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Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Question of Western Sahara

Report of the Secretary-General

Summary

The present report, covering the period from 1 September 2020 to 31 August 2021, is submitted pursuant to General Assembly resolution [75/106](#). It provides a summary of the most recent report submitted by the Secretary-General to the Security Council on the situation concerning Western Sahara ([S/2021/843](#)).



1. On 10 December 2020, the General Assembly adopted, without a vote, resolution [75/106](#) on the question of Western Sahara. The present report, covering the period from 1 September 2020 to 31 August 2021, is submitted in accordance with paragraph 7 of that resolution.
2. The Security Council addresses Western Sahara as a matter of peace and security, calling in successive resolutions for a “just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara”. The Special Political and Decolonization Committee (Fourth Committee) of the General Assembly and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples address it as a Non-Self-Governing Territory and an issue of decolonization.
3. Pursuant to Security Council resolution [2548 \(2020\)](#), I submitted a report to the Council on the situation concerning Western Sahara ([S/2021/843](#)), on 1 October 2021. The report describes the situation on the ground; the status of the political negotiations on Western Sahara; the implementation of resolution [2548 \(2020\)](#); and the existing challenges to the operations of the United Nations Mission for the Referendum in Western Sahara (MINURSO), as well as steps taken to address them.
4. The situation in Western Sahara has significantly deteriorated since my previous report. The resumption of hostilities between Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente POLISARIO) and the ongoing coronavirus disease (COVID-19) pandemic have considerably changed the operational environment of MINURSO, limiting the Mission’s ability to implement its mandate.
5. From 18 to 29 October 2020, MINURSO observed nine generally peaceful protests by groups of up to 80 Sahrawi civilians, including women and children, near the berm and at MINURSO team sites in Agwanit, Bir Lahlou, Mehaires, Mijek and Tifariti. The demonstrators conveyed to MINURSO a number of demands, including that “a referendum be held” and a solution be found to the status of the Territory; that the road in the buffer strip at Guerguerat be permanently closed; and that “Sahrawi political prisoners be released from Moroccan jails”. In each instance, the protests dispersed peacefully on the same day without security incidents. On 21 October 2020, MINURSO observed that a group of approximately 50 people, including women and at least 1 child, were present in the buffer strip at Guerguerat. Demonstrators set up a roadblock at the paved portion of the road inside the buffer strip, obstructing all traffic between the Territory and Mauritania. From 22 to 29 October, MINURSO helicopter reconnaissance over Guerguerat observed the presence in the buffer strip of up to 12 armed Frente POLISARIO personnel in military uniform and up to eight military-style light vehicles, two of which had mounted heavy weapons. On 30 October 2020, the same day as the adoption by the Security Council of resolution [2548 \(2020\)](#), Frente POLISARIO issued a press release reaffirming its decision of 30 October 2019 to “reconsider its engagement” in the political process on Western Sahara and stated that it would “intensify the national liberation struggle in face of inaction of the United Nations to ensure MINURSO implementation of its mandate”.
6. Starting on 26 October, MINURSO helicopter reconnaissance observed 16 Royal Moroccan Army vehicles west of the berm, carrying heavy-duty earth-moving machinery in the direction of Guerguerat. On 6 November, MINURSO helicopter reconnaissance observed the arrival of a Royal Moroccan Army military force comprising approximately 250 vehicles, many with heavy weapons, about 12 km north-east of Guerguerat, in the area defined under military agreement No. 1 as the restricted area. On 7 November, King Mohammed VI of Morocco delivered a speech on the occasion of the forty-fifth anniversary of the Green March rejecting the

“unacceptable practices designed to disrupt the normal flow of traffic between Morocco and Mauritania” and asserting that Morocco would “respond, with the utmost firmness and resolve, to any practices or attempts designed to undermine the security and stability of its southern provinces”. In a letter dated 12 November, King Mohammed VI urged me to “redouble” my efforts to find a prompt and definitive end to the “acts of intolerable and destabilizing provocations” by Frente POLISARIO in the buffer strip at Guerguerat. The letter added that “the Kingdom of Morocco... by virtue of its responsibilities and in full compliance with international legality, reserve[d] the right to act, at the time and in the manner it deem[ed] necessary, in order to safeguard the status of the zone and restore free movement”.

7. On the morning of 13 November, MINURSO observed the protestors in the buffer strip at Guerguerat and the armed Frente POLISARIO elements abruptly departing the site of the demonstration. Shortly thereafter, an exchange of fire was heard, including two gunshots from the direction of Frente POLISARIO positions and heavy weapons fire from the direction of the berm adjacent to where the Royal Moroccan Army had deployed. Royal Moroccan Army elements were then observed arriving at the site that the protestors had held in the buffer strip. No casualties were reported to MINURSO from the day’s events. That evening, MINURSO helicopter reconnaissance observed three new breaches across the berm south-east of Guerguerat. Approximately 6 km east of the paved road, MINURSO helicopter reconnaissance observed that Royal Moroccan Army bulldozers had begun constructing a new sand wall through the buffer strip.

8. In a letter addressed to me the same day, the Secretary-General of Frente POLISARIO, Brahim Ghali, condemned “the brutal attack on unarmed Sahrawi civilians” noting that “the military operation by Moroccan forces [was] an act of aggression and a flagrant violation of the ceasefire”, which “the United Nations and the Security Council should condemn in the strongest terms”. In a statement issued the same day, the Moroccan Minister for Foreign Affairs noted that Moroccan actions at Guerguerat took place “in a peaceful manner, without clashes or threat to the safety of civilians”. On 14 November, Mr. Ghali issued a “decree” declaring “an end of [the Frente POLISARIO] commitment to the ceasefire”, and “the consequent resumption of armed struggle in defence of the legitimate rights of [the Sahrawi] people”.

9. In the days leading up to the events of 13 November 2020, the United Nations was involved in multiple initiatives and contacts with the parties, neighbours and other stakeholders to avoid an escalation of the situation and to warn against violations of the ceasefire and the serious consequences of any changes to the status quo. On 19 November, I wrote to King Mohammed VI urging Morocco to exercise maximal restraint to avoid further escalation and to return to the status quo ante. On the same day, in a letter to Mr. Ghali, I urged Frente POLISARIO to avoid any further escalation and allow space for the political process to resume. Responding to my letter, on 21 November, King Mohammed VI asserted that the actions of Morocco at Guerguerat were “irreversible” while noting that Morocco remained “committed to the ceasefire”. Separately, in a letter to me on 2 December 2020, Mr. Ghali stated that Frente POLISARIO “ha[d] been left with no other option but to exercise its sacred right to self-defence”.

10. During the reporting period, Bahrain, Burkina Faso, Equatorial Guinea, Eswatini, Guinea-Bissau, Haiti, Jordan, Libya, Malawi, Senegal, Sierra Leone, Suriname, the United Arab Emirates and Zambia inaugurated or announced their intention to inaugurate “Consulates General” in Laayoune or Dakhla. In letters addressed to me on 23 October 2020, 28 October 2020, 4 November 2020, 15 December 2020, 17 December 2020, 19 December 2020, 5 March 2021, 6 April 2021, and 30 August 2021, Mr. Ghali called these diplomatic representations a

“violation of international law and ... breach of the international legal status of Western Sahara as a Non-Self-Governing Territory”.

11. On 10 December 2020, in a presidential proclamation, the United States of America recognized “Moroccan sovereignty over the entire Western Sahara territory” and reaffirmed its “support for Morocco’s serious, credible, and realistic autonomy proposal as the only basis for a just and lasting solution to the dispute”. In a letter sent on 17 December, the Acting Coordinator of Frente POLISARIO underscored that the proclamation was “a regrettable and unilateral position that violate[d] the [United Nations] Charter and resolutions”. On 24 December, the United States announced that it would inaugurate a “virtual presence post for Western Sahara”.

12. West of the berm, Morocco continued investing in infrastructure development during the reporting period. On 30 April 2021, Moroccan authorities announced the winner of a bid to construct the Dakhla Atlantic Port and construction is now under way. Furthermore, work on building an expressway linking Tiznit in Morocco to Dakhla continued. On 24 and 26 June, diplomatic delegations from Jordan, Oman, Saudi Arabia, and Yemen visited Dakhla and Laayoune to explore investment opportunities. Frente POLISARIO considers such investments an attempt “to consolidate and normalize [the] military occupation and the illegal annexation of parts of Western Sahara” ([S/2020/938](#), para. 8).

13. The overall impact of the COVID-19 pandemic on MINURSO operational activities remained moderate. At its headquarters in Laayoune, MINURSO implemented telecommuting wherever feasible. On 1 July 2021, the Mission started implementing a return-to-work plan, allowing up to 75 per cent of its staff to resume work in the MINURSO headquarters offices. Owing to an upsurge in COVID-19 cases in the Territory in August, return-to-work arrangements have been suspended until further notice. On 30 August 2021 MINURSO recorded the first death of a staff member from the virus. Rotations, repatriations and deployments of uniformed personnel resumed in August 2020, in close cooperation with the Secretariat and in collaboration with Morocco, Frente POLISARIO and Member States. Despite persisting difficulties in international travel and other pandemic-related restrictions, the rotation of 174 military observers was completed during the reporting period.

14. The Government of Morocco, Frente POLISARIO, and the Government of Algeria cooperated fully with MINURSO during the pandemic. The Governments of Morocco and Algeria supported MINURSO civilian and military staff travelling to and from their duty stations in the Territory and in Tindouf, Algeria, respectively, by granting access to special international commercial flights. Since February 2021, MINURSO military and civilian staff have begun receiving vaccinations provided in the Territory west of the berm by the Royal Moroccan Army and the Ministry of Health of Morocco, and in Tindouf by the Algerian health authorities. As at 31 August, 76 per cent of all international civilian and 80 per cent of military staff had received both doses of the vaccine in the Territory.

15. The Mission continued to observe and record reports of any changes in the military presence and installations by the parties, despite the suspension of the violations working group of MINURSO. With the construction of an approximately 20 km-long new sand wall at Guerguerat, the Royal Moroccan Army has consolidated its presence over some 40 km² of land in the buffer strip. The portion of the road that was left unpaved in 2016 has since been upgraded, but not paved. MINURSO has been unable to confirm reports by Frente POLISARIO that new mines were laid in the area.

16. Events in the Territory significantly affected MINURSO mine action operations during the reporting period. On 3 October 2020, mine action activities resumed east of the berm, after they had been previously suspended at the start of the COVID-19

pandemic owing to the closure of the border between Algeria and Western Sahara on 20 March 2020 (S/2020/938 para 37). After only five weeks of operations, regular mine action activities were once again suspended east of the berm as a result of the resumption of hostilities in November 2020.

17. The Office of the United Nations High Commissioner for Refugees (UNHCR) continued to provide international protection and, together with the United Nations Children's Fund (UNICEF) and the World Food Programme (WFP), delivered humanitarian assistance to the Sahrawi refugees living in the five camps near Tindouf, Algeria.

18. The already fragile socioeconomic situation in the camps further deteriorated as a result of the COVID-19 pandemic. In March 2021, the camps were affected by a second wave, and in mid-July a third wave, the worst to date, resulting in more than 1,040 cases, including 48 fatalities. Camp-based Sahrawi refugees continued to report widespread losses of income, jobs and shortages of cash, resulting in reduced purchasing power and thus increased difficulties in addressing their basic needs. Access to health, sanitation, energy, and food were of pressing concern among the refugee population. The overall nutritional situation of the Sahrawi refugees remained precarious as the related indicators have steadily declined over the years. The results of a WFP-led post-distribution monitoring exercise of over 500 refugee households in October 2020, showed an increase in the rate of families that had borderline and poor food consumption scores, with 31.5 per cent of households being borderline and 5.2 per cent being poor, compared with 47.2 per cent and 8.5 per cent, respectively, the previous year.

19. In 2020, there was a notable increase in humanitarian contributions following the launch of the COVID-19 joint appeal for approximately \$15 million, issued by UNHCR, WFP, UNICEF and five non-governmental organizations (NGOs) in April 2020. The three agencies received approximately 60 per cent of their overall needs in response to the COVID-19 situation. Nevertheless, the programme for the camps in Tindouf remains extremely vulnerable.

20. The confidence-building measures, pursuant to Security Council resolution 1282 (1999) and subsequent resolutions, to allow family links between Sahrawi refugees in the Tindouf camps and their communities of origin in the Territory of Western Sahara remained on hold.

21. In its resolution 2548 (2020), the Security Council strongly encouraged enhancing cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR), including through facilitating visits to the region. OHCHR was unable to conduct any visits to the region for the sixth consecutive year. Lack of access by OHCHR to Western Sahara continued to result in substantial gaps in human rights monitoring in the Territory.

22. I am deeply concerned by the developments in Western Sahara during the reporting period. The status of the buffer strip as a demilitarized zone remains a cornerstone of a peaceful solution to the situation of Western Sahara. The resumption of hostilities between Morocco and Frente POLISARIO is a major setback to the achievement of a political solution to this longstanding dispute. In this context, the resumption of the political process could not be more urgent. It remains absolutely essential for the parties to agree on the appointment of a Personal Envoy to relaunch the political dialogue on Western Sahara.

23. I remain confident that a solution is possible despite the recent significant setback. Now more than ever, finding a just, lasting and mutually acceptable political solution that will provide for the self-determination of the people of Western Sahara in accordance with resolutions 2440 (2018), 2468 (2019), 2494 (2019) and 2548

(2020) requires strong political will from the parties, as well as from the international community. I reiterate my call on Security Council members, friends of Western Sahara and other relevant actors to encourage Morocco and Frente POLISARIO to engage in good faith and without preconditions in the political process as soon as my new Personal Envoy is appointed.
