



# **The Push for Security in Northwest Africa: Human Rights in Western Sahara**

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The Western Sahara Action Forum (WSAF) is an international advocacy organization focused on Western Sahara. WSAF advocates for the United Nations (UN) to live up to its legal and moral obligations to enable the UN mission there, MINURSO, to organize and implement a free and fair referendum in Western Sahara. Working with a range of governments, NGOs, trade unions, and human rights defenders, WSAF leads international campaigns and lobbying efforts, and provides information and resources for activists and policymakers around the world.

# Western Sahara



○	Town, village
---	International boundary
—	Road
—	Berm
—	Wadi
▨	Dry salt lake
✈	Airport

0 50 100 150 200 km  
0 50 100 mi

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

## **2016 Briefing**

The routine violation of human rights continues to be inflicted upon the indigenous people of Western Sahara. This should not be tolerated by an international community of nations that has made extraordinary progress towards giving all the opportunity of a life of dignity and security in recent decades. WSAF aims to help the trend towards human rights, by calling for action in Africa's last colony. This briefing follows on from WSAF's presentation to the UN Fourth Committee in October 2015. It will look in more detail at the numerous human rights violations committed against the people of Western Sahara, as these challenges form the key obstacle in regional security cooperation at a time when it is desperately needed.

In a year dominated by the growing threat from terrorism worldwide, the past 12 months have seen a continuation of the stalemate in Western Sahara in northwest Africa. For 40 years the local population has suffered under Moroccan occupation, with a United Nations (UN) peacekeeping mission being present since 1991. Known as "Africa's last colony", Western Sahara rarely makes it into the news, and yet the impact of the status quo has profound implications for security in the Sahel region. With the increased prevalence of sleeper cells and attacks linked to the Islamic State<sup>1</sup> throughout the Maghreb, the violation of the rights of the people of Western Sahara continues to be perhaps the greatest obstacle in relations between the region's two major powers: Morocco and Algeria. This is a huge drag on regional security cooperation in the wider war against the Islamic State.

## **Recommendations**

To the United Nations Security Council:

- Set a date for a free and fair referendum to be carried out in Western Sahara with an option for independence on the ballot paper, consistent with the established international legal norm of self-determination.
- Develop a robust plan under Chapter VII of the UN Charter to enforce the outcome of the referendum, if any of the parties do not respect the decision of the Saharawi electorate.
- Grant the MINURSO peacekeeping operation the legal mandate to monitor and report on human rights in territories controlled by the Kingdom of Morocco and the Frente POLISARIO. This body must report its findings directly to the UN Security Council and be a permanent presence until the referendum.
- Demand an end to the extraction of natural resources from Western Sahara through deals which disregard the interests and wishes of the indigenous Saharawi.

## **Human Rights**

The most obvious violation of human rights stems from the unrealized right to self-determination for hundreds of thousands of people in both Western Sahara, and in refugee camps in neighbouring Algeria. Promised a referendum allowing self-determination by the United Nations, Western Sahara remains Africa's last colony. This has not gone unnoticed by allies in the region, [as the African Union made statements](#) in support of the right to self-determination in Western Sahara over the past year. A referendum remains the primary goal of MINURSO, but there is little sign of movement towards this obligation. This begs the question: if the UN is incapable of resolving the Western Sahara problem, how can it possibly hope to bring the horrors of the Syrian conflict to a conclusion?

As with the other 15 currently active peacekeeping missions led by the UN, the aims of MINURSO are as admirable as they are important. However, there is a notable omission in MINURSO's mandate: human rights monitoring.<sup>ii</sup> The Moroccan state has established a highly militarized security presence within Western Sahara in order to curb civil unrest. It is extremely difficult for international visitors to gain access to the territory. It is yet more challenging for outsiders to witness the monthly peaceful protests that take place throughout Western Sahara and are met with violent suppression.<sup>iii</sup> Furthermore, discrimination against Saharawi 'is prevalent in all aspects of life, including schooling, employment, college enrolment, and travel.'<sup>iv</sup> The implications of this are clear if MINURSO hiring practices are examined. According to two current Saharawi employees of MINURSO, 'approximately 12 Saharawi work for MINURSO in an official capacity throughout the territory, while the same mission employs over 150 Moroccans.'<sup>v</sup>

The Tomorrow Association of Human Rights, a Laayoune-based human rights organization, has reported that Moroccan authorities prevent Saharawi graduates from working in the Boucraa Mine. No matter their level of education, Moroccan settlers are brought from the north to work in the mine. The Tomorrow Association of Human Rights noted: 'Nowadays, we are finding an increasing number of Saharawi graduates who suffer from poverty and unemployment. They are protesting day after day to gain their rights to use their own natural resources, and to make a decent living.'<sup>vi</sup>

Amnesty International has documented 'cases of activists and protesters being tortured and otherwise ill-treated in police custody following demonstrations calling for MINURSO to adopt a human rights mandate in 2014.'<sup>vii</sup> Amnesty International add that expanding MINURSO's mandate 'could also contribute to helping the POLISARIO Front and the Moroccan authorities overcome their mutual mistrust fuelled by allegations of human rights abuses and help build an environment conducive to fruitful political negotiations.'<sup>viii</sup> The

[Robert F Kennedy Human Rights Centre](#) and [Human Rights Watch](#) have likewise documented substantial reports on human rights violations in Western Sahara.

Over the past year, Morocco has [expelled](#) Amnesty International researchers, [banned](#) gatherings organized by the Moroccan Association for Human Rights, and, most recently, announced the pending [trial](#) of five activists, including the historian Maâti Monjib, for accepting foreign funds to “undermine Morocco’s internal security.” In January 2016 alone, Morocco [refused entry](#) or expelled from Western Sahara 68 people from Europe, the US, and Canada for a range of spurious reasons.

In a time when women are steadily progressing towards equality worldwide, the women of Western Sahara have long-proven their leadership capabilities. As role models for other women around the globe, as well as in the surrounding region, female leaders in Western Sahara can show others what is possible. Aminatou Haidar is the Robert F. Kennedy Human Rights Award laureate from 2008, and the most high-profile of the many female Saharawi leaders. In the past year she has been harassed while on a visit to Washington, DC,<sup>ix</sup> before her home was ransacked by Moroccan security forces a month later.<sup>x</sup> Such challenges show that the threat for Saharawi women who speak against the Moroccan government follows them around. Despite that, the International Conference for Saharawi Women’s Right to Resistance took place as planned in Windhoek, Namibia on November 3, 2015, just one event among many organized by Saharawi women in the past year.

### **Natural Resources**

Despite first appearances, Western Sahara is a resource-wealthy territory. Phosphates abound, the fishing industry thrives, agriculture is growing, and it is expected that there are substantial hydrocarbon reserves offshore. But the indigenous people of Western Sahara do not benefit from the right to exploit natural resources that are realized in almost every other country on the planet. The Moroccan government makes trade deals, and administers licenses for the exploration and extraction of resources from oil and gas to phosphates, from fish to vegetables. Though the Moroccan government claims to be acting in compliance with the desires of the local population, such deals are strongly opposed by the POLISARIO and [numerous Western Saharan civil society organizations](#). With the United Kingdom government currently subject to a case at the European Court of Justice over trade deals with Morocco involving goods from Western Sahara, international law is constantly looming over current deals that governments and international companies are making with the Moroccan government in and around Western Sahara.

On December 19<sup>th</sup> 2014, a monumental drilling platform made its way quietly into Western Saharan waters. The drilling platform, called the Atwood Achiever and operated by a US oil company called Kosmos Energy,

soon dropped anchor and started exploring beneath the sea bed for the presence of hydrocarbon resources. While the first well failed to discover any oil or gas, Kosmos released a statement on March 2<sup>nd</sup> 2015, stating that the area still has “substantial exploration potential.”<sup>xi</sup> While not in and of itself controversial, the fact that Kosmos had signed a contract with the Moroccan government for exploration off the coast of Western Sahara, a Non-Self-Governing Territory, makes the event very controversial. In the same vein, San Leon, an Irish oil company, has been exploring for hydrocarbon resources throughout 2015. San Leon is the same company that previously said it would not ask the local people if resource extraction will benefit them because the Saharawi people [“are not representative.”](#)

The UN General Assembly recognises the POLISARIO as the “representative of the people of Western Sahara,”<sup>xii</sup> and yet contracts are still made with Morocco. Economic growth has taken place in the territory in recent years, Moroccan state policy has placed great emphasis on the economic development of Western Sahara, and yet local actors, or even internationally-recognized actors, are apparently not consulted by Moroccan authorities. With this in mind, it therefore seems that Moroccan economic development in Western Sahara does not comply with International Law because a) it disregards the interests and wishes of the people of Western Sahara, and b) appears to enact economic policies that encourage settlers to take jobs and benefits from the people of Western Sahara.

### **Conclusion**

On November 7 2015, King Muhammad VI of Morocco led celebrations to mark the 40<sup>th</sup> anniversary of Morocco’s presence in Western Sahara. In a speech in Laayoune the king stated in reference to self-determination: “Those who are waiting for any other concession on Morocco’s part are deceiving themselves. Indeed, Morocco has given all there was to give.”<sup>xiii</sup> The problem with this is two-fold: the right to self-determination allows for the people to choose, not a monarch to decree. Secondly, the human rights violations discussed in this report, including the unrealised right to self-determination in Western Sahara, provide one of the main obstacles to normalized relations between Morocco and Algeria. As the two most powerful countries in the region, their cooperation is key in the wider fight against religious extremism. Without securing human rights for the people of Western Sahara, and without collaboration between Morocco and Algeria, the fight against jihadism in the Maghreb is unwinnable.

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i Also known as ISIS, ISIL, and Da'esh, the term "Islamic State" is used here in the analytical sense: to reflect the organisation's supranational reach and ambitions. The organisation, as it is often called in Arabic, has increasingly transcended its original national boundaries in Syria and Iraq through acts of terror and propaganda.

ii United Nations Mission for the Referendum in Western Sahara, *Mandate*, <http://www.un.org/en/peacekeeping/missions/minurso/mandate.shtml>, accessed December 5, 2014

iii Erica Vasquez, *Living under Occupation in Western Sahara: Women, Resistance, and Self-determination*, (Washington, DC: Georgetown Institute for Women, Peace, and Security, November 2014), 13.

iv Vasquez, 15.

v Vasquez, 15.

vi Private correspondence with WSAF.

vii Amnesty International, 'UN peacekeeping force in Western Sahara must monitor human rights,' *amnesty.org*, April 11, 2014, <http://www.amnesty.org/en/news/western-sahara-un-security-council-2014-04-10>, accessed January 22, 2016.

viii Amnesty International.

ix YouTube, Video, 'Joshua donne une locon a aminatou haidar,' April 1, 2015, <https://www.youtube.com/watch?v=z6qnIMiAHM8>, accessed January 22, 2016.

x Robert F. Kennedy Human Rights, 'Western Sahara: Human Rights Violations reported between January 1, 2015 and June 30<sup>th</sup> 2015,' *rfkcenter.org*, July 30, 2015.

xi Carl Surran, 'Kosmos Energy says Western Sahara offshore test well not commercial,' *seekingalpha.com*, March 2, 2015, accessed April 26, 2015, <http://seekingalpha.com/news/2337686-kosmos-energy-says-western-sahara-offshore-test-well-not-commercial>

xii Glynn Torres-Spelliscy, 'The Use and Development of Natural Resources in Non-Self-Governing Territories,' in *Perspectives on Western Sahara: Myths, Nationalisms, and Geopolitics*, (Eds.) Anouar Boukhars and Jacques Roussellier, (Lanham, MD: Rowman & Littlefield, 2014);, 249.

xiii Al-Jazeera, 'Morocco's King rules out compromise over Western Sahara,' November 7, 2015, <http://www.aljazeera.com/news/2015/11/morocco-king-rules-compromise-western-sahara-151107134232662.html>, accessed January 22, 2016.