



# Western Sahara

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February 15, 2011

**Congressional Research Service**

7-5700

[www.crs.gov](http://www.crs.gov)

RS20962

## Summary

Since the 1970s, Morocco and the independence-seeking Popular Front for the Liberation of Saqiat al Hamra and Rio de Oro (Polisario) have vied for control of the Western Sahara, a former Spanish territory. In 1991, the United Nations arranged a cease-fire and proposed a settlement plan that called for a referendum to allow the people of the Western Sahara to choose between independence and integration into Morocco. A long deadlock on determining the electorate for a referendum ensued. The U.N. then unsuccessfully suggested alternatives to the unfulfilled settlement plan and later called on the parties to negotiate. In April 2007, Morocco offered an autonomy plan for the region. The two sides have since met on several occasions under U.N. auspices, but have made no progress due to their unwillingness to compromise. Informal talks were reconvened between November 2010 and January 2011 by U.N. Special Envoy Christopher Ross. In November 2010, Moroccan security forces dismantled a Sahrawi protest camp near the Moroccan-administered regional capital, Laayoune, sparking violent confrontations and criticism from rights advocates.

The Western Sahara issue has affected Algerian-Moroccan bilateral relations, Moroccan relations with the African Union, and regional cooperation on economic and security issues. The United States supports the U.N. effort and has urged the parties to focus on autonomy—a solution that would not destabilize its ally, Morocco. Some Members of Congress support a referendum and are frustrated by delays; others support Morocco’s autonomy initiative. The United States contributes funds, but no manpower, for the United Nations Mission for the Organization of a Referendum in the Western Sahara (MINURSO). In an explanatory statement accompanying the FY2009 Omnibus Appropriations Act (P.L. 111-8, March 11, 2009), appropriators expressed concern about human rights in the Western Sahara. Similar provisions have not appeared in subsequent appropriations legislation. See also CRS Report RS21579, *Morocco: Current Issues*, by Carol Migdalovitz, and CRS Report RS21532, *Algeria: Current Issues*, by Alexis Arief.

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## History

The territory now known as the Western Sahara became a Spanish possession in 1881. In the mid-1970s, Spain prepared to decolonize the region, intending to transform it into a closely aligned independent state after a referendum on self-determination. Morocco and Mauritania opposed Spain's plan and each claimed the territory. Although their claims were based on historic empires, the Western Sahara's valuable phosphate resources and fishing grounds also may have motivated them.<sup>1</sup> At Morocco's initiative, the U.N. General Assembly referred the question to the International Court of Justice (ICJ). However, on October 12, 1975, the ICJ did not find a tie of territorial sovereignty between Morocco and the Western Sahara. In response, on November 6, 1975, King Hassan II of Morocco launched a "Green March" of 350,000 unarmed civilians to the Western Sahara to claim it. Spanish authorities halted the marchers, but on November 16, Spain agreed to withdraw and transfer the region to joint Moroccan-Mauritanian administration.

The independence-seeking Popular Front for the Liberation of Saqiat al Hamra and Rio de Oro, or Polisario, founded in 1974, forcefully resisted the Moroccan-Mauritanian takeover. In the 1970s, about 160,000 Sahrawis left the Western Sahara for refugee camps in Algeria and Mauritania. With Algeria's support, the Polisario established its headquarters in Tindouf, in southwest Algeria, and founded the Sahrawi Arab Democratic Republic (SADR) in 1976. Mauritania could not sustain a defense against the Polisario and signed a peace treaty with it, abandoning all claims in August 1979. Morocco then occupied Mauritania's sector and, in 1981, began building a berm or sand wall to separate the 80% of the Western Sahara that it occupied from the Polisario and the Sahrawi refugees. Morocco's armed forces and Polisario guerrillas fought a long war in the desert until the U.N. arranged a cease-fire and proposed a settlement plan in 1991.

U.N. Security Council Resolution 690 (April 29, 1991) established the United Nations Mission for the Organization of a Referendum in the Western Sahara (MINURSO) and called for a referendum to offer a choice between independence and integration into Morocco. However, over the next decade, Morocco and the Polisario differed over how to identify voters for the referendum, with each seeking to ensure an electoral roll that would support its desired outcome. In March 1997, U.N. Secretary-General Kofi Annan named former U.S. Secretary of State James A. Baker III as his Personal Envoy to break the deadlock. Baker brokered an agreement to restart voter identification, which was completed in 1999 with 86,000 voters identified. MINURSO then faced more than 130,000 appeals by those denied identification as voters who were supported by Morocco. U.N. Security Council Resolution 1301 (May 31, 2000) asked the parties to consider alternatives to a referendum. The U.N. concluded that processing appeals could take longer than the initial identification process and that effective implementation of the settlement plan would require the full cooperation of Morocco and the Polisario, and the support of Algeria and Mauritania. Because Morocco and the Polisario would each cooperate only with implementation that would produce its desired outcome, full cooperation would be difficult or impossible to obtain. The U.N. also stated that it lacked a mechanism to enforce the results of a referendum.

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<sup>1</sup> The possibility of oil and gas reserves (as yet unproven) off the Atlantic coast surfaced years later and has probably increased both sides' desire for the region, but the lack of a resolution to the Western Sahara dispute deters exploration.

Figure I. Western Sahara, MINURSO, and Refugee Camp Sites



Source: CRS graphics

## The Baker Plan and Subsequent Developments

The Secretary-General's June 20, 2001, *Report on the Western Sahara* proposed a framework agreement that became known as the Baker Plan to confer on the population of the Western Sahara the right to elect executive and legislative bodies and to control a local government and many functional areas. The executive would be elected by voters identified as of December 1999, that is, by an electorate favoring the Polisario and excluding Moroccan-supported appellants. Morocco would control foreign relations, national security, and defense. A referendum on final status would be held within five years, with one-year residence in the Western Sahara then the sole criterion for voting. That electorate would favor Morocco by including its settlers as well as

native Sahrawis.<sup>2</sup> Annan hoped that Morocco, the Polisario, Algeria, and Mauritania would negotiate changes acceptable to all. After Baker met representatives of Algeria, Mauritania, and the Polisario, however, Annan, on his and Baker's behalf, doubted the parties' political will to resolve the conflict and cooperate with U.N. efforts.<sup>3</sup> The Security Council could not agree on a new approach and both sides and Algeria rejected partition.

In January 2003, Baker presented a compromise that did not require the consent of the parties.<sup>4</sup> It would lead to a referendum in which voters would choose integration with Morocco, autonomy, or independence. Voters would be Sahrawis on the December 1999 provisional voter list, on the U.N. Office of the High Commissioner for Refugees repatriation list as of October 2000, or continuously resident in the Western Sahara since December 30, 1999 (therefore including Moroccan settlers). The U.N. would determine the voters, without appeal. In the interim, a Western Sahara Authority would be the local government and Morocco would control foreign relations, national security, and defense.

Morocco objected, mainly questioning why the U.N. was reviving the referendum option; it also was upset by the use of the word "independence" instead of the vaguer "self-determination" to describe an option.<sup>5</sup> On April 9, 2004, Morocco declared that it would only accept autonomy as a solution.<sup>6</sup> It called for negotiations only with Algeria, insisting that the Western Sahara is a bilateral geopolitical problem. Underlying these views was a rejection of any challenge to Morocco's physical possession of the territory. Algeria concluded that the Baker Plan was a "gamble" that should be taken and the Polisario accepted it, too. Algeria declined to negotiate, insisting that it is not a party to the dispute and not a substitute for the Sahrawis. The Polisario rejected autonomy and insisted on the right to choose self-determination in a referendum.

James Baker resigned as the Secretary-General's Personal Envoy in June 2004. The Baker Plan has not been mentioned in Security Council resolutions since then. In July 2005, Annan appointed Danish diplomat Peter van Walsum as his new envoy. Van Walsum indicated that he could not draft a new plan because Morocco would only endorse one that excludes independence, while the U.N. could not endorse a plan that excludes a referendum with independence as an option. He concluded that the remaining options were deadlock or direct negotiations. Since the former was unacceptable, responsibility rested with the parties. Van Walsum also reported that the Western Sahara was not high on the international political agenda and that most capitals seek to continue good relations with both Morocco and Algeria. Hence, they acquiesce in the impasse.<sup>7</sup>

Security Council Resolution 1754 (April 30, 2007) called on Morocco and the Polisario to negotiate without preconditions on a political solution that will provide for the self-determination of the people of the Western Sahara. In 2007 and 2008, the two sides met and held consultations with van Walsum four times at Manhasset, New York, but neither was willing to discuss the

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<sup>2</sup> U.N. Security Council, *Reports of the Secretary-General on the Situation Concerning Western Sahara*, S/2001/613, June 20, 2001, and S/2002/41, January 10, 2002. U.N. documents are accessible via <http://www.un.org>.

<sup>3</sup> *Ibid.*

<sup>4</sup> U.N. press release, June 2, 2003. The plan is in annex II of the U.N. Security Council, *Report of the Secretary-General*, S/2003/565, May 23, 2003.

<sup>5</sup> "Morocco Says 'Nothing New' in Algeria's Statements on Western Sahara," *Al-Jazeera TV*, July 17, 2003, transmitted by BBC Monitoring Middle East-Political.

<sup>6</sup> U.N. Security Council, *Report of the Secretary-General*, S/2004/325/Add.1, April 23, 2004, "Reply of the Kingdom of Morocco to Mr. Baker's Proposal Entitled 'Peace Plan for the Self-Determination of Western Sahara.'"

<sup>7</sup> U.N. Security Council, *Report of the Secretary-General*, S/2006/249, April 19, 2006.

other's proposals, that is, Morocco's for autonomy and the Polisario's for a referendum. Algeria, Mauritania, and other interested countries were present. In April 2008, van Walsum stated that "an independent Western Sahara is not a realistic proposition," prompting the Polisario to accuse him of bias in favor of Morocco, call for his replacement, and refuse to return to negotiations. Secretary-General Ban Ki-moon did not reappoint van Walsum in August 2008.

## Recent Developments

On January 7, 2009, the Secretary-General named U.S. diplomat Christopher Ross as his new Personal Envoy for the Western Sahara. Ross suggested that the parties hold small, informal preparatory meetings, and an initial session was held in Vienna in August 2009. Ross most recently convened a new round informal talks between November 2010 and January 2011, but has not indicated concrete progress on a settlement. In January, Ross was quoted in the press as saying, "Each party continues to reject the other as a sole basis for future negotiations," though he noted progress in renewing confidence-building measures such as family visits and telephone communications between Western Saharan residents and the refugees.<sup>8</sup> Such measures, which are supported by the U.N. High Commissioner for Refugees (UNHCR), had been temporarily halted.

### Laayoune Violence: November 2010

In November 2010, Moroccan security forces forcibly dismantled a Sahrawi protest camp near the Moroccan-administered regional capital, Laayoune (alt: El Ayoun or Al Ayun). The security forces' actions and subsequent violent confrontations between security forces and residents resulted in deaths, injuries, and arrests, and sparked international condemnation. Eleven security officers and at least three civilians were killed according to official figures, though an independent tally of casualties has not been conducted. According to rights advocates, following the initial confrontations, Moroccan security forces detained hundreds of Sahrawis and reportedly participated, along with Moroccan civilians, in "retaliatory" attacks on civilians and homes.<sup>9</sup> Moroccan authorities rejected this characterization of the events and contended that violence was orchestrated by members of the Polisario.

## Moroccan and Algerian Views

Morocco and Algeria are rivals with different decolonization histories and different political systems. Algeria emerged from a bloody revolution with a leftist orientation, while the Moroccan monarchy survived intact from a much less violent struggle with France. Almost since independence, the neighbors have competed for regional preeminence, and the Western Sahara is where the contest is now joined.

From the beginning, the Western Sahara issue has unified Moroccans and reinforced support for a monarchy that had survived two coup attempts. King Mohammed VI has strongly reasserted Morocco's claim to the region since he ascended to the throne in July 1999. Although the territory

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<sup>8</sup> Gala Riani, "Morocco and Polisario Front Hold Western Sahara Talks Without Breakthrough," *Global Insight*, January 24, 2011.

<sup>9</sup> Human Rights Watch, "Western Sahara: Beatings, Abuse by Moroccan Security Forces," November 26, 2010.

may be a short-term financial liability, its actual and potential resources may be a long-term economic boon. Furthermore, Moroccan authorities see the Western Sahara as a check on Algeria's regional ambitions being pursued via what they consider Polisario surrogates. On April 21, 2001, the king suggested decentralization as the best option for the Sahara and, in November 2002, he declared that a political solution must respect Morocco's territorial integrity.<sup>10</sup> Morocco has markedly increased investment in the region to reinforce its claim to sovereignty. On April 11, 2007, Morocco presented an autonomy plan for the Western Sahara under Moroccan sovereignty, without the prospect of independence, for negotiation to the U.N. Secretary-General.<sup>11</sup>

Abdelaziz Bouteflika became president of Algeria in April 1999. A former activist in the Algerian revolution against French colonial rule, he and his countrymen see the Western Sahara as one of the world's last decolonization campaigns. If the Polisario won control of the region, Algeria would also benefit by gaining access to the Atlantic Ocean. Should the issue simply simmer, it is still a low-cost way to keep Morocco bogged down. Algeria has unwaveringly supported its protégé's desire for self-determination. Algeria and the Polisario reject the Moroccan autonomy plan and insist on a referendum on self-determination. With strong ties in sub-Saharan Africa, Algiers is probably responsible for the SADR's African Union (AU) membership and for many African governments' recognition of the SADR; Latin American governments also have recognized it. The Polisario has specifically received support from South Africa and Venezuela. Morocco suspended its membership in the Organization for African Unity (OAU), the predecessor of the AU, and has not joined the AU because of the AU's acceptance of the SADR.

## Prospects

Morocco's response to the 2003 Baker Plan and subsequent official statements indicated a diminished willingness to compromise at the same time that Algeria and the Polisario then appeared more willing to compromise. The Polisario has since become less compromising in its insistence on self-determination, while Morocco will not bend on its autonomy proposal. In other words, the current impasse is likely to continue for the foreseeable future.

The Polisario periodically threatens a return to armed struggle, but it remains unable to resume a military campaign without the aid and presumably the permission of Algeria, which are not expected. Algeria is focusing on its economy and international image and is concerned about resurgent Islamist terrorism. It has nurtured closer ties with the United States, France, and Spain that would be strained if it allowed a return to violence over the Western Sahara. Moreover, some of the Polisario's threats may only be rhetoric to enable entrenched leaders to appease vocal, young militants. In addition, the Polisario is disadvantaged militarily. It has between 3,000 and 6,000 soldiers, in addition to the civilian refugee population, which could potentially be mobilized to support a guerrilla campaign. They would confront about 100,000 Moroccan troops stationed in the Western Sahara. With civilian support services, the Moroccan presence in the region may total 300,000. The Moroccan army has a total strength of 175,000, with 150,000 more

<sup>10</sup> "Moroccan King Buries W. Sahara Referendum Idea," *Reuters*, November 7, 2002.

<sup>11</sup> Text accessible via <http://www.maec.gov.ma/>. The Polisario says it, too, had presented a proposal to the U.N. on April 7, 2007, calling on the U.N. to organize a referendum to allow the Sahrawi to choose among three options: independence, merger with Morocco, or autonomy. If they chose independence, then the Polisario offered to negotiate with Morocco to ensure its economic and security interests and deal with the issue of what the Front refers to as Moroccan "settlers." "Polisario Front Head Favours Dialogue with Morocco, Denies Al-Qa'idah Presence," Al-Jazeera TV, December 12, 2008, BBC Monitoring Middle East, December 14, 2008.

in reserves. The Polisario has instigated popular demonstrations for independence in the Western Sahara, but it has not resorted to terrorism that would cost it sympathy abroad, and denies all Moroccan allegations that it has links to Al Qaeda.

The Western Sahara is a transit point for illegal Moroccan, Sahrawi, sub-Saharan African, and South Asian migrants attempting to reach the Canary Islands (Spain) by boat. Morocco and the Polisario have justified violations of the cease-fire as actions to curb smuggling. Morocco appears to be using the need to control illegal immigration as a pretext to bolster its forces. In other words, it is tightening its hold on the region.

As long as the Western Sahara issue is unresolved, relations between Morocco and Algeria are unlikely to be normalized. Algeria had indicated that it was willing to develop bilateral relations without a resolution to the conflict, but Morocco insisted that the Western Sahara was too important an issue to set aside, noting that Algeria shelters and hosts people who carry weapons against Morocco. In March 2008, Morocco called for reopening its border with Algeria, but Algeria said that the border would remain closed until agreement on many issues, including a solution for the Western Sahara. Both have since reiterated these views. Due to the Western Sahara dispute, the Arab Maghreb Union, of which both are members, has not held a summit since 1994.<sup>12</sup>

## United States Policy

The United States supported the U.N. settlement plan and the Baker Plan. It has not recognized the SADR or Morocco's sovereignty over the Western Sahara. President George W. Bush expressed understanding of "the Moroccan people's sensitivity over the Sahara issue" and said that the United States did not seek to impose a solution.<sup>13</sup> Then-U.S. Under Secretary of State Nicholas Burns described Morocco's 2007 autonomy plan as "a serious and credible proposal" and the State Department has since urged the parties to focus on establishing a mutually acceptable autonomy regime in their negotiations.<sup>14</sup> In November 2009, during a visit to Morocco, Secretary of State Hillary Clinton stated that there had been "no change" in U.S. policy on Western Sahara under President Obama, that is, that the United States supports the U.N.-led mediation effort and will not urge preconditions about how U.N. mediation might best resolve the issue.<sup>15</sup> In November 2010, State Department spokesman Philip J. Crowley commended the parties' engagement in a new round of informal talks and added, "we urge the parties to engage seriously with each other and with Special Envoy Ross to work toward a peaceful, sustainable and mutually-agreed solution."<sup>16</sup>

U.S. support for the U.N. peace effort is given in the context of valued U.S.-Moroccan relations as U.S. officials view Morocco as a moderate Arab ally, collaborator in countering terrorism, constructive player in the Israeli-Palestinian peace process, and leader in Arab efforts to reform

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<sup>12</sup> The Arab Maghreb Union, including Algeria, Morocco, Tunisia, Libya, and Mauritania, was founded in 1989 to promote regional cooperation.

<sup>13</sup> Message by President Bush to King Mohammed VI, MAP, via BBC Monitoring Middle East, December 3, 2003.

<sup>14</sup> "'Serious and Credible,' in Washington's Own Words," <http://www.autonomyplan.org> – which appears to be an official Moroccan government website – and U.S. Department of State, response to taken question, May 2, 2008.

<sup>15</sup> Voice of America, "Clinton Stands By UN Mediation for Western Sahara," November 6, 2009.

<sup>16</sup> U.S. Department of State, "Recent Informal Talks on Western Sahara," November 10, 2010.

and democratize. U.S. officials would prefer a solution to the Western Sahara dispute that would not destabilize Mohammed VI's rule. They also believe that a settlement would enhance regional stability and economic prosperity.

## **Support for the U.N. Peacekeeping Mission (MINURSO)**

MINURSO was most recently re-authorized under U.N. Security Council Resolution 1920 of April 29, 2010. As of October 2010, the mission comprised 242 total uniformed personnel (mostly military observers) and 100 international civilian personnel. The United States does not contribute personnel to MINURSO, but assists in funding the mission: the United States allocated \$8.4 million in FY2009 and an estimated \$14.1 million to the U.N. for MINURSO through the State Department's Contributions to International Peacekeeping Activities (CIPA) account. The State Department has requested \$16.4 million for FY2011. Former U.S. Ambassador to the United Nations John Bolton suggested that MINURSO was a costly operation that had helped to perpetuate the status quo, while current U.S. Ambassador to the U.N. Susan Rice so far has agreed with the common U.N. and State Department view that it has effectively maintained the cease-fire.

## **Recent Congressional Activities**

Many Members of Congress have endorsed Morocco's autonomy initiative. Others support a referendum and are concerned about human rights and political freedoms in the Western Sahara. In an explanatory statement accompanying the FY2009 Omnibus Appropriations Act (P.L. 111-8, March 11, 2009), appropriators directed the Secretary of State to report in writing on "steps taken by the Government of Morocco to protect human rights, and whether it is allowing all persons to: (1) freely advocate their views regarding the status and future of the Western Sahara through the exercise of their rights to peaceful expression and association; and (2) document violations of human rights in the territory without harassment."<sup>17</sup> A similar reporting requirement was included in the conference report accompanying the FY2010 Consolidated Appropriations Act (P.L. 111-117, December 16, 2009).<sup>18</sup> In January 2011, House Foreign Affairs Committee Chairwoman Ileana Ros-Lehtinen temporarily placed a hold on the U.S. grant transfer to Morocco of trucks valued at about \$1.34 million, citing concerns over human rights in the Western Sahara.

Previously, the FY2008 Consolidated Appropriations Act, P.L. 110-161, December 26, 2007, provided for the allocation of an additional \$1 million in Foreign Military Financing (FMF) for Morocco if the Secretary of State certified, among other things, that Morocco was allowing all persons to advocate freely their views regarding the status and future of the Western Sahara through the exercise of their rights to peaceful expression, association, and assembly and to document violations of human rights in that territory without harassment. The original amendment (S.Amdt. 2738), proposed by Senator Patrick Leahy and included in the Senate version of the bill, would have allowed the appropriation of not more than \$2 million in FMF for Morocco until the Secretary of State certified that the government of Morocco had ceased to persecute, detain, and prosecute individuals for peacefully expressing their opinions regarding the status and future of the Western Sahara and for documenting violations of human rights, and

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<sup>17</sup> Explanatory statement submitted by the Chairman of the House Committee on Appropriations "as if it were a joint explanatory statement of a committee of conference," February 23, 2009; Congressional Record, p. H2417.

<sup>18</sup> H.Rept. 111-366, Congressional Record p. H14356.

provided unimpeded access to internationally recognized human rights organizations, journalists, and representatives of foreign governments to the Western Sahara. The provision was revised in conference.

On June 6, 2007, the House Foreign Affairs Committee held a hearing on “U.S. Policy Challenges in North Africa.” In his opening statement, then-Chairman Tom Lantos noted the then-recent Moroccan proposal for autonomy for the people of the Western Sahara and said that he and 172 other Members had written a letter to President Bush, urging U.S. support for the plan.

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## **Acknowledgments**

This is an update to a report authored by Carol Migdalovitz, now-retired CRS Specialist in Middle Eastern Affairs.