

ORIGINAL ARTICLE

Western Sahara's Unlearned Lessons

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Abstract

The situation in the Western Sahara illustrates an unfortunate aspect of international relations: When countries pursue their national interests and ignore international principles, they can create problems that defy resolution. Such problems are often dumped in the lap of the United Nations, which frequently lacks the means to solve them. The struggle between Morocco's desire to annex the Western Sahara and the Algerian-backed effort for it to be an independent country has led to an impasse. The United States has tried to have it both ways by making statements designed to suggest the two mutually exclusive options are possible. While this intractable dispute drags on and the possibility of renewed hostilities increases, a UN peacekeeping mission, established more than 30 years ago but that accomplishes little to nothing, continues with no end in sight.

If it had a different name, Western Sahara would be a place that very few people could even locate on a map. Despite the hint as to its location, it remains largely unknown and attracts little notice other than from the countries that border it. The situation there deserves more attention, however, as it illustrates an unfortunate aspect of international relations: when countries pursue their national interests and ignore international principles, they can create problems that defy resolution. Then, the intractable situation is often dumped in the lap of the United Nations, which lacks the means to resolve it.

This is the plight of the Western Sahara. With a population of only about 600,000, the region has as few people as it does resources. Its economy is based mainly on fishing and, with a land area the size of Colorado, it is one of the most sparsely populated places on Earth. It would seem neither a likely cause for conflict nor the reason for an endless peacekeeping mission, but it is.

Spain seized the area at the end of the 19th century, and it has been classified by the United Nations as a “non-self-governing territory” since 1963. An indigenous independence movement, the Polisario Front, was formed in 1973 and succeeded in forcing Spain to relinquish control in 1975. Neighboring Morocco immediately moved in, however, even though the International Court of Justice decided that the kingdom “had no ties of territorial sovereignty to Western Sahara” that would justify the occupation.¹ That verdict did not dissuade Morocco, which has ruled the area ever since.

Not wanting to see Spanish colonialism replaced by the Moroccan version, the Polisario Front launched attacks on Moroccan forces. To support its case for independence, the group also declared the establishment of the Sahrawi Arab Democratic Republic (SADR). Initially, the SADR garnered significant international recognition. It was admitted as a member of the African Union, and 85 countries recognized it as an independent country.

Algeria, in constant competition with Morocco for regional predominance, endorsed the Polisario's demands and became the group's main supporter. In the mid-1970s, tens of thousands who fled the fighting wound up in refugee camps in Algeria and have been there ever since.² Morocco was not without important allies, however. France, because of its long and very close relationship with Morocco, backed its annexation of the region.

A ceasefire was negotiated in 1991, and the United Nations established a peacekeeping force, the UN Mission for the Referendum in Western Sahara (MINURSO), to monitor it. As the operation's name implies, its mandate was to help organize a referendum that would allow the people of the area to determine their political future either as part of Morocco or as an independent state.

Neither side has been willing to have its ambitions thwarted by a referendum that it might lose. As the impasse dragged on, Morocco steadily expanded the number of its citizens who live in the territory, not unlike what Israel has done for decades on the West Bank. They now amount to more than double the number of Sahrawi, the nomadic people who previously were the main inhabitants. Defining who should be eligible to vote in any referendum would determine its outcome and therefore has become an issue that is impossible to resolve. In addition, Morocco has refused to permit any referendum that includes independence as an option.

To better defend their possession of the region, the Moroccans built a 2,700-kilometer sand wall, or berm, running the entire length of the territory. It is designed to keep Polisario forces out of the western two-thirds of the area, and some nine million landmines were planted around the berm to help ensure that.

In addition to military measures, Morocco proposed in 2007 an autonomy plan for Western Sahara that would give the kingdom sovereignty over the territory and “powers in the royal domains, especially with respect to defense, external relations and the constitutional and religious prerogatives of His Majesty the King.”³ The plan would allow the “Sahara populations” to “themselves run their affairs democratically, through legislative, executive and judicial bodies enjoying exclusive powers.” The leaders of the Polisario, not wanting to be mere provincial functionaries without a country of their own, have continued to push for a referendum on complete independence.

¹ “Western Sahara: Overview,” International Court of Justice, 1974, <https://www.icj-cij.org/en/case/61>.

² “Algeria Prepares to Compete with Morocco in Africa,” *Middle East Monitor*, September 8, 2021, <https://www.middleeastmonitor.com/20210908-algeria-prepares-to-compete-with-morocco-in-africa/>.

³ Ali Haidar, “The Moroccan Autonomy Plan,” *Sahara News*, April 3, 2007, <https://sahara-news.org/9-the-moroccan-autonomy-plan.html>.

In November 2020, frustrated by decades without any progress toward its goal, Polisario declared it would no longer abide by the ceasefire. As a result, in his October 2021 status report on the situation, the UN secretary-general observed: “The resumption of hostilities between Morocco and Frente POLISARIO is a major setback to the achievement of a political solution to this long-standing dispute. Since then, daily incursions into this zone and hostilities between the parties have significantly undermined the arrangements that have been the basis for a cease-fire for the past 30 years. There remains a clear risk of escalation while hostilities persist.”⁴

An April 2022 report by the European Council on Foreign Relations also noted the growing chances for renewed hostilities: “Tensions between Morocco and Algeria have risen lately, and there is now a heightened risk of armed conflict arising. The escalation is rooted in the dispute over the status of Western Sahara, where Morocco appears to feel that its claim to sovereignty is gaining international support.”⁵

In fact, Morocco’s claim has been gaining support. With only a few weeks left in his term of office, President Donald Trump issued a proclamation on December 10, 2020, stating that, “as of today, the United States recognizes Moroccan sovereignty over the entire Western Sahara territory and reaffirms its support for Morocco’s serious, credible, and realistic autonomy proposal as the only basis for a just and lasting solution to the dispute over the Western Sahara territory.” The declaration also stated that the United States would open a consulate in the town of Dakhla, which has a population of only 106,000, making it a very unlikely place to locate a diplomatic post.⁶

Trump’s decision to recognize Moroccan sovereignty made the United States the only country in the world to take such a step. It was not motivated by any interest in the situation in the Western Sahara, but by the need to provide the Moroccan monarch, King Mohammed VI, a strong incentive to join the Abraham Accords and formally establish diplomatic relations with Israel.

Morocco and Israel have had a 60-year history of secret intelligence, military, political, and cultural ties, but the Moroccan monarchs during this time have feared the backlash from their subjects that an overt relationship would cause.⁷ The inducement of the sovereignty declaration provided the incentive to take the risk of bringing the relationship between Israel and Morocco out into the open. The announcement prompted only a small division within the co-ruling political party. Islamist factions condemned it because they believe having diplomatic relations with Israel weakens the chances for the creation of a Palestinian state.⁸

While Moroccans celebrated the American support for its sovereignty over Western Sahara, some Americans did not. Former President George H.W. Bush’s secretary of state, James Baker, called the decision “an astounding retreat from the principles of international law and

⁴ “Question of Western Sahara: Report of the Secretary-General (A/76/388) [EN/AR]”, Reliefweb, October 19, 2021, <https://reliefweb.int/report/western-sahara/question-western-sahara-report-secretary-general-a76388-en-ar>.

⁵ Anthony Dworkin, “North African Standoff: How the Western Sahara Conflict Is Fueling New Tensions between Morocco and Algeria,” European Council on Foreign Relations, April 2022, <https://ecfr.eu/wp-content/uploads/2022/04/North-African-standoff-How-the-Western-Sahara-conflict-is-fuelling-new-tensions-between-Morocco-and-Algeria.pdf>.

⁶ “Proclamation on Recognizing the Sovereignty of the Kingdom of Morocco over the Western Sahara,” Trump White House Archive, December 10, 2020, <https://trumpwhitehouse.archives.gov/presidential-actions/proclamation-recognizing-sovereignty-kingdom-morocco-western-sahara/>.

⁷ Yossi Melman, “Assassination, Bribes and Smuggling Jews: Inside the Israeli Mossad’s Long Secret Alliance with Morocco,” *Haaretz*, December 17, 2020, <https://www.haaretz.com/israel-news/.premium.HIGHLIGHT-assassination-bribes-smuggling-jews-inside-mossad-s-secret-alliance-with-morocco-1.9372580>.

⁸ Moroccan Islamist Groups Reject Normalising Ties with Israel, *Guardian*, December 12, 2020, <https://www.theguardian.com/world/2020/dec/13/moroccan-islamist-groups-reject-normalising-ties-with-israel>.

diplomacy,” adding, “this rash move disguised as diplomacy will contribute to the existing deadlock in resolving the long-standing conflict.”⁹

John Bolton, who served as Trump’s national security adviser from April 2018 to September 2019, said the move “gratuitously destroyed a commitment, with no consultation, just to make a so-called deal in a completely separate context.”¹⁰ Bolton added, “From the perspective of U.S. policy, the best outcome would be for Biden, once inaugurated, to reverse Trump’s acquiescence to Moroccan sovereignty.”

There is a bit of irony in the comments by both men. Baker had served as the UN secretary-general’s personal envoy for Western Sahara from 1997 to 2004. Those years of effort did not resolve the situation, despite Baker’s floating two different peace plans. The first, which called for Moroccan sovereignty, was rejected by the Polisario and Algeria. The second, which included a referendum that could result in independence, was rejected by Morocco. When the second plan failed, Baker resigned from the position in frustration. If he could not make any progress toward solving the problem in seven years, his fear that Trump’s edict would worsen a situation that has long been intractable seems a bit overwrought.

As for Bolton, he worked pro bono for Baker on the Western Sahara problem and served as ambassador to the United Nations under President George W. Bush, even though he was never confirmed by the Senate that had a Republican majority. He therefore knows the problem very well, including the chances for a political settlement. At the UN and as Trump’s national security adviser, Bolton sharply criticized peacekeeping missions that seem to be endless. In May 2018, he said, “MINURSO is a peacekeeping mission that should have finished its job a long time ago. This is a mission that began 27 years ago almost to the day. This was a mission designed to achieve a specific purpose. One that MINURSO has not yet been able to complete. That isn’t MINURSO’s fault.”¹¹

While Bolton didn’t blame MINURSO or identify who he thought was responsible, he also did not endorse the continuation of the mission. He made this even clearer a few months later, when he announced what was described as Trump’s new policy for Africa. He declared the United States would no longer support “unproductive, unsuccessful and unaccountable U.N. peacekeeping missions.” This view is one Bolton has held for a long time. In his memoir published 17 years ago, he wrote: “Consistent with my fundamental notion that the Security Council should try to find a real resolution to the underlying problem, I suggested terminating MINURSO and releasing the Sahrawis from the cease-fire they had agreed to in exchange for the promise of a referendum.”

Bolton was not the first to make such a suggestion. In a 1993 journal article less than two years after MINURSO was established, William Durch, a peacekeeping expert at the Stimson Center, wrote: “At this stage, the UN appears to have the choice of engineering some sort of compromise, unlikely for the reasons just noted, or terminating the mission, with whatever adverse reactions

⁹ James A. Baker III, “Trump’s Recognition of Western Sahara Is a Serious Blow to Diplomacy and International Law,” *Washington Post*, December 17, 2020, <https://www.washingtonpost.com/opinions/2020/12/17/james-baker-trump-morocco-western-sahara-abraham-accords/>.

¹⁰ Ben Samuels, “Former Republican Policymakers Urge Biden to Rescind Trump’s Morocco Deal,” *Haaretz*, December 20, 2020, <https://www.haaretz.com/us-news/.premium-former-republican-policymakers-urge-biden-to-rescind-trump-s-morocco-deal-1.9386828>.

¹¹ Dulcie Leimbach, “John Bolton Cracks the Whip on the UN Mission in Western Sahara,” *PassBlue*, May 15, 2018, <https://www.passblue.com/2018/05/15/john-bolton-cracks-the-whip-on-the-un-mission-in-western-sahara/>.

that may generate. Under the circumstances, the latter option is the better one.”¹² Nearly 30 years later, MINURSO is still around, and as noted earlier, the Polisario Front is no longer honoring the ceasefire.

Bolton’s enthusiasm for abandoning peacekeeping in Africa does not extend to the rest of the world. The four missions in and around Israel, which together have racked up more than two centuries of peacekeeping and are no closer to resolving the causes of the conflicts than the one in Western Sahara, are not ones he has ever pushed to eliminate.

The hopes of Bolton and others that President Joe Biden would reverse Trump’s sovereignty decision have not been realized. In a visit to Morocco in early March 2022, Deputy Secretary of State Wendy Sherman said, “We continue to view Morocco’s autonomy plan as serious, credible, and realistic. We do so with an open mind to find a resolution that will lead to an enduring and dignified outcome for all parties.”¹³ Later that month, Secretary of State Antony Blinken also visited Morocco and repeated what Sherman had said. He added a key phrase, however—that the Moroccan plan represented “one potential approach” to resolving the dispute.¹⁴ This description of the US position is essentially the same wording that was used under the Obama administration. Following a November 2013 meeting between President Barack Obama and the Moroccan monarch, a joint statement was issued that read, in part:

U.S. policy toward the Western Sahara has remained consistent for many years. The United States has made clear that Morocco’s autonomy plan is serious, realistic, and credible, and that it represents a potential approach that could satisfy the aspirations of the people in the Western Sahara to run their own affairs in peace and dignity.¹⁵

In early February 2022, Blinken met with Staffan de Mistura, the UN secretary-general’s latest personal envoy for Western Sahara, and assured him of “the continued U.S. commitment to supporting his efforts in leading the UN political process for Western Sahara.”¹⁶ But by coming out so clearly in favor of Morocco’s preferred solution and not reversing Trump’s sovereignty declaration, Blinken was, in effect, saying the United States supports the UN envoy’s efforts to resolve a problem that the United States has helped make unsolvable.

The United States was not the only country enhancing Morocco’s position. Spain also endorsed the autonomy plan.¹⁷ And a number of countries, including African Union members and over half those that had recognized the independence of the territory in the past, have opened “consulates” in Western Sahara. This is the equivalent of recognizing Moroccan sovereignty. Even the Organisation of Eastern Caribbean States announced such a move. What interests some of these countries

¹² William Durch, “Building on Sand—UN Peacekeeping in the Western Sahara,” *International Security* 17, no. 4 (Spring 1993).

¹³ “U.S. Stresses Support for Morocco over W. Sahara,” *Al Monitor*, March 8, 2020, <https://www.al-monitor.com/originals/2022/03/us-stresses-support-morocco-over-w-sahara>.

¹⁴ Matthew Lee, “Blinken in Morocco amid Shifts in Mideast, NAfrica Diplomacy,” *ABC News*, March 29, 2022, <https://abcnews.go.com/International/wireStory/blinken-morocco-amid-shifts-mideast-nafrica-diplomacy-83738139>.

¹⁵ “Joint Statement by the United States of America and the Kingdom of Morocco,” Obama White House Archive, November 22, 2013, <https://obamawhitehouse.archives.gov/the-press-office/2013/11/22/joint-statement-united-states-america-and-kingdom-morocco>.

¹⁶ “Secretary Blinken’s Meeting with UN Personal Envoy of the Secretary-General for Western Sahara Staffan de Mistura,” Department of State, February 3, 2022, <https://www.state.gov/secretary-blinkens-meeting-with-un-personal-envoy-of-the-secretary-general-for-western-sahara-staffan-de-mistura/>.

¹⁷ “Polisario Front Rejects New Spain’s Stance on Western Sahara,” *Africa News*, <https://www.africanews.com/2022/03/19/polisario-front-rejects-new-spain-s-stance-on-western-sahara/>.

have in the Western Sahara, or why they see a need to ingratiate themselves with Morocco, is unclear. But it is even less likely that any of them will actually station a diplomat there than that the United States will.

What can be concluded from the plight of Western Sahara? First, universally accepted principles of international law are never universally applied, even when they are widely endorsed. One such principle is the right to self-determination. A “people” is supposed to be able to decide its own form of political governance. What constitutes a people is hard to define, but clearly those who live in Western Sahara are not considered by some countries to fit the definition.

Second, big-power politics often determines the fate of the weak. France has a relationship with Morocco that one former personal envoy of the UN secretary-general likened to the US relationship with Israel. Given its position as a permanent member of the Security Council, France has deflected criticism of Morocco’s territorial ambitions in the same way the United States has shielded Israel.

Third, the failure of the United States to take a strong, clear, and consistent position on the Western Sahara issue has done little to move either side toward compromise. Instead, the United States has tried to have it both ways while hoping someone else will solve the problem. As a result, despite Obama’s assertion after his meeting with the king that American policy had remained consistent for many years, the position of the United States has wobbled between mild support for a referendum and mild opposition to independence and, more recently, Trump’s embrace of Moroccan sovereignty. What Durch wrote in his 1993 article remains true today: “MINURSO is an example of what can go wrong with a peacekeeping operation when strong and sustained great-power support is lacking, especially the support of the United States.”

One would not realize that variation from Trump’s proclamation, however. The first sentence of it reads, “The United States affirms, as stated by previous Administrations, its support for Morocco’s autonomy proposal as the ‘only basis’ for a just and lasting solution to the dispute over the Western Sahara territory.” Each of the next two sentences repeats the assertion that the Moroccan autonomy proposal was the only basis for resolving the situation.

Trump’s suggestion that he was just repeating the position of previous administrations was somewhere between grossly misleading and a lie. For instance, in his 1988 speech to the UN General Assembly, Ronald Reagan said, “We applaud the Secretary-General’s efforts to structure a referendum on the western Sahara.”¹⁸ And Trump’s statement did not even reflect the position frequently taken during his own time in the White House. In April 2017, April 2018, and October 2020, the American representative at the UN described the autonomy plan as “one potential approach to satisfy the aspirations of the people of Western Sahara.” And in October 2018 and October 2019, the US representative expressed support for a “mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara.”

Self-determination for the Sahrawi people is little more than a mirage at this point. The Biden administration has not walked back Trump’s proclamation and has simply returned to the rhetoric used under Obama. There is little likelihood of an American effort on the issue, given all the other pressing problems in the world to address.

Even if there were an American effort, it would do no good. It would be limited by the need for some relationship with Algeria to be maintained, even though that country has recently conducted small, joint military operations with Russia in North Ossetia and has plans to conduct

¹⁸ “Address to the 43d Session of the United Nations General Assembly in New York, New York,” Ronald Reagan Presidential Library and Museum, September 26, 1988, <https://www.reaganlibrary.gov/archives/speech/address-43d-session-united-nations-general-assembly-new-york-new-york>.

another on Morocco's border. Algeria's contributions to the world's oil and natural-gas supplies are too important to be ignored, especially given the sanctions against Russia over its invasion of Ukraine. And Algeria's support for an independent Western Sahara is all that is needed to keep the problem unresolved and the hope alive, even though the dream will likely never be realized.

The Algerians will continue to support the idea of independence, simply because they see it as a way to weaken Morocco. The Moroccan monarch, on the other hand, has invested too much in the region to ever run the risk to his throne that any significant change of position would create. Meanwhile, the thousands of refugees from the Western Sahara will remain in camps in Algeria, adding to their decades of exile. And those who are still within the region will continue to be subjected to a lack of liberty and political rights that Freedom House ranks as one of the worst in the world.

The United Nations will remain powerless to change the situation, and its \$61 million-a-year peacekeeping mission will remain on autopilot without a mandate to monitor human rights or any other significant purpose. If nothing else, the cost of that operation should be shifted to Morocco and Algeria, which are making resolution of the problem impossible. But that would be unprecedented and will therefore likely remain yet another thing that the UN member states will not let the organization accomplish.

How to cite this article: Jett D. Western Sahara's Unlearned Lessons. *Middle East Policy*. 2022;29:129–135. <https://doi.org/10.1111/mepo.12642>