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## Sixty-eighth session

Item 59 of the provisional agenda\*

### Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

## Question of Western Sahara

### Report of the Secretary-General

#### *Summary*

The present report, submitted pursuant to General Assembly resolution [67/129](#), summarizes the reports submitted by the Secretary-General to the Security Council on the situation concerning Western Sahara for the period from 1 July 2012 to 30 June 2013.

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\* [A/68/150](#).



1. The present report, covering the period from 1 July 2012 to 30 June 2013, is submitted in accordance with paragraph 7 of General Assembly resolution [67/129](#) on the question of Western Sahara.

2. Pursuant to Security Council resolution [2044 \(2012\)](#), I submitted a report to the Council on the situation concerning Western Sahara ([S/2013/220](#)). In that report, I informed the Council of the activities of my Personal Envoy, Christopher Ross, to promote negotiations on Western Sahara and of the existing challenges to the operations of the United Nations Mission for the Referendum in Western Sahara (MINURSO).

3. The period under review was marked by serious unrest in the Sahel and beyond, as well as by the launch of a new methodology in the negotiating process. The hiatus in the negotiating process, due to the withdrawal by Morocco of confidence in my Personal Envoy in May 2012, came to an end on 25 August 2012 during a telephone conversation that I had with the King of Morocco in which I clarified the mandates of my Personal Envoy and of MINURSO. Following several bilateral contacts with the parties and neighbouring States in New York, my Personal Envoy resumed his mediation activities with a trip to the region in October and November 2012, during which he visited Western Sahara for the first time. From 28 January to 15 February 2013, he also visited the capitals of the Group of Friends of Western Sahara (Paris, Moscow, Madrid, London and Washington, D.C.), as well as those of Germany and Switzerland, to gather international support for a new approach to move the negotiating process beyond the current stalemate. He undertook a second trip to the region from 20 March to 11 April 2013, during which he confirmed the willingness of the parties to engage in a period of discreet bilateral consultations enriched with shuttle diplomacy aimed at helping the parties pursue their efforts to achieve a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara, and to explore the elements of a mutually acceptable compromise, in accordance with successive Security Council resolutions.

4. From 27 October to 15 November 2012, my Personal Envoy undertook long-delayed regional consultations. At each stop, senior interlocutors reiterated their full support for the United Nations mediation efforts and for my Personal Envoy, as well as their readiness to cooperate with him. In contrast to previous trips, my Personal Envoy sought to widen his contacts beyond official interlocutors to include civil society leaders, including young people, students, women's groups and academics, as well as parliamentarians and political party leaders.

5. From 31 October to 3 November 2012, my Personal Envoy visited Western Sahara for the first time since his appointment in 2009. Accompanied by my Special Representative, Wolfgang Weisbrod-Weber, he met with local officials, Saharans reflecting both pro-autonomy and pro-independence views, Moroccan and Saharan human rights activists and MINURSO headquarters staff and military observers. His visit indicated that Saharan society, while having a strong tribal and cultural identity, is, to a certain extent, politically divided. Despite meetings with a wide range of civil society representatives, it was not possible to estimate either the extent or the depth of pro-autonomy or pro-independence sentiments among the populace. My Personal Envoy further sensed a growing appetite to broaden direct contacts between the various components of Saharan society, in particular among women and young people, including by expanding the existing programme of

seminars sponsored by the Office of the United Nations High Commissioner for Refugees (UNHCR). MINURSO support, including through reporting, for my Personal Envoy has become even more relevant in the light of his visits to Western Sahara and his increased interactions with the population.

6. A common thread at all stops was concern with regard to the security and stability of the Sahel and beyond and growing fears about the fragile situation of young people in the refugee camps near Tindouf and in the Territory. However, those concerns did not prompt a new readiness to work seriously to resolve the Western Sahara conflict. The parties continued to maintain what my Personal Envoy has previously characterized as “an unyielding adherence to mutually exclusive positions”, and no progress on the core issue of the final status of the Territory was registered. The tense regional context has rendered positions more rigid and raised mutual suspicions between neighbours. My Personal Envoy, with the support of the international community, has repeatedly urged the parties to recognize that the passage of time can only worsen the situation.

7. After his regional consultations, my Personal Envoy visited Paris and Madrid for bilateral discussions. In both capitals, he stressed the urgency of solving the Western Sahara conflict in the light of the worrisome regional developments. He conveyed the same message to the Security Council during his briefing on 28 November 2012. At that briefing, my Personal Envoy also stated that convening yet another round of informal negotiations would not advance the search for a solution, since the parties remained attached to their respective proposals and did not demonstrate enough political will to move beyond merely attending meetings to actually negotiating. He announced his intention to engage in consultations with the parties, neighbouring States and key international stakeholders, followed by a period of shuttle diplomacy in the region, to prepare the ground for further face-to-face meetings of the parties.

8. As announced during his briefing to the Security Council, my Personal Envoy undertook a trip to the capitals of the Group of Friends of Western Sahara from 28 January to 15 February 2013. He also took the opportunity to visit Berlin and Bern for bilateral consultations and met with the United Nations High Commissioner for Human Rights and senior UNHCR staff in Geneva. The trip was aimed primarily at building additional international support for the Western Sahara negotiating process in preparation for the next phase of engagement with the parties and neighbouring States.

9. Expanding on the ideas presented in paragraph 120 of my report of 1 April 2011 (S/2011/249), my Personal Envoy engaged his interlocutors in a discussion on options for yet another approach to move the negotiating process beyond the current stalemate and improve the atmosphere for negotiations. With regard to the negotiating process, he stated his intention to hold bilateral consultations with each party and to ask each to recognize that negotiations imply give and take and that the spirit of compromise must prevail.

10. My Personal Envoy found unanimous support in the capitals of the Group of Friends, as well as in Berlin and Bern, for those ideas. All Governments consulted raised serious concern over the risk that the fighting in Mali could spill over into the neighbouring countries and contribute to radicalizing the Saharan refugee camps. Intense interest in finding a solution to the Western Sahara conflict and avoiding the resumption of hostilities was expressed, with one Government calling the situation

in the camps a “ticking time bomb”. When asked whether the conflict in Mali could provide a new impetus for the Western Sahara negotiations, my Personal Envoy explained that, while that had been his hope, the parties directly and indirectly concerned with the conflict had as of yet not reacted in that way. He urged each of the Governments consulted to use its contacts to encourage serious negotiations. On 15 March 2013, and for the first time, the Group of Friends of Western Sahara issued a joint statement in support of the Personal Envoy’s efforts.

11. Following his tour of the capitals of the Group of Friends of Western Sahara and his visits to Berlin and Bern early in 2013, my Personal Envoy undertook another trip to North Africa, including Western Sahara, from 20 March to 3 April 2013. At the request of the King of Morocco, Mohammed VI, he returned to Rabat from 8 to 11 April to meet with him. During that trip, my Personal Envoy confirmed the agreement of the parties and neighbouring States to engage in discreet bilateral consultations and shuttle diplomacy. Frente Polisario and Algeria noted that that approach should supplement, not replace, the face-to-face negotiations between the parties. Morocco expressed its readiness to cooperate fully with my Personal Envoy in the new approach and did not seem eager to resume the face-to-face negotiations.

12. During his trips to the region, my Personal Envoy found great enthusiasm for expanded people-to-people contacts between the various sectors of Saharan society and conveyed this to UNHCR, stating his readiness to follow up with potential donors to seek additional funding. My Personal Envoy attended the most recent confidence-building measures review session held on 2 July 2013 in Geneva and, on my behalf, delivered a message supporting the extension of the confidence-building measures programme and encouraging the parties and neighbouring States to continue to cooperate closely with UNHCR in that regard. In my message, I also insisted on the need to focus further on the need to include the younger generations in the programme.

13. During the period under review, MINURSO continued to monitor adherence by the parties to the military agreements and the ceasefire by conducting ground and aerial patrols, as well as visiting units of the Royal Moroccan Army and the military forces of Frente Polisario. MINURSO military and police personnel also provided medical and logistical support for the UNHCR programme on confidence-building measures.

14. During the reporting period, the issue of human rights was the focus of several high-level visits to Western Sahara, including by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, who visited the Territory west of the berm on 17 and 18 September 2012 at the invitation of the Government of Morocco. Violations affecting Western Sahara in both the Territory and the refugee camps near Tindouf continued to be alleged or reported. The parties continued to hold different opinions on how to address the issue of human rights, which remains important for any resolution of the conflict.

15. On 15 June 2012, I appointed Mr. Weisbrod-Weber (Germany) as my Special Representative and Head of MINURSO. My Special Representative maintained regular contacts with the parties to discuss the Mission’s implementation of its mandate and operational matters and to employ his good offices to promote the resolution of issues relating to the ceasefire and confidence-building measures. He held several briefings and consultations with the Moroccan and Frente Polisario authorities, visiting officials from key Member States and international

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non-governmental organizations, in addition to officials in Algeria and Mauritania, about the Mission's mandate and challenges. He also established regular contacts with the regional offices of the Moroccan National Human Rights Council in Laayoune and Dakhla.

16. The Mission's political office maintained regular and constructive engagement with the respective Moroccan and Frente Polisario coordinators with MINURSO. MINURSO did its best to improve the scope of its reporting to the Security Council and to the Secretariat and in support of my Personal Envoy, focusing on local developments and situational analysis and drawing on open-source information.

17. The Mission continued to make significant progress in reducing the threat and impact of landmines and explosive remnants of war through effective support for humanitarian action activities east of the berm, and effective cooperation continued between the Mine Action Coordination Centre and both parties.

18. There is no date yet for the next joint negotiating session, but bilateral consultations and possible shuttle diplomacy are due to start in September 2013, following preparatory bilateral consultations with the parties and neighbouring States on the margins of the sixty-eighth session of the General Assembly.

19. As noted in my report to the Council earlier in 2013, the rise in instability in and around the Sahel requires the urgent settlement of the long-standing dispute on Western Sahara. I am concerned at the continued stalemate in the negotiating process and remind the parties and the international community of their responsibilities to find a solution to the conflict. I therefore reiterate my call to the parties to move towards a solution without further delay and, to that end, urge them to engage in genuine negotiations with the support and facilitation of my Personal Envoy.

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