

Western Sahara: Separating Fact from Fiction in the Independence Debate

As the Western Sahara continues to make its case for self-determination, LSE's Desiree Shayer-McLeod points out where Morocco is going wrong in its case for sovereignty over the region.

November 6, 2015 marked the fortieth anniversary of Morocco's decision to annex the former Spanish colony of Western Sahara, a strip of land stretching along the Atlantic coast from Morocco's southern border. For three years prior to this annexation, the Sahrawis had been fighting a guerrilla war against Spanish occupation, led by the Polisario Front, an organisation that still holds power in the territory. Despite their desire for an independent Western Sahara, the Spanish withdrawal led only to continued conflict with the Moroccan monarchy. Today, the Western Sahara is Africa's only non-self-governing territory, and while a ceasefire has been in effect since 1991, the Sahrawi people have never been given a chance to exercise their right to self-determination. The referendum, agreed to as part of the conditions for the ceasefire, never took place among debates over the criteria for inclusion on the voting rolls.



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Following UN Envoy Christopher Ross' **recent visit** to the region, proponents of each side have been active in their efforts to secure greater support for their cause. However, Morocco's supporters have been reluctant to frame their arguments on the basis of international legal principles or UN resolutions on the conflict. This adds strength to **the Western Saharan case** even

Morocco's staunchest supporters have given up on attempting to establish a legal basis for their claims and have chosen to try to connect Sahrawi refugees to the global jihadi terrorist threat without providing any evidence to support this claim.

A **recent editorial** published on The Hill's Congress Blog highlights this tendency. Edward Gabriel, a former US Ambassador to Morocco who now works as an advisor to the Moroccan Kingdom, provides two reasons why the conflict must be resolved by the establishment of Moroccan sovereignty in the Western Sahara. First, that this represents a decolonisation process, and second, that this is necessary for regional security. Gabriel writes that Morocco's claim to the Western Sahara stems from its pre-colonial sovereignty over the area, arguing that the Kingdom's annexation of the territory during the **1975 Green March** involved only civilian Moroccans "waving the Moroccan flag and the Koran, to reclaim their traditional sovereignty over the region" and exercising their "duty to the nation to reclaim all that was rightfully Morocco's before colonial Europe's usurpation of its sovereignty a century earlier."

However, this claim is simply untrue: when the question of pre-colonial sovereignty was posed to the International Court of Justice in 1975, the court **concluded** that while both Morocco and Mauritania had legal ties to the territory, these did not constitute ties of territorial sovereignty. Further, the court gave its opinion that these legal ties did not alter the right of the Sahrawi people to self-determination. This may explain why Gabriel makes no mention of the ICJ opinion, or any of the **UN Security Council or General Assembly resolutions** calling for self-determination for the Sahrawi people.

Gabriel goes on to state that Morocco must be allowed sovereignty over the Western Sahara to ensure security in the broader Sahara and Sahel, arguing that the region is characterised by "coups, uprisings, failing governments, rampant acts of terrorism, contraband smuggling, large ungoverned spaces and a plethora of jihadi groups." While this statement is true, and the Sahara/Sahel region has seen growing political instability and does suffer from attacks by organised terrorist groups, Gabriel fails to provide evidence that these claims apply to the Western Sahara or the Polisario-run refugee camps. In fact, the refugee camps are seen by many in the development and humanitarian aid fields as **a model** of participatory governance, responsible stewardship of aid, and in the promotion of women to positions of power

This is not to say that the refugee camps have never faced security challenges. In the 2000s, **a group emerged** advocating for renewed violence against Morocco as the best way to promote the Sahrawi cause. However, the Polisario leadership identified and responded effectively to that threat, and the group was never able to engage in violence. Further, while Gabriel claims that "the Polisario refugee camps in Algeria, filled with hopeless, angry young men and women, are the recruiting targets of those [jihadi] groups," even he does not go so far as to claim that any Sahrawi young people have actually become involved with those groups. It is misleading to insinuate that the camps are potential hotbeds of terrorist recruiting. This misrepresents both sentiment in the camps and the true security threat of terror emanating from Africa. Many Sahrawi refugees are angry that they have been denied self-determination, but this does not automatically imply any affinity for joining a terrorist group. Rather, it is a reasonable response to the ongoing conflict.

If Gabriel, and **by extension Morocco**, is serious about the need to resolve the conflict, he must recognise the legal case for Sahrawi self-determination and end his attempts to link the Sahrawi independence movement with global jihadi terrorists. A durable solution to this conflict cannot be achieved through a deliberate campaign to mislead the public and perpetuate false claims but instead should be rooted in the international legal principles governing the self-determination of colonised peoples.

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