

BELKACEM IRATNI: THE WESTERN SAHARA STALEMATE: HISTORICAL BACKGROUND, CONFLICTING ATTITUDES AND FUTURE PROSPECTS

THE WESTERN SAHARA STALEMATE: HISTORICAL BACKGROUND, CONFLICTING ATTITUDES AND FUTURE PROSPECTS

L'impasse au Sahara occidental : contexte historique, attitudes contradictaires et perspectives d'avenir

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Abstract:

The Western Sahara was inscribed in the list of dependent countries and territories to benefit from the right for self-determination by the United Nations in 1964 in conformity with its declaration on the Granting of Independence to Colonial Countries and Peoples, adopted in December 1960.

More than three decades later, the implementation of the Self-determination principle has not been completed, despite the long-time resistance of the Sahrawi people under the Spanish colonization that lasted until 1975, and the process of annexation imposed by Morocco over this territory on the basis of the so-called "historic rights," claimed by the Makhzen rulers.

This article attempts to assess the genesis of this conflict, scrutinize the conflicting attitudes implicating the Moroccan rulers and the Polisario Front which is fighting to recover its national rights and sovereignty over its territory.

Key words:

Western Sahara conflict, Spain, Morocco, Polisario Front, UN resolutions.

Résumé:

Le Sahara occidental a été inscrit sur la liste des pays et territoires dépendants devant bénéficier du droit à l'autodétermination par les Nations Unies en 1964, conformément à sa déclaration sur l'octroi de l'indépendance aux pays et aux peuples coloniaux, adoptée en décembre 1960.

Plus de trois décennies plus tard, la mise en œuvre du principe d'autodétermination n'est pas achevée, malgré la longue résistance du peuple sahraoui à la colonisation espagnole qui a duré jusqu'en 1975 et le processus d'annexion imposé par le Maroc sur ce territoire. la base des soi-disant « droits historiques », revendiqués par les dirigeants du Makhzen .

Cet article tente d'évaluer la genèse de ce conflit, d'examiner les attitudes contradictoires impliquant les dirigeants marocains et le Front Polisario qui lutte pour récupérer ses droits nationaux et sa souveraineté sur son territoire.

Mots clés: Conflit du Sahara occidental, Espagne, Maroc, Front Polisario, résolutions de l'ONU.

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Introduction:

The Western Sahara was considered as Africa's last colony and the longest, most protracted conflict of the history of the United Nations, according to John Bolton, a close aide to James Baker, the State Secretary under the Presidency of John Ford and US Ambassador to the UN from 2005 to 2006.¹

Never an issue of decolonization has been as complex and as dramatic as the issue of the Western Sahara.² From a long domination imposed by the Spanish colonialism since 1884 and successive waves of fierce resistance by Sahrawi tribes, this territory was colonized a second time by Morocco in 1975, as a result of the failure of Spain, the colonial power to implement its mandate of implementing the principle of self-determination for the Saharawi people according to the resolutions adopted by the United Nations.

Indeed, Morocco succeeded in obtaining the control of this territory through a bargaining conducted in 1975 with the Spanish ruling party and government during President Franco's agony.

¹ Bolton, John, *Revolving the Western Sahara Conflit*, March, 27, 1998, [http ; // www. Arson. Org](http://www.Arson.Org).

² Mercer, John, *Spanish Sahara*, London : George Allen and Unwin, 1976 ; Miské Ahmed-Daba, *le Front Polisario, l'âme d'un Peuple*, Paris: Editions Rupture, 1978 ; Gaudillo, Attilio, *Le Dossier du Sahara Occidental*, Paris : Nouvelles Editions Latines, 1978 ; Thompson, Virginia, Adloff, Richard, *The Western Sahara* ; London: room and Helm, 1980 ; Barbier, Maurice, *Le Conflit du Sahara Occidental*, Paris, L'Harmattan, 1982; Hodges , Tony, *Western Sahara, Roots of a Desert War*, Westport: Lawrence Hill, 1983; Jensen, Erik, *Western Sahara, Anatomy of a Stalemate*, London: Lynne Reiner, 2005.

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The Polisario Front as, the legitimate representative of the Saharawi people, has tried restlessly to alter the fait accompli exerted by Morocco and oppose the “autonomy plan” that aimed at completing the take over the Western Sahara and obtaining the approval of the international community.¹

It was natural that Algeria, as an "interested" party to the Western Sahara conflict as dubbed by numerous UN resolutions because of geographic contiguity, identity considerations, religious and cultural affinities, and given its experience as a former colony and the imperatives of its foreign policy principles, resorted to assist the by providing the Saharawi people with multifarious assistance and support.

The determination of the Saharawi people to fight militarily the Moroccan take over its territory, forced King Hassan to consider the plan of the United Nations to hold a referendum over the faith of the Western Sahara, as he accepted to enter in negotiations with the Polisario leaders who accepted a truce, unilaterally. However, his awareness to save his throne, by pushing his army in an risky adventure abroad and some assurances given by his Western allies, such as France and the US to take over the Western Sahara in order to increase power capabilities of Morocco and disturb the rising position of Algeria in the Maghreb and Sub-Sahara Africa, incited the Moroccan King to stick to his plan to expand his authority over this territory by evoking the difficulty to hold a referendum because of disputes with the

¹ Iratni, Belkacem, Conference on The Western Sahara Conflict, Political Reverberations, Incidences on the Maghreb Union and Future Prospects, NRCC, NATO Defence College, Rome, November, 14, 2010.

Polisario Front over the list of eventual voters.¹ In fact, King Hassan had a doubt on the referendum outcome, as he feared the option favoring the principle of self-determination.

The evolution of the Western Sahara issue generated by this stalemate, moved to the field of an intense diplomatic confrontation between Morocco and the Sahrawi people which succeeded in setting up a self-proclaimed Republic which obtained the recognition of the Organization of African Unity and the support of many countries around the world.

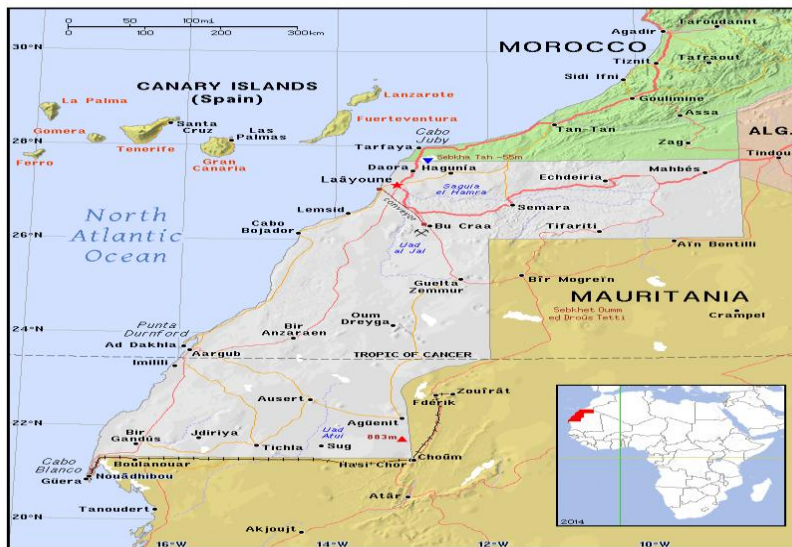
To analyze meaningfully the evolvement of the Western Sahara conflict, this study is articulated through three parts.

The first assesses the history of the Western Sahara marked by the existence of a people that was confronted to Spanish colonization and to Moroccan irredentist claims.

The second part deals with the process of the annexation of the Western Sahara by Morocco after Spain turned back to its mission to achieve the decolonization of this territory through its decision to relinquish it to Morocco (and Mauritania), according to the 1975 Madrid Agreements.

¹ The census conducted by the Spanish colonial authorities in 1974 set the Saharawi population to 74.000 people. Moroccan residents in the Sahara generated by the implantation resulting from the Green March of 1975, as well as their descendants were estimated between 300.000 and 400.000 against 16.000 Saharawis (Mundy, J, *Autonomy and Intifada : New Horizons, in the Western Sahara, Review of African Political Economy*, No 8, 2006.

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The third part delves into the eventual prospects of the Western Saharan though this issue remains complex and its evolution highly uncertain.

1-The Historical foundations of the territoriality of the Western Sahara under Spanish colonialism and Moroccan irredentism:

Situated on the Atlantic shore of northwestern Africa and stretching over 260.000 sq. /km, this land has been the subject of a harsh dispute between Morocco and the nationalist movement the Polisario Front which claims to represent the Saharawi people, ever since 1975.

Like other North African countries, the Western Sahara was the object in of the colonial scramble and its population resisted the repeating incursions of the Western powers and Moroccan attempts of expansion in the 19th century. At the end of this century, the southern part of Morocco was still a

bilad Al-Siba (a dissent land) or a land which the Moroccan throne did not control.

In 1895, a treaty was signed between Moroccan and British authorities stipulating that no power will make claims on the territories extending from Oued Draa to Cape Bojador called Tarfay, because these territories belong to Morocco.

This treaty was one of the documents Morocco displayed before the International court of Justice (ICJ) in 1975 in order to sustain its claims over these territories. However, the ICJ estimated that the British diplomatic correspondence of that time indicated that the region of Cape Juby did not belong to Morocco whose limits end at Oued Draa.

The CIJ stated that by signing this treaty, the British authorities had only admitted the pretensions the Moroccan Sultan could make over the southern parts and had not recognized Morocco's sovereignty over these territories.

To the question submitted to CIJ by Morocco in 1975, "was the Western Sahara territory really subject to no State (terra nullius) when the Spaniards colonized it and if not, what legal ties linked its inhabitants to those of Morocco and Mauritania?" This Court issued a consultative statement stipulating "that while there were indeed links between the Moroccan Sultan and the inhabitants of parts of the Western Sahara and similar ties with Mauritania, **there were no ties of sovereignty.**"¹

¹CIJ, Avis Consultatif, October, 16, 1975, [061-19751016-ADV-01-00-EN.pdf](#).

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The first stages of the Spanish protectorate over the Western Sahara were confronted with unrests carried out by local Saharawi tribes (Ouled Delim) in 1887, 1892 and 1894.

On June 27, 1900, France and Spain signed the Paris Treaty which delimited the frontier between Rio de Oro (then under Spanish domination) and Mauritania which was a French colony at that time. The Paris convention fixed the borders of Saguia Al Hamra and Cape Juby (southern Spanish Morocco) on October 4, 1904.

Saharawi resistance against Spanish occupation of the Western Sahara began to emerge with the appeal for a holy war launched by a religious chief Ma-al-Ainin in 1895 after he had succeeded in setting up a powerful Saharawi *Ribat* (urban and military center) in Smara, but the resistance of Ma-Al- Ainin ended with the defeat of his troops in June 1910. One of his sons Ahmed al-Hiba, extended his power over the Western Sahara.¹

However, the resistance of the Saharawis tended to fade away as the French succeeded in beating the Reguibat tribes in 1934.

The Spanish colonial authorities completed their control of the Western Sahara with the support of auxiliary forces which were recruited among the nomads.

During the Second World War, Spanish authorities started to improve the social and economic conditions of the Western Sahara. Thus, they founded

¹ Traoré, Alioune, Ma al Ainin ou la dernière résistance Saharienne, *Publications de la Société Française d'Outre -Mers*, 1981, 5-6-2, pp 997-1012.

the Spanish Western Africa in 1947 which included Ifni, the Tarfaya band, Saguia-Al-Hamra and Rio de Oro.

After it gained independence in 1956, Morocco attempted to complete the project of "Greater Morocco" following the design of Allal Al Fassi, the leader of the nationalist party of Istiqlal. He disclosed a map which claimed a geographic configuration enclosing territories of all the Western Sahara, Mauritania, down to the Senegal River as well as large swathes of the Algerian territory.

There was no doubt that the discovery of large phosphate deposits in 1947 and, lately, in the 1960s explained the real motivations of Morocco.

In parallel, the Saharawi nationalism came to consolidate against Spanish colonial domination and against the pretensions of Morocco.

Saharawi resistance to Spanish colonial grip was sporadic but never ceased as highlighted by the rebellions that occurred in 1957 and 1958.

Some movements to fight Spanish colonialism were created but did not last long and it was *El Frente Popular de Liberación de Saguia-El-Hamra y Rio de Oro* (Popular Front of Liberation of Saguia-Al- Hamra and Rio de Oro (Polisario) founded in 1973 by (the Martyr) El-Ouali Mustapha Sayed which militated for the independence of the Western Sahara from Spanish colonial rule.

II-The process of annexation of Western Sahara by Morocco and the resilience of the Saharawi people:

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When the winds of decolonization were sweeping the world in early 1960s, the United Nations General assembly adopted a resolution on December 17, 1967 through which it invited Spain to immediately take measures leading to the independence of Ifni and the Western Sahara and engage negotiations over the sovereignty problems posed by these two territories.

Until 1974, Morocco supported these recommendations, being perhaps convinced that the outcome of the referendum would confirm its sovereignty over the Western Sahara.

However, when news of an eventual withdrawal of Spain (operation Swallow) was disclosed, King Hassan decided to take over this territory by launching the "green march" with 350.000 participants to the Western Sahara on October 31, 1974.

Morocco and Mauritania obtained from Spain a partition of this territory through the November 1975 Madrid Agreements during the agony of the Spanish President, Franco. An unavoidable question quickly springs to mind: how could Morocco accept to share the Western Sahara while it claims that this territory is an integrative part of the Moroccan Kingdom?

Mauritania withdrew from the part of the Western Sahara territory (Tiris Al Gharbia) in August 1979 following a peace treaty signed with the Polisario Front (annexed shortly later by Morocco).

Since Morocco's takeover of the Western Sahara, the Polisario Front intensified its efforts, to alter this "fait accompli."

Algeria supported the right of the Saharawi people for Self-determination ever since the United Nations has recognized this right.

This approach reflected Algeria's accordance with its sacro-sanct ideological principle based on the commitment to achieve decolonisation and given Algeria's own experience as a past colony and its bitter struggle to regain its Independence and national sovereignty

To Algeria, the Western Sahara constitutes a problem between the Polisario Front and Morocco and depends on the United Nations to permit the Saharawis to exercise their right of self-determination.

Thus, Algeria came to provide a multifarious support to the fight of the Polisario Front to recover its country legitimate national right as it did with many liberation movements that fought colonialism, especially in Africa during the 1960s-70s.

In order to preserve "the useful Sahara" it has conquered, Morocco went on to build a 1,200 km sand and stone wall¹ (*berm* or the *rabotu* as the Saharawis called it) with 2 or 3 meters high and heavily protected by barbed wire fortifications, landmines and sophisticated surveillance device.

Meanwhile, thousands of Saharawis refugees moved to live in remote desert camps situated near the southwestern Algerian border, and being depending on humanitarian aid.

¹ Mohsen-Finan Khadija, Murs de Défense au Sahara Occidental, *Etudes*, Vol. 400, No 2004, January 2004.

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The Polisario Front and Morocco accepted in August 1988 the "Joint Settlement Proposal" incepted by a top-level joint task set up by the UN and OAU.

Therefore, the Polisario Front declared a truce unilaterally and King Hassan met a Saharawi delegation in Marrakech in January 1989.

This plan received the approval of the UN Security Council in June 1990 and the UN dispatched a mission known as MINURSO to the Western Sahara in April 1991, tasked with monitoring a cease fire between the belligerent parties and organizing the long-stalled referendum on self-determination.

The referendum was due to be held no later than February 1992, but this process failed because of disagreements over the size of the voting population.

However, the real reasons behind Morocco's blockade of the countdown to the referendum were probably linked to the uncertainty of the referendum outcome.

In fact, Morocco wanted nothing else, but that the referendum confirms its annexation of the Western Sahara territory.

Despite initiatives made by United Nations' Secretary General, Kofi Annan in 2002, the plans incepted by James Baker, the United Nations envoy to the Western Sahara in 2002-3 as well as various informal meeting regrouping Moroccan officials and Saharawi representatives held in the US

city of Manhasset since 2007, no progress has been made to implement the right of the Saharawi people for Self-determination

Instead, Morocco embarked upon promoting "the autonomy plan" which aimed at granting policing powers as well as administrative, economic, jurisdictional, social and cultural prerogatives to the Saharawi people residing in the occupied territory.

However, the Morocco State kept its power in the "legal royal domain, especially defense, external relations and the constitutional prerogatives of his Majesty the King."¹

As expected, the Polisario Front rejected the "autonomy plan, " altogether.

The Polisario Front set up the Arab Saharawi Democratic Republic (SADR) in 1976 which became a full member of the Organization of the African Unity in 1976 and in the African Union in 1999.

A great number of States has recognized SADR, many European and other countries still adhere to UN resolutions supporting the Saharawi cause.

The growing resistance of the Saharawis living in parts occupied by Morocco has never ceased, as highlighted by protests, riots, hunger strikes and clashes with

¹ International Crisis Group, Western Sahara, the Cost of the Conflict, *Middle East and North Africa Report*, No65, June 11, 2007.

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Security forces in May 2005 and the revolt of young Saharawis at the *Gdeim Izik* camp in October 2010.¹

III-Implications of the Ukraine-Russia crisis over the future of the Western Sahara conflict:

The Western Sahara has constituted a dilemma for the United Nations since it has not been resolved during the cold war era which witnessed the rise to independence of a great bulk of the colonies all over the world and especially in Africa.

Unlike many former African colonies, the Western Sahara was not under the domination of powerful Western empires (Britain and France) and unlike former Lusitanian (Portuguese) Africa, it did not present an important stake in the East-West rivalry at that time and the result was that its decolonization process has not been completed.

Members of the UN Security Council have adopted a more or less balanced attitude towards the Western Sahara issue in order to manage the good relations they enjoyed with Morocco and Algeria.

Algeria's regional status may be enhanced because this country will be courted by Europe in terms of access to stable and secure energy and by the United States because of its role as a pivot country in the fight of terrorism in the Maghreb and the Sahel Sahara region.

¹ Soudan, François, Sahara : Jours de Fièvre, *Jeune Afrique*, November 18, 2010.

Indeed, Algeria has been praised for its military might and counter-terrorism expertise to preserve stability in these two regions Maghreb, in a context marked by the spread of terrorism and transnational crime (illegal migration, smuggling of arms and drugs trafficking).

The Western Sahara may become a "hot" issue in the eventuality that Africa may turn to be one of the theaters of the new East/West competition, after the end of the cold war cold war.

It is utterly not possible to see the Polisario Front and the Saharawi people to renouncing their fight to recover national rights and sovereignty over their land. An evidence for such a determination consists of the military skirmishes between the Moroccan forces and Saharawi guerillas from time to time and the popular protests of Saharawis residing in the occupied territory against Morocco's abuses of human rights. Indeed, frequent violent riots have occurred in the territories under Moroccan domination, such as those taking place in May 2005. These protests extended even to some Moroccan cities, such the town of Zak in September 2007.¹

A continuous domination of Morocco over the Western Sahara may lead to violent acts by young Saharawis, whether those living in the occupied territories, or in camps near the Algerian city of Tindouf, because their long-standing patience and frustrations may have limits.

It is hard to see Morocco relinquishing its control over the Western Sahara, as this issue has not only become a national issue in Morocco, but it

¹*El Watan*, October 20, 2007.

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has also become the safety valve of the survival of the kingdom. In parallel, it is not possible to see Algeria dropping down its support for the Saharawi cause which means a renunciation to its foreign policy principles and a denial of the spirit and the very essence of its glorious war of liberation?

A war between Algeria and Morocco would not be incited by external interests and foreign interferences, as both countries enjoy fruitful partnerships with the World major powers. US President George W. Bush Morocco hailed Morocco as "a major non-NATO ally in June 2004,"¹ and Algeria was considered as a pivotal country in the fight of terrorism in North Africa and the Sahel Sahara region, especially in the context of the "war on terror," initiated after the 9/11 tragic events in the US. The two countries engaged in a security Dialogue initiated in Washington in May 2005, and Algeria participated in US counter-terrorism annual regional exercises "Flintlock," initiated in 2003 which was transformed into the "Trans-Sahara Counter-Terrorism Partnership" (TSCTP) in 2005. Both initiatives aimed at combatting terrorist groups in the Sahel region with the implication of US Africom and the armies of the Maghreb and Sub-Saharan Africa. During a visit to Algiers in October 2009, US Secretary of Defense, Donald Rumsfeld declared that "of course, Algeria was very active in the nonaligned group for

¹ Memorandum for the Secretary of State, Presidential Determination No2004-35, Designation of the Kingdom of Morocco as a Major non-NATO ally to the United Nations, Presidency.ucsb.edu.

many years, and then, had a long battle with terrorism, and had been a very good partner and friend in the war on terror."¹

Conclusion:

The Western Sahara enjoys a valuable strategic location as it links the western southern parts of the Maghreb region to the western sub-Saharan Africa and has a large coastline on the Atlantic Ocean.

It is well endowed with natural resources: phosphates, iron-ore, huge fisheries potential, and probably hydrocarbons.

Its population is quite tiny but has a large portion of dynamic and educated youth.

These assets would enhance the status of the Western Sahara in the light of the expected increase of world's demand on Africa's raw materials.

An independent Western Sahara, an option in conformity with the United Nations resolutions adopted in favor of the right of the Saharawi people for self-determination, would certainly reinforce stability, security and cooperation in the Maghreb and the Sahel-Sahara.

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² Mercer, John, Spanish Sahara, London : George Allen and Unwin, 1976 ; Miské Ahmed-Daba, le Front Polisario, l'âme d'un Peuple, Paris: Editions Rupture, 1978 ; Gaudillo, Attilio, Le Dossier du Sahara Occidental, Paris : Nouvelles Editions Latines, 1978 ; Thompson, Virginia, Adloff, Richard, The Western Sahara ; London: room and Helm, 1980 ; Barbier, Maurice, Le Conflit du Sahara Occidental, Paris, L'Harmattan, 1982; Hodges , Tony, Western Sahara, Roots of a Desert War, Westport: Lawrence Hill, 1983; Jensen, Erik, Western Sahara, Anatomy of a Stalemate, London: Lynne Reiner, 2005.

³ Iratni, Belkacem, Conference on The Western Sahara Conflict, Political Reverberations, Incidences on the Maghreb Union and Future Prospects, NRCC, NATO Defence College, Rome, November, 14, 2010.

⁴ The census conducted by the Spanish colonial authorities in 1974 set the Saharawi population to 74.000 people. Moroccan residents in the Sahara generated by the implantation resulting from the Green March of 1975, as well as their descendants were estimated between 300.000 and 400.000 against 16.000 Saharawis (Mundy, J, Autonomy and Intifada : New Horizons, in the Western Sahara, *Review of African Political Economy*, No 8, 2006.

⁵ CIJ, Avis Consultatif, October, 16, 1975, 061-19751016-ADV-01-00-EN.pdf.

⁶ Traoré, Alioune, Ma al Ainin ou la dernière résistance Saharienne, *Publications de la Société Française d'Outre -Mers*, 1981, 5-6-2, pp 997-1012.

⁷ Mohsen-Finan Khadija, Murs de Défense au Sahara Occidental, *Etudes*, Vol. 400, No 2004, January 2004.

⁸ International Crisis Group, Western Sahara, the Cost of the Conflict, *Middle East and North Africa Report*, No65, June 11, 2007.

⁹ Soudan, François, Sahara : Jours de Fièvre, *Jeune Afrique*, November 18, 2010.

¹⁰ *El Watan*, October 20, 2007.

¹¹ Memorandum for the Secretary of State, Presidential Determination No2004-35, Designation of the Kingdom of Morocco as a Major non-NATO ally to the United Nations, Presidency.ucsb.edu.