

WESTERN SAHARA



PROGRAMME PERFORMANCE

2015

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

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 cluster munition remnants (CMR) east of the Berm as soon as possible.
- Morocco should ensure immediate access and unhindered movement of all civilian staff of the United Nations Mission for the Referendum in Western Sahara (MINURSO), including UN Mine Action Service (UNMAS) international staff, in order to allow demining by MINURSO and UNMAS to return to full functionality.

→ Morocco is strongly encouraged to provide cluster strike data to the UN or humanitarian demining organisations to facilitate survey and clearance of CMR.

CONTAMINATION

Western Sahara had almost 4.9km² of area confirmed to contain CMR east of the Berm as at the end of 2015. Of this, six cluster strike areas with a total size of 0.5km² are located inside the buffer strip and are inaccessible for clearance.¹ Both the north and south of Western Sahara still contain confirmed CMR-contaminated areas, as set out in Table 1.²

Table 1: **CMR contamination by region east of the Berm as at the end of 2015³**

Region	Confirmed Hazardous Areas	Area (km ²)
North	30	1.31
South	25	3.58
Totals	55	4.89

This is an increase in confirmed CMR contamination from the 51 areas totalling 4.67km² recorded at the end of 2014.⁴

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.⁵

While clearance had been projected to be completed by the end of 2012,⁶ discovery of previously unknown contaminated areas meant this target date was not met. New contaminated areas have continued to be identified, with an additional 15 cluster strike areas with a total size of 0.54km² discovered in 2015. New strike areas are expected to be found in the future as mine action activities continue and additional information is received from local populations.⁷

Of the 4.89km² of CMR contamination remaining at the end of 2015, six cluster munition strike areas with a total

size of 520,609m² are located inside the buffer strip and are inaccessible for clearance. This amount of reported contamination may also increase if access restrictions to the buffer strip are removed and survey and clearance can be conducted.⁸

Other ERW and Landmines

Western Sahara also remains significantly affected by mines and explosive remnants of war (ERW) other than CMR due to the conflict between the RMAF and the Popular Front for the Liberation of Saguia el Hamra and Rio de Oro (Polisario Front) forces. A defensive wall (the Berm) was built during the conflict, dividing control of the territory between Morocco on the west, and the Polisario Front on the east.

The significant mine, CMR, and other UXO contamination in Western Sahara continues to pose a daily threat to the local and nomadic populations, along with UN personnel and humanitarian actors.⁹ In 2015, UNMAS reported that CMR contamination blocked 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 CMR to patrol routes and areas of UN operations.¹⁰



- 1 The buffer strip is an area 5km wide east of the Berm. UN Mission for the Referendum in Western Sahara (MINURSO), "Ceasefire Monitoring Overview", updated, accessed 1 June 2016, at: <https://minurso.unmissions.org/Default.aspx?tabid=11421&language=en-US>.
- 2 Email from Sarah Holland, Programme Officer, UNMAS, 21 April 2016.
- 3 Ibid. Bir Lahlou (also spelled Bir Lehlou), Tifariti, and Mehaires (also spelled Meharrize) are considered to make up the north, and Mijek and Agwanit the south. Email from Graeme Abernethy, Programme Manager, UNMAS, 9 June 2015.
- 4 In May 2016, UNMAS reported that the actual number of CMR-contaminated areas as of end 2014 was 51 areas instead of the 49 it had reported to Mine Action Review in May 2015. It stated that the increase in contamination from 2014 to 2015 was due to new areas identified by survey during the year and the fact that "during CMR clearance for a particular task, fade out is applied to the individual clearance requirement and in almost all cases, this far exceeds the initial size of the CMR recorded in IMSMA". According to UNMAS, fade out distances may vary from site to site, but in normal circumstances would be "not more than 50m from the last submunitions located in a particular area of a task". Emails from Graeme Abernethy, UNMAS, 27 May 2016; and Sarah Holland, UNMAS, 23 May 2016 and 18 May 2015.
- 5 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/4001.
- 6 Email from Karl Greenwood, Chief of Operations, AOA/Mechem Western Sahara Programme, AOA, 18 June 2012.
- 7 Email from Sarah Holland, UNMAS, 23 May 2016; and email from Gordan Novak, AOA Western Sahara, 25 July 2014.
- 8 Emails from Sarah Holland, UNMAS, 23 May 2016; and Graeme Abernethy, UNMAS, 27 May 2016. The six areas were identified in a 2008 survey.
- 9 Emails from Sarah Holland, UNMAS, 21 April 2016 and 18 May 2015.
- 10 Email from Sarah Holland, UNMAS, 21 April 2016.

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 2015.¹¹

In September 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.¹² SMACO was established with UN support and 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 2015.¹³ As at April 2016, the strategy was still under development and awaiting finalisation and approval by all mine action stakeholders.¹⁴

In 2016, UNMAS also intends to develop local mine action standards applicable east of the Berm, in coordination with mine action partners. These will include provisions specific to battle area clearance (BAC). Once completed, the standards will be jointly managed by SMACO and MINURSO MACC.¹⁵

UNMAS reported that the MACC identifies priorities for clearance of both cluster strike areas and minefield clearance to the east of the Berm in conjunction with SMACO. These priorities are then confirmed with MINURSO and an annual operational workplan is developed and implemented. Priorities for CMR clearance are strike areas that restrict MINURSO from carrying out its mandate and have a high impact on local communities.¹⁶

Operators

In 2015, MINURSO MACC deployed three multi-task teams (MTTs) and one community liaison/risk education/survey team, employing a total of 37 operational staff. Of its four teams, one MTT was tasked to address cluster strike areas.¹⁷

DML was the only implementing operator tasked with conducting CMR survey and clearance during 2015. Formerly called Mine Tech International (MTI), the company changed its name on 3 August 2015 to Dynasafe MineTech Limited.¹⁸ It took over the UN Office for Project Services (UNOPS) tender for mine action in Western Sahara in September 2014 from NGO Action on Armed Violence (AOAV), which closed operations due to lack of funding.¹⁹

NPA was also operational in Western Sahara as at September 2015 but did not have any tasks related to CMR contamination. It deployed two MTTs to conduct mine clearance.²⁰

Quality Management

An external quality management system is in place and is implemented by MINURSO MACC. UNMAS reported that of all quality assurance (QA) assessment visits conducted in 2015, almost one-third pertained to cluster strike areas.²¹ NPA reported that SMACO also conducted external QA and quality control (QC) activities.²²

Information Management

UNMAS stated that a complete audit of the information management system for mine action (IMSMA) database was initiated in 2015, which was expected to be completed mid-2016. According to UNMAS, the audit was designed to ensure the data in IMSMA is accurate and comprehensive, and includes information on mined areas, cluster strike areas, and UXO spot sites.²³ In May 2016, UNMAS reported that the audit had validated the accuracy of the CMR-related information recorded in IMSMA and confirmed that a total of nearly 4.89km² was contaminated with CMR and correctly recorded as CHAs.²⁴

11 Ibid.

12 Response to questionnaire by Sarah Holland, UNMAS, 24 February 2014, and email, 25 February 2014.

13 Email from Sarah Holland, UNMAS, 5 June 2015.

14 Email from Sarah Holland, UNMAS, 21 April 2016.

15 Ibid.

16 Ibid.

17 Email from Sarah Holland, UNMAS, 21 April 2016.

18 Dynasafe website, “History of MineTech”, accessed 10 May 2016, at: <http://www.minetech.co.uk/who-we-are/history-of-minetech/>.

19 Email from Melissa Fuerth, Head of Programmes, AOAV, 7 May 2015; and email from Melissa Andersson, Country Director, NPA, 11 April 2015.

20 Email from El Hadji Mamadou Kebe, Programme Manager, NPA, 4 May 2016.

21 Email from Sarah Holland, UNMAS, 21 April 2016.

22 Email from El Hadji Mamadou Kebe, NPA, 4 May 2016.

23 Email from Sarah Holland, UNMAS, 21 April 2016.

24 Email from Graeme Abernethy, UNMAS, 27 May 2016.

LAND RELEASE

Total CMR-contaminated area released by clearance in 2015 was just over 1.84km², an increase on the 1.75km² of area cleared in 2014.²⁵

Survey in 2015

In 2015, DML identified 15 new cluster munition strike areas with a total size of 537,431m² through its survey activities.²⁶ In 2014, AOA, Mechem, MTI, and MINURSO confirmed a total of nearly 0.9km² as contaminated with CMR through non-technical and technical survey.

Clearance in 2015

In 2015, UNMAS reported that DML cleared 11 CMR-contaminated areas with a total size of 1,841,225m² to the east of the Berm, destroying 143 submunitions and another 120 items of UXO.²⁷ This compares to clearance of seven areas totalling 1,756,566m² in 2014 by AOA and MTI, with the destruction of 321 submunitions and 297 items of UXO.²⁸

ARTICLE 4 COMPLIANCE

Western Sahara is not a state party or signatory to the CCM. 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".²⁹

The SADR has obligations under international human rights law to clear CMR as soon as possible, including in accordance with the 1981 African Charter on Human and Peoples' Rights.

UNMAS reported that the priority for its operations in 2016 would be to clear CMR-contaminated areas in support of MINURSO's ceasefire monitoring efforts and its logistical supply teams. A total of six cluster strike areas will be tasked for clearance before the end of 2016, it said.³⁰

According to UNMAS, no survey operations for cluster strike areas were planned for 2016, but discovery of new CMR contamination during the course of mine and ERW survey and clearance operations remains a possibility. UNMAS expected current capacities and funding levels to remain unchanged during the year.³¹



BAC by Dynasafe Minetech Ltd, UNMAS implementing partner in the Western Sahara. © Dynasafe Minetech Ltd



Preparations for BAC by Dynasafe Minetech Ltd, UNMAS implementing partner in the Western Sahara. © Dynasafe Minetech Ltd

Table 4: Five-year summary of clearance³²

Year	Area cleared (m ²)
2015	1,841,225
2014	1,756,566
2013	985,000
2012	819,122
2011	1,045,500
Total	6,447,413

25 Emails from Sarah Holland, UNMAS, 21 April 2016 and 18 May 2015.

26 Email from 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, Dynasafe MineTech Limited, 6 April 2016.

27 Email from Sarah Holland, UNMAS, 21 April 2016.

28 Email from Sarah Holland, UNMAS, 18 May 2015.

29 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.

30 Email from Sarah Holland, UNMAS, 21 April 2016. See past Cluster Munition Monitor reports on Western Sahara in 2011-13; response to Cluster Munition Monitor questionnaire by Sarah Holland, UNMAS, 24 February 2014; and emails from Ruth Simpson, AOA, 17 July 2013; Karl Greenwood, AOA, 20 June 2012; and Penelope Caswell, AOA, 11 April 2011. Different figures for the destruction of unexploded submunitions in 2010 were provided by MINURSO MACC in May 2011: 7,138 destroyed during BAC, and a further 113 during spot clearance. Email from Geneva Cucinotta, MINURSO MACC, 11 May 2011.

31 Email from Sarah Holland, UNMAS, 21 April 2016.

32 Ibid.

In keeping with previous estimates, UNMAS stated that with current mine action capacity, it would take about nine years to clear all current CHAs, including minefields and cluster munition strike areas, provided that the number of CHA does not increase significantly in 2016.³³

Following a visit by 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 as at 20 March 2016.³⁴ The decision sparked international condemnation and has threatened to paralyse MINURSO’s mission in Western Sahara, raising concerns over stability in the region and setting a dangerous precedent for UN peacekeeping operations.³⁵

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 has been unable to fully carry out its mandate as the majority of its civilian component have been prevented from performing their duties. The resolution requests that the UN Secretary-General report back to the Security Council within 120 days on whether MINURSO has returned to full functionality.³⁶

In April 2016, SMACO reported that as a result of these events, anticipated funding had been put on hold until the issue between MINURSO and Morocco is resolved. It stated that consequently, and without the MACC, it was “nearly unable to conduct its duties as it is totally reliant on UNMAS support which has been affected by the current crises”.³⁷ NPA stated that SMACO was carrying out QA/QC activities but was having difficulty performing its functions and struggling with significant financial and logistical problems.³⁸

As at the end of May 2016, UNMAS demining activities had not resumed and the DML teams were still suspended. The MINURSO MACC remained in Las Palmas, where it relocated following the expulsion.³⁹

33 Ibid., and email, 18 May 2015.

34 R. Gladstone, “Morocco Orders U.N. to Cut Staff in Disputed Western Sahara Territory”, *The 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>.

35 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; and “In recorded vote, Security Council approves one year extension of UN mission in Western Sahara”, *UN News Service*, 26 April 2016, at: <http://www.un.org/apps/news/story.asp?NewsID=53824#.V0cioaODGkp>.

36 UN Security Council Resolution 2285 (2016), 29 April 2016.

37 Email from Samu Ami, Coordinator, SMACO, 27 April 2016.

38 Email from El Hadji Mamadou Kebe, NPA, 27 May 2016.

39 Ibid.