

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.
- 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 AP MINE CONTAMINATION

According to the United Nations Mine Action Service (UNMAS), at the end of 2019 Western Sahara east of the Berm¹ had a total of 40 confirmed hazardous areas (CHAs) containing CMR, with a total size of 1.64km².² This is a significant decrease in confirmed CMR contamination from the 79 areas totalling 2.8km² reported by UNMAS as remaining at the end of 2018.³

Both the north and south of Western Sahara east of the Berm are still affected, as summarised in Table 1.⁴

Table 1: Cluster munition-contaminated area east of the Berm (at end 2019)⁵

Region	CHAs	Area (km ²)
North	21	0.35
South	19	1.29
Totals	40	1.64

Norwegian People's Aid (NPA) reported completing clearance of all known and accessible CMR contamination in its areas of operations in Bir Lahlou in December 2018.⁶

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 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.⁷

While CMR clearance had been projected to be completed by the end of 2012,⁸ discovery of previously unrecorded contaminated areas meant this target date was not met. According to UNMAS, new strike areas continued to be identified in 2013–19 as mine action activities continued and additional information was received from local populations.⁹ In 2019, 20 CHAs totalling 0.52km² of previously unrecorded contamination were found and added to the database.¹⁰

Of the 40 CHAs, 6 cluster munition strike areas with a total size of 0.5km² are located inside the buffer strip and are inaccessible for clearance.¹¹ 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.¹² 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.¹³

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 2020* 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 2019, MINURSO's mandate was extended for an additional 12 months until 30 October 2020 under UN Security Council Resolution 2494 (2019). 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.¹⁴

In 2019, UNMAS Western Sahara had a grant of \$53,937 to cover capacity building and some operating expenses for SMACO. UNMAS also supported SMACO to develop its own internal strategy for 2019–23, which includes a communications and resource mobilisation strategy.¹⁵

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.¹⁶ 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.¹⁷ 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.¹⁸

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 2019, 9% of operational roles in SafeLane Global (UNMAS's contractor) were held by women; at a managerial level, this fell to 7%. In SMACO, there is one woman at managerial level out of five positions.¹⁹

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 2015.²⁰ 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 2019.²¹ This did not occur. As at June 2020, the updating of standard operating procedures (SOPs) for information management and the gradual shift to IMSMA Core had been suspended because of COVID-19 lockdown.²²

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 August 2020, a strategy for CMR clearance was in development.²³ There are no specific objectives related 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 2023.²⁴

As at June 2020, it was not known if Western Sahara, east of the Berm, achieved its objectives for 2019. UNMAS reported only that there was no mine action work plan for 2019 or 2020 and that UNMAS Western Sahara mine action activities continued to be in support of MINURSO's mandate.²⁵

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.²⁶

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 all 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.²⁷

An external quality management system was in place from 2018 and implemented by UNMAS and SMACO to the east of the Berm.²⁸

OPERATORS

Table 2: Operational clearance capacities deployed in 2019²⁹

Operator	Manual teams	Total deminers*	Dog teams	Mechanical assets	Comments
SafeLane Global (for UNMAS Western Sahara)	2	24	0	0	Decrease by 50% from 2018
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 2019. There was a decrease in overall operational capacity from 2018 due to a decrease in funding and because Norwegian People's Aid (NPA) had made the "difficult decision" to close down its programme, effective on 1 January 2019, after releasing the last known contaminated areas in Bir Lehlou province in August 2018.³⁰

LAND RELEASE OUTPUTS AND PROGRESS TOWARDS COMPLETION

LAND RELEASE OUTPUTS IN 2019

A total of almost 1.59km² of CMR-contaminated area was released through clearance in 2019 with 923 submunitions destroyed.

SURVEY IN 2019

According to UNMAS, no non-technical survey or technical survey of CMR-contaminated area occurred in 2019 or 2018.³¹

CLEARANCE IN 2019

In 2019, a total of 1,589,492m² was released through clearance in Tifariti in the North region of Western Sahara, east of Berm with 923 submunitions found and destroyed.³² This is a huge decrease from the just over 4.8km² cleared in 2018, albeit with the destruction of only 833 submunitions.³³

Table 3: CMR clearance in 2019³⁴

Operator	Region	Area cleared (m ²)	Submunitions destroyed
SafeLane Global (for UNMAS Western Sahara)	Tifariti (North region)	1,589,492	923
Totals		1,589,492	923

No CMR were reported destroyed in spot tasks in 2019.³⁵ UNMAS stated that the reasons for the decrease in CMR clearance output in 2019 was the decrease in operational capacity following the withdrawal of NPA staff and a decrease in funding.³⁶

PROGRESS TOWARDS COMPLETION

Western Sahara is neither a State Party nor a signatory to the CCM 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".³⁷ 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 2019.³⁸ 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 2018.³⁹ 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 2023.⁴⁰ 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.⁴¹

In 2019, with the loss of NPA as a key mine action implementer, along with the end of both German and Norwegian funding for clearance, the future of Western Sahara's mine action programme was uncertain. Additional resources and capacity, along with support to SMACO, need to be secured urgently. There was a massive decrease in clearance output from 2018 to 2019 in Western Sahara and UNMAS reported that as at June 2020, operations had been partially suspended due to the outbreak of COVID-19, putting the already unrealistic 2023 completion date even further out of reach.⁴²

- 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 Edwin Faigmane, Programme Officer, UNMAS, 13 August 2020.
- 3 Email from Robert Thompson, Operations and Quality Assurance Officer, UNMAS, 29 April 2019. The buffer strip is an area 5km wide, east of the Berm.
- 4 Email from Edwin Faigmane, UNMAS, 13 August 2020.
- 5 Ibid.
- 6 Email from El Hadji Mamadou Kebe, Programme Manager, NPA, 4 May 2019.
- 7 SADR Voluntary CCM Article 7 Report, dated 20 June 2014, Form F.
- 8 Email from Karl Greenwood, Chief of Operations, Action on Armed Violence/Mechem Western Sahara Programme, 18 June 2012.
- 9 Emails from Robert Thompson, UNMAS, 29 April 2019; Dandan Xu, UNMAS, 28 June 2019; and Graeme Abernethy, UNMAS, 1 March 2018.
- 10 Email from Edwin Faigmane, UNMAS, 13 August 2020.
- 11 Email from Robert Thompson, Operations and Quality Assurance Officer, UNMAS, 29 April 2019. The buffer strip is an area 5km wide, east of the Berm.
- 12 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.
- 13 "Report of the Secretary-General on the situation concerning Western Sahara", UN doc. S/2017/307, 10 April 2017, p. 8.
- 14 Response to questionnaire by Sarah Holland, UNMAS, 24 February 2014, and email, 25 February 2014; and email from Edwin Faigmane, UNMAS, 6 August 2020.
- 15 Emails from Edwin Faigmane, UNMAS, 18 June and 6 August 2020.
- 16 Emails from Graeme Abernethy, UNMAS, 1 March and 5 May 2018.
- 17 Email from Edwin Faigmane, UNMAS, 18 June 2020.
- 18 Emails from El Hadji Mamadou Kebe, NPA, 4 May 2019 and 14 March 2018.
- 19 Email from Edwin Faigmane, UNMAS, 18 June 2020.
- 20 Emails from Graeme Abernethy, UNMAS, 1 March and 5 May 2018.
- 21 Email from Robert Thompson, UNMAS, 31 May 2019.
- 22 Email from Edwin Faigmane, UNMAS, 18 June 2020.
- 23 Email from Edwin Faigmane, UNMAS, 13 August 2020.
- 24 SMACO "Strategic Plan 2019–2023", at: bit.ly/38jaGm2; and email from Robert Thompson, UNMAS, 31 July 2019.
- 25 Email from Edwin Faigmane, UNMAS, 18 June 2020.
- 26 Emails from Graeme Abernethy, UNMAS, 1 March and 5 May 2018; and Edwin Faigmane, UNMAS, 6 August 2020.
- 27 Emails from Robert Thompson, UNMAS, 29 April 2019; and Dandan Xu, UNMAS, 28 June 2019.
- 28 Emails from Robert Thompson, UNMAS, 29 April 2019; and Edwin Faigmane, UNMAS, 28 July 2020.
- 29 Email from Edwin Faigmane, UNMAS, 13 August 2020.
- 30 Email from El Hadji Mamadou Kebe, NPA, 4 May 2019.
- 31 Emails from Robert Thompson, UNMAS, 29 April 2019; and from Edwin Faigmane, UNMAS, 13 August 2020.
- 32 Email from Edwin Faigmane, UNMAS, 13 August 2020.
- 33 Email from Robert Thompson, UNMAS, 29 April 2019.
- 34 Emails from Robert Thompson, UNMAS, 29 April 2019; Dandan Xu, UNMAS, 28 June 2019; and El Hadji Mamadou Kebe, NPA, 26 May 2019.
- 35 Email from Edwin Faigmane, UNMAS, 13 August 2020.
- 36 Ibid.
- 37 SADR Voluntary CCM Article 7 Report, Form F, 20 June 2014; and Cluster Munition Monitor, "Cluster Munition Ban Policy: Western Sahara", updated 12 August 2014.
- 38 Emails from Virginie Auger, UNMAS, 29 March 2017; and Graeme Abernethy, UNMAS, 31 March 2018.
- 39 Email from Graeme Abernethy, UNMAS, 1 March 2018.
- 40 SMACO "Strategic Plan 2019–2023", at: bit.ly/38jaGm2.
- 41 Email from Edwin Faigmane, UNMAS, 6 August 2020.
- 42 Email from Edwin Faigmane, UNMAS, 18 June 2020.