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POLISARIO



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## Briefing on the Situation in Guerguerat, Southwestern Western Sahara

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- The ongoing UN-supervised ceasefire in Western Sahara remains an integral part of **the UN-OAU Settlement Plan** that was accepted by both parties, the Frente POLISARIO and Morocco, on 30 August 1988, which provided for “**a cease-fire and the holding of a referendum** without military or administrative constraints to enable the people of Western Sahara, in the exercise of their right to self-determination, to choose between independence and integration with Morocco” (S/21360; para 1).
- To this end, in its resolution 690 (1991), the UN Security Council established, under its authority, the United Nations Mission for the Referendum in Western Sahara (MINURSO) on 29 April 1991 to supervise the ceasefire and conduct the referendum on self-determination in Western Sahara.
- As a supplementary agreement to the ceasefire, a **Military Agreement no. 1** was signed between MINURSO and the Frente POLISARIO in December 1997, and between MINURSO and Morocco in January 1998. The Agreement establishes **two Restricted Areas (RA)** of 25 km South and East and 30 km North and West of the 2700 km Moroccan military wall, respectively. Firing of weapons, redeployment or movement of troops, entry of arms and ammunition and improvement to defence infrastructure are not permitted in the RA.
- Military Agreement no. 1 also establishes a **5 km wide Buffer Strip (BS)** to the South and East of the Moroccan military wall, where the entry of the troops or equipment of both parties, by ground or air, and the firing of weapons in or over this area, is prohibited at all times and is a violation. The agreement further defines all violations which are not only violations to the Agreement itself but are also contrary to the spirit of the peace plan.
- The existing **illegal breach that the Moroccan army opened in its military wall across the Buffer Strip in Guerguerat in southwestern Western Sahara** did not exist at the time of the entry into force of the ceasefire on 6 September 1991. It did not exist when Military Agreement no. 1 was signed between MINURSO and the Frente POLISARIO in 1997, and between MINURSO and Morocco in 1998. **None of the two agreements provided for opening breaches for “civilian”, “commercial” or other activities along the Moroccan military wall.**
- This is why when the Moroccan military authorities sought to construct an asphalted road across the Buffer Strip in Guerguerat towards the borders between Western Sahara and Mauritania in March 2001, **the United Nations was firm in its opposition to this enterprise**, and warned Morocco that its proposed road “involved activities that could be in violation of the ceasefire agreement” (S/2001/398; para. 5). The United Nations then did not raise any issue concerning any “commercial and civilian traffic” in the area, a phrase that began to appear in the Secretary-General’s reports only since April 2017.



- **The root cause of the growing tension in Guerguerat** is therefore the existence of the illegal breach resulting from a **continued, unilateral change of the status quo by the Moroccan authorities in that area**, which the UN Secretariat and the Security Council should have dealt with in a robust and decisive manner. **As long as the root cause of the problem remains unaddressed, instability and tension will persist in the area.**
- Almost three decades after its deployment in Western Sahara, **MINURSO has not only failed so far to implement fully the mandate for which it was established in 1991**, namely the holding of a referendum on self-determination for the people of Western Sahara. The Mission has also become a **passive bystander of Morocco's annexationist actions** aimed to forcibly entrench and "normalise" its illegal occupation of parts of Western Sahara, including the opening and use of the breach in Guerguerat for its illegal operations in the area and beyond.
- As a response to this unacceptable situation, on 20 October 2020, **dozens of Sahrawi civilians began a peaceful, nonviolent protest** against the persistence of the Moroccan-built illegal breach in Guerguerat in southwestern Western Sahara. The Sahrawi civilians are also demonstrating against the **systematic human rights violations** perpetrated with impunity by Moroccan authorities in occupied Western Sahara and the **massive plunder of their natural resources** under the very eyes of the United Nations Mission in the Territory.
- **The peaceful protest by Sahrawi civilians is a civilian, nonviolent action that is consistent with international norms.** Moreover, the presence of Sahrawi civilians in the Buffer Strip in Guerguerat is not a violation of any military agreement because military agreements apply only to military personnel. **The United Nations has also made it clear that it has no issue with people demonstrating peacefully in that area or elsewhere.**
- Over the past two days, as confirmed by MINURSO, Moroccan troops have been moving into the Restricted Area (RA) along the Moroccan military wall in clear violation of Military Agreement no. 1. Moroccan authorities have also moved heavy-duty vehicles, including 16 graders, into the area. **All indications suggest that the Moroccan troops are currently poised to force their way into the Buffer Strip to violently disperse the Sahrawi protestors.**
- **The Frente POLISARIO remains committed to its obligations** under the ceasefire agreement and related military agreements as an integral part of the UN-OAU Settlement Plan. The Frente POLISARIO however warns that, if the safety and security of the Sahrawi civilians protesting peacefully in Guerguerat is put in danger, **the Frente POLISARIO will have no option but to take the necessary action to protect them.**
- The Frente POLISARIO therefore alerts the United Nations, the Security Council in particular and the international community to **the very serious consequences that any potential military or any other action by Moroccan troops in the Buffer Strip** will have not only on the ongoing ceasefire and related military agreements but also on peace and stability of the whole region. **Urgent action is therefore needed to prevent another war in Western Sahara.**