



# Security Council

Distr.: General  
3 October 2023

Original: English

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## Situation concerning Western Sahara

### Report of the Secretary-General

#### I. Introduction

1. The present report is submitted pursuant to Security Council resolution [2654 \(2022\)](#), by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 31 October 2023 and requested me to submit a report on the situation in Western Sahara before the end of the mandate period. The report covers developments that occurred since the issuance of my previous report of 3 October 2022 ([S/2022/733](#)) and describes the situation on the ground, the status of political negotiations on Western Sahara, the implementation of resolution [2654 \(2022\)](#) and the existing challenges to the Mission's operations and steps taken to address them.

#### II. Recent developments

2. The situation in Western Sahara continued to be characterized by tensions and low-intensity hostilities between Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y Río de Oro (Frente POLISARIO). The prevailing situation has led to significant challenges for the operations of MINURSO, in particular its logistics and resupply efforts.

##### A. Operational developments

3. Most firing incidents across the berm reported to MINURSO by the parties continued to be concentrated in the north of the Territory, near Mahbas. MINURSO was often not able to independently confirm the number and location of the reported firing incidents and their impact remained the subject of divergent claims by the parties.

4. At the request of the Royal Moroccan Army and with their escort, since November 2022 MINURSO has visited sites adjacent to the berm where such incidents were alleged to have taken place, and in several cases observed traces of exploded mortar ammunition. Owing to security concerns, these visits often took place several days after the alleged event, making reaching conclusive findings challenging.



5. In December, media reports alleged that the Royal Moroccan Army was concentrating vehicles and forces near their base in Bir Anzarane (approximately 150 km from the MINURSO team site in Oum Dreyga and 75 km from the berm). A MINURSO ground patrol to the location on 12 December did not detect any sign of troop or vehicle concentration but observed a new 3.2-km-long airstrip. Analysis of satellite imagery confirmed that the airstrip had been constructed after the resumption of hostilities in 2020. MINURSO also observed buildings that appeared to be aircraft hangars and a physically hardened perimeter, including guard towers and external walls, through the satellite imagery. On 22 December, MINURSO dispatched a liaison visit to the subsector of the Royal Moroccan Army concerned to raise the issue and was informed that the airstrip was a civilian facility constructed by a civilian company, not serving military purposes. During his first liaison visit to the Southern Command of the Royal Moroccan Army in Agadir, Morocco, on 18 and 19 July 2023, the newly appointed MINURSO Force Commander inquired about the airstrip and broader reports of military construction in the area. In a letter to the MINURSO Force Commander, on 2 August, Lieutenant General Mohammed Berrid, the newly appointed Inspector General and Commander of the Southern Zone of the Royal Moroccan Army, indicated that construction of the “new airfield” began in April 2021 as part of the “development projects” initiated by the Government of Morocco.
6. MINURSO continued to receive reports of strikes conducted by Royal Moroccan Army unmanned aerial vehicles east of the berm.
7. On 1 November 2022, MINURSO received information through Frente POLISARIO and local media that an aerial strike had taken place in an area known for the presence of artisanal gold miners in Mijek, reportedly resulting in the death of six civilians. On 3 November, a MINURSO investigation team visited the site, where it observed the charred remains of five individuals and one destroyed vehicle. The Mission was informed by local Frente POLISARIO interlocutors that a sixth individual injured in the strike had died at the hospital in Zouerate, Mauritania. According to local reports, four other persons had been injured in the strike. MINURSO also determined that two other strikes had taken place in a nearby area, where MINURSO observed destroyed vehicles, one of which had a Mauritanian registration plate, but no fatalities were reported by local Frente POLISARIO interlocutors.
8. On 13 January 2023, a MINURSO investigation team visited the site of an alleged aerial strike that occurred on 12 January in Tifariti, in which one civilian was allegedly killed. The team observed the remains of one individual and one destroyed vehicle.
9. On 29 January, MINURSO received information through Frente POLISARIO and social media that an aerial strike had taken place on 24 January in Bir Lahlou, allegedly resulting in the death of three individuals of Mauritanian nationality. On 1 February, a MINURSO investigation team visited the site and observed the remains of three individuals alongside one destroyed vehicle. One Mauritanian mining permit identity card was found at the scene. Previously, on 27 December 2022, the President of Mauritania, Mohamed Ould Cheikh El Ghazouani, had urged Mauritanian gold miners “to respect the rules aimed at saving lives and not to expose themselves to danger”.
10. On 1 September 2023, reports alleged that a Royal Moroccan Army drone strike at Bir Lahlou resulted in four casualties, including a Frente POLISARIO regional military commander. On 2 September, Frente POLISARIO issued a statement announcing a period of three days of mourning in relation to the casualties.
11. In letters addressed to me on 14 October 2022 ([S/2022/797](#), annex) and thereafter on 17 July 2023, the Secretary-General of Frente POLISARIO accused

Morocco of “using all types of weapons, including unmanned aerial vehicles, to callously kill, not only dozens of Sahrawi civilians, but also civilians of neighbouring countries in transit” through the Territory.

12. In a letter to me on 30 June 2023, the Permanent Representative of Morocco to the United Nations in New York accused Frente POLISARIO of putting into practice its “new modus operandi [...] notably the use of unmarked vehicles, [and] the hiring of fighters disguised as civilians”, to “deceive RMA units and tarnish their image in the event of casualties”.

13. Restrictions by Frente POLISARIO on freedom of movement continued to prevent MINURSO from maintaining a safe and reliable logistics, maintenance and resupply chain to its team sites east of the berm. In a letter to my Special Representative for Western Sahara on 26 January, Frente POLISARIO conveyed its assessment that there were “multiple risks associated with the ongoing war for the security and safety of MINURSO personnel” which “provide reasonable grounds for believing that conducting ground convoys remains highly risky and therefore inadvisable under the current circumstances”.

14. On 17 March 2023, as the fuel reserves of the team sites east of the berm became critical, my Special Representative wrote to the parties to notify them of the Mission’s intention to deploy a ground convoy from Smara to Mehaires on 22 March, as a last resort to resupply its team sites and maintain MINURSO operations east of the berm. The same day, the Royal Moroccan Army responded in support of the convoy. On 20 March, the Frente POLISARIO Coordinator with MINURSO wrote to my Special Representative underlining that “taking any unilateral action in complete disregard for the multiple risks associated with the ongoing war in the Territory would pose a serious threat to the security and safety of MINURSO personnel”.

15. The convoy departed on 22 March. As it approached Mehaires, some 20 Frente POLISARIO armed elements blocked the track and stopped the convoy, insisting that it could not proceed and had to return to Smara. After discussions with the leader of the group, the convoy spent the night in the desert and returned to Smara the next day, without delivering its cargo to the MINURSO team site at Mehaires.

16. Following high-level engagement by my Personal Envoy, my Special Representative and Security Council members, the Secretary-General of Frente POLISARIO wrote to me on 29 March to inform that, as a “gesture of goodwill to help overcome some of the logistic challenges” that MINURSO was facing, Frente POLISARIO was “willing to provide safe passage, on an exceptional and provisional basis, to the Mission to conduct a logistical ground convoy to resupply its team sites” east of the berm.

17. Between April and June, MINURSO subsequently conducted five separate resupply ground convoy movements to its team sites east of the berm at Agwanit, Mehaires, Mijek and Tifariti to deliver urgently needed fuel and other maintenance supplies and engineering equipment. On 13 September, an additional convoy was able to proceed following further diplomatic engagement with Frente POLISARIO.

## **B. Other developments**

18. On 27 October 2022, in a press stakeout following the Security Council’s adoption of resolution [2654 \(2022\)](#), the Permanent Representative of Morocco stated that if Frente POLISARIO “forces MINURSO to withdraw” from east of the berm, “Morocco would be entitled to take back the part of the Sahara that had been handed over to MINURSO”. Frente POLISARIO, in a statement issued on the same day, indicated that “the continued inaction of the Security Council [...] leaves the Sahrawi

people with no other option but to continue and intensify their legitimate armed struggle”.

19. On 6 November 2022, King Mohammed VI of Morocco delivered a speech on the occasion of the forty-seventh anniversary of the Green March, in which he stated that the “Tiznit-Dakhla highway is in its final stages” and that “the construction of the major Dakhla Atlantic Port will begin soon” (S/2020/938, para. 8, and S/2021/843, para. 19). Frente POLISARIO continued to protest that such investments were in violation of international law (S/2020/938, para. 8, and S/2022/733, para. 19).

20. On 1 December, Guatemala inaugurated a “consulate general” in Dakhla. In a letter addressed to me on the same day, Frente POLISARIO called the action “a serious breach of the international legal status of Western Sahara as a Non-Self-Governing Territory” and indicated that it was “seriously undermining the prospect for relaunching the United Nations peace process”.

21. Deteriorated relations between Algeria and Morocco continued to affect the situation in Western Sahara. On 29 December 2022, the President of Algeria, Abdelmadjid Tebboune, speaking to the French daily newspaper *Le Figaro*, stated that “Algeria cut ties with Morocco to avoid war”.

22. Between 13 and 22 January 2023, Frente POLISARIO held its sixteenth Congress in the refugee camp of Dakhla. Mr. Brahim Ghali was elected for another term as Frente POLISARIO Secretary-General with 69 per cent of the vote, having faced one opponent, Bachir Mustafa Sayed. On 6 February, Mr. Ghali wrote to me that “the outcomes and conclusions of the Congress reflected the consensus of the Sahrawi people, under the leadership of Frente POLISARIO, to intensify the national liberation struggle on all fronts to attain their legitimate aspirations for freedom and independence”. On 8 March, the Permanent Representative of Morocco to the United Nations wrote to the President of the Security Council indicating that “to speak of decisions of this so-called ‘congress’ is an insult to the intelligence of the members of the Security Council” (S/2023/182, para. 2).

23. The implementing protocols of the sustainable fisheries partnership agreement concluded between the European Union and Morocco in 2019, which extended the application of those protocols to goods from Western Sahara, expired on 17 July 2023 (S/2019/282, para. 11). On 29 September 2021, the General Court of the Court of Justice of the European Union had issued a judgment annulling the agreement as it considered that the conclusion of the agreement “cannot be regarded as having secured the consent of the people of Western Sahara”. A final ruling on an appeal launched by the Council of the European Union and the European Commission remained pending. On 17 July 2023, Frente POLISARIO issued a statement defining the agreement as “a flagrant violation of the right of the Sahrawi people to self-determination”.

24. Reportedly, in a letter addressed to King Mohammed VI on 17 July, the Prime Minister of Israel, Benjamin Netanyahu, announced Israel’s decision to “recognize the sovereignty of Morocco over the territory of Western Sahara” and that it was examining “the opening of a consulate in the city of Dakhla”. On 19 July, King Mohammed VI sent a message to Mr. Netanyahu indicating that the decision “reaffirms Morocco’s legal entitlement to, and irrefutable historical rights over, its Saharan Provinces”. On 17 July, in an official statement, Frente POLISARIO stated that “such a decision, by Israel or others, has no legal or political value”.

25. On 29 July, King Mohammed VI of Morocco delivered a speech on the occasion of the twenty-fourth anniversary of his accession to the throne, in which he referred to a “series of decisions to recognize Morocco’s sovereignty over its southern provinces – the latest being that of the State of Israel – as well as to open consulates

in Laayoune and Dakhla, not to mention the growing support for the Autonomy Initiative”. The King also expressed his hope “for things to return to normality [with Algeria]”.

### III. Political activities

26. On the margins of the Summit of the League of Arab States, held in Algiers on 1 and 2 November 2022, I met the President of Algeria, Abdelmadjid Tebboune. On 23 November, I met with King Mohammed VI of Morocco in Rabat following the Ninth Global Forum of the United Nations Alliance of Civilizations. In each of these meetings, among other issues, the situation in the region, including Western Sahara, was discussed.

27. On 11 September 2023 in New York, I met the Frente POLISARIO Secretary-General, Brahim Ghali. We discussed prospects for advancing the political process led by my Personal Envoy, Staffan de Mistura. We also discussed the importance of ensuring the sustainability of the presence of MINURSO throughout the Territory.

28. From 27 to 30 March 2023, Mr. de Mistura invited the senior representatives in New York of Morocco, Frente POLISARIO, Algeria and Mauritania, as well as members of the Group of Friends of Western Sahara, namely France, the Russian Federation, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America, to informal bilateral consultations with him at United Nations Headquarters. In his invitation to them, my Personal Envoy reiterated his belief that a just, lasting and mutually acceptable political solution that would provide for the self-determination of the people of Western Sahara, in accordance with relevant Security Council resolutions, was achievable. He indicated that he would be guided by all aspects of Council resolution [2654 \(2022\)](#), including its provisions stressing the importance of all concerned expanding on their positions in order to advance a solution. He also indicated that the purpose of the consultations would be to discuss lessons learned in the political process, to deepen the examination of the positions and to continue seeking mutually agreeable formulas to advance the political process.

29. My Personal Envoy asked participants in the consultations a set of questions aimed at prompting them to reflect on lessons learned; expanding on their respective positions expressed previously; and giving them an opportunity to articulate their visions for the way forward. He also spoke of the need for a conversation with all concerned on potential elements of convergence.

30. Morocco re-emphasized its position that its 2007 autonomy proposal was the only viable outcome of a political process, while its contours would be left to negotiations and not be limited to the parameters presented in the 2007 initiative. Morocco insisted that the best vehicle to get a political process moving forward would be a “reactivation of the round tables”. However, it clarified that it would not be prescriptive of what the agenda of such meetings should be, and that while its 2007 autonomy proposal should in its view be the “starting point”, Morocco accepted the notion that other participants would likely introduce different starting points for the negotiation.

31. Frente POLISARIO reaffirmed its fundamental insistence on “self-determination as the basis of any process”, and on being the main interlocutor of Morocco in future negotiations. It stated that flexibility should be possible within these parameters and acknowledged that since time had elapsed since the presentation of its proposal in 2007, an update of it based on the principle of self-determination may be envisaged.

32. Algeria maintained previously conveyed positions, including on framing its role as that of an observer – albeit an observer very concerned by the lack of a just and sustainable solution to the Western Sahara issue. Algeria also continued to object to the round-table format, contending that in 2018–2019 its participation had been “instrumentalized”. Mauritania reaffirmed its stance of “positive neutrality”, provided advice on the political process and reiterated its willingness to support the endeavours of my Personal Envoy. Members of the Group of Friends of Western Sahara participated actively in the bilateral consultations and provided advice.

33. My Personal Envoy met the then Minister for Foreign Affairs of Algeria, Ramtane Lamamra, in Rome on 2 December 2022. He also conducted a bilateral visit to Algiers on 2 July 2023, which provided an opportunity for initial discussions with the Minister for Foreign Affairs, Ahmed Attaf, following his appointment.

34. Following discussions with Morocco and Frente POLISARIO, my Personal Envoy visited Laayoune on 5 and 6 September and Dakhla on 7 September 2023. During his visit, the Personal Envoy met with a large number of Moroccan officials and “locally elected officials”, who expressed support for the Moroccan autonomy proposal and emphasized the significant development efforts undertaken by Morocco. The Personal Envoy visited several Moroccan-funded infrastructure projects, such as hospitals, vocational training centres, sports facilities and the construction works of the Dakhla Atlantic Port. He was also briefed by the Regional Commissions on Human Rights operating in Dakhla and Laayoune, established by Morocco.

35. My Personal Envoy met with civil society organizations and women’s groups, an engagement that he viewed as a crucial aspect of his visit in keeping with United Nations principles. Those in favour of the Moroccan autonomy plan expressed their appreciation for Morocco’s development efforts in the Territory. Some of them highlighted that the absence of a political settlement curtailed opportunities for investment and international business. Those supporting a referendum broadly aligned themselves with the positions of Frente POLISARIO concerning self-determination and its modalities. They felt that the “locally elected officials” did not represent them and that they did not enjoy the same rights as pro-Moroccan citizens in Western Sahara. Most interlocutors on both sides expressed a longing that the families divided between the Territory and the Tindouf camps be reunited. The Personal Envoy took note of allegations of human rights violations and abuses levelled against Morocco and Frente POLISARIO, respectively. Several civil society interlocutors, across the board, called upon the United Nations to do more to promote human rights, provide protection and monitor and investigate alleged violations and abuses. Allegations emerged that a number of activists opposing Morocco’s policies were detained during the stay of my Personal Envoy in Western Sahara.

36. On arrival in Dakhla, my Personal Envoy was invited to an official function organized by the Moroccan authorities. In this context, he found himself in the presence of a number of “consuls general” representing Member States. The Personal Envoy informed them that the encounter should neither be misconstrued as a position taken by the United Nations concerning the status of “consulates general” established in Laayoune and Dakhla, nor as a precedent.

37. The Minister for Foreign Affairs of Morocco, Nasser Bourita, received my Personal Envoy in Rabat on 8 September 2023. He indicated that the priority of his Government remained shoring up international support for the 2007 autonomy proposal and that starting to elaborate on the proposal would only come at a later stage. He also reiterated the significance of the round-table formula. On the issue of human rights raised by various civil society representatives in Western Sahara, the Minister indicated that “Morocco is always open to dialogue with United Nations mechanisms on human rights, in the north as well as in the south of the Kingdom”.

38. My Personal Envoy met Mr. Brahim Ghali in New York on 11 September 2023. Mr. Ghali reiterated the positions of Frente POLISARIO that “Morocco [was] responsible for the breach of the ceasefire” and that the only political solution lay in a process leading to “decolonization” and the exercise by the Sahrawi people of its “right to self-determination and independence” by way of a referendum. He shared a document with my Personal Envoy entitled “Fundamentals for relaunching the UN peace process in Western Sahara and advancing it towards the peaceful, just and lasting solution”, which expanded on these elements.

39. My Personal Envoy continued his regional visits with a visit to Algiers, where the Minister for Foreign Affairs of Algeria received him on 13 September 2023. The Minister noted the usefulness of the March 2023 informal bilateral consultations in New York. My Personal Envoy noted Algeria’s support for his efforts to facilitate a solution between the two parties and its view that political will and the support of the international community were necessary to reach a just and sustainable solution to the question of Western Sahara. In Nouakchott on 14 and 15 September, my Personal Envoy met with President of Mauritania, Mohamed Ould Cheikh El Ghazouani, and its Minister for Foreign Affairs, Mohamed Salem Ould Merzoug. He took good note of the reiteration of Mauritania’s “positive neutrality” regarding the issue of Western Sahara and its concern for the regional implications of a continuation of the conflict.

40. The efforts of my Personal Envoy continued to take place against a backdrop of regional tensions. He took note of the deep concern that he had heard in several capitals regarding relations between Algeria and Morocco. He noted assurances from officials in Algiers and Rabat that no further escalation was being sought.

41. During the reporting period, my Personal Envoy also met senior officials from the United Arab Emirates in Abu Dhabi on 8 September 2022; the Minister for Foreign Affairs of Belgium, Hadja Lahbib, in Brussels on 3 October; the Minister for Foreign Affairs of the Russian Federation, Sergey Lavrov, in Moscow on 7 October; senior officials of the Government of the United States, including the Deputy Secretary of State, Wendy Sherman, in Washington, D.C., on 21 and 22 October 2022 and 20 and 21 April 2023; senior officials of the Government of France in Paris on 16 November 2022; the Secretary of State of Switzerland, Livia Leu, in Bern on 22 November; senior officials of the Government of Germany in Berlin on 15 December; the Minister for Foreign Affairs of Spain, José Manuel Albares Bueno, in Madrid on 4 October 2022 and in Munich in February 2023 on the margins of the Munich Security Conference, where he also met various senior international officials, including the Minister for Foreign Affairs of the Netherlands, Wopke Hoekstra; the Minister for Foreign Affairs of Sweden, Tobias Billström in Stockholm in March; and senior European Union officials also in Stockholm in May. In these meetings and interactions, my Personal Envoy noted with appreciation the expressions of support by his interlocutors for the efforts of the United Nations to facilitate a political settlement of the situation in Western Sahara.

42. In line with paragraph 10 of Security Council resolution [2602 \(2021\)](#) and paragraph 11 of Council resolution [2654 \(2022\)](#), my Personal Envoy briefed the Council on 17 October 2022 and 19 April 2023 on his activities and considerations for the way forward. On these occasions, my Personal Envoy received broad support from members of the Council for his efforts. He also met with senior United Nations officials, Security Council members and Member States while in New York.



## **IV. Activities of the United Nations Mission for the Referendum in Western Sahara**

### **A. Operational activities**

43. As at 31 August 2023, the military component of MINURSO consisted of 221 personnel, 51 of them women. MINURSO continued to pursue efforts to improve its gender balance, with women observers representing 23 per cent of the deployed strength, exceeding the target of 20 per cent for 2023 set in the uniformed gender parity strategy 2018–2028. From 1 September 2022 to 31 August 2023, MINURSO conducted ground patrols covering approximately 441,343 km. West of the berm, MINURSO was able to conduct 6,115 visits to Royal Moroccan Army headquarters, units, subunits, strong points and observation posts. For their safety and security, United Nations military observers were advised by Morocco not to visit forward units without a Royal Moroccan Army escort. Patrolling continued in selected areas along the berm where no exchanges of fire were reported. Ten aerial reconnaissance flights west of the berm were conducted from 1 to 24 September 2022. Owing to safety and security concerns, these flights continued to operate at a distance of 15 km from the berm. The flights were suspended on 25 September 2022 owing to the unavailability of rotary-wing air assets for this task following the issuance by the International Civil Aviation Organization of a significant safety concern notice in relation to one of the contracted air carriers of the United Nations. In July 2023, as the MINURSO helicopter fleet was restored, an agreement was reached with the Royal Moroccan Army on the resumption of helicopter reconnaissance flights, enabling MINURSO to conduct three air patrols between 15 and 31 August. Cooperation and communications at the strategic level between MINURSO and the Command of the Royal Moroccan Army in the southern sector continued.

44. East of the berm, Frente POLISARIO continued to restrict MINURSO ground patrol movements along 20-km corridors from each team site. All ground patrols were interrupted in August 2022 following the introduction of strict fuel conservation measures (S/2022/733, para. 63). The MINURSO Force Commander remained unable to establish direct contact with the military leadership of Frente POLISARIO and all communications continued to be conducted only through written correspondence. At the level of all team sites and in Rabouni, near Tindouf, Algeria, in-person interactions continued to take place with the Frente POLISARIO liaison officers.

45. Between 1 September 2022 and 31 August 2023, the Royal Moroccan Army reported to MINURSO 550 incidents involving firing from a distance against its units at or near the berm, approximately 69 per cent of which were concentrated in Mahbas. Since November 2022, MINURSO has conducted 108 investigation patrols, visiting a total of 219 reported incident sites. During the reporting period, the Royal Moroccan Army also reported observing flights over its units by small, unmanned surveillance aircraft on 18 occasions.

46. During the same period, Frente POLISARIO announced that they had conducted 758 firing incidents against the Royal Moroccan Army, approximately 68 per cent of them concentrated in Mahbas.

47. MINURSO collected 19 reports from a variety of sources of alleged strikes conducted by Royal Moroccan Army unmanned aerial vehicles east of the berm between 1 September 2022 and 1 February 2023, following which no reported air strikes were recorded by the Mission until 31 August. Royal Moroccan Army unmanned aerial vehicles were regularly seen by MINURSO military observers at Smara airport. On each occasion, MINURSO liaised with the parties to receive additional information. On 14 occasions, in coordination with the Royal Moroccan



Army and Frente POLISARIO, MINURSO was able to visit the sites of the reported incidents. On five occasions, clearance was not received from Frente POLISARIO. In 12 instances, investigations conducted by MINURSO military observers assisted by experts from the mine action component were able to independently confirm that some form of aerial strike had taken place and assessed that nine casualties had occurred.

48. During the reporting period, the MINURSO military leadership conducted two visits to the headquarters of the Royal Moroccan Army Southern Zone in Agadir, Morocco, in September 2022 and July 2023. At the working level, three meetings were conducted between the MINURSO military component and the Royal Moroccan Army, one in Laayoune in November 2022 and two in Agadir in December 2022 and January 2023.

## **B. Mine action**

49. The explosive ordnance clearance activities by the Mine Action Service remained suspended until April 2023. During this period, mine action activities were limited to emergency disposal of explosive ordnance, route verification and combined explosive ordnance risk education, as well as assistance to investigation patrols at sites of alleged aerial strikes and support to ground convoy movements east of the berm.

50. The Royal Moroccan Army had responded positively to the request of MINURSO to resume demining activities east of the berm in August 2022. In April 2023, Frente POLISARIO informed MINURSO of its agreement to the resumption of mine action operations, which resumed on 22 May for the first time since 2020.

51. The two Mine Action Service demining teams continued to ensure the safe movement of United Nations civilian and military personnel and logistical convoys. As at 31 August, the teams had assessed 10,471 km of routes between various team sites east of the berm as free from visible landmine and explosive ordnance. The Mine Action Service also verified as free from explosive hazards the routes used by MINURSO investigation teams to visit the sites of alleged aerial strikes, as well as the surrounding areas. It also conducted battle area clearance on 322,468 m<sup>2</sup> of land. From 1 September 2022 to 31 August 2023, the Mine Action Service conducted 186 missions related to movements of personnel, logistical convoys, alleged aerial strike investigations and clearance and demolition of explosive ordnance.

52. MINURSO has assessed that, following the resumption of hostilities, there was a probable additional threat of landmines and explosive ordnance in the Territory, and the Mission has continued advocating for the parties to share the detailed information necessary to update the MINURSO mine action database. As at 31 August 2023, 24 out of 61 known minefields and 43 out of 531 recorded cluster strike areas were yet to be cleared from explosive ordnance hazards east of the berm. Since the resumption of demining activities, the Mine Action Service has destroyed 30 cluster munitions and 92 pieces of explosive ordnance.

53. From 1 September 2022 to 31 August 2023, the Royal Moroccan Army reported to MINURSO that it had cleared over 165.04 million m<sup>2</sup> of land west of the berm of explosive ordnance hazards and had destroyed 7 anti-personnel mines, 44 anti-tank mines and 384 pieces of explosive ordnance. The MINURSO mine action component maintained close coordination with Frente POLISARIO through the Sahrawi Mine Action Coordination Office on its activities.

54. The Mine Action Service delivered 41 explosive ordnance risk education briefings for 142 newly arrived MINURSO civilian and military personnel (107 men and 35 women).

55. The Royal Moroccan Army reported 13 explosive hazard accidents west of the berm, involving 17 civilians and military personnel. East of the berm, the Sahrawi Mine Action Coordination Office did not report any incidents to MINURSO.

### **C. Security**

56. Low-intensity hostilities in the mission area between the Royal Moroccan Army and Frente POLISARIO continued to affect the ability of MINURSO to fully implement its operational activities, in particular ground patrols and aerial reconnaissance. The presence in the Territory of unexploded ordnance and explosive remnants of war continued to be of concern as possible threats to United Nations personnel and assets.

57. Morocco and Frente POLISARIO retained primary responsibility for the safety and security of United Nations personnel, assets and resources west and east of the berm, respectively. MINURSO continued to have confidence in the commitment and capability of both parties in this regard.

### **D. Substantive civilian activities**

58. MINURSO continued to monitor, analyse and report on developments in and affecting Western Sahara. The Mission's liaison office in Tindouf followed developments in and around the Sahrawi refugee camps. The Situational Awareness Geospatial Enterprise database and the Comprehensive Planning and Performance Assessment System are now fully operational. The Mission is using the two systems to combine enhanced situational awareness and expand its ability to successfully complete its operational tasks.

59. Representatives of Member States continued to visit MINURSO offices in Laayoune and Tindouf. Two visits led by United Nations agencies, funds and programmes to the MINURSO Liaison Office in Tindouf and the Sahrawi refugee camps took place in October 2022 and May 2023. My Special Representative continued to provide regular briefings to Member States in Rabat and New York, virtually and in person.

60. The Mission launched its first strategic communications campaign and expanded its social media presence promoting the work of the Mission's peacekeepers and highlighting their contribution to regional stability. The Mission also increased publication of character-driven, photographic stories.

### **E. Challenges to the operations of the Mission**

61. Limited access to areas near the berm and difficulties with obtaining timely permission to move to sites of alleged firing incidents and aerial strikes continued to pose challenges for MINURSO observation activities and compromised the Mission's ability to obtain first-hand information and verify reported developments on the ground. My Special Representative and the MINURSO Force Commander remained unable to meet with Frente POLISARIO representatives in Rabouni, in line with previously established practice.

62. MINURSO was unable to conduct aerial reconnaissance flights west of the berm following the issuance of a significant safety concern notice by the International Civil Aviation Organization. Passenger flights between the east and the west of the berm were also limited to essential movements. With the assistance of the Department of Operational Support, the MINURSO helicopter fleet has progressively been replaced, without interruption to its main operations, between September 2022 and June 2023.

63. Continued constraints on the MINURSO logistical supply and maintenance chain to team sites east of the berm posed increasingly serious challenges for the Mission's ability to sustain its field presence. In March, the fuel reserves at team sites east of the berm became dangerously low, prompting the Mission to prepare contingency plans for the temporary relocation of its military observers to the west of the berm. While a limited number of ground convoys have been undertaken since April, arrangements in this respect remained "provisional and exceptional" (see para. 16 above). Equipment for the installation of a hybrid solar energy generation system was delivered to Mijek. Once installation is completed, the system will reduce the Mission's reliance on fossil fuel for electricity generation. Mission air assets assisted in delivering small amounts of fuel, but were not suitable for the transport of bulk fuel and heavy equipment.

64. The regular flight schedule to team sites east of the berm remained subject to restrictions until February, when Frente POLISARIO agreed to increase their frequency. This considerably improved the Mission's ability to resupply these team sites with essential life support items, such as food, bottled water and spare parts for infrastructure equipment.

65. The Mission continued to implement structural changes to adapt to the new circumstances and the changed operating environment. MINURSO increased its joint analysis capability and introduced a new joint strategic planning capacity. It is also moving forward with its efforts to improve the integration of the substantive, military and mission support components to fully synergize mission efforts and activities.

66. The Mission's lack of access to local interlocutors west of the berm continued to severely limit its ability to collect reliable situational-awareness information and to assess and report on developments across its area of responsibility.

67. The general perception among the population of the Mission's impartiality continued to be affected by the requirement of Morocco that MINURSO use Moroccan vehicle number plates west of the berm, in contravention of the status-of-mission agreement. This pending issue, together with the stamping of MINURSO passports by Morocco, continues to be the subject of objections from Frente POLISARIO.

## **V. Humanitarian activities and human rights**

### **A. Persons unaccounted for in the conflict**

68. The question of persons who are still unaccounted for in relation to past hostilities remained a major humanitarian concern. The International Committee of the Red Cross remained ready to act as a neutral intermediary between the parties and play an advisory role on the issue.

### **B. Assistance for the protection of Western Saharan refugees**

69. The Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the World Food Programme (WFP)

and the World Health Organization (WHO) continued to provide humanitarian assistance to Sahrawi refugees in the five camps near Tindouf, Algeria.

70. In February, the Sahrawi refugee partners group was formed, consisting of representatives of the diplomatic community in Algiers, the Algerian and Sahrawi Red Crescent Societies and the United Nations country team in Algeria. The group agreed to meet four times a year to raise awareness of the dire humanitarian situation in the camps.

71. During the reporting period, UNHCR and WFP received funding from the Central Emergency Response Fund's underfunded emergencies window to address threats related to food security and nutrition for Sahrawi refugees.

72. UNHCR continued to provide basic services, including water by drilling boreholes and providing distribution networks in the camps, and began transitioning from trucking water to a full-scale distribution network so as to improve water supply and production capacity. UNHCR also focused on improving livelihoods and self-reliance by supporting skill-acquisition courses, the establishment of new businesses and providing training and coaching to over 340 existing businesses in the camps. WFP continued to address crisis-level food insecurity and supported resilience activities in the camps related to agriculture, livestock and fish farming, as well as cash-based transfers. The WFP school feeding programme provided fortified snacks every month during the school year to over 41,500 pupils.

73. UNICEF and UNHCR continued to support a five-year education strategy for Sahrawi children (2021–2025). The strategy covered 40,000 children and teachers. In 2022, UNICEF improved maternal and child health in refugee camps by providing training and introducing pneumococcus vaccines.

74. WHO continued to provide support for improving maternal, neonatal, child and adolescent health care and strengthened health coordination and epidemiological surveillance to protect against health threats in the camps.

### **C. Confidence-building measures**

75. The confidence-building measures, pursuant to Security Council resolution [1282 \(1999\)](#) and subsequent resolutions, to allow family links between Sahrawi refugees in the Tindouf camps and their communities of origin in Western Sahara, remained on hold. My Personal Envoy continued to take note that neither Morocco nor Frente POLISARIO has expressed immediate interest in further work on these issues.

### **D. Human rights**

76. The Office of the United Nations High Commissioner for Human Rights (OHCHR) was unable to conduct any visits to Western Sahara for the eighth consecutive year, despite multiple requests<sup>1</sup> and despite the Security Council in its resolution [2654 \(2022\)](#) urging enhanced cooperation, including through facilitating such visits. The lack of access to first-hand information and independent, impartial,

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<sup>1</sup> On 7 March 2023, in his annual report and global update to the Human Rights Council at its fifty-second session, the United Nations High Commissioner for Human Rights, Volker Türk, echoed the importance of OHCHR being able to conduct meaningful missions to the region (see [www.ohchr.org/en/statements-and-speeches/2023/03/global-update-high-commissioner-outlines-concerns-over-40-countries](http://www.ohchr.org/en/statements-and-speeches/2023/03/global-update-high-commissioner-outlines-concerns-over-40-countries)).

comprehensive and sustained monitoring of the human rights situation was detrimental to a comprehensive assessment of human rights in the region.

77. OHCHR continued to receive allegations pointing to an increased shrinking of civic space, including through obstruction, intimidation and restrictions against Saharawi activists, human rights defenders and student movements. According to these reports, organizations advocating the right to self-determination continued to face obstacles on registration and holding meetings and were subject to intimidation and surveillance. In addition, Moroccan authorities reportedly continued to prevent and quell gatherings in support of the right to self-determination and Saharawi commemoration events. Furthermore, OHCHR received allegations of at least six cases of international observers, researchers and lawyers engaging in advocacy on Western Sahara being denied entry into or being expelled from Western Sahara.

78. Family members of human rights activists and political prisoners also reportedly faced reprisals, intimidation or discrimination, based on their political opinion and advocacy in support of their relatives. Discrimination was reported regarding access to work, education and social protection, as well as other services.

79. OHCHR received reports that Sahrawi prisoners, including the Gdeim Izik group, continued to be held outside Western Sahara in harsh conditions of detention, including isolation, and subjected to restrictions on contact with their families and lawyers. In February 2023, imprisoned Saharawi students started a hunger strike to protest detention conditions and demand their transfer to a prison closer to their families.

80. The Gdeim Izik group of prisoners continued to serve lengthy prison sentences. According to allegations received, some have been held in isolation and prolonged solitary confinement and denied medical care and regular visits by the legal counsel of their own choosing.

81. During the reporting period, the Human Rights Council adopted the outcomes of the fourth cycle of the universal periodic review of Morocco, where a number of Member States made recommendations on Western Sahara. Morocco was also reviewed by the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families during its thirty-sixth session. In November 2022, Morocco extended a standing invitation to thematic special procedures mandate holders.

82. On 23 June 2023, the National Human Rights Council of Morocco provided OHCHR with information on Western Sahara, including on its activities and those of Morocco's national preventive mechanism against torture and its child redress mechanism.

83. On 14 June and 3 July, Morocco provided OHCHR with information, including on conditions of detention and due-process guarantees, the activities of the National Human Rights Council of Morocco and the economic, social and cultural rights emanating from the new development model for Western Sahara. Morocco also shared information about alleged human rights violations perpetrated against civilians in the Tindouf camps, with reported cases of restrictions on freedom of movement and freedom of expression.

84. On 17 July, I received a letter from Frente POLISARIO sharing information on alleged cases of harassment, intimidation, excessive use of force, torture and cruel treatment, arbitrary detention and restrictions to fundamental freedoms against human rights defenders, journalists and Sahrawi civilians in the Territory west of the berm.

## VI. African Union

85. On 22 September 2022, the African Court on Human and Peoples' Rights issued a judgment in a case brought by a Ghanaian national against eight African countries (Benin, Burkina Faso, Côte d'Ivoire, Ghana, Mali, Malawi, Tunisia and the United Republic of Tanzania) alleging that they had violated the Constitutive Act of the African Union and the African Charter on Human and Peoples' Rights because of their failure to safeguard the territorial integrity and independence of "SADR". The Court found that the respondent States had not violated the right to self-determination and other related rights alleged to have been violated by the Applicant and dismissed the request for reparations. At the same time, the Court reiterated in the judgment that all States members of the African Union have the responsibility under international law to ensure the enjoyment of the inalienable right to self-determination of the Sahrawi people.

## VII. Financial aspects

86. The General Assembly, by its resolution [77/314](#), appropriated the amount of \$64.6 million for the maintenance of the Mission for the period from 1 July 2023 to 30 June 2024.

87. As at 31 August 2023, unpaid assessed contributions to the special account for MINURSO amounted to \$66.1 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to \$4,297.7 million.

88. Reimbursement of troop costs has been made for the period up to 31 March 2023 in accordance with the quarterly payment schedule and contingent-owned major equipment and self-sustainment reimbursement has been made for the period up to 31 December 2022.

## VIII. Observations and recommendations

89. I remain deeply concerned by developments in Western Sahara. I made similar assessments in my two previous reports to the Security Council on the situation concerning Western Sahara ([S/2021/843](#) and [S/2022/733](#)), which indicates that the deteriorated state of affairs has become entrenched. This must urgently be reversed, including to avoid any further escalation. For this reason, I call on all concerned to work towards changing course without delay, with the facilitation of the United Nations and the support of the broader international community.

90. The continued hostilities and lack of a ceasefire between Morocco and Frente POLISARIO remain a major setback to the achievement of a political solution to this longstanding dispute. Daily incursions into the buffer strip adjacent to the berm and hostilities between the parties in this area violate its status as a demilitarized zone and further threaten the stability of the region, with a real risk of escalation while hostilities persist. Aerial strikes and firing across the berm continued to contribute to increasing tensions. In this context, it is critical for a ceasefire to be re-established.

91. This challenging context makes negotiating a political solution to the question of Western Sahara more urgent than ever, almost five decades into the conflict. Provided that all concerned engage in good faith and there is strong political will and continued support from the international community, I continue to believe that it is possible to find a just, lasting and mutually acceptable political solution that will provide for the self-determination of the people of Western Sahara in accordance with



Security Council resolutions [2440 \(2018\)](#), [2468 \(2019\)](#), [2494 \(2019\)](#), [2548 \(2020\)](#), [2602 \(2021\)](#) and [2654 \(2022\)](#).

92. The United Nations remains available to convene all those concerned with the issue of Western Sahara in a joint effort to advance the search for a peaceful solution. I urge them to approach the political process with an open mind, to desist from preconditions and to seize the opportunity provided by my Personal Envoy's facilitation and efforts. In guiding present and future approaches, due consideration should be given to the precedents set by my previous personal envoys in the framework of existing Security Council resolutions.

93. I regret to note that lack of trust continues to permeate the region. In the Territory, ongoing unilateral assertive actions and symbolic gestures continue to be a source of enduring tension and have a negative impact on the situation. I encourage the parties to focus on the interests they have in common and urge them to refrain from escalating the situation further through rhetoric and actions.

94. Against this backdrop, I welcome the holding of informal bilateral consultations under the auspices of my Personal Envoy in New York in March 2023. I am encouraged that Morocco, Frente POLISARIO, Algeria, Mauritania and the members of the Group of Friends accepted his invitation and that the format was broadly acceptable. This points to an additional new framework on which to build. It is now essential that all concerned expand on their positions in order to advance a just, lasting and mutually acceptable political solution, as called for by the Security Council in resolution [2654 \(2022\)](#).

95. The role of neighbouring States remains crucial in the achievement of a solution to the question of Western Sahara. In this context, the deteriorated relations between Algeria and Morocco continue to be of concern. I regret that no opportunity could yet be seized to bridge the gap between both countries and I encourage them to re-establish dialogue to mend their relations and renew efforts aimed at regional cooperation, including with a view to establishing an environment conducive to peace and security.

96. I welcome the resumption of MINURSO ground patrols to areas adjacent to the berm, with Royal Moroccan Army escort, increasing the Mission's ability to independently assess the reported firing incidents. I note Morocco's stated intention to remain respectful of the ceasefire and the provisions of the military agreements and to maintain close cooperation with MINURSO at all levels. I urge Morocco to remain true to this spirit and refrain from building further military infrastructure west of the berm. It also remains essential that the Royal Moroccan Army refrain from conducting military activities that have an impact on civilians and directly or indirectly affect MINURSO operations east of the berm.

97. I also welcome recent improvements in the ability of MINURSO to operate its logistics, resupply and maintenance chain to team sites east of the berm, including through the deployment for the first time since 2020 of a limited number of ground convoys and increased resupply and passenger flights, which have allowed the Mission to maintain its presence east of the berm. However, a sustainable solution to this issue, in line with the request by the Security Council in resolution [2654 \(2022\)](#), remains elusive. Furthermore, unresolved limitations on the freedom of movement of MINURSO continue to hinder the Mission's ability to conduct the required ground and aerial observation activities east of the berm. I urge Frente POLISARIO to remove all the remaining restrictions on the free movement of MINURSO and to resume regular, in-person contacts with MINURSO leadership, both civilian and military.

98. I welcome the resumption of humanitarian demining activities east of the berm. Through their activities, the Mine Action Service demining teams in MINURSO play a critical role in facilitating the Mission's operations by enabling safe passage for MINURSO military observers to monitor developments in the Territory safely and securely. I am grateful to the parties for their continued cooperation with MINURSO in this regard.

99. I would like to express my appreciation to the Mission's troop-contributing countries for their support to efforts by MINURSO to achieve full gender balance among its military observers, in line with the objectives of the Action for Peacekeeping Plus initiative. I remain convinced that the increased participation of women in peacekeeping improves the performance of United Nations peace operations and strengthens their effectiveness.

100. I am concerned about the further deteriorating humanitarian situation in the refugee camps near Tindouf. Following the coronavirus disease (COVID-19) pandemic and the global rise in fuel and food prices, Sahrawi refugees face water scarcity, food shortages, malnutrition, extreme weather conditions, including both sandstorms and floods, lack of adequate housing, environmental degradation, unemployment and poverty. I thank the international community and the Government of Algeria for their assistance to the Sahrawi refugees and wish to echo the calls of UNHCR, UNICEF, WFP and WHO to the international community to renew efforts and provide additional and urgent support to bring an appropriate response to this protracted refugee situation.

101. I remain concerned about the continued lack of access of OHCHR to the Territory. I once again reiterate my call to the parties to respect, protect and promote the human rights of all people in Western Sahara, including by addressing outstanding human rights issues and enhancing cooperation with OHCHR and the United Nations human rights mechanisms, and to facilitate their monitoring missions. Independent, impartial, comprehensive and sustained monitoring of the human rights situation is necessary to ensure the protection of all people in Western Sahara.

102. MINURSO remains the main and often sole source of impartial information and advice to me, the Security Council, the Member States and the Secretariat concerning developments in and related to the Territory. It continues to fulfil this role despite the serious challenges it faces in a fundamentally changed operational and political environment. It also continues to provide a stabilizing presence to create a conducive environment for the advancement of the political process led by my Personal Envoy. MINURSO represents the commitment of the United Nations and the international community towards achieving a just, lasting and mutually acceptable political solution to the conflict in Western Sahara in accordance with Security Council resolutions [2440 \(2018\)](#), [2468 \(2019\)](#), [2494 \(2019\)](#), [2548 \(2020\)](#), [2602 \(2021\)](#) and [2654 \(2022\)](#). I therefore recommend that the Council extend the mandate of MINURSO for another year, until 31 October 2024.

103. I commend my Personal Envoy for Western Sahara, Staffan de Mistura, for his continuing efforts. I also thank my Special Representative for Western Sahara and Head of MINURSO, Alexander Ivanko, as well as the former Officer-in-Charge of the Military Component, Commodore Faustina Boakyewaa Anokye, the former Acting Force Commander, Major General Md Main Ullah Chowdhury, and the current MINURSO Force Commander, Major General Md Fakhrul Ahsan, who took up his duties on 4 May 2023, for their dedicated leadership of MINURSO. Finally, I thank the women and men of MINURSO for their continued commitment, under difficult and challenging circumstances, to fulfilling the Mission's mandate.