

WESTERN SAHARA



PROGRAMME PERFORMANCE	For 2015	For 2014
Problem understood	7	7
Target date for completion of mine clearance	3	3
Targeted clearance	7	7
Efficient clearance	7	7
National funding of programme	3	3
Timely clearance	4	4
Land release system in place	8	7
National mine action standards	7	7
Reporting on progress	5	5
Improving performance	5	6
PERFORMANCE SCORE: AVERAGE	5.6	5.6

PERFORMANCE COMMENTARY

While overall land release output decreased in Western Sahara in 2015, greater efforts were made to improve the future efficiency of mine action operations through the tasking of recorded suspected hazardous areas (SHAs) and confirmed hazardous areas (CHAs) for non-technical survey (NTS) in order to better define and reduce the inflated estimates of the size of SHAs and CHAs recorded in a 2008 survey.

RECOMMENDATIONS FOR ACTION

- The Saharawi Arab Democratic Republic should formally commit to respect and implement the Anti-Personnel Mine Ban Convention (APMBC), including to clear all mine contamination east of the Berm as soon as possible.
- Morocco should ensure immediate access and unhindered movement of all civilian staff of the United Nations Mission for the Referendum in Western Sahara (MINURSO), including UN Mine Action Service (UNMAS) international staff, in order to allow demining by MINURSO and UNMAS to return to full functionality.

CONTAMINATION

The exact extent of mine contamination across Western Sahara is not known, although the areas along the Berm¹ are thought to contain some of the densest mine contamination in the world.² The contamination is a result of fighting in previous decades between the Royal Moroccan Army (RMA) and the Popular Front for the Liberation of Saguia el Hamra and Rio de Oro (Polisario Front) forces.

As at the end of 2015, Western Sahara had a total of 42 mined areas totalling over 256km² to the east of the Berm, as set out in Table 1.³ This is almost 4km² less than at the end of 2014 according to UNMAS's estimate of contamination.⁴ Of the 42 areas, 7, covering a total of 61.9km², are located within the 5km-wide buffer strip and are inaccessible for clearance.⁵

Table 1: Mine contamination east of the Berm as at end 2015⁶

Type of contamination	CHAs	Area (km ²)	SHAs	Area (km ²)
AP mines	0	0	1	0.099
AV mines	9	3.22	19	73.13
AP/AV mines	0	0	13	183.27
Totals	9	3.22	33	256.499

Both the north and south of Western Sahara contained anti-personnel mines, as set out in Table 2.⁷

1 A 2,700km-long defensive wall, the Berm, was built during the conflict, dividing control of the territory between Morocco on the west, and the Polisario Front on the east. The Berm is 12 times the length of the Berlin Wall and second in length only to the Great Wall of China.

2 See UNMAS, "About UNMAS in Western Sahara", updated May 2015, at: <http://www.mineaction.org/programmes/westernsahara>; and Action On Armed Violence (AOAV), "Making life safer for the people of Western Sahara", London, August 2011, at: http://www.aoav.org.uk/wp-content/uploads/2013/06/Making_life_safer_for_the_people_of_western_sahara1.pdf.

3 Email from Sarah Holland, Programme Officer, UNMAS, 26 April 2016. The extent of contamination in Moroccan-controlled territory to the west of the Berm remains unknown.

4 Response to questionnaire by Sarah Holland, UNMAS, 18 May 2015. The extent of contamination in Moroccan-controlled territory to the west of the Berm remains unknown.

5 The buffer strip is an area 5km wide east of the Berm. MINURSO, "Ceasefire Monitoring Overview", undated but accessed 1 June 2016, at: <https://minurso.unmissions.org/Default.aspx?tabid=11421&language=en-US>.

6 Email from Sarah Holland, UNMAS, 26 April 2016.

7 Ibid.

Table 2: Anti-personnel mine contamination by province east of the Berm (EoB) as at end 2015⁸

Province	CHAs	Area (km ²)	SHAs	Area (km ²)
North Region EoB	0	0	1	0.10
South Region EoB	0	0	13	183.27
Totals	0	0	14	183.37

UNMAS reported that in 2015, previously confirmed mined areas were reclassified as SHAs in the Information Management System for Mine Action (IMSMA) database in order for survey to be carried out with the aim of better defining and narrowing the size of the CHAs. It also reviewed and audited the IMSMA database where SHAs had been tasked for survey in order to identify CHAs and to release areas with no contamination.⁹

A survey in 2006–08 by an international non-governmental organisation (NGO), then Landmine Action, later Action on Armed Violence (AOAV), initially identified 37 mined areas on the east of the Berm, nearly half of which were in Bir Lahlou, followed by Tifariti, Mehaires, and Awanit.¹⁰ According to UNMAS, five minefields were addressed in 2012–16, but new mined areas continued to be identified. No new anti-personnel mine contamination was identified in 2015.¹¹

Neither survey nor clearance has been conducted in the 5km buffer zone to the east of the Berm.¹² The extent of contamination west of the Berm remains unknown, and as of April 2016, no survey had been carried out there.¹³ The RMA controls territory to the west of the Berm where it has been conducting large-scale demining. According to UNMAS, the RMA cooperates with the UN Mine Action Coordination Centre (MACC) and submits regular monthly reports, helping to build a clearer understanding of the mine and explosive remnants of war (ERW) threat across Western Sahara.¹⁴

The total number of mine/ERW victims in Western Sahara is not known, though estimates suggest more than 2,500 victims since 1975.¹⁵ From April 2015 to March 2016, the UN reported two mine and ERW accidents, involving five civilians. West of the Berm, in fifteen incidents, two civilians were killed and twenty-one injured, and one soldier was killed and another eight were injured.¹⁶

The significant mine, submunition, and other UXO contamination in Western Sahara continues to pose a daily threat to the local, nomadic, and refugee

populations, along with UN personnel and military observers, and humanitarian actors.¹⁷ Contamination from mines and ERW negatively impacts socio-economic growth and development, limiting access to fluctuating and seasonally dependent water sources vital for animal herding and small-scale agriculture on which local populations depend.¹⁸

In 2015, the UN reported that many minefields are located in areas with increasing civilian activity, including where civilians were returning home from refugee camps and building infrastructure north-east of the Berm in several areas that were largely abandoned since 1976.¹⁹

PROGRAMME MANAGEMENT

MINURSO manages a Mine Action Coordination Centre (MACC). MINURSO MACC supports the mine action activities implemented by commercial contractor Dynasafe MineTech Limited (DML) and NGO Norwegian People's Aid (NPA) in 2015.²⁰

In September 2013, the Polisario Front established a local mine action coordination centre (the Saharawi Mine Action Coordination Office, SMACO), which is responsible for coordinating mine action in Western Sahara east of the Berm and for land release activities.²¹ SMACO, which was established with UN support, started its activities in January 2014.

Strategic Planning

MINURSO MACC's activities are conducted in accordance with the UN Mine Action Strategy for 2013–18. UNMAS planned to develop a mine action strategy specific to Western Sahara in the second half of 2015.²² As at April 2016, the strategy was still under development and awaiting finalisation and approval by mine action stakeholders.²³

8 Ibid.

9 Email from Graeme Abernethy, Programme Manager, UNMAS, 24 August 2016.

10 Email from Penelope Caswell, Field Programme and Geographic Information System Manager, AOAV, 18 May 2010.

11 UNMAS, "About UNMAS in Western Sahara", updated May 2016; and email from Sarah Holland, UNMAS, 26 April 2016.

12 Response to questionnaire by Sarah Holland, UNMAS, 24 February 2014.

13 UNMAS, "2016 Portfolio of Mine Action Projects: MINURSO [UN Mission for the Referendum in Western Sahara]", at: <http://www.mineaction.org/taxonomy/term/1064>; and email from Sarah Holland, UNMAS, 26 April 2016.

14 UNMAS, "2016 Portfolio of Mine Action Projects: MINURSO".

15 AOAV, "Making life safer for the people of Western Sahara", 7 August 2011; and UNMAS, "2016 Portfolio of Mine Action Projects: MINURSO".

16 "Report of the UN Secretary-General on the situation concerning Western Sahara", UN doc. S/2016/355, 19 April 2016, p. 9.

17 Emails from Sarah Holland, UNMAS, 26 April 2016 and 18 May 2015.

18 Ibid.; and UNMAS, "2016 Portfolio of Mine Action Projects: MINURSO".

19 "Report of the UN Secretary-General on the situation concerning Western Sahara", UN doc. S/2015/246, 10 April 2015, p. 7.

20 Email from Sarah Holland, UNMAS, 26 April 2016.

21 Response to questionnaire by Sarah Holland, UNMAS, 24 February 2014; and email, 25 February 2014.

22 Email from Sarah Holland, UNMAS, 5 June 2015.

23 Ibid., 26 April 2016.

UNMAS reported that the MACC identifies priorities for mine clearance to the east of the Berm in conjunction with SMACO. These priorities are then confirmed with MINURSO and an annual operational work plan is developed and implemented. Priorities for mine clearance are areas that restrict MINURSO from carrying out its mandate and have a high impact on local communities.²⁴

Standards

In 2016, UNMAS intended to develop local mine action standards applicable east of the Berm in coordination with mine action partners. Once completed, the standards will be jointly managed by SMACO and MINURSO MACC.²⁵

Operators

In 2015, MINURSO MACC deployed three multi-task teams (MTTs) and one community liaison/risk education/survey team, employing a total of 37 operational staff. Of its four teams, two MTTs were tasked for mine clearance.²⁶

DML, formerly called Mine Tech International (MTI), changed its name on 3 August 2015 to Dynasafe MineTech Limited.²⁷ It took over the UN Office for Project Services (UNOPS) tender for mine action in Western Sahara in September 2014 from AOAV, which closed operations due to lack of funding.²⁸

In 2015, NPA deployed to Western Sahara for a two-year period with two MTTs totalling seventeen demining personnel tasked to conduct mine clearance.²⁹

Quality Management

An external quality management system is in place and is implemented by MINURSO MACC. UNMAS reported that of all quality assurance (QA) assessment visits conducted in 2015, approx. 70% pertained to minefield clearance.³⁰ NPA reported that SMACO also conducted external QA and quality control (QC) activities.³¹

Information Management

UNMAS stated that a complete audit of the IMSMA database was initiated in 2015, which was expected to be completed mid-2016. According to UNMAS, the audit was designed to ensure the data in IMSMA is accurate and comprehensive, and includes information on mined areas, cluster strike areas, and UXO spot sites. It said database integrity checks were performed on a weekly basis during the year.³²

LAND RELEASE

No areas containing anti-personnel mines were released in 2015. All tasked areas were contaminated with anti-vehicle mines but no anti-personnel mines were located during clearance.³³

According to UNMAS, nearly 4.4km² of other mine and ERW contamination was released in 2015, of which 502,901m² was cleared and 3,881,967m² was cancelled by NTS.³⁴ NPA began operations in August 2015 and its teams deployed on one task for a three-month period, where the main threat was from anti-vehicle mine contamination. It reported additionally cancelling 247,000m² by NTS and reducing a further 103,000m² through technical survey.³⁵ According to UNMAS, DML confirmed 289,889m² as mined.³⁶

This compares to clearance of 1.2km² of mined area in 2014.³⁷ No land was reported cancelled or reduced by non-technical or technical survey during that year, though 52km² of SHA was handed over to local communities after the completion of a combination of non-technical and technical survey carried out over two years in 2012–14, and almost 4.2km² was confirmed as mined in 2014.³⁸

To the west of the Berm, according to a UN Secretary-General report, RMA reported, improbably in the view of Mine Action Review, that it had cleared more than 220.3km² in territory under its control between April 2015 and April 2016. This is a slight decrease from the nearly 223km² it reported clearing between April 2014 and March 2015.³⁹

24 Ibid.

25 Ibid.

26 Email from Sarah Holland, UNMAS, 26 April 2016.

27 Dynasafe website, "History of MineTech", accessed 10 May 2016, at: <http://www.minetech.co.uk/who-we-are/history-of-minetech/>.

28 Emails from Melissa Fuerth, Head of Programmes, AOAV, 7 May 2015; and Melissa Andersson, Country Director, NPA, 11 April 2015.

29 Email from El Hadji Mamadou Kebe, Programme Manager, NPA, 4 May 2016.

30 Email from Sarah Holland, UNMAS, 26 April 2016.

31 Email from El Hadji Mamadou Kebe, NPA, 4 May 2016.

32 Email from Sarah Holland, UNMAS, 26 April 2016.

33 Email from Graeme Abernethy, UNMAS, 24 August 2016.

34 Ibid.

35 Email from El Hadji Mamadou Kebe, NPA, 4 May 2016.

36 Email from Sarah Holland, UNMAS, 26 April 2016; and response to questionnaire, 18 May 2015.

37 Response to questionnaire by Sarah Holland, UNMAS, 18 May 2015.

38 Email from Sarah Holland, UNMAS, 26 April 2016, and response to questionnaire, 18 May 2015.

39 "Report of the UN Secretary-General on the situation concerning Western Sahara", UN doc. S/2016/355, 19 April 2016, p. 10.

ARTICLE 5 COMPLIANCE

Western Sahara is not a state party to the APMBC. However, in June 2014, the Saharawi Arab Democratic Republic (SADR) submitted a voluntary APMBC Article 7 transparency report to the UN “as a sign of the support of the Sahrawi State for the goals of the Treaty”.⁴⁰ The SADR has obligations under international human rights law to clear mines as soon as possible, including by virtue of being a state party to the 1981 African Charter on Human and Peoples’ Rights.

MINURSO MACC reported that priorities in 2016 would be the tasking of six minefields for clearance east of the Berm, in support of MINURSO’s ceasefire monitoring efforts and logistical supply teams, and by extension, local populations. MACC did not expect funding levels to change in 2016.⁴¹

NPA reported that it would continue to conduct technical survey in tasks in Bir Lehlou in 2016 and also deploy an NTS team. It stated its aims were focused on the cancelling and reducing the overly-large SHAs and CHAs identified in the 2008 survey where there is no evidence of the presence of anti-personnel mines. It intended to seek funding for an additional clearance team.⁴²

In April 2016, UNMAS reported that all confirmed and suspected hazardous areas were currently tasked for NTS to more accurately identify the remaining mine and ERW threat.⁴³

In keeping with previous estimates, UNMAS stated that with current mine action capacity, it would take about nine years to clear all current confirmed and suspected hazardous areas, including minefields and cluster munition strike areas, provided that the number of CHAs does not increase significantly in 2016.⁴⁴ According to UNMAS, key challenges include: insufficient information regarding location of hazardous areas, particularly to the west of the Berm; inclement weather conditions such as heavy winds, sandstorms, and temperatures exceeding 50°C; and the impact of Western Sahara’s political status on resource mobilisation.⁴⁵

Following a visit by UN Secretary-General Ban Ki-moon to Sahrawi refugee camps in southern Algeria in March 2016 and his use of the term “occupation” to describe the political status of Western Sahara, Morocco ordered

the expulsion of 84 civilian staff members of MINURSO, including the international staff of UNMAS. This resulted in the suspension of UNMAS-contracted demining activities in Western Sahara as at 20 March 2016.⁴⁶ The decision sparked international condemnation and has threatened to seriously paralyse MINURSO’s mission in Western Sahara, raising concerns over stability in the region and setting a dangerous precedent for UN peacekeeping operations.⁴⁷

On 29 April 2016, the UN Security Council voted to extend MINURSO’s mandate in Western Sahara for one year until 30 April 2017. In doing so, it emphasised strongly “the urgent need for the mission to return to full functionality”, noting that MINURSO has been unable to fully carry out its mandate as the majority of its civilian component have been prevented from performing their duties. The resolution requests that the UN Secretary-General report back to the Security Council within 120 days on whether MINURSO has returned to full functionality.⁴⁸

In April 2016, SMACO reported that as a result of these events, funding had been put on hold until the issue between MINURSO and Morocco is resolved. It stated that without this funding and the MACC, it was “nearly unable to conduct its duties as it is totally reliant on UNMAS support which has been affected by the current crises”.⁴⁹ NPA stated that SMACO was carrying out QA/QC activities but was having difficulty performing its functions and struggling with significant financial and logistical problems.⁵⁰

In June 2016, following a visit by a UN team, a UN official reported back to Security Council members on the situation of MINURSO’s mission in Western Sahara and stated that “the mission was unable to fulfil its mandate and that it was carrying out limited observation and demining activities at substantial risk to the personnel involved because of a shortage of security and maintenance staff in the mission”.⁵¹

As at mid-August 2016, UNMAS reported that its staff had not yet been able to return to Western Sahara, but expected to do so within the following two-to-three weeks. NPA and DML’s Emergency Response Team were, however, operational.⁵²

40 “SADR initiative welcomed by Maputo Conference on Mine Ban”, *Sahara Press Service*, 2 July 2014, at: <http://www.spsrasd.info/en/content/sadr-initiative-welcomed-maputo-conference-mine-ban>.

41 Email from Sarah Holland, UNMAS, 26 April 2016.

42 Email from El Hadji Mamadou Kebe, NPA, 4 May 2016.

43 Email from Sarah Holland, UNMAS, 26 April 2016.

44 Ibid.

45 UNMAS, “About UNMAS in Western Sahara”, updated May 2016.

46 R. Gladstone, “Morocco Orders UN to Cut Staff in Disputed Western Sahara Territory”, *New York Times*, 17 March 2016, at: http://www.nytimes.com/2016/03/18/world/africa/morocco-orders-un-to-cut-staff-in-disputed-western-sahara-territory.html?_r=0; and What’s in Blue: Insights on the work of the UN Security Council, “Western Sahara: Arria-formula Meeting, Consultations, and MINURSO Adoption”, 26 April 2016, at: <http://www.whatsinblue.org/2016/04/western-sahara-arria-formula-meeting-consultations-and-minurso-adoption.php>.

47 What’s in Blue: Insights on the work of the UN Security Council, “Western Sahara: Arria-formula Meeting, Consultations, and MINURSO Adoption”, 26 April 2016; and “In recorded vote, Security Council approves one year extension of UN mission in Western Sahara”, *UN News Service*, 26 April 2016, at: <http://www.un.org/apps/news/story.asp?NewsID=53824#.V0cioaODGkp>.

48 UN Security Council Resolution 2285, 29 April 2016.

49 Email from Samu Ami, Coordinator, SMACO, 27 April 2016.

50 Email from El Hadji Mamadou Kebe, NPA, 27 May 2016.

51 What’s in Blue, “Security Council Report, Western Sahara: July 2016 Monthly Forecast”, at: <http://www.whatsinblue.org/2016/06/meeting-on-western-sahara.php>.

52 Email from Graeme Abernethy, UNMAS, 24 August 2016.