



## **Moroccan Autonomy for the Western Sahara: A Solution to a Decolonisation Conflict or a Prelude to the Dismantling of a Kingdom?**

**Dr. Pablo San Martín, Khalil Ahmed y Malainin Lakhali**

**Colaboraciones n° 1106**

**July 21, 2006**

The Moroccan king, Mohamed VI, recently visited the territories of the Western Sahara under Moroccan occupation to promote a plan of 'autonomy' for the territory, as a 'political solution' to the last colonial conflict in the African continent still open in the UN agenda.

The autonomy idea is not new at all; it was first proposed in 1974 by Spain, and again by the Moroccan king Hassan II in the eighties and nineties, being rejected both times not only by the Saharawi party in the conflict, the Polisario Front, but also by the international community, which clearly defined the territory of the Western Sahara as a Non-Self-Governing territory that must be subjected to a decolonisation process (which according to the

UN Charter must entail a free and fair self-determination referendum with independence as an option).

In 2001, James Baker, then UN Secretary General personal envoy to the Western Sahara, drafted also a preliminary proposal based around the same idea of autonomy, but such a possibility was immediately rejected by the Security Council. The final Baker Plan, endorsed unanimously by the Security Council in 2003 and defined by the Secretary General as the 'optimum political solution' to the conflict, despite introducing the possibility of Moroccan settlers to take part in the referendum, established clearly that independence should be an option in the referendum. Thus, the current Moroccan proposal far from introducing some

fresh air to a stagnant peace process sounds more like just a desperate repetition of failed old formulas, which, in addition, collide with the UN decolonisation doctrine. But, the question is not whether or not 'autonomy' is a legal and acceptable solution to a decolonisation issue. This is only half of the question. The main issue, if we analyse the proposal (in 'realpolitik' terms, if one wants to use such a fashionable term) is perhaps the following: Is autonomy a consistent, feasible and reasonable proposal to be presented by a strongly centralist multiethnic State and an unstable system such as the Moroccan?

Many elements, if analysed in detail, reveal that the plan of autonomy, aired by the Moroccan regime, after 30 years of failed attempts to 'legalise' an illegal occupation, after a year repressing a real and increasingly influential Saharawi popular uprising and the progressive diplomatic and political reinforcement of the Saharawi Republic (recently recognised by South Africa, Kenya and Uruguay), is no more than a new Moroccan tactical move aimed at diverting once more the attention of an international community, which is increasingly alarmed by the human right situation in the occupied territories of the Western Sahara (as the SG acknowledges in his last report to the Security Council). It is also a Moroccan 'move' intended to gain an extra time hoping to succeed in its old attempt to destroy the Polisario Front, the only internationally recognised and legitimate representative of the Saharawi people.

The Moroccan plan is impossible because of many constitutional, legal, economical, historical, ethnic and geographical factors that make of it not only an additional waste of time for the Saharawi people and the international community but, and more dangerously, an adventure that may destroy the Moroccan State if Rabat is really determined to impose it on its colony. It is a road to perdition that will only contribute to destabilise an already unstable regime with a rising republican Islamist movement, an economy that does not grow enough to generate employment for an increasing population, and sharp social tensions. One has the impression that such an adventure can only be the result of bad royal advisors or perhaps advisors with an agenda the inexperienced Moroccan king has not still managed to grasp. In the following paragraphs, we will draft some of the main obstacles to the proposal:

### **Constitutional & Economic Obstacles to the Idea of Autonomy**

First of all, what kind of autonomy can a regime, widely considered as a dictatorship, or at least generally acknowledged to have very weak and precarious social and political (democratically elected) institutions, like the Moroccan, offer to the Saharawis?

In current Morocco, despite the modernising façade of the king, there are still several taboos and lines that can not be crossed, such as the (peaceful and public) questioning of the Monarchy, which still entails jail sentences for those who

dare to cross it. However, the idea of autonomy does not have sense at all if the regional institutions are not democratic and can guaranty the normal participation in the political life of all kind of political parties and organisations, including those which peacefully advocate for independence or in favour of a Moroccan Republic. The only red line should be the employment of terrorism with political objectives, but apart from that, in a truly democratic autonomy, there should not be any limit to the political debate (including debate about religious issues, such as the role of the king as maximum religious authority). This will obviously require not only a radical constitutional change but also a shift in the current civic culture promoted by the dominant Moroccan elites (which is very far from the promotion of a culture of open, fair and democratic exchange, especially with regard to the 'Sahara question'). Is Rabat prepared to accept such a challenge? Will the Monarchy survive such an open debate?

The Spanish case has been named in several occasions by some Moroccan politicians as an example of decentralisation and autonomy, mentioning specifically the cases of the Canary Islands, the Basque Country, Andalusia or Catalonia, as possible models. Is Morocco prepared to have, like in Catalonia, an openly separatist and republican party (Ezquerria Republicana de Catalunya) controlling - as part of a wider coalition - the autonomic government?

Is Rabat willing to grant to the hypothetical 'Saharawi regional government' the same level of financial independence of Spanish regions such as the Basque Country and Navarre (which, in a few words, consists in these regions having their own taxing agencies and autonomy over these resources and to negotiate periodically with the State an amount - called 'the quota' - to 'pay' in exchange for the services provided in these regions by the few remaining central institutions)?

Is Rabat prepared to accept a Saharawi nationalist and republican autonomic government (if the electorate decides so, in free and fair elections monitored by the UN), to allow these government to control the natural resources of the territory (fisheries, oil, phosphates, etc.) and then to negotiate with them 'the quota' of, for example, the benefits of a hypothetical fishing agreement with the EU, with which the regional government will contribute to the funding of the central state? Obviously, all these issues regarding the nature and functioning of a hypothetical Saharawi autonomy, mentioned as just an illustration, can only be addressed in the context of a profound reformulation of the basic foundations of the Moroccan state as a whole and have implications that exceed the 'southern provinces' question. Is it possible to articulate in the same regime a Spanishstyle autonomy in the Sahara (possibly with republican and separatist parties controlling a regional assembly, whose free and fair elections should be monitored and

safeguarded by the UN) combined with a central Moroccan government in the rest of the state (where the 'red lines' will persist, such as for example the prohibition of regionalist parties)? No credible autonomous project for the Western Sahara seems feasible without a radical reformulation of the foundations of the Moroccan state as a whole and such reformulation far from stabilising the region will probably generate a period of openness and uncertainty that will be very difficult to manage for the young monarch and his team.

A second issue, closely related to the previous one, is the economic implications of the plan. Is Rabat prepared to give to a democratically elected Saharawi government real control over the economic resources of the territory? The economic potential of the Western Sahara territory after the resolution of the conflict is very promising, with rich fisheries, phosphates, tourist potential and most probably also oil reserves, similar to the ones recently discovered in Mauritania. If the answer to the previous question is positive, what are the gains Rabat will expect to get from those resources? If a Saharawi government controls such resources, how and who will decide the Saharawi contribution to the general budget of the Moroccan state? What will be the reaction of the real Moroccan regions (of those non contested parts of the kingdom, where nevertheless the regional identities are also very strong), and ethnic groups, when they will see how the 'rebellious' southern 'subjects of the king'

are 'rewarded' not only with a wide autonomy but also with the control of a significant amount of the natural resources of the kingdom, while the obedient Moroccans of the Suss, Zayane, Rif, Chraga, Fas - dispossessed from the wealth of the 'southern provinces', are still maintained under the grasp of the same regime that governs them from Rabat?

Will Rabat give up its centralist control over the country, rewrite from scratch its Constitution and give all the other regions the same sort of autonomy as the Western Sahara? And if not, why? That solution would mean the recognition in the Constitutional text of two different concepts of citizenship: one for the 'Saharawi Moroccans' and another one for the 'simply Moroccans', which will entail different rights.

It is relevant to note here that the Spanish autonomic state is articulated upon the recognition of the equality of all the citizens and the possibility of all the regions to have the same level of selfgovernment. Although the level of selfrule in the Basque Country and Catalonia is higher than in other regions, this only depends on the demands of each of the 17 autonomic governments (which obviously are higher in those autonomies where the nationalist parties are stronger). Will the Western Sahara be the only 'autonomy' in Morocco or will be Morocco a regional / federal state? Will all the regions, autonomies or federate states have the same level of self-government? Will there be mechanisms to guaranty the 'soli-

parity' between the autonomies with more and less economic resources? This is a crucial question with deep implications regarding the control of the natural resources of the Western Sahara in practical terms, not just a theoretical reflection about the nature of the state.

On the other hand, if Morocco becomes a regional, autonomic or federal state, another crucial point emerges: are the geographical borders of each region clear? This leads to a second block of obstacles.

### **Historical, Geographical & Ethnical Obstacles**

Going back to the Western Sahara, where is the autonomy to be implemented, geographically speaking? In the internationally defined borders of the Spanish former colony or in a supposed 'historical Western Sahara' that includes the southern cities of Morocco (Tan Tan-Gulmim-Assa, part of the Spanish Sahara until the late 1950s)? Will it also include the population of the whole Moroccan south, who were presented by the Moroccan regime as 'ethnic Saharawis' during the UN's operation of identification of the Saharawi candidates to vote in the old-promised referendum of self-determination?

The main Moroccan argument against a list of voters for the self-determination referendum based on the Spanish census of 1974 has traditionally been that this census did not include the 'Saharawi tribes' of southern Morocco. In fact, the appeals to the final list elaborated by the Identification Commission of the

UN come mostly from supposed Saharawis from this so-called 'Tarfaya strip'. Therefore, any credible autonomy within Morocco should not be limited to the borders of the Spanish Sahara but extended to the Tan Tan-Gulmim-Assa axis, if Rabat does not want to deny its own argumentation and strategy during the whole identification process. If the Tarfaya strip is excluded from the Western Sahara autonomy, if the 'Saharawi tribal areas' of this region are not considered 'Saharawi enough' by Rabat for joining the Western Sahara region, then the problems regarding the identification process would be immediately resolved since the list based on the Spanish census is already finished.

Rabat's orientalist perception of the south promotes a tribalist vision of Saharawi society and denies the modern Saharawi collective identity that emerged within the colonial borders of the Spanish Sahara. As we have said, if Rabat accepts to implement autonomy only in the territory of the former Spanish Sahara, its entire argumentation to reject the census elaborated by the UN would collapse. But, if on the other hand, Rabat attempts to redrawn the frontiers of the Western Sahara in order to include all the 'Saharawi tribes' of the south, this will open an extremely explosive situation. Will the 'new' Western Sahara include *all* the 'Saharawi tribes'? If the ergueibat 'territory' from southern Morocco is to be part of the Western Sahara region, what will be the reason not to demand also the inclusion of the ergueibat 'territory' of Algeria and Maurita-

nia? Will all the hassania speaking tribes - from Morocco, the Western Sahara, Mauritania, Algeria and Mali - the people of *trab el Bidan*, be candidates as well to integrate the new Western Sahara? These are all very sensitive questions that the Moroccan plan will need to address carefully, in a continent that has decided to respect the colonial frontiers to avoid territorial conflicts in the post-colonial era. If Morocco wants to avoid the problems that a 'tribal' delimitation of the territory to be autonomous would generate, the autonomic project should be limited to the borders of the former Spanish colony. The paradox is that if it does so, as we have said, the whole argumentation to challenge the current list of voters based on the Spanish census of 1974 will collapse.

For all the above reasons, among many others, the announced autonomic plan is a bomb that will explode as soon as the first details of the 'autonomy' were clearly explained by Rabat. It is probable, however, that the Moroccan Government is only manoeuvring to escape the international pressures and that, in fact, there is no plan at all. Up to now, Morocco has done its best to gain time by keeping the details of its 'plan' secret, while increasing its attacks and propaganda war against the Saharawi political organisation, Polisario Front, in an attempt to break the Saharawi unity. The meeting of the Security Council last April was a golden opportunity for Morocco to make public its autonomy plan and try to score a

goal by introducing a new element in the debate.

But the plan remains secret ... Is there a plan after all? Or the plan is just to talk about the plan? And if there is a plan how is it going to address all the issues mentioned before? Morocco will be under pressure in the following months to make public its so vehemently aired definitive solution to the dispute. If Rabat does not manage not only to delineate the contours of the future autonomy but also to explain all the details, all the small print of its autonomic proposal, it will definitely lose its remaining credibility. If the proposal is only for a limited autonomy (far from the so many times mentioned Spanish-model) and the 'red lines' (that prevent free press, free speech and free political activism) persist, the plan will not be credible as a democratic option of autonomy to solve the conflict. If the plan is brave enough to address some of the most problematic issues, mentioned before, it will require a radical reformulation of the bases of the Moroccan state and will open a period of unmanageable uncertainty and tension in the region. Is autonomy the road to stability in the region? Will the autonomic route strengthen or weaken the Moroccan regime?

On the other hand, the autonomy proposal can also be seen as a turning point in the colonial tactics of the Moroccan system in the Western Sahara. Rabat has always tried to gain the blessing of the international community, but after 30 years of dispute, and as the UN Secretary

General rightly acknowledged in his last report to the Security Council, no country in the world has officially recognised the Moroccan sovereignty over the Western Sahara. The UN and all the big powers, including a France always willing to support Rabat, were unable to do so, because such recognition would blow up the last chances of maintaining the illusion about the existence of some sort of 'international legality'. The United Nations will never be able to support a plan for the Western Sahara without a referendum in which independence is one of the options, as the Secretary General made clear in his last report to the Security Council. Given the Moroccan rejection to include independence in the ballot papers (even in a referendum in which large numbers of Moroccan settlers would take part!) and the recognition by the Secretary General that the UN will not impose a solution to the parties (that is, that it will not force Morocco to accept the referendum), the position of the UN mission on the ground - MINURSO - seems unsustainable, even absurd. This is the context in which the Secretary General, siding with Rabat, Paris and Madrid, has suggested to the parties - Morocco and the Polisario Front - to negotiate directly and to take into account the 'realpolitik' that mark the situation. In other words, what the Secretary General has suggested in his report is that although the UN will never be able to support a plan such as the autonomous route since it collides with the basic principles of its own Charter, the parties can negotiate the implementation of such a solution at the

margins of the UN. The problem is that, as we have explained, the autonomous route will probably mean desestabilisation, uncertainty and new conflicts, and perhaps also a definitive blow to the future of a Monarch that has promised too much and accomplished too little.

The only solution for Morocco seems to be the proposal a very limited and simply symbolic autonomy, completely void in political terms, which will reproduce and even reinforce the 'red lines' that have jeopardised the development of a free and democratic Morocco in the last decades. The recent developments seem to point towards this direction. And they seem also not very well advised moves. As president of a recently created Royal Consultative Council for Saharan Affairs (CORCAS) which will promote the idea of autonomy, a Council devised as the nucleus of the future regional government, the King has appointed Khalihenna ould Rachid. Khalihenna, a former Francoist agent, president of the PUNSA, a puppet political party created by Spain to counteract the growing social support of the Polisario Front in the early 1970s, who later deserted to Morocco and became one of the strong men of Rabat in the territory and has been Mayor of El Aaiun since the early days of the Moroccan occupation 30 years ago ... does not sound like fresh air to resolve the conflict and lacks any credibility as a democrat, while, on the other hand, helps to clarify the real commitment of Rabat with the development of a truly democratic process towards a serious and credible

regional autonomy for the Western Sahara. The autonomic plan will never have a serious content, if Rabat does not want to put at risk its own future as a state. But what in the following months Morocco will try to do is to find a Saharawi group (of Polisario dissidents or human right activists, for instance) to support its void autonomic proposal in order to create some confusion and delegitimise the Polisario Front as representative of the Saharawi people.

However, the questions remain the same: Is Morocco really thinking about a real and democratic autonomic system in the Western Sa-

hara? If so, will the Regime survive the conflicts that such an autonomy will triggered? If there is no plan, for how long will be Rabat able to deceive the international community and how will be its credibility affected? If the plan is only for a limited, symbolic and ultimately void decentralisation, who will 'impose' it on the Saharawi party? Autonomy more than an credible alternative for the definitive resolution of the Western Sahara dispute and the regional stability is a dangerous adventure that Rabat can not explore seriously without putting at serious risk the future of the very Kingdom. Perhaps the king is already tired of reigning.

*Pablo San Martin is Lecturer in Spanish Studies at the University of Leeds, where he teaches on terrorism, conflict and political violence in the Spanish-speaking world and nationalism in Spain. He has published widely on nationalism and identity politics in the Spanish context and is currently working on a book about the Western Sahara conflict, provisionally entitled The Refugee Nation. Identity, Culture and Society in the Western Sahara.*