

A Review of: „Conflict and Peace in Western Sahara: The Role of the UN's Peacekeeping Mission (MINURSO)” edited by János Besenyő, R. Joseph Huddleston and Yahia H. Zoubir¹²

Richárd Schneider³

The United Nations (UN) and the Security Council (UNSC) as its main political body is definitely the key actor in the promotion and maintenance of international peace and security. To put it briefly, as a way to abide by its principles defined in the Charter of the United Nations, the UN have deployed peace operations in order to stabilize conflict-torn situations since quasi the very beginning of its existence. After the Cold War the international system has changed, just as power and international dynamics, that might have an impact on the evolution of armed conflicts and counter-strategies developed by the international community. During the 1990s, the changing nature and role of peace missions resulted in developing new multidimensional operations with wide range of tasks and broad mandates. The international community's commitment toward such conflict resolution endeavours with complex mandates concerns better accountability, cost-efficiency, international law compliance, human rights monitoring, and context-specific or community-based approaches, just to mention a few.

After the end of the Spaniard authority over Western Sahara in 1975, Morocco occupied a meaningful part of the territory. In contrary to the exploitation of the natural resources and the support of the influx of new settlers to the territory by Rabat, and the strengthening of its military presence, the Saharawi population is still insisting on to exercise its self-determination. Since then, no other than the United States (US Embassy & Consulates in Morocco, 2020) has officially recognized Moroccan sovereignty over the Territory, and “Morocco's claim to Western Sahara is in fact not recognized in international law” (Quesada and Brooks, p. 145). The international community is divided, some supports Western Sahara's autonomy under Moroccan authority, while others insist on recognizing it as a sovereign state. The resolution of this conflict is in the interest of the whole international community and there is a must to force the parties to compromise. Even though both the International Court of Justice⁴ and the African Court on Human and Peoples' Rights⁵ considered and confirmed the

¹ DOI: <https://doi.org/10.59569/jceeas.2022.2.4.144>

² Besenyő, J., Huddleston, R.J., and Zoubir, Y.H. (eds.) (2022). *Conflict and Peace in Western Sahara: The Role of the UN's Peacekeeping Mission (MINURSO)*. Routledge: London.

³ International expert, criminalist and doctoral student at Africa Research Institute, Doctoral School of Safety and Security Sciences of the University of Óbuda, Hungary. ORCID: [0000-0002-9924-6486](https://orcid.org/0000-0002-9924-6486)

⁴ See: International Court of Justice. 'Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965', available at: <https://www.icj-cij.org/en/case/169> (accessed 30.01.2023).

⁵ African Court on Human and Peoples' Rights. Application 028/2018 - Bernard Anbataayela Mornah vs Republic of Benin Republic of Burkina Faso Republic of Cote d'Ivoire Republic of Ghana Republic of Malawi Republic of Mali Tunisian Republic



right to self-determination as an *erga omnes* duty, the dispute is still unsettled. Unless a mutually and generally agreed formula on the census and the identification process is reached on which a future referendum can be based, and great powers (like the United States and France) take a stand and support the peace process, conflict escalation and regional instability in North-Western Africa is guaranteed.

The basis of the UN's presence in the Territory goes back to the mid-1970s when a "visiting mission" reported to the UN General Assembly (UNGA) that Spain, as the former colonizer, as well as Morocco and the Sahrawi population expressed its will to welcome the UN in order to assist and mediate in the conflict. As a result of countless efforts, in 1988, all the conflicting parties gave their agreement to the so-called Settlement Plan made by the Secretary-General (SG) Javier Pérez de Cuéllar and the Organization of the African Unity's (OAU) Chairman Kenneth Kaunda, and to the Implementation Plan that complemented it, as a result of which the UNSC Resolution 690 approved the establishment of a UN peacekeeping force on April 29, 1991. Inspired by a detailed plan by the OAU, the United Nations Mission for the Referendum in Western Sahara (MINURSO) was set up to carry out the monitoring of the ceasefire between the Saharawi National Liberation Movement (*Frente Popular para la Liberación de Saguia el-Halma y de Río de Oro* – POLISARIO) and Morocco. The mission sought to guarantee the Sahrawi people their right to self-determination by organizing a referendum under UN auspices.⁶ As Kozera and Poplawski puts it in Chapter 9, the international mission is authorized to conduct the following:

„monitor the ceasefire, verify the reduction of Moroccan troops in the territory, monitor the confinement of Moroccan and POLISARIO (*Frente Popular para la Liberación de Saguia el-Hamra y Río de Oro*— Popular Front for the Liberation of Saguia el-Hamra and Río de Oro— the Sahrawi pro- independence movement) troops to designated locations, take steps with the parties to ensure the release of all Western Saharan political prisoners or detainees, oversee the exchange of prisoners of war (POWs) (to be implemented by the International Committee of the Red Cross, ICRC), repatriate the refugees of Western Sahara (a task to be carried out by the United Nations High Commissioner for Refugees, UNHCR), identify and register eligible voters, organize and ensure a free and fair referendum and proclaim the results, and reduce the threat of mines and other unexploded ordnances (UXOs).” (p. 163)

The head of the MINURSO was the Special Representative of the UN Secretary-General and the Special Envoy of the Secretary-General for Western Sahara among which the letter was created in 1997 and was not part of the mission's structure. A civil component of the mission contained two main bodies, namely the Identification Committee that was responsible for reviewing the 1974 census made by the Spanish and updating it as it would be the basis of a future referendum, and Independent Juris that was to ensure the release of all political prisoners and detainees of the parties to the conflict as a prerequisite to the referendum. In

United Republic of Tanzania, available at: <https://www.african-court.org/cpmt/storage/app/uploads/public/62f/df0/6af/62fdf06af1518109175690.pdf> (accessed 30.01.2023.)

⁶ The latter planned "to be carried out about 36 weeks after the UN General Assembly's approval" (Balboni, p. 6) of the mission.

order to guarantee the effective work of such bodies, military and security (civil police) units charged with diverse tasks and as parts of the mission were created.

Even though the UNGA called for Morocco to terminate the “occupation” (e.g., A/RES/34/37), and the Office of the High Commissioner for Human Rights (UHCHR) along with the all-time Secretary-General recommended and called for the extension and reinforcement of the mission (as it noted several times throughout the book), the UNSC’s inaction – being reluctant from making decisive decisions in order to avoid direct confrontation with Morocco – and the lack of political will to extend MINURSO’s mandate triggered mass protests and demonstrations in the Moroccan occupied Western Sahara, among which Gdeim Izik protest camp in late 2010 was emblematic.⁷ In 2016, when Secretary-General Ban Ki-moon visited the Territory and used the term “occupation”, further heightened the situation that ended in Rabat’s refusal to negotiate and the expulsion of MINURSO personnel that constituted a cornerstone in the mission’s history. As a consequence, fragility and instability, in parallel with military tensions between Morocco and POLISARIO, increased. After numerous and unsuccessful attempts to continue the peace process and reach a compromised solution, the “arguments for a return to war increasingly gained credibility” (Mundy, p. 74) among the Sahrawi population, meanwhile upholding the status quo was in the interest of Rabat. As of 2023, many alternatives to overcome the conflict on the ground have been given, but since the very beginning none of them seemed to be on which the parties would indeed have agreed.

Western Sahara, as the last colony of the African continent, and as a Non-Self-Governing Territory⁸ without any listed Administering Power, and the regional conflict derived from such a prolonged and unsettled dispute in the territory between the indigenous Sahrawi population and Morocco, seems to be unique in the history of UN’s international peacekeeping missions and some valuable implications this case may have for future operations. According to the authors, the UN’s response to the conflict was conceptually closer to the traditional peacekeeping approach, however it could not be changed, nor the mandate of the mission could be adapted to the evolution of the conflict as time has passed. Therefore, this book with the diverse issues it contains – applying qualitative as well as quantitative methods by reviewing relevant UNGA and UNSC resolutions, SG reports, while using interviews and presenting field experiences – seeks to reveal such the uniqueness and the whole complexity of the conflict in Western Sahara which also include the international, the regional, as well as the local context and the revealing of relevant geopolitical interests of the great and neighbouring powers. The book explores numerous issues with respect to different subject areas like African studies, peace and conflict resolution, security and conflict studies, political violence and terrorism, regional and development studies, international (security) studies, military and law enforcement, international law. Therefore, academic scholars, counter-

⁷ Another recent incident was when Morocco reacted harshly when demonstrators blocked the movement of people and goods in the Guerguerat strip on November 13, 2020.

⁸ Based on Article 73 of the Charter of the United Nations, Western Sahara has been on the list of the Non-Self-Governing Territories since 1963. See: <https://www.un.org/dppa/decolonization/en/nsgt/western-sahara> (accessed 30 January, 2023)



terrorism experts, mission practitioners, military and civilian personnel in peace operations are considered to be the primary audiences of this book.

In Part I, after Balboni giving a brief and concise introduction to the topic, Miguel overviews the historical background of the Western Saharan conflict and outlines the way to the MINURSO including its legal establishment and structural framework. The author further investigates the referendum, the cease-fire, and the topics of refugees and political prisoners that were all crucial elements of the mission's mandate. In this regard, on the one hand, Naili seeks to further explore the legal aspects of UN peace operations in general, and MINURSO in particular, while Souto lists the main pitfalls in the MINURSO saga on the other: Morocco's "obstructionism"; the accusation against the MINURSO's complicity and pro-Moroccan position; the destruction of archaeological sites by MINURSO members that is further analysed in detail by Quesada and Brooks⁹ in Chapter 8; corruption; diplomatic scandals and the expulsion of the MINURSO civilian component by Rabat, among which the last one was a stalemate in MINURSO's history. Finally, Mundy investigates the crucial events of the last decade of the peace process, and explores the abrupt end of the three-decade-long peace, happened in November 2020 that, by the way, was also the collapse of one of the most durable UN ceasefires.

As there was no reference to general human rights protection in the "Settlement proposals" agreed by the parties to the conflict, which means that MINURSO had and still has neither the mandate nor the resources to address human rights violations, it gained a great international attention which called for the attribution of a human rights mandate to the mission. However, by now, it has not been done yet, creating MINURSO "*the only one post-Cold War operation that does not explicitly include observation, monitoring, and the report of human rights violations*" (Naili, p. 77). Therefore, in Part II, Shelley reviews the political and social developments and the political manoeuvring around human rights issues in detail. After, Bellosso reviews the evolution of gender mainstreaming in peacebuilding in general, and explores its impact in the context of the Western Saharan conflict. In this regard, while stressing the difference between the belligerents' stance on gender issues, the author draws a conclusion that MINURSO "*has reached significant milestones in terms of the progress toward equality*" (Bellosso, p. 128). In Chapter 8, Quesada and Brooks give a great emphasis to the archaeological heritage in Western Sahara by investigating how this issue got overpoliticized in the conflict and how this unsolved dispute impacted the preservation of such places.

In part III, based on qualitative research, literature and official document review, Kozera and Poplawski analyse the military component of MINURSO. Then, with regard to the mission's Police Contingent, Besenyő and Pintér detail the deployment of police forces, the tasks it had, the requirements expected from it, and the challenges it faced. They further present how the number of the contingent, its duties and efficiency has changed until March

⁹ Nick Brooks confirmed damages regarding Sahrawi archaeological heritage on the ground.

1, 2019, when the civilian police presence in the mission was terminated. In Chapter 12, Besenyő discusses Hungarian military and police experiences in the Western Saharan conflict. Furthermore, Atanasiu presents the logistic aspects of the mission, which includes the exhaustive overview of the overall UN Logistic Support Framework as well as the financial resources, among which the latter also contains the exploration of how new chapters were given to the mission's budgetary over time.

Having the international dynamics that definitely have had fundamental impacts on the conflict evolution in Western Sahara, Part IV of the book concerns the great powers' stance on the dispute. Huddleston and Zarate analyse the American position and detail some sort of a shuttle diplomacy which refers to a proactive attitude based on mutual agreement of the parties to the conflict on the one hand, and a conservative position that is rather in favour of Morocco. In this sense, the authors reveal the behind-the-scenes political dynamics which add valuable information to better understand the conflict and the various interests of different actors. Fábíán frames France's position and stresses the dichotomy which is uncovered when looking at its great power ambitions through international organisations and its bilateral and regional – not rarely economic – relations as well as its pro-Moroccan diplomacy. Nikonov emphasizes the Soviet and Russian position as one characterized with an initial disinterest and a later supportive diplomacy to solve the conflict. In addition to detail China's contribution to UN peace operations and clarifying the general ambitions Peking has throughout the African continent, Horváth reveals the Chinese pragmatic approach, namely, how it combines and enforces its economic and political interests under the appearance of a global humanitarian. The author includes Moroccan phosphate reserves into the analysis that ease to understand Morocco's increasing strategic significance on the one hand, and the Chinese interests on the other. After that, Vogel discusses the African participation in the mission's life, demonstrating how the continent is willing to take part in solving the conflict. Finally, Lagdaf and Zoubir present a detailed overview of the main peace plans delivered during the last three decades, and by considering regional and international dynamics, they give a summary and sketch up some alternative visions for the MINURSO.

MINURSO definitely has had positive implications like it succeeded to prepare a provisional list of voters,¹⁰ and achieved political prisoners to be released and did a valuable work to organize the return of refugees. It further prevented war recurrence for 30 years. However, the authors of this book mostly present a highly critical approach toward the UN and its peace mission in Western Sahara. By and large, "*Morocco consolidated its colonization under the flag of the UN*" (Lagdaf and Zoubir, p. 318) which means that Rabat still wants to preserve the *status quo*. As Balboni puts it: "*the core measures included in its [MINURSO] mandate is far from being implemented*" (p. 9) and the "*mission has no access to the local population*" (Kozera and Poplawski, p. 177) on the Moroccan controlled territory. The parties to the conflict have developed their own diverse and usually incompatible interpretations of the mission since the

¹⁰ Even though both Morocco and the POLISARIO wanted the voters' list to be more favourable to their position, creating tensions throughout the identification process.



beginning. While Morocco favoured a narrower operation and caused numerous obstacles that fundamentally hindered operative efficiency, POLISARIO insisted on to deploy a mission with the inclusion of issues like the monitoring of human rights. By now, there is no political agreement between Rabat and the POLISARIO, nor in the international arena. There is no real interest in the UNSC to settle the dispute, meanwhile a general unwillingness to renew the mission's mandate has always been quite determinant in terms of mission efficiency. Despite direct talks facilitated by the Secretary-General and the Special Envoy, and the numerous peace plans given to the parties: limited capacities and political will to solve the conflict, the lack of human, military, financial resources resulted in a low-intensity conflict in Western Sahara that is still not just continue to exist, but escalate. What's next after that? A renewed mandate or a new operation? By the way, does MINURSO still have its *raison d'être*? The book aims to answer such questions by concerning different topics from different perspectives.

References

- African Court on Human and Peoples' Rights (2018) *Application 028/2018 - Bernard Anbataayela Mornah vs Republic of Benin Republic of Burkina Faso Republic of Cote d'Ivoire Republic of Ghana Republic of Malawi Republic of Mali Tunisian Republic United Republic of Tanzania*. Available at <https://www.african-court.org/cpmt/storage/app/uploads/public/62f/df0/6af/62fdf06af1518109175690.pdf> (Accessed: 30 January 2023).
- Besenyő, J., Huddleston, R. J., and Zoubir, Y. H. (eds.) (2022) *Conflict and Peace in Western Sahara: The Role of the UN's Peacekeeping Mission (MINURSO)*. Routledge: London.
- International Court of Justice (n.d.) *Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965*. Available at <https://www.icj-cij.org/en/case/169> (Accessed: 30 January 2023).
- United Nations General Assembly (n.d.) *A/RES/34/37*. Available at <https://daccess-ods.un.org/tmp/302581.135183573.html> (Accessed: 30 January 2023)
- United Nations. (n.d.) *The United Nations and Decolonization. Western Sahara*. Available at: <https://www.un.org/dppa/decolonization/en/nsgt/western-sahara> (Accessed: 30 January 2023)
- US Embassy & Consulates in Morocco (2020) *Proclamation on Recognizing the Sovereignty of the Kingdom of Morocco over the Western Sahara*, December 10. Available at: <https://ma.usembassy.gov/proclamation-on-recognizing-the-sovereignty-of-the-kingdom-of-morocco-over-the-western-sahara/> (Accessed: 30 January 2023).