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## A Future for Western Sahara

Jun 27, 2017 [ANA PALACIO](#)

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MADRID – International politics is replete with unresolved territorial disputes, from conflicting claims by China and Japan over the Senkaku/Diaoyu Islands in the East China Sea to the prolonged disagreement between Armenia and Azerbaijan over Nagorno-Karabakh. But one such dispute, over Western Sahara, is often overlooked, despite the very real possibility of resolving it.



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With a population of about 600,000 on territory covering roughly 102,700 square miles (266,000 square kilometers), Western Sahara, a Spanish colony until 1975, is the largest of 17 non-self-governing territories [listed by the United Nations](#) as having not reached final political status. The territory has been in limbo for much of the last four decades, with

Morocco and the pro-independence Polisario Front both asserting claims to the territory. Morocco controls about 80%; the Polisario Front holds the remaining 20%, on the border with Algeria.

Last month, I visited Western Sahara's Moroccan-controlled capital, Laayoune – a vibrant and gleaming city born from a dusty Spanish colonial outpost – to examine the sustainability of the operations of OCP Group, on whose international advisory board I serve. OCP Group is a leading phosphate producer, with access to approximately 70% of the world's phosphate reserves. It operates in Western Sahara through its subsidiary Phosboucraa, which represents about 6% of OCP's business turnover and approximately 1.6% of its phosphate reserves.

My visit focused, first, on measuring the impact of Phosboucraa's activities, such as infrastructure investment, the construction of job training centers, and partnerships with farming cooperatives. Second, I was to consider how well those activities conform to UN doctrine on natural-resource exploitation in non-self-governing territories – namely, that they benefit the territory and its inhabitants until Western Sahara's ultimate political status is determined.

But when might that status be determined? The UN has been trying to broker a resolution since Spain departed the territory, transferring administrative control over Western Sahara to Mauritania and Morocco. Mauritania left in 1979, leaving Morocco to confront the Polisario Front, which had announced its claims to the territory in the last years of Spanish control.

In 1991, after a 16-year conflict, the UN managed to broker a truce between the two parties, which included an immediate ceasefire. Under the auspices of the UN Security Council, negotiations were initiated, with the goal of resolving the conflict and determining the future status not just of Western Sahara, but also of the thousands of refugees in camps in Algeria.

Along the way, there have been some milestones, often marked by the personality of the UN envoy of the moment. The envoy who had perhaps the greatest impact was former US Secretary of State James Baker, who ushered the process beyond discussion of a referendum on Western

Saharan independence – the initial focus of the talks – toward broader, more flexible solutions.

In 2003, when I was Spain’s foreign minister, I had the opportunity to engage with the most ambitious of Baker’s proposals – the so-called Baker II plan – which envisioned self-rule under a Western Sahara Authority for a period of five years, with a referendum on independence to follow. That plan failed, ultimately leading to Baker’s resignation as UN envoy. But the purview of the talks was fundamentally altered (though the Polisario Front has remained focused on a referendum that includes independence as an option).

In 2007, following the suggestion by Baker’s successor to take into account the “political reality” of the situation, the UN Security Council opened a new phase of negotiations without preconditions, aimed at reaching “a mutually acceptable political solution.” This approach has endured until the present day, shepherded for the last ten years by the former US diplomat Christopher Ross.

In March, however, Ross announced his resignation as UN envoy. The following month, the UN’s new secretary-general, [António Guterres](#), announced his intention to relaunch the process. Now that a new UN envoy – former German President Horst Köhler – has been named, there is renewed hope for a breakthrough.

The shared conviction that there is no alternative to the UN negotiating process is its greatest strength. But it is also a fragile framework, confronting mounting challenges. In the last year, a potential flashpoint has emerged in an area called Guerguerat, with the Polisario Front sending forces into a UN buffer zone. Moreover, members of the UN peacekeeping force were expelled, and later readmitted to the territory. There have also been proceedings before the European Court of Justice on the implementation of commercial agreements between Morocco and the EU in the territory. So this is a moment of great opportunity for the process, but also of great risk.

In this context, it is worth questioning the Polisario Front’s aggressive new campaign against third parties in the territory. At the end of April – just a day after the UN Security Council endorsed Guterres’s call to relaunch the negotiation process – the Polisario Front launched a legal challenge in a

civil court in South Africa, seeking to seize a shipment of phosphate mined in the territory. Days later, a similar challenge was brought in Panama against another ship. The Panamanian court dismissed the action, noting that it was a diplomatic and international question, but the South African matter is ongoing.

This new tactic of using third-country civil courts to hurt Morocco will only undermine the UN process. A solution to the Western Saharan conflict can be reached only if all parties involved – especially Morocco and the Polisario Front, but also neighboring countries, particularly Algeria – commit to do so. In fact, the entire international community has a stake in the success of the UN process – and a responsibility to do everything possible to bring it about.



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