

KEY DATA

CLUSTER MUNITION CONTAMINATION: LIGHT

NATIONAL ESTIMATE

2 KM²

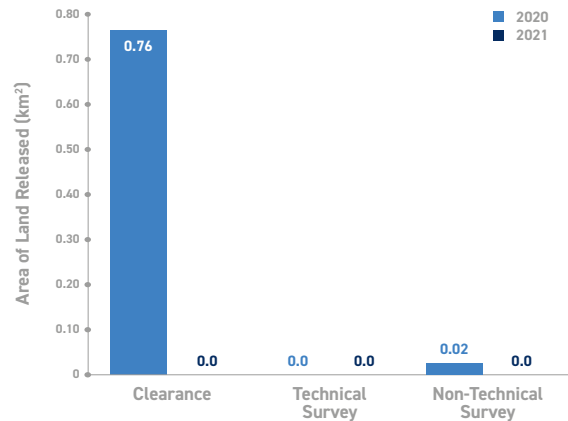
SUBMUNITION CLEARANCE IN 2021

0 KM²

SUBMUNITIONS DESTROYED IN 2021

0

LAND RELEASE OUTPUT



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.
- Polisario Front should approve survey and clearance operations allowing the United Nations Mine Action Service (UNMAS) and its implementing partners to address the remaining mine, CMR, and other explosive remnants of war (ERW) contamination on territory under its jurisdiction or control.
- 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.
- 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 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.

CLUSTER MUNITION SURVEY AND CLEARANCE CAPACITY

MANAGEMENT

- Saharawi Mine Action Coordination Office (SMACO) [Western Sahara, east of the Berm]
- Royal Moroccan Army [Western Sahara, west of the Berm]

NATIONAL OPERATORS

- Royal Moroccan Army

INTERNATIONAL OPERATORS

- SafeLane Global
- Danish Refugee Council (DRC)'s Humanitarian Disarmament and Peacebuilding department

OTHER ACTORS

- United Nations Mine Action Service (UNMAS) Western Sahara

UNDERSTANDING OF CMR CONTAMINATION

According to the United Nations Mine Action Service (UNMAS), at the end of 2021, Western Sahara east of the Berm¹ had a total of 45 confirmed hazardous areas (CHAs) containing CMR, covering a total of 2.09km².² This is a small decrease from the 45 areas totalling 2.1km² reported by UNMAS as remaining at end of 2020 (in relation to the southern region) which is due to data cleaning and a more accurate mapping system used by Information Management System for Mine Action (IMSMA) Core.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 2021)⁵

Region	CHAs	Area (km ²)
North	26	0.81
South	19	1.28
Totals	45	2.09

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 Sahrawi Arab Democratic Republic (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.⁶ 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.⁷ According to UNMAS, this has severely impacted its clearance operations and there is believed to be new contamination from explosive remnants of war (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.⁸

While CMR clearance had been projected to be completed by the end of 2012,⁹ 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.¹⁰ In 2021, no new areas of previously unrecorded contamination were identified and added to the database.¹¹

Of the 45 recorded CHAs, eight cluster munition strike areas covering a total estimated size of 0.5km² are located inside the buffer strip and are inaccessible for clearance.¹² Clearance of mines and ERW in the buffer strip, restricted areas, and along the Berm itself is not foreseen in the United Nations Mission for the Referendum in Western Sahara (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* 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 29 October 2021, MINURSO's mandate was extended for an additional 12 months until 31 October 2022 under UN Security Council Resolution 2602. 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 the Saharawi Mine Action Coordination Office (SMACO), which is responsible for coordinating mine action activities in Western Sahara east of the Berm, excluding the buffer strip.¹⁴

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, 21 March 2022.
 3 Emails from Leon Louw, Programme Manager, UNMAS, 30 March 2021; and Edwin Faigmane, UNMAS, 24 May 2022.
 4 Email from Leon Louw, UNMAS, 4 February 2022.
 5 Email from Edwin Faigmane, UNMAS, 21 March 2022.
 6 SADR Voluntary CCM Article 7 Report, dated 20 June 2014, Form F.
 7 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/3mPfygI>.
 8 Email from Edwin Faigmane, UNMAS, 24 May 2022.
 9 Email from Karl Greenwood, Chief of Operations, Action on Armed Violence/Mechem Western Sahara Programme, 18 June 2012.
 10 Emails from Robert Thompson, UNMAS, 29 April 2019; Dandan Xu, UNMAS, 28 June 2019; and Graeme Abernethy, UNMAS, 1 March 2018.
 11 Email from Leon Louw, UNMAS, 4 February 2022.
 12 Email from Edwin Faigmane, UNMAS, 21 March 2022; The buffer strip is an area 5km wide, east of the Berm.
 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.

In 2021, UNMAS Western Sahara provided SMACO with a US\$26,497 grant to cover some of its operating expenses. SMACO has reported to UNMAS that it has also received some funding from the International Committee of the Red Cross (ICRC). UNMAS has advocated that SMACO and the Sahrawi authorities provide their own funding to support SMACO activities. SMACO also receives ongoing capacity development support from UNMAS Western Sahara and is currently being supported to develop a resource mobilisation plan.¹⁵

UNMAS Western Sahara receives funding from the UN Assessed Budget for land release activities in the area east of the Berm. It received \$3.03 million for the period 1 July 2021 to 30 June 2022.¹⁶

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.¹⁷ UNMAS has a gender strategy as part of its overall country strategy.¹⁸ 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.¹⁹ 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.²⁰

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 2021, 20% (one of five) of staff in SMACO were women in managerial/supervisory positions while in SafeLane Global (UNMAS's contractor) 14% (one of seven) of managerial staff and 4% of survey and clearance teams (one of twenty-four) were women.²¹ 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 five Sahrawi refugee camps. All national deminers, both male and female, are Sahrawi, considered an ethnic minority group.²²

INFORMATION MANAGEMENT AND REPORTING

According to UNMAS, the IMSMA database for Western Sahara, east of the Berm, improved as a result of an ongoing data audit initiated at the end of 2015.²³ 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 This did not occur and was further delayed due to the COVID-19 lockdown, but as at February 2022 the migration was complete and personnel were undergoing refresher training before a full switch to IMSMA Core.²⁵

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. In 2021, UNMAS reported that a strategy for CMR clearance was under development, but this has been delayed due to COVID-19 and the outbreak of hostilities between the Royal Moroccan Army (RMA) and the Polisario Front.²⁶

15 Emails from Leon Louw, UNMAS, 4 February 2022; and Edwin Faigmane, UNMAS, 21 March 2022.

16 Emails from Leon Louw, UNMAS, 4 February 2022; and Edwin Faigmane, UNMAS, 24 May 2022.

17 Emails from Graeme Abernethy, UNMAS, 1 March and 5 May 2018.

18 Email from Leon Louw, UNMAS, 30 March 2021.

19 Email from Edwin Faigmane, UNMAS, 18 June 2020.

20 Emails from El Hadji Mamadou Kebe, NPA, 4 May 2019 and 14 March 2018.

21 Email from Leon Louw, UNMAS, 4 February 2022.

22 Email from Leon Louw, UNMAS, 30 March 2021; and SMAWT newsletter, March 2022, at: <https://bit.ly/3yN542U>.

23 Emails from Graeme Abernethy, UNMAS, 1 March and 5 May 2018.

24 Email from Robert Thompson, UNMAS, 31 May 2019.

25 Email from Leon Louw, UNMAS, 4 February 2022.

26 Email from Leon Louw, UNMAS, 30 March 2021; and Edwin Faigmane, UNMAS, 21 March 2022.

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 2023.²⁷

As at February 2022, SMACO had developed a form for accident and victim data collection in Western Sahara, east of the Berm and victims, following a series of workshops with stakeholders, which had been approved by the Sahrawi Ministry of Defence. The resultant form is available in both Arabic and English versions. A mine action work plan was in place for UNMAS in 2021, developed by UNMAS Western Sahara, in support of MINURSO's mandate.²⁸

UNMAS Western Sahara mine action activities continue to be in support of MINURSO's mandate.²⁹ 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.³⁰ UNMAS Western Sahara reported that environmental impact is considered as part of the tasking process and implementation plan in order to minimise potential harm from demining activities.³¹ This includes waste disposal procedures for rubbish and grey and black water disposal; how and where to set up camps; and how to dismantle camps without leaving an operational footprint.³²

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.³³ UNMAS reported that the standards are reviewed annually but that no updates were made in 2021.³⁴ As part of their national standards, SMACO have a policy on environmental management with a requirement that all implementation plans consider environmental impacts.³⁵

An external quality management system was in place from 2018 and implemented by UNMAS and SMACO to the east of the Berm.³⁶

OPERATORS AND OPERATIONAL TOOLS

Table 2: Operational clearance capacities deployed in 2021³⁷

Operator	Manual teams	Total deminers*	Dog teams	Mechanical assets	Comments
SafeLane Global (for UNMAS Western Sahara)	1	10	0	0	Decrease from 2020 by one team of 14 deminers
Totals	1	10	0	0	

* Excluding team leaders, medics, and drivers.

27 SMACO, "Strategic Plan 2019–2023", at: <http://bit.ly/38jaGm?>; and email from Robert Thompson, UNMAS, 31 July 2019.

28 Email from Leon Louw, UNMAS, 4 February 2022.

29 Email from Edwin Faigmane, UNMAS, 18 June 2020.

30 Emails from Graeme Abernethy, UNMAS, 1 March and 5 May 2018; and Edwin Faigmane, UNMAS, 6 August 2020.

31 Email from Leon Louw, UNMAS, 4 February 2022; and Edwin Faigmane, UNMAS, 21 March 2022.

32 Email from Edwin Faigmane, UNMAS, 24 May 2022.

33 Emails from Robert Thompson, UNMAS, 29 April 2019; and Dandan Xu, UNMAS, 28 June 2019.

34 Email from Leon Louw, UNMAS, 4 February 2022.

35 Email from Edwin Faigmane, UNMAS, 18 June 2020.

36 Emails from Robert Thompson, UNMAS, 29 April 2019; and Edwin Faigmane, UNMAS, 28 July 2020.

37 Email from Leon Louw, UNMAS, 4 February 2022.

SafeLane Global (formerly Dynasafe MineTech Limited, DML) was the implementing operator for UNMAS Western Sahara in 2021. During 2021, due to COVID-19 restrictions, 75% of personnel were stood down. After the restrictions lifted, capacity was scaled up but was still at only 50% of planned capacity due to the conflict. No changes to capacity were expected in 2022.³⁸

DRC did not conduct any survey or clearance in Western Sahara in 2021. During 2021, DRC was planning to deploy teams to conduct non-technical survey in Western Sahara east of the Berm but was unable to do so due to restrictions from COVID-19 and the renewal of conflict. As at February 2022, with the border between Algeria and Western Sahara opened again, DRC was looking for funding to reinstate non-technical survey, although none had been secured as of writing.³⁹

LAND RELEASE OUTPUTS AND PROGRESS TOWARDS COMPLETION

LAND RELEASE OUTPUTS IN 2021

No cluster munition-contaminated area was released through survey or clearance in 2021.⁴⁰ This is a reduction from the 0.78km² that 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.⁴¹

No CMR were reported to have been destroyed in spot tasks in 2021 either.⁴² UNMAS stated that the reasons for lack of CMR survey and clearance output in 2021 was the partial suspension of clearance operations in accordance with COVID-19 protocols as well as the ending of the three-decades-long ceasefire between Morocco and Polisario in November 2020, which led to the suspension of survey and clearance operations due to Polisario's refusal to approve them. This meant that only the explosive ordnance disposal (EOD) response team were on standby for emergency EOD and route verification tasks.⁴³

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 cannot formally adhere to the treaty—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 “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”.⁴⁴ 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 2019.⁴⁵ 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 2018.⁴⁶ 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 2023.⁴⁷ No land release took place during 2021, a further decrease from the 0.76km² cleared in 2020, as operations were restricted by both COVID-19 and the resurgence of conflict. Currently Western Sahara is not on track to meet its 2023 completion date, which should now be revised along with the timed objectives in SMACO's Strategic Plan 2019–2023. As at May 2022, UNMAS were in the process of obtaining permission to restart clearance operations in safe areas.⁴⁸ In support of this there is a need for increased resources and capacity at SMACO.

38 Email from Leon Louw, UNMAS, 30 March 2021.

39 Email from Catherine Smith, Regional Coordinator, DDG, 1 February 2022.

40 Email from Leon Louw, UNMAS, 4 February 2022.

41 Email from Leon Louw, UNMAS, 30 March 2021.

42 Email from Leon Louw, UNMAS, 4 February 2022.

43 Email from Leon Louw, UNMAS, 30 March 2021; and UN Country Level Survey for the Monitoring & Evaluation Mechanism of the United Nations Mine Action Strategy 2019 – 2023.

44 SADR Voluntary CCM Article 7 Report, Form F, 20 June 2014.

45 Emails from Virginie Auger, UNMAS, 29 March 2017; and Graeme Abernethy, UNMAS, 31 March 2018.

46 Email from Graeme Abernethy, UNMAS, 1 March 2018.

47 SMACO, “Strategic Plan 2019–2023”, at: <http://bit.ly/38jaGm2>.

48 Email from Edwin Faigmane, UNMAS, 24 May 2022.