian affair. Central to the dispute are fundamental norms of decolonization and the prohibition of territorial expansion by force, issues that are central to the post-World War II order enshrined in the United Nations. After four decades of fighting for independence, it is also abundantly clear that Western Saharan nationalism will not accept a Moroccan *fait accompli*. Indeed, it is now widely understood that an international failure to accommodate Western Saharans' right to self-determination will leave them no choice but to pursue armed struggle once again, as they did in the 1970s and 1980s.

The fundamental tension at the heart of the Western Sahara peace process is based on two fears: If the international community pushes too hard for a settlement, the situation could deteriorate; but if efforts to shift the status quo are abandoned, the situation could also deteriorate. Despite shifting international circumstances, from the fall of the Berlin Wall to 9/11 to the Arab Spring, there has been no exogenous disruption powerful enough to change the status quo in Western Sahara.

THE MISSED OPPORTUNITIES OF THE ARAB SPRING

There was much hope that the Arab Spring might bring some positive change to Western Sahara. Whether through reforms in Morocco or in Polisario's exiled leadership, or through mass demonstrations in the territory, the possibilities for change seemed endless in early 2011. Such hopes proved to be misguided. In several ways, the Arab Spring has made the Western Sahara peace process worse.

Reforms instituted by the Moroccan regime only enhanced its domestic and international credibility, thus resulting in a bold and uncompromising posture in recent negotiations. Though Arab Spring protests in Morocco, led by the February 20 Movement, failed to coalesce into a force that could threaten the regime, the monarchy nonetheless responded with a series of reforms that curbed the *de jure* powers of the throne. In reality, these reforms were part of a long trend in Moroccan politics whereby the monarchy has used electoral processes and power-sharing to delegitimize its foes and so enhance its *de facto* power within the country. First were Morocco's democratic socialists, who were allowed to govern in the late 1990s; then came the Islamists in the early 2000s. In

both cases, the government failed to deliver on long-promised reforms, promises that were easy to make when these parties were in the opposition. The monarchy, on the other hand, having symbolically retreated from politics, now wields power through informal and financial mechanisms. While political parties are blamed for the country's failings, the monarchy—among the top 10 wealthiest royal families in the world—now uses its globalized holdings and influence over domestic economics to rule by other means.

Internationally, the monarchy's top-down reforms also touched on the question of the "Saharan Provinces," as Western Sahara is called in Morocco. These steps included recognizing the Sahrawi identity and loosening restrictions on travel between the occupied territory and the refugee camps. For Moroccan journalist Samia Errazzouki, a co-editor at the [Jadaliyya website](#), the Moroccan regime deftly used the Arab Spring to improve its image vis-a-vis Western Sahara. "For many abroad," she claims, "it appeared as if Morocco was making concessions and ceding to the demands of the people. This was no different than how Morocco responded to criticisms from abroad over its repression of pro-democracy protests associated with the February 20th Movement." The instability witnessed in Egypt, Syria, Libya and Mali further convinced Washington and Paris to view the Moroccan monarchy as a pillar of stability in the Arab world.

Western Saharan nationalists are bitter not only because the Arab Spring has been a boon for Morocco, but because their protests have been largely ignored internationally. Indeed, weeks before protests erupted in Tunisia and Egypt, Western Sahara witnessed the largest pro-independence demonstrations ever organized in the Moroccan-occupied territory. In a massive showing of solidarity with the Western Saharan refugees in Algeria, Sahrawi activists established a protest camp on the outskirts of the territory's main city, Al-Ayun, in a place called Gdaym Izik. Soon the camp boasted tens of thousands of Sahrawis, until Moroccan security forces violently demolished it in early November 2010. Following the camps' dispersal, the territory saw the most intense and sustained civil unrest since Moroccan forces arrived in 1975, resulting in several casualties among the Sahrawis and Moroccan police, as well as clashes between Moroccan settlers and nationalist activists.

At the United Nations, these protests raised concerns about the fact that the U.N. mission in Western Sahara has no mandate to monitor human rights. Though all other missions now have such provisions, France, Morocco's main ally, has steadfastly blocked all efforts to amend the U.N. mission.

Concerns about human rights inside the Moroccan-controlled territory had been growing since widespread Sahrawi protests greeted the new king in 1999. A massive uprising in 2005 drew even more attention due to the role the Internet played in the diffusion of images, videos and testimonies of the Sahrawi protestors. For years, the human rights group Freedom House [has considered](#) the Moroccan-occupied Western Sahara one of the worst situations in the world, and in 2008, Human Rights Watch released a [damning report](#) detailing the excesses of the Moroccan occupation, including widespread torture. The following year, Aminatou Haidar, a Sahrawi rights activist, won the prestigious Robert F. Kennedy Human Rights Award, causing further embarrassment for Rabat.

With the Gdaym Izik protests in 2010, things appeared to be coming to a head. Then the revolutions in Tunisia and Egypt, as well as the civil wars in Libya and Syria, changed everything. Morocco not only used the Arab Spring to advance its image as a moderate ally of Paris and Washington, the Arab Spring also drew attention away from Morocco's repression in Western Sahara, which included the imprisonment of dozens of young activists who had created the Gdaym Izik camp. Most have received sentences of 25 years to life imprisonment.

According to Errazzouki, "November 2010 marked a turning point for the Moroccan regime's treatment and response to dissent within the territory." She added, "This is evident through the widespread torture, arbitrary arrests, harassment and even death of Sahrawis who dare to demand their right to self-determination."

HIJACKED BY RADICALS

One effect of the Arab Spring has undoubtedly had a negative impact on the Western Sahara conflict: the short-lived secessionist Tuareg republic in northern Mali that was hijacked by al-Qaida-linked groups. Key members of the Security Council, particularly the United States, are now more reluctant than ever to take risks to resolve the Western Sahara conflict, particularly if a solution leads to a weak and unstable new state.

Fed by the arms unleashed on the Sahara by the Libyan civil war of 2011, Tuareg rebels—many having been forced to flee the collapse of the Gadhafi regime—relaunched their decades-old bid to create an independent state for their people in the north of Mali. Humiliated by the rebels, elements of the Malian military staged an impromptu coup in March 2012. Amid the chaos, various armed Islamist organizations, including al-Qaida in the Islamic Maghrib (AQIM), hijacked the Tuareg rebellion and declared an Islamic state in northern Mali. A year later, French forces quickly routed the Islamists and restored a modicum of central government control to Mali's vast northern stretches. However, a daring attack on a gas facility in eastern Algeria proved that the Islamists' reach and audacity had grown well beyond their humble origins in the early 2000s.

For many, these developments in the Sahara were the outcome of a long-neglected front in the global war on terrorism. Concerns over the Sahara-Sahel region's security grew as remnants of Algeria's Islamist insurgency of the 1990s began to seek shelter and sustenance in the Sahara by linking up with smuggling networks and taking Europeans as hostages. The latter activity allowed AQIM to amass a small fortune from ransom payments to spend on arms and recruits. Though traditionally a region dominated by French influence, the United States launched a special, albeit modest, counterterrorism initiative there in 2003 to improve border security and address some of the root issues driving radicalization.

It was not long before concerns about trans-Saharan terrorism began to affect the Western Sahara conflict. A coordinated suicide attack in Casablanca in 2003 did much to convince the George W. Bush administration that a solution to the Western Sahara conflict should not be imposed on Morocco. Indeed, Morocco began insinuating that there were connections between al-Qaida activists in the Sahara and the refugee camps run by the Polisario in southwestern Algeria.

Recent reports in [The Daily Beast](#), [Time Magazine](#) and [Vice](#) have offered contradictory and incomplete accounts of the supposed terrorist threat posed by the Western Saharan refugees and Polisario. On the face of it, these concerns seem ill-founded. Polisario is a secular Arab nationalist umbrella organization not unlike the Palestine Liberation Organization, and Algeria, which has been at war with jihadists since the early 1990s, is Polisario's main diplomatic and financial backer. That said, aid workers in the camps were kidnapped in 2011 and delivered to one of the region's armed Islamist organizations.

So is it possible, as recent reports often insinuate, that clandestine militant Islamist groups are recruiting or even operating within the Western Saharan refugee camps? Could we see Polisario's revolution hijacked by Islamic fundamentalists in the same way the recent Tuareg rebellion in Mali or the rebellion in Syria have been hijacked by radical groups?

Anthropologists and aid workers with extensive experience in the camps remain skeptical about such claims.

Dr. Konstantina Isidoros has been visiting the camps regularly over the past six years, including two years of sustained ethnographic research. In her view, recent claims that the Sahrawi refugee camps have become overrun with criminal and terrorist networks are "absolute rubbish." As she argues, "the close-knit kinship nature of Sahrawi society makes it very hard for an external entity to penetrate." She adds, "The idea of 'terrorism' is pointless to the Polisario and the Sahrawi—they are focused on international legal frameworks."

Nadia Zoubir, a political affairs consultant who recently visited the camps for the African Union, noticed significant improvements in local security measures following the 2011 kidnapping. She likewise doubted the presence of any militant organizations in the camps besides Polisario given the nature of the society. “I think that it would be very difficult to take place in a community that practices a more liberal and tolerant form of Islam than witnessed in other Muslim communities.”

“Polisario works hand in hand with the Algerian government in supporting anti-terrorist activities,” she noted.

Alice Wilson, who holds a doctorate in social anthropology, likewise finds recent media reports about terrorism in the camps incongruous with her years of experience there. The major political debate in the camps, she observed, was between those who favored the diplomatic approach to national liberation and those who favored a return to the military approach.

According to Wilson, “In general, I would say that Sahrawi refugees were not hopeful for the short term, but were hopeful about a long term, even a whole generation away or longer, in which Western Sahara would not be under Moroccan control.” But, she adds, “When people expressed such views, they weren’t specific about how to get from the current situation to something different. . . . Some refugees wish for a return to war as a means of shaking the stalemate. Others are opposed to this, on varying grounds.”

HOW OIL COULD UPEND EVERYTHING

The conditions under which Polisario might return to armed struggle are currently unclear. The liberation front almost went to war with Morocco in 2001. That year, Moroccan forces fired warning shots as they crossed the armistice line to clear mines for the Paris-Dakar Rally. While Algeria pulled Polisario back from the brink, these events demonstrated a widespread Sahrawi willingness and capacity to field a significant fighting force. Although Polisario’s forces are incapable of driving Morocco from Western Sahara, they could once again make Rabat’s occupation very expensive and send a strong signal to the U.N. Security Council.

The year 2001 also saw the entrance of a new factor into the Western Sahara conflict: the oil question. Moroccan efforts to attract French and U.S. energy companies to Western Sahara also succeeded in attracting U.N. legal attention. In an important [2002 opinion](#), Hans Corel, then the United Nations’ top international law expert, described Moroccan efforts to exploit Western Saharan natural resources as illegal. Given the extraordinarily strange international legal status of Western Sahara, foreign energy companies soon walked away from the territory, citing underwhelming prospects.

Just over a decade later, the oil companies are back with a vengeance, though Morocco has worked hard to keep things quiet this time. Using a precedent set in its fisheries accord with the European Union, Morocco has convinced foreign energy companies that the legal risks are minimal so long as resource exploitation in Western Sahara includes “social responsibility” programs that benefit the local population. Sahrawis have recently begun taking to the streets to protest the activities of Kosmos Energy, the U.S.-based firm leading the charge. According to the [Maghrib Confidential newsletter](#), Morocco could become an energy-producing country by the end of the year.

“Clearly drilling in Moroccan-licensed acreage off the Western Sahara fits into the Moroccan political agenda,” explains John Marks, chairman of Cross-border Information, a consultancy that specializes in the region’s energy issues.

As for the companies’ motives in coming back to Western Sahara, Marks see a much more simple explanation. “The [international oil companies] who will make a heavy investment in offshore drilling,” he says, “are not doing it to burnish the Moroccans’—or Polisario’s—political credentials.”

“For the companies, it’s all about making a big offshore find in some attractive acreage with good terms on offer,” he adds. “Kosmos and Total have tried to implicate their governments in lobbying, but this is no power play; it’s about money.”

So could oil become the disruption to break the Western Sahara impasse? Morocco, for certain, will only become more intransigent. Oil’s effect will largely depend on how Sahrawi nationalists and, in turn, the U.N. Security Council respond. Polisario has said very little about the oil issue though it has recently become more aggressive in the international legal arena. In the East Timor conflict, a dispute between Indonesia and Australia over oil rights is often cited as an important step in that territory’s road to independence.

CONCLUSION

Right now, oil is the factor to watch when it comes to the Western Sahara dispute. The political and military stalemate that has been in effect since the late 1980s is otherwise unlikely to be disturbed. With much more serious crises unfolding in Southwest Asia and Eastern Europe, Western Sahara will continue to remain at the bottom of the international agenda. The impasse has not only shown an extraordinary ability to sap all diplomatic initiatives, it has survived profound geopolitical shocks, from the Cold War’s end to the Arab Spring. But what impact would a significant oil find have on the impasse?

It would certainly galvanize the Moroccan position. The question is how Polisario would respond. Mass protest by the Sahrawis is impossible given the Moroccan security presence in the territory. International legal initiatives are the nationalist movement’s strongest suit, and perhaps the only card left in their hand. No one doubts that international law is on Western Sahara’s side. But this has been the case since the start of the conflict in 1975. Unless the U.N. is willing to enforce the law in Western Sahara, the Sahrawis will continue to see no alternative but to take the law into their own hands. □

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