

WESTERN SAHARA



CLEARING CLUSTER MUNITION REMNANTS 2019

RECOMMENDATIONS FOR ACTION

- The Saharawi 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.
- Facing significant challenges due to a decrease in operational capacity and funding for 2019, Western Sahara's mine action strategy target of completing clearance of all remaining CMR contamination by the end of 2019 should be reassessed, and a revised mine action strategy developed.
- 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) in order for it to be able to continue to coordinate mine action in Western Sahara, cover staff salaries and running costs, and ensure that capacity development efforts are not lost.
- Mine action in Western Sahara must not become a legacy issue, forgotten or overlooked by the international mine action community. Priority must still be given to addressing the remaining mine, cluster munition, and other explosive remnants of war (ERW) contamination until the territory is fully cleared and its inhabitants free from the threat of explosives.

CLUSTER MUNITION REMNANT CONTAMINATION

According to the United Nations Mine Action Service (UNMAS), Western Sahara had a total of 79 confirmed hazardous areas (CHA) containing CMR with a total size of approximately 2.8km² east of the Berm¹ at the end of 2018. Of the 79 CHAs, six cluster munition strike areas, with a total size of 0.5km², are located inside the buffer strip and are inaccessible for clearance.² This is an increase in confirmed CMR contamination from the 40 areas totalling 2.6km² reported by UNMAS as remaining at the end of 2017.³

In a notable achievement, Norwegian People's Aid (NPA) reported completing the clearance of all known and accessible cluster munition contamination in its areas of operations in Bir Lahlou in December 2018.⁴

Both the north and south of Western Sahara still contain confirmed CMR-contaminated areas, as set out in Table 1.⁵

Table 1: CMR contamination east of the Berm (at end 2018)⁶

Region	CHAs	Area (km ²)
North	52	1.42
South	11	0.26
Totals	63	1.68

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 used 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 from 2013–18, as mine action activities continued and additional information was received from local populations.⁹

The size of the six cluster munition strike areas located inside the buffer strip, with an estimated total area 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 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

MINURSO manages a Mine Action Coordination Centre (MACC), which was upgraded from a mine "cell" in February 2008. MINURSO MACC supports mine action activities, of which, survey and clearance activities were implemented by commercial contractor SafeLane Global (formerly Dynasafe MineTech Limited, DML) and humanitarian NGO NPA in 2018. On 30 April 2019, MINURSO's mandate was extended for an additional six months until 30 October 2019 under Security Council Resolution 2468 (2019). UNMAS Western Sahara serves as the UN focal point for mine action activities within the MINURSO area of operations. Its contracted teams work in areas east of the Berm only.

The Royal Moroccan Army operates its own demining operations in areas west of the Berm.

In 2013–14, the Polisario Front, with UN support, established the SMACO, which is responsible for coordinating mine action activities in Western Sahara east of the Berm, excluding the buffer strip.¹²

In 2018, UNMAS continued to implement an ongoing capacity development project with SMACO, with

funding from the German Federal Foreign Office, which concluded in October after 28 months.¹³ Emphasis was placed on building the programme's capacity to translate local mine action requirements into proposals and budgets with the aim of ensuring that SMACO can independently seek funds and report on progress in the future.¹⁴ UNMAS stated that efforts were also aimed at regularly raising the profile of SMACO within the local and wider international communities.¹⁵ NPA also reported continuing its capacity development efforts in partnership with SMACO to reinforce the local staff capacity through on-the-job trainings in the support office as well as on the operational side.¹⁶ It stated that SMACO's ability to coordinate operations improved significantly in 2018, but raised serious concerns about the cessation of funding from the German government for capacity development activities, noting that SMACO's running costs and ability to pay staff salaries were at risk.¹⁷ UNMAS informed Mine Action Review, however, that it had allocated unearmarked funding to cover SMACO's operating costs for calendar year 2019, and to include the development of a communications and resource mobilisation strategy during this period.¹⁸

GENDER

UNMAS has reported that gender policies are implemented in accordance with UNMAS, UNOPS, and MINURSO guidelines, as well as with direction from the Polisario.¹⁹ NPA reported that gender mainstreaming considerations were included in its Memorandum of Understanding with SMACO, in NPA's internal strategy documents, and taken into account during recruitment processes. Additionally, during survey, efforts are made to ensure the needs of men, women, girls, and boys are taken into consideration for more effective and efficient operations, despite challenges presented by conducting survey activities targeting Bedouin populations.²⁰

In 2018, NPA reported that during recruitment, the programme actively selected female candidates for interviews wherever possible. In local media stories about NPA's work in Western Sahara, NPA encouraged journalists to highlight the work of female deminers and their ability to work equally well in a very challenging environment, with the aim of breaking myths held by local communities that demining is a job for men. It stated that six women were employed in operational roles in 2018, or just over 18% of the total operational staff. Two women held managerial roles, including Head of Finance and Head of Human Resources, making up 40% of NPA's management staff in Western Sahara.²¹

INFORMATION MANAGEMENT AND REPORTING

According to UNMAS, the Information Management System for Mine Action (IMSMA) database for Western Sahara improved appreciably as a result of an ongoing data audit initiated at the end of 2015.²² It reported that routine database clean-up was conducted throughout 2018 and confirmed that information on CMR is recorded separately from ERW and explosive ordnance disposal (EOD) spot tasks.²³ 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 2019.²⁴

PLANNING AND TASKING

In May 2019, UNMAS informed Mine Action Review that a new mine action strategy specific to Western Sahara would be developed in 2019, in line with the newly published global UN Mine Action Strategy 2019–2023.²⁵

The previous mine action strategy for Western Sahara had set a target of releasing all recorded cluster strike munition areas east of the Berm by the end of 2019.²⁶ It also foresaw the completion of non-technical survey in 2017 or 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 2022.²⁷ In May 2019, UNMAS informed Mine Action Review that these targets were not met due to “changing priorities” for mine action. It reported that the new end state for completing the clearance of all known hazards

to the east of the Berm would be the end of 2023 in the forthcoming revised strategy, given conducive funding, political and security conditions.²⁸

UNMAS and SMACO identify priorities for clearance of both cluster munition strike areas and minefield clearance to the 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 ensures that observation patrol routes are safe for military observers and the transport of logistical supplies.²⁹ NPA confirmed that operators were always consulted in priority setting to ensure sufficient resources and equipment were available to conduct operations in a given area.³⁰

LAND RELEASE SYSTEM

STANDARDS AND LAND RELEASE EFFICIENCY

Local mine action standards were in place and implemented in 2018.³¹ The standards were developed and finalised in 2016 by UNMAS, together with SMACO, and in coordination with mine action partners. They include provisions specific to the survey and clearance of CMR.³² NPA has reported that operators updated their standing operating procedures (SOPs) accordingly, and that the local mine action standards set realistic benchmarks for efficient operations.³³ 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.³⁴

An external quality management system was in place in 2018 and implemented by UNMAS and SMACO to the east of the Berm.³⁵ NPA confirmed a considerable increase in quality assurance (QA) activities in 2018, which it said was due to the relocation of UNMAS to Tindouf, Algeria, with easier access to territory under Polisario control. NPA confirmed that SMACO and UNMAS QA officers conducted many QA visits in 2018, conducted accreditation for new NPA staff, monitored progress on tasks, and conducted quality control of completed areas.³⁶

OPERATORS

SafeLane Global (formerly DML) and NPA were the implementing operators conducting CMR survey and clearance in Western Sahara in 2018. UNMAS reported no change in operational capacity during the year. The overall mine action capacity in Western Sahara in 2018 consisted of nine multi-task teams (MTTs) and one community liaison/survey team, with a total of 116 operational staff in the field. This included six DML teams and one community liaison/survey team, of which four teams were tasked on CMR operations during the year. The total number of MTTs was reduced by one in July 2018.³⁷

In 2018, NPA continued to deploy two manual teams to address the remaining cluster munition contamination in ongoing demining activities in Bir Lahlou, with a third team deployed to clear minefield contamination, and five mine risk education teams operating in the Saharawi refugee camps in southern Algeria. The risk education project, funded by Germany and supervised by UNMAS/SMACO, ended in April 2018.³⁸

NPA made the “difficult decision” to close down its programme, effective on 1 January 2019, after releasing the remaining known contaminated areas in Bir Lahlou province in August 2018. After completing operations in Bir Lahlou, NPA was set to deploy teams to tasks in Agwanit in the south, with the aim of clearing the last remaining province with CMR contamination in Western Sahara. However, NPA reported that moving operations to the south presented significant logistical and financial challenges. It stated that the remaining contamination was located in very remote areas and had limited humanitarian or socio-economic impact, and as such, based on a cost-effectiveness analysis, it made the decision that its resources would be more effective in higher impact areas.³⁹

LAND RELEASE OUTPUT AND PROGRESS TOWARDS COMPLETION

LAND RELEASE OUTPUT IN 2018

Total land release of CMR-contaminated area in 2018 was just over 4.9km²: close to 4.8km² through clearance and land release and 0.08km² through cancellation as a result of database clean-up.⁴⁰

SURVEY IN 2018

According to UNMAS, no non-technical survey or technical survey of CMR-contaminated area occurred in 2018.⁴¹ UNMAS reported that a total of 83,223m² of recorded CMR contamination was cancelled in database clean-up.⁴²

In 2017, 57 areas with a size of just over 1.45km² of CMR contamination were confirmed through survey: nearly 0.69km² by DML and 0.77km² by NPA.⁴³

CLEARANCE IN 2018

In 2018, total CMR clearance output decreased from 6.1km² in 2017 to 4.8km²; the number of submunitions found and destroyed increased from 688 to 833.⁴⁴

In 2018, a total of 95 areas of CMR contamination with a size of just over 4.8km² were cleared, with the destruction of more than 830 submunitions.⁴⁵ This compares with 2017, when a total of 62 cluster munition strike areas with a size of just over 6.1km² were cleared, with the destruction of 688 submunitions.⁴⁶ No CMR were reported destroyed in spot tasks in 2018.⁴⁷ UNMAS stated that the reasons for the decrease in CMR clearance output in 2018 were the loss of one MTT for the final six months of the year, along with a higher priority placed on mine clearance tasks due to accidents and local requirements, which took teams away from CMR tasks.⁴⁸

NPA reported clearing a total of four areas with a size of 30,098m² in Bir Lahlou region in 2018, destroying a total of 56 submunitions.⁴⁹ It reported that in 2018 its teams were deployed on the last remaining CMR contaminated areas in Bir Lahlou, which consisted of small tasks with scattered contamination, located far from the Berm, which accounted for the significant drop in CMR clearance output from the 1.1km² of CMR cleared in 2017.⁵⁰

Table 2: Clearance of CMR-contaminated area in 2018⁵¹

Operator	Areas cleared	Area cleared (m ²)	Submunitions destroyed	Other UXO destroyed*
SLG/DML (North region)	78	2,886,991	440	128
SLG/DML (South region)	13	1,918,574	337	152
NPA (North region)	4	30,098	56	0
Totals	95	4,835,663	833	280

* UXO = unexploded ordnance (other than submunitions)

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".⁵² 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 2019.⁵³ UNMAS expected to complete clearance of all cluster munition contamination in the Northern Sector (Bir Lahlou, Mehaires, and Tifariti districts) east of the Berm by the end of 2018.⁵⁴ This did not happen, however, and UNMAS informed Mine Action Review in April 2019 that clearance of CMR contamination would not be completed in 2019 and that a revised extension of the date for completion was being calculated.⁵⁵ UNMAS claimed the main reason for Western Sahara not meeting its 2019 goal was a lack of funding for activities to the east of the Berm.⁵⁶ In May 2019, UNMAS reported that the new target in the forthcoming revised strategy for completing clearance of all known hazards to the east of the Berm would be the end of 2023.⁵⁷

UNMAS has previously reported that delays to clearing confirmed CMR-contaminated areas continued as a result of restrictions on accessing certain areas of the buffer strip established by various MINURSO mission agreements.⁵⁸ 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.⁵⁹ 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.⁶⁰

In 2019, with the loss of NPA as a key mine action implementer, along with the cessation of both German and Norwegian funding for mine clearance activities, the future of Western Sahara's mine action programme remained uncertain. Additional resources and capacity, along with support to SMACO, needed to be secured urgently.

- 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 Robert Thompson, Operations and Quality Assurance Officer, UNMAS, 29 April 2019. The buffer strip is an area 5km wide, east of the Berm.
- 3 Email from Graeme Abernethy, UNMAS, 1 March 2018.
- 4 Email from El Hadji Mamadou Kebe, Programme Manager, NPA, 4 May 2019.
- 5 Email from Robert Thompson, UNMAS, 29 April 2019.
- 6 Emails from Robert Thompson, UNMAS, 29 April 2019; and Dandan Xu, Associate Programme Management Officer, UNMAS, 28 June 2018. 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, UNMAS, 9 June 2015.
- 7 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.
- 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 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.
- 12 Response to questionnaire by Sarah Holland, UNMAS, 24 February 2014, and email, 25 February 2014.
- 13 Emails from Graeme Abernethy, UNMAS, 1 March and 5 May 2018.
- 14 Ibid.
- 15 Ibid.
- 16 Email from El Hadji Mamadou Kebe, NPA, 4 May 2019.
- 17 Ibid.
- 18 Email from Dandan Xu, UNMAS, 28 June 2019.
- 19 Emails from Graeme Abernethy, UNMAS, 1 March and 5 May 2018.
- 20 Emails from El Hadji Mamadou Kebe, NPA, 4 May 2019 and 14 March 2018.
- 21 Email from El Hadji Mamadou Kebe, NPA, 4 May 2019.
- 22 Emails from Graeme Abernethy, UNMAS, 1 March and 5 May 2018.
- 23 Email from Robert Thompson, UNMAS, 29 April 2019.
- 24 Email from Robert Thompson, UNMAS, 31 May 2019.
- 25 Ibid. UNMAS previously reported that it planned to develop a mine action strategy specific to Western Sahara in the second half of 2015. According to UNMAS, the strategy was finalised in 2017, but still was considered an internal document and was not made publicly available as at May 2018. Emails from Sarah Holland, UNMAS, 5 June 2015; and Graeme Abernethy, UNMAS, 1 March, 5 May, and 18 May 2018.
- 26 Emails from Graeme Abernethy, UNMAS, 18 May 2018; and Virginie Auger, UNMAS, 24 April and 29 March 2017.
- 27 Ibid.
- 28 Email from Robert Thompson, UNMAS, 31 May 2019.
- 29 Emails from Graeme Abernethy, UNMAS, 1 March and 5 May 2018.
- 30 Emails from El Hadji Mamadou Kebe, NPA, 4 May 2019 and 14 March 2018.
- 31 Email from El Hadji Mamadou Kebe, NPA, 4 May 2019.
- 32 Emails from Virginie Auger, UNMAS, 24 April and 29 March 2017; El Hadji Mamadou Kebe, NPA, 8 April 2017; and Graeme Abernethy, UNMAS, 31 May 2018.
- 33 Email from El Hadji Mamadou Kebe, NPA, 14 March 2018.
- 34 Emails from Robert Thompson, UNMAS, 29 April 2019; and Dandan Xu, UNMAS, 28 June 2019.
- 35 Email from Robert Thompson, UNMAS, 29 April 2019.
- 36 Email from El Hadji Mamadou Kebe, NPA, 4 May 2019.
- 37 Email from Robert Thompson, UNMAS, 31 May 2019.
- 38 Email from El Hadji Mamadou Kebe, NPA, 4 May 2019.
- 39 Ibid.
- 40 Email from Robert Thompson, UNMAS, 29 April 2019.
- 41 Ibid.
- 42 Ibid.
- 43 Emails from Graeme Abernethy, UNMAS, 1 March and 22 May 2018; and El Hadji Mamadou Kebe, NPA, 20 and 27 May 2018.
- 44 Emails from Robert Thompson, UNMAS, 29 April 2019; El Hadji Mamadou Kebe, NPA, 26 May 2019; and Graeme Abernethy, UNMAS, 1 March 2018.
- 45 Ibid.
- 46 Emails from Graeme Abernethy, UNMAS, 1 March and 20 May 2018; and El Hadji Mamadou Kebe, NPA, 20 and 27 May 2018.
- 47 Emails from Robert Thompson, UNMAS, 29 April 2019; and El Hadji Mamadou Kebe, NPA, 4 May 2019.
- 48 Email from Robert Thompson, UNMAS, 31 May 2019.
- 49 Email from El Hadji Mamadou Kebe, NPA, 4 May 2019.
- 50 Emails from El Hadji Mamadou Kebe, NPA, 4 May 2019 and 14 March 2018.
- 51 Emails from Robert Thompson, UNMAS, 29 April 2019; Dandan Xu, UNMAS, 28 June 2019; and El Hadji Mamadou Kebe, NPA, 26 May 2019. UNMAS reported conflicting figures for NPA's clearance output: that NPA cleared a total of two areas with a size of 27,809m², destroying three submunitions and 171 other items of unexploded ordnance; and alternatively that NPA cleared a total of one area with a size of 19,030m² with the destruction of three submunitions.
- 52 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.
- 53 Emails from Virginie Auger, UNMAS, 29 March 2017; and Graeme Abernethy, UNMAS, 31 March 2018.
- 54 Email from Graeme Abernethy, UNMAS, 1 March 2018.
- 55 Email from Robert Thompson, UNMAS, 29 April 2019.
- 56 Ibid.
- 57 Email from Robert Thompson, UNMAS, 31 May 2019.
- 58 Email from Virginie Auger, UNMAS, 15 March 2017.
- 59 Emails from El Hadji Mamadou Kebe, NPA, 8 April 2017 and 14 March 2018.
- 60 UNMAS, "About UNMAS in Western Sahara", updated January 2017, at: <http://bit.ly/2MEmsjN>.