

RECOMMENDATIONS FOR ACTION

- The Sahrawi Arab Democratic Republic (SADR) should reaffirm its written commitment to respect and implement the Convention on Cluster Munitions (CCM) and to clear all cluster munition remnants (CMR) contamination east of the Berm as soon as possible. This commitment should include annual submission of voluntary Article 7 transparency reports.
- The SADR should comply with its obligations under international human rights law to clear CMR on territory under its jurisdiction or control as soon as possible.
- A resource mobilisation plan should be developed with the aim of attracting international donor support.
- Greater support should be provided to the Saharawi Mine Action Coordination Office (SMACO) to enable it to continue to coordinate mine action in Western Sahara, east of the Berm, and to ensure that capacity development efforts are not lost.
- Mine action in Western Sahara must not become forgotten or overlooked by the international mine action community. Support must still be given to address remaining mine, CMR, and other explosive remnants of war (ERW) contamination.
- SMACO should revise its strategy to include a more realistic date for completion of clearance of CMR with annual survey and clearance targets, and a detailed budget.

UNDERSTANDING OF CMR CONTAMINATION

According to the United Nations Mine Action Service (UNMAS), at the end of 2020, Western Sahara east of the Berm¹ had a total of 45 confirmed hazardous areas (CHAs) containing CMR, covering a total of 2.1km².² This is an increase from the 40 areas totalling 1.64km² reported by UNMAS as remaining at end of 2019.³ According to UNMAS, this increase was due to change in survey method as teams began to use a vehicle assisted box survey method which allowed them to cover larger areas and record new hazards.⁴ However, UNMAS also reported that only 0.09km² of new contamination was identified and added to the database in 2020.⁵ Both the north and south of Western Sahara east of the Berm are still affected, as summarised in Table 1.⁶

Table 1: Cluster munition-contaminated area east of the Berm (at end 2020)⁷

Region	CHAs	Area (km ²)
North	25	0.81
South	20	1.29
Totals	45	2.10

The Royal Moroccan Armed Forces used both artillery-fired and air-dropped cluster munitions against Polisario Front military forces during their conflict in Western Sahara from 1975 to 1991. According to the SADR, the Royal Moroccan Armed Forces employed BLU-63, M42, and Mk118 submunitions at multiple locations in Bir Lahlou, Dougaj,

Mehaires, Mijek, and North Wadis.⁸ On 13 November 2020, Morocco sent troops into the UN-monitored buffer zone to end Polisario Front supporters' three-week blockade of the strategic Guerguerat road. In response, Polisario withdrew from the almost 30-year-long ceasefire and renewed attacks on Moroccan military units.⁹ According to UNMAS, this has severely impacted its clearance operations and there is believed to be new contamination from ERW along the berm. To date, the renewed conflict between the Polisario Front and Morocco has been of low intensity, without any recorded use of cluster munitions.¹⁰

While CMR clearance had been projected to be completed by the end of 2012,¹¹ discovery of previously unrecorded contaminated areas meant this target date was not met. According to UNMAS, new strike areas continued to be identified in 2013–20 as mine action activities continued and additional information was received from local populations.¹² In 2020, 0.09km² of previously unrecorded contamination were identified and added to the database.¹³

Of the 45 CHAs, 6 cluster munition strike areas with a total size of 0.5km² are located inside the buffer strip and are inaccessible for clearance.¹⁴ The size of these six areas may increase if restrictions on access to the buffer strip are lifted, allowing survey and clearance to be conducted.¹⁵ Clearance of mines and ERW in the buffer strip, restricted areas, and the Berm itself is not foreseen in MINURSO mission agreements, which, according to the UN, considerably limits the ability of MINURSO military observers to patrol.¹⁶

OTHER EXPLOSIVE REMNANTS OF WAR AND LANDMINES

Western Sahara also remains significantly affected by mines and ERW other than CMR due to the conflict (see Mine Action Review's *Clearing the Mines* report on Western Sahara for further information).

NATIONAL OWNERSHIP AND PROGRAMME MANAGEMENT

UNMAS Western Sahara, formerly the MINURSO Mine Action Coordination Centre (MACC), facilitates MINURSO monitoring of the ceasefire and ensures the safe passage of UN personnel. On 30 October 2020, MINURSO's mandate was extended for an additional 12 months until 30 October 2021 under UN Security Council Resolution 2548 (2020). UNMAS Western Sahara serves as the UN focal point for mine action activities within the MINURSO area of operations. Its contracted teams work only in areas east of the Berm. The Royal Moroccan Army conducts its own demining in

areas west of the Berm. In 2013–14, the Polisario Front, with UN support, established SMACO, which is responsible for coordinating mine action activities in Western Sahara east of the Berm, excluding the buffer strip.¹⁷

In 2020, UNMAS Western Sahara provided SMACO with €50,000 funding to cover some of its operating expenses. SMACO also receives ongoing capacity development support from UNMAS Western Sahara.¹⁸

GENDER AND DIVERSITY

UNMAS has reported that gender policies are implemented in accordance with UNMAS, the UN Office for Project Services (UNOPS), and MINURSO guidelines, as well as with direction from the Polisario Front.¹⁹ UNMAS has a gender strategy as part of its overall country strategy.²⁰ UNMAS also reported that gender has been mainstreamed into Western Sahara's national mine action work plans and the SMACO 2019–23 mine action strategy.²¹ During survey, efforts are made to consider the needs of men, women, girls, and boys to ensure more effective and efficient operations, despite challenges presented by conducting survey activities targeting Bedouin populations.²²

UNMAS reported there is equal access to employment for qualified women and men in survey and clearance teams in Western Sahara, east of the Berm, including for managerial level/supervisory positions. In 2020, 43% of staff in UNMAS Western Sahara were women with 14% in supervisory roles although there are only seven staff in total (both national and international). In SafeLane Global (UNMAS's contractor), 17% of operational roles were held by women. Through SMACO, UNMAS also supports the Sahrawi Mine Action Women's Team (SMAWT), an all-female organisation working on risk education in Rabouni and the camps. All national deminers, both male and female, are Sahrawi, an ethnic minority group.²³

INFORMATION MANAGEMENT AND REPORTING

According to UNMAS, the Information Management System for Mine Action (IMSMA) database for Western Sahara, east of the Berm, improved as a result of an ongoing data audit initiated at the end of 2015.²⁴ The Geneva International Centre for Humanitarian Demining (GICHD) has also provided ongoing support to correct database errors, and an upgrade to the latest database software version, IMSMA Core, was scheduled to take place in August 2019.²⁵ This did not occur and was further delayed due to COVID-19 lockdown. As at March 2021, this is still ongoing.²⁶

PLANNING AND TASKING

In 2019, SMACO developed its strategy for mine action in Western Sahara, east of the Berm, covering 2019–23 in line with the newly published global UN Mine Action Strategy 2019–2023. UNMAS reported that, as at March 2021, a strategy for CMR clearance was in development.²⁷ No specific objectives relate to CMR in the strategy for mine action in Western Sahara, east of the Berm, but SMACO has established the following general objectives in order to achieve a Western Sahara free of the impact of mines and ERW:

- to implement efficient and effective communication with national and international organisations by 2019.
- to establish an effective mechanism for data collection of accidents and victims which will be shared with partners according to the SMACO Data Protection Policy by 2019.
- to establish sustainable and constant funding of SMACO by 2020.
- to ensure availability of human resources to comprehensively manage mine action by 2020.
- to fully implement a professional management structure within SMACO by 2021.
- to create a discussion platform (think tank) for a national victim rights protection policy by 2022.
- to establish a national employment policy for mine action activities by 2023.²⁸

As at March 2021, none of these objectives had been achieved and UNMAS reported delays in progress due to the suspension of operations as a result of COVID-19. The yearly work plan was suspended in 2020 due to COVID-19, although there had also been no mine action work plan in 2019.²⁹

UNMAS Western Sahara mine action activities continue to be in support of MINURSO's mandate.³⁰ UNMAS and SMACO identify priorities for clearance of both minefields and cluster munition strikes east of the Berm in conjunction with MINURSO. Priorities are identified based on humanitarian needs for the safety and freedom of movement of local populations, while UNMAS Western Sahara facilitates the ceasefire and ensuring the safe passage of UN personnel.³¹

LAND RELEASE SYSTEM

STANDARDS AND LAND RELEASE EFFICIENCY

Local mine action standards were developed and finalised in 2016 by UNMAS, together with SMACO, and in coordination with mine action partners. A first annual review of the standards was completed in November 2018 with a review board consisting of representatives from UNMAS, SMACO, and implementing partners. No significant changes were made, and UNMAS reported in June 2019 that translation of the standards into Arabic had been completed and shared with SMACO.³² UNMAS reported in March 2021 that the standards are reviewed annually and that no updates were made in 2020.³³

An external quality management system was in place from 2018 and implemented by UNMAS and SMACO to the east of the Berm.³⁴

OPERATORS AND OPERATIONAL TOOLS

Table 2: Operational clearance capacities deployed in 2020³⁵

Operator	Manual teams	Total deminers*	Dog teams	Mechanical assets	Comments
SafeLane Global (for UNMAS Western Sahara)	2	24	0	0	No change from 2019
Totals	2	24	0	0	

* Excluding team leaders, medics, and drivers.

SafeLane Global (formerly Dynasafe MineTech Limited, DML) was the implementing operator for UNMAS Western Sahara, conducting survey and clearance in 2020. There was no change in operational capacity in 2020 from the previous year and no change was planned for 2021.³⁶

Danish Demining Group (DDG, now known as Danish Refugee Council's Humanitarian Disarmament and Peacebuilding sector) did have funding in 2020 for non-technical survey in Western Sahara east of the Berm, but due to the restrictions introduced as part of the COVID-19 outbreak and then the renewal of conflict from November 2020, DDG was not able to deploy any teams after they received training in March 2021. As at April 2021, with the border with Algeria still predominantly closed, DDG has had to reorientate activities and no longer has funding to conduct survey in Western Sahara.³⁷

LAND RELEASE OUTPUTS AND PROGRESS TOWARDS COMPLETION

LAND RELEASE OUTPUTS IN 2020

A total of 0.78km² was released through survey and clearance in 2020 with 292 submunitions destroyed. Of this, 0.02km² was cancelled through non-technical survey and 0.76km² was cleared.

SURVEY IN 2020

In 2020, a total of 20,752m² of CMR-contaminated area was cancelled through non-technical survey using the vehicle assisted box survey method in the northern region, east of berm. No technical survey was carried out in 2020.³⁸

In 2018 and 2019, no non-technical or technical survey took place.³⁹

CLEARANCE IN 2020

In 2020, a total of almost 0.76m² was released through clearance in the North region of Western Sahara, east of Berm with 292 submunitions found and destroyed.⁴⁰ This is a decrease from the almost 1.59km² cleared in 2019, when 923 submunitions were destroyed.⁴¹

Table 3: CMR clearance in 2020⁴²

Operator	Region	Area cleared (m ²)	Submunitions destroyed
SafeLane Global (for UNMAS Western Sahara)	North	756,431	292
Totals		756,431	292

No CMR were reported destroyed in spot tasks in 2020.⁴³ UNMAS stated that the reasons for the decrease in CMR clearance output in 2020 was due to the partial suspension of operations caused by COVID-19 as well as the three-decade-long ceasefire between Morocco and Polisario ending in November 2020.⁴⁴

PROGRESS TOWARDS COMPLETION

Western Sahara is neither a State Party nor a signatory to the CCM—it is not recognised as a State by the UN Secretary-General—and therefore does not have a specific clearance deadline under Article 4. However, the SADR submitted a voluntary CCM Article 7 transparency report to the UN in 2014, stating that: "By submitting its voluntary report, the SADR would like to reaffirm its commitment to a total ban on cluster munitions as well as its willingness to accede to the Convention on Cluster Munitions and be bound by its provisions".⁴⁵ The SADR has obligations under international human rights law to clear CMR as soon as possible.

Under Western Sahara's draft mine action strategic plan, all recorded cluster munition strike areas to the east of the Berm, outside of the buffer strip, were to be released by 2019.⁴⁶ UNMAS expected to complete clearance of all CMR contamination in the Northern Sector (Bir Lahlou, Mehaires, and Tifariti districts) east of the Berm by the end of 2018.⁴⁷ This did not happen, however, and in SMACO's new mine

action strategy 2019–23, the vision is for Western Sahara to be free of the impact of mines and ERW by 2023.⁴⁸ UNMAS Western Sahara needs to maintain its level of funding of \$3.265 million per year and to secure an additional \$2 million per year to clear all known mine and ERW contamination in the territory of Western Sahara, east of the Berm, and outside the buffer strip, restricted areas, and the Berm itself by this date.⁴⁹

Clearance output has decreased massively in Western Sahara from 4.8km² in 2018 to just 0.76km² in 2020, with the partial suspension of operations due to the outbreak of COVID-19 and the resurgence of conflict both hampering output during the year. Additional resources and capacity, along with support to SMACO, need to be secured urgently along with a reassessment of the 2023 completion date and updated accompanying strategic objectives.

- 1 A defensive wall (the Berm) was built during the conflict between the Royal Moroccan Armed Forces and the Popular Front for the Liberation of Saguia el Hamra and Rio de Oro (Polisario Front) forces, dividing control of the territory between Morocco on the west, and the Polisario Front on the east.
- 2 Email from Leon Louw, Programme Manager, UNMAS, 30 March 2021.
- 3 Email from Edwin Faigmane, Programme Officer, UNMAS, 13 August 2020.
- 4 Email from Leon Louw, UNMAS, 19 April 2021.
- 5 Email from Leon Louw, UNMAS, 30 March 2021.
- 6 Ibid.
- 7 Ibid.
- 8 SADR Voluntary CCM Article 7 Report, dated 20 June 2014, Form F.
- 9 International Crisis Group, Time for International Re-engagement in Western Sahara, Middle East and North Africa Briefing No. 82, 11 March 2021, at: <https://bit.ly/3mPfYgl>.
- 10 Email from Leon Louw, UNMAS, 30 March 2021.
- 11 Email from Karl Greenwood, Chief of Operations, Action on Armed Violence/Mechem Western Sahara Programme, 18 June 2012.
- 12 Emails from Robert Thompson, UNMAS, 29 April 2019; Dandan Xu, UNMAS, 28 June 2019; and Graeme Abernethy, UNMAS, 1 March 2018.
- 13 Email from Leon Louw, UNMAS, 30 March 2021.
- 14 Ibid; The buffer strip is an area 5km wide, east of the Berm.
- 15 Emails from Virginie Auger, UNMAS, 15 March 2017; Sarah Holland, UNMAS, 23 May 2016; and Graeme Abernethy, UNMAS, 27 May 2016. The six areas were identified in a 2008 survey.
- 16 "Report of the Secretary-General on the situation concerning Western Sahara", UN doc. S/2017/307, 10 April 2017, p. 8.
- 17 Response to questionnaire by Sarah Holland, UNMAS, 24 February 2014, and email, 25 February 2014; and email from Edwin Faigmane, UNMAS, 6 August 2020.
- 18 Email from Leon Louw, UNMAS, 30 March 2021.
- 19 Emails from Graeme Abernethy, UNMAS, 1 March and 5 May 2018.
- 20 Email from Leon Louw, UNMAS, 30 March 2021.
- 21 Email from Edwin Faigmane, UNMAS, 18 June 2020.
- 22 Emails from El Hadji Mamadou Kebe, NPA, 4 May 2019 and 14 March 2018.
- 23 Email from Leon Louw, UNMAS, 30 March 2021.
- 24 Emails from Graeme Abernethy, UNMAS, 1 March and 5 May 2018.
- 25 Email from Robert Thompson, UNMAS, 31 May 2019.
- 26 Email from Leon Louw, UNMAS, 30 March 2021.
- 27 Ibid.
- 28 SMACO "Strategic Plan 2019–2023", at: <http://bit.ly/38jaGm2>; and email from Robert Thompson, UNMAS, 31 July 2019.
- 29 Email from Leon Louw, UNMAS, 30 March 2021.
- 30 Email from Edwin Faigmane, UNMAS, 18 June 2020.
- 31 Emails from Graeme Abernethy, UNMAS, 1 March and 5 May 2018; and Edwin Faigmane, UNMAS, 6 August 2020.
- 32 Emails from Robert Thompson, UNMAS, 29 April 2019; and Dandan Xu, UNMAS, 28 June 2019.
- 33 Email from Leon Louw, UNMAS, 30 March 2021.
- 34 Emails from Robert Thompson, UNMAS, 29 April 2019; and Edwin Faigmane, UNMAS, 28 July 2020.
- 35 Email from Leon Louw, UNMAS, 30 March 2021.
- 36 Ibid.
- 37 Email from Catherine Smith, Regional Coordinator, DDG, 18 April 2021.
- 38 Email from Leon Louw, UNMAS, 30 March 2021.
- 39 Emails from Robert Thompson, UNMAS, 29 April 2019; and from Edwin Faigmane, UNMAS, 13 August 2020.
- 40 Email from Leon Louw, UNMAS, 30 March 2021.
- 41 Email from Edwin Faigmane, UNMAS, 13 August 2020.
- 42 Email from Leon Louw, UNMAS, 30 March 2021.
- 43 Ibid.
- 44 Ibid.
- 45 SADR Voluntary CCM Article 7 Report, Form F, 20 June 2014.
- 46 Emails from Virginie Auger, UNMAS, 29 March 2017; and Graeme Abernethy, UNMAS, 31 March 2018.
- 47 Email from Graeme Abernethy, UNMAS, 1 March 2018.
- 48 SMACO "Strategic Plan 2019–2023", at: <http://bit.ly/38jaGm2>.
- 49 Email from Edwin Faigmane, UNMAS, 6 August 2020.