

WESTERN SAHARA



PROGRAMME PERFORMANCE	2016	2015
Problem understood	7	7
Target date for completion of cluster munition clearance	4	4
Targeted clearance	8	7
Efficient clearance	6	6
National funding of programme	4	4
Timely clearance	5	5
Land release system in place	7	7
National mine action standards	9	8
Reporting on progress	5	5
Improving performance	6	6
PERFORMANCE SCORE: AVERAGE	6.1	5.9

PERFORMANCE COMMENTARY

Progress to address remaining cluster munition contamination in Western Sahara was hindered in 2016 by a six-month shutdown of United Nations Mine Action Service (UNMAS)-contracted demining operations due to a political issue with Morocco. At the same time, despite a resulting decrease in the amount of cluster munition remnants (CMR) clearance, new funding for an additional team towards the end of the year and deployment on high density cluster munition-contaminated areas meant the number of CMR destroyed in 2016 increased by more than 40% compared to 2015. According to UNMAS, clearance of remaining CMR contamination could be completed by 2019.

RECOMMENDATIONS FOR ACTION

- The Saharawi Arab Democratic Republic (SADR) should make a formal commitment to respect and implement the Convention on Cluster Munitions (CCM) and to clear all CMR east of the Berm as soon as possible.
- Morocco should ensure freedom of access and unhindered movement of all civilian UN Mission for the Referendum in Western Sahara (MINURSO) and UNMAS staff and take all necessary measures to facilitate the conduct of demining.
- Morocco is strongly encouraged to provide cluster strike data to other relevant stakeholders to facilitate survey and clearance of CMR.

CONTAMINATION

Western Sahara had 4.5km² of confirmed hazardous areas (CHAs) containing CMR east of the Berm as at the end of 2016.¹ Of this, six cluster munition strike areas with a total size of 0.5km² are located inside the buffer strip and are inaccessible for clearance.² Confirmed CMR contamination has decreased from the 55 areas totalling 4.89km² recorded at the end of 2015.³

Both the north and south of Western Sahara still contain confirmed CMR-contaminated areas, as set out in Table 1.⁴

Table 1: CMR contamination east of the Berm (as at end 2016)⁵

Region	CHAs	Area (km ²)
North	18	0.92
South	26	3.58
Totals	44	4.50

The Royal Moroccan Armed Forces (RMAF) used both artillery-fired and air-dropped cluster munitions against Polisario Front forces during their conflict in Western Sahara from 1975 to 1991. According to SADR, BLU-63, M42, and Mk118 submunitions were used by the RMAF at multiple locations in Bir Lahlou, Dougaj, Mehaires, Mijek, and North Wadis.⁶

While CMR clearance had been projected to be completed by the end of 2012,⁷ discovery of previously unknown contaminated areas meant this target date was not met. New contaminated areas have continued to be identified, with an additional five cluster munition strike areas with a total size of nearly 0.26km² discovered in 2016.⁸ New strike areas are expected to be found in the future as mine action activities continue and additional information is received from local populations.⁹

The six cluster munition strike areas located inside the buffer strip, with an estimated total size of 520,609m², may increase if restrictions on access to the buffer strip are lifted, allowing survey and clearance to be conducted.¹⁰ However, clearance of the buffer strip of mines and ERW is not foreseen in MINURSO mission agreements, which according to the UN, considerably limits the ability of MINURSO military observers to patrol and verify developments.¹¹

Other Explosive Remnants of War and Landmines

Western Sahara also remains significantly affected by mines and explosive remnants of war (ERW) other than CMR due to the conflict. The contamination remains a daily threat to the local and nomadic populations, as well as to UN personnel and humanitarian actors.¹² In 2016, UNMAS reported that CMR contamination continued to block access to arable land and water sources for the local population and impeded the free movement of UN personnel, due to the close proximity of unexploded submunitions to patrol routes and areas of UN operations.¹³

PROGRAMME MANAGEMENT

MINURSO manages a Mine Action Coordination Centre (MACC), which was upgraded from a mine “cell” in February 2008. MINURSO MACC supports mine action activities, which were implemented by commercial contractor Dynasafe MineTech Limited (DML) and NGO Norwegian People’s Aid (NPA) in 2016.¹⁴

In 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 activities in Western Sahara east of the Berm and for land release activities.¹⁵ 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 Strategy of the United Nations on Mine Action 2013–18 and the International Mine Action Standards (IMAS). UNMAS planned to develop a mine action strategy specific to Western Sahara in the second half of 2015.¹⁶ As at April 2017, the strategy was still considered a draft and not publicly available. However, according to UNMAS, it identifies priorities for tackling CMR contamination and sets a target to release all recorded cluster munition strike areas east of the Berm by the end of 2019.¹⁷ It also foresees the completion of non-technical survey in 2017/2018 and a 50% reduction in the total number of recorded suspected and confirmed hazardous areas remaining on the territory of Western Sahara by the end of 2022.¹⁸

In 2016, UNMAS, together with SMACO, finalised the development of local mine action standards applicable east of the Berm, in coordination with mine action partners, which include provisions specific to the survey and clearance of cluster munition remnants. In May 2017, UNMAS reported that the standards had been disseminated to all mine action stakeholders and that their implementation was jointly monitored by MINURSO MACC and SMACO, pending their official certification by SMACO.¹⁹ According to NPA, the standards were in the process of being translated into Arabic.²⁰

UNMAS reported that the MACC identifies priorities for clearance of both cluster munition strike areas and minefield clearance to the east of the Berm in conjunction with SMACO and MINURSO. Priorities for CMR clearance are strike areas that restrict MINURSO from carrying out its mandate and areas established with SMACO that hinder the safety of movement of local communities.²¹

Operators

DML (formerly Mine Tech International, MTI) was the only implementing operator tasked with conducting CMR survey and clearance during 2016.²² NPA did not have any tasks related to CMR contamination. It deployed two Multi-Task Teams (MTTs) to conduct mine clearance.²³

In January–November 2016, there were a total of five MTTs in Western Sahara (three Dynasafe MineTech Limited (DML) teams and two NPA teams), with one DML team deployed to conduct CMR survey and clearance. In November 2016, new funding from Germany allowed three additional DML teams to be deployed, making a total of eight operational MTTs, with a second DML team assigned to CMR survey and clearance.²⁴

Quality Management

An external quality management system is in place and is implemented by MINURSO MACC, which consists of inspection visits for the accreditation of MTT teams as well as during clearance. UNMAS reported that, during 2016, a total of nine quality assurance (QA) visits were conducted to assess cluster munition clearance tasks.²⁵

According to NPA, SMACO also conducted external QA and quality control (QC) activities. However, in April–September 2016, no external QA/QC was carried out on demining activities owing to the expulsion of UNMAS and MINURSO staff from Western Sahara by Morocco.²⁶

Information Management

UNMAS claimed that significant improvements were made to the Information Management System for Mine Action (IMSMA) database for Western Sahara in 2016 as a result of an ongoing data audit initiated at the end of 2015, which filtered out duplicate information. Revised standing operating procedures for data management were also introduced with a stronger emphasis on the verification of information, it said.²⁷

UNMAS and NPA initiated a project, funded by Germany, to build SMACO's capacity for information management, which included the training of a local Information Management Officer in 2016. NPA reported that the management of the IMSMA database by MINURSO MACC and SMACO had improved, with better access, coordination, and communication between the two entities following the relocation of the MACC to Tindouf, Algeria, in September 2016.²⁸

LAND RELEASE

Total CMR-contaminated area released by clearance in 2016 was just over 1.21km², a decrease on the 1.84km² cleared in 2015, which UNMAS reported was due to the suspension of mine action activities in March–September 2016.²⁹

Survey in 2016

In 2016, DML identified five previously unrecorded cluster munition strike areas totalling 256,735m² through its survey activities.³⁰

Clearance in 2016

In 2016, UNMAS reported that DML cleared 17 CMR-contaminated areas with a total size of 1,208,930m² to the east of the Berm, destroying 335 submunitions and another 95 items of UXO.³¹ This compares to the clearance of 11 CMR-contaminated areas totalling 1,841,225m² in 2015.³² While the six-month suspension of its activities during the year accounted for the decrease in the total amount of CMR-contamination cleared by DML, the number of cluster munition remnants it destroyed increased by more than 40% compared to the previous year. This resulted from the addition of a second MTT focusing on CMR contamination in November 2016, and the deployment of both teams on heavily contaminated areas.³³

ARTICLE 4 COMPLIANCE

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”.³⁴ The SADR also has obligations under international human rights law to clear CMR as soon as possible.

As noted above, in 2016, the six-month suspension of operations negatively affected UNMAS’ yearly operational targets. Additionally, UNMAS reported that delays to clearing confirmed CMR-contaminated areas continued, the result of restrictions on accessing certain areas of the buffer strip established by various MINURSO mission agreements.³⁵ NPA cited other challenges to operations, including working in a remote desert environment allied to serious difficulties with the procurement of certain equipment and materials.³⁶ Temperatures of up to 60 degrees Celsius, strong winds, sandstorms, and heavy rain during the wet season can also cause mine action activities to be suspended.³⁷

Under Western Sahara’s new draft mine action strategic plan, all recorded cluster munition strike areas to the east of the Berm should be released by 2019.³⁸ UNMAS expected to complete clearance of all 10 recorded strike areas outside the buffer strip in the Bir Lahlou, Mehaires, and Tifariti districts by the end of 2017.³⁹ It predicted that the increase in capacity in November 2016 would be maintained throughout the year as operational funding for the additional teams had been secured for 24 months.⁴⁰

In 2017, NPA planned to deploy an additional MTT with the capacity to carry out battle area clearance (BAC), explosive ordnance disposal (EOD), and survey, alongside its mine clearance operations. As at April 2017, it was planning to begin EOD training for the team, with the aim of conducting BAC on cluster munition strike areas in the future.⁴¹

Table 2: Five-year summary of clearance

Year	Area cleared (m ²)
2016	1,208,930
2015	1,841,225
2014	1,756,566
2013	985,000
2012	819,122
Total	6,610,843

In keeping with previous estimates, UNMAS estimated that all high and medium hazardous areas in Western Sahara east of the Berm, including mined areas, could be released by 2025.⁴²

Following a visit by former 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 east of the Berm from 20 March to 15 September 2016.⁴³

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 had been unable to fully carry out its mandate as the majority of its civilian component had been prevented from performing their duties.⁴⁴ The mandate was subsequently updated for a further year until the end of April 2018.⁴⁵

UNMAS reported that mine action operations returned to full capacity in September 2016, when it relocated to Tindouf, Algeria. In March 2017, it stated that there were no restrictions on movement in UNMAS’s areas of operations east of the Berm.⁴⁶ NPA raised concerns, however, that the events of 2016 could complicate access to the Berm and negatively affect donor interest in Western Sahara.⁴⁷

- 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 The buffer strip is an area 5km wide, east of the Berm. UN Mission for the Referendum in Western Sahara (MINURSO), "Ceasefire Monitoring Overview", undated, accessed 1 June 2016, at: <https://minurso.unmissions.org/Default.aspx?tabid=11421&language=en-US>.
- 3 Emails from Graeme Abernethy, UNMAS, 27 May 2016; and Sarah Holland, Programme Officer, UNMAS, 23 May 2016.
- 4 Email from Virginie Auger, Associate Programme Officer, UNMAS, 15 March 2017.
- 5 Emails from Virginie Auger, UNMAS, 17 May, 10 May, and 15 March 2017. UNMAS previously reported that there were 55 confirmed hazardous areas remaining at the end of 2015. However, it informed Mine Action Review that there was one suspected cluster munition strike area that was pending survey and not reported in the total, which accounts for the apparent discrepancy in its reporting of contamination remaining at the end of 2015 and progress in release in 2016. Bir Lahlou (also spelled Bir Lehlou), Mehaires (also spelled Meharrize) and Tifariti are considered to make up the north, and Mijek and Agwanit the south. Email from Graeme Abernethy, Programme Manager, UNMAS, 9 June 2015.
- 6 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, at: http://www.the-monitor.org/index.php/cp/display/region_profiles/theme/.
- 7 Email from Karl Greenwood, Chief of Operations, AOA/Mechem Western Sahara Programme, AOA, 18 June 2012.
- 8 Email from Virginie Auger, UNMAS, 15 March 2017.
- 9 Emails from Sarah Holland, UNMAS, 23 May 2016; and Gordan Novak, AOA Western Sahara, 25 July 2014.
- 10 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.
- 11 "Report of the Secretary-General on the situation concerning Western Sahara", UN doc. S/2017/307, 10 April 2017, p. 8, at: <http://reliefweb.int/sites/reliefweb.int/files/resources/N1709720.pdf>.
- 12 Email from Virginie Auger, UNMAS, 15 March 2017.
- 13 Ibid.
- 14 Ibid.
- 15 Response to questionnaire by Sarah Holland, UNMAS, 24 February 2014, and email, 25 February 2014.
- 16 Email from Sarah Holland, UNMAS, 5 June 2015.
- 17 Emails from Virginie Auger, UNMAS, 24 April 2017 and 29 March 2017.
- 18 Email from El Hadji Mamadou Kebe, Programme Manager, NPA, 8 April 2017.
- 19 Email from Virginie Auger, UNMAS, 17 May 2017.
- 20 Email from El Hadji Mamadou Kebe, NPA, 8 April 2017.
- 21 Email from Virginie Auger, UNMAS, 15 March 2017.
- 22 The company changed its name on 3 August 2015 to Dynasafe MineTech Limited. Dynasafe website, "History of MineTech", accessed 10 May 2016, at: <http://www.minetech.co.uk/who-we-are/history-of-minetech/>.
- 23 Email from El Hadji Mamadou Kebe, NPA, 8 April 2017.
- 24 Email from Virginie Auger, UNMAS, 10 May 2017.
- 25 Email from Virginie Auger, UNMAS, 15 March 2017.
- 26 Email from El Hadji Mamadou Kebe, NPA, 8 April 2017.
- 27 Emails from Virginie Auger, UNMAS, 24 April 2017 and 29 March 2017.
- 28 Email from El Hadji Mamadou Kebe, NPA, 8 April 2017.
- 29 Emails from Virginie Auger, UNMAS, 15 March 2017; and Sarah Holland, UNMAS, 21 April 2016 and 18 May 2015.
- 30 Emails from Virginie Auger, UNMAS, 15 March 2017; and Sarah Holland, UNMAS, 21 April 2016. DML declined to provide data directly to Mine Action Review and requested that UNMAS data be used instead. Email from Melanie Villegas, Project Executive, DML, 3 March 2017.
- 31 Email from Virginie Auger, UNMAS, 15 March 2017.
- 32 Email from Sarah Holland, UNMAS, 21 April 2016.
- 33 Email from Virginie Auger, UNMAS, 10 May 2017.
- 34 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.
- 35 Email from Virginie Auger, UNMAS, 15 March 2017.
- 36 Email from El Hadji Mamadou Kebe, NPA, 8 April 2017.
- 37 UNMAS, "About UNMAS in Western Sahara", updated January 2017, at: <http://www.mineaction.org/programmes/westernsahara>
- 38 Email from Virginie Auger, UNMAS, 29 March 2017.
- 39 Email from Virginie Auger, UNMAS, 15 March 2017.
- 40 Ibid.
- 41 Email from El Hadji Mamadou Kebe, NPA, 8 April 2017.
- 42 Emails from Virginie Auger, UNMAS, 10 May and 29 March 2017; and Sarah Holland, UNMAS, 21 April and 18 May 2016.
- 43 "Report of the Secretary-General on the situation concerning Western Sahara", UN doc. S/2017/307, 10 April 2017, p. 8; R. Gladstone, "Morocco Orders U.N. 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>.
- 44 UN Security Council Resolution 2285 (2016), 29 April 2016.
- 45 UN Security Council Resolution 2351 (2017), 28 April 2017.
- 46 Email from Virginie Auger, UNMAS, 29 March 2017.
- 47 Email from El Hadji Mamadou Kebe, NPA, 8 April 2017.