A new Personal Envoy of the Secretary-General, Ambassador Christopher Ross (US), was appointed in January 2009 to one of the more daunting political assignments in the United Nations. In 1975, Morocco claimed Western Sahara after the region attained independence from Spain. This happened despite vehement opposition by the Frente Popular para la Liberación de Saguía el-Hamra y de Rio de Oro (POLISARIO), which maintains that the region’s people – the Sahrawis – have a right to self-determination and territorial independence. The issue of Western Sahara is the longest running territorial dispute in Africa, combining a high degree of political polarization with a situation of status quo that is comfortable enough for the international community to ensure that a failure to find its resolution bothers very few.

Progress is slow for reasons that reflect deeply entrenched differences between the parties, Morocco and POLISARIO, regional rivalry between Morocco and Algeria, and the unhelpful positions assumed by the parties’ respective backers in the international community. In addition, the efforts of the Personal Envoy since early 2009 have been strongly conditioned by the security and political developments in the region. While Personal Envoy Ross was able to convene an informal meeting between the parties in August 2009, in the latter part of the year heightened political tension between the actors, accompanied by Morocco’s increased military engagement in Western Sahara stalled further progress. It was only in early 2010 that Ross was able to revive the process.

**BACKGROUND**

The Personal Envoy works from outside the region in parallel to the UN Mission for the Referendum in Western Sahara (MINURSO), which is headquartered in Laayoune. MINURSO was established in
of governance-sharing, but also provided for a referendum that would include the option of independence. The plan was accepted by POLISARIO, at Algeria’s encouragement. But in 2004 Morocco rejected it on the grounds that it could not agree to any plan that might lead to an independent Western Sahara – a position that contravened the basis for the UN’s involvement.

Baker resigned shortly afterwards. His successor, the Dutch diplomat Peter van Walsum, was appointed in 2006, after an interlude in which the political process was led from MINURSO by Alvaro de Soto, who held the position of SRSG from 2004 to 2005. Van Walsum pursued direct and unconditional negotiations. Four increasingly acrimonious rounds of talks were held in Manhasset, New York, in 2007 and 2008, but no progress was made in bridging the gap between an autonomy proposal put forward by Morocco and POLISARIO’s insistence on a referendum that would include independence as an option. Van Walsum lost the support of POLISARIO and its backers when he told the Security Council that an independent Western Sahara was not a realistic proposition so long as Morocco had control of the territory and the Security Council was not prepared to put pressure upon it. His contract expired in August 2008.

1991 to verify the cease-fire between Morocco and POLISARIO and to organize and conduct a referendum that would allow the people of Western Sahara to decide the future status of the territory. The referendum had originally been contemplated for January 1992, however, a series of efforts to reach agreement on its terms and then to seek a political settlement found only frustration.

Disappointment with the lack of progress, as well as a sense that a political effort led from outside the region might have more leverage than one conducted by the SRSGs successively heading MINURSO, brought Secretary-General Kofi Annan to institute the position of the Personal Envoy for Western Sahara in 1997. The status and prestige of its first incumbent, former US Secretary of State James Baker who held the position from 1997-2004, reflected the priority Annan attached to the search for a solution to the conflict, but also his awareness of the obstacles that lay in its way.

In 2003 Personal Envoy Baker presented a peace plan that allowed for some elements of governance-sharing, but also provided for a referendum that would include the option of independence. The plan was accepted by POLISARIO, at Algeria’s encouragement. But in 2004 Morocco rejected it on the grounds that it could not agree to any plan that might lead to an independent Western Sahara – a position that contravened the basis for the UN’s involvement.

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Personal Envoy Ross began his tenure in early 2009 by consulting with the parties, as well as representatives of the neighboring states, Algeria and Mauritania, who have traditionally assumed the role of observers at any talks. He traveled to the region in February 2009 and began working towards holding small informal meetings to prepare for a fifth round of formal negotiations. He visited the region again in late June and after that consulted with UN member states that are most engaged on the issue of Western Sahara, namely France, Spain and the United States. With Russia and the United Kingdom, these countries form a group of Friends of Western Sahara that has had a leading role in driving action in the Security Council but that has been complicated by the differences between them.

Informal talks were held between the parties – with Algeria and Mauritania in attendance as observers – in Dürnstein, Austria on August
In July 2008, UN Secretary-General Ban Ki-moon appointed former Australian foreign minister Alexander Downer as his Special Adviser (SASG) on Cyprus. Mr. Downer’s work is formally separate from the UN peacekeeping force in Cyprus (UNFICYP), which was launched in 1964. The SASG works alongside the Special Representative of the Secretary-General (SRSG), Lisa Buttenheim, who has responsibility for UNFICYP.

Mr. Downer was appointed during a period of optimism about the readiness of Greek and Turkish Cypriot leaders to resolve the conflict that has divided the island for decades. Beginning in March 2008, both sides accepted a series of limited steps meant to open the way for broader negotiations on a settlement, including the formation of working groups and technical committees to discuss issues ranging from governance to cultural affairs.

The Security Council approved the appointment of an SASG to help move talks forward. That July, Greek and Turkish Cypriot leaders agreed to hold fully-fledged talks from September under the good offices of the Secretary-General. In 2008 and 2009, contacts between the two sides were frequent, with leaders meeting as often as once a week.

These meetings also involved Mr. Downer or Ms. Buttenheim’s predecessor as SRSG Tayé-Brook Zerihoun. Downer’s role in implementing the Secretary-General’s good offices has extended well beyond direct dealing with the two sides. He has visited Greece and Turkey for talks on a number of occasions, and held discussions as far afield as Moscow and Beijing. The European Union has long supported the UN’s efforts to assist Cyprus, and the European Commission appointed a liaison to the SASG’s team.

Downer’s team has also contributed to technical aspects of the talks by involving experts on issues like property rights to visit Cyprus and advice the parties. The UN has been at pains to underline that the talks are Cypriot-led, rather than an externally-driven process.

As of early 2010, Ban Ki-moon saw “considerable progress” in the talks. Nonetheless, discussions paused in the run-up to Turkish Cypriot elections in April 2010. Dervis Eroglu defeated Mehmet Ali Talat, one of the initiators of the 2008 process, in these polls. The talks reopened in May, and Eroglu raised the stakes by calling for a solution by the end of 2010 – creating additional interest in a report from the SASG on the situation in November. While Mr. Downer says he is cautiously satisfied by talks this year, thorny issues remain unresolved, especially around property rights. The SASG has insisted that the parties should “take time and get it right” rather than focus on deadlines.
the parties. Against a backdrop of increased Moroccan military activities in Western Sahara, a group of seven independence activists from Western Sahara were detained in Casablanca after visiting Tindouf and Algiers. On November 6, on the anniversary of the Green March by Morocco into Western Sahara in 1975, King Mohamed VI delivered a hard-hitting speech that divided Sahrawis into two camps “patriots” (who accepted Moroccan sovereignty) and “traitors” (who did not) and identified Algeria as the “adversary.” Finally, on November 13, the Sahrawi independence activist Aminatou Haidar was prevented from returning home to Laayoune because she refused to swear loyalty to Morocco. She was expelled to the Canary Islands where she began a hunger strike. Only after a flurry of high level diplomatic activity was she allowed home.

Perhaps unsurprisingly, these events led POLISARIO in particular to question the utility of further talks on the basis that Morocco’s actions suggested that it was not interested in a negotiated settlement. By January 2010, however, tension had calmed and Ross was able to convene a second informal meeting outside New York for February 10 and 11. The meeting was to have as its focus the parties’ consideration of the proposals that each had submitted to the Security Council in 2007.

Discussion of the proposals was preceded by a heated session of accusation and counter-accusation on the subject of human rights. As during the Dürnstein meeting, POLISARIO argued that Morocco’s criticism of the human rights situation in the Tindouf camps could be addressed by creating a UN monitoring mechanism; Morocco countered that POLISARIO’s insistence on human rights is a means to avoid addressing a political solution to the conflict. The parties moved on to a somewhat limited discussion of their two proposals; at the conclusion of the talks, they agreed with Ross’ summary that “neither party had accepted the proposal of the other as the sole basis of the future of negotiations.”2 Ross returned to the region to seek the parties’ ideas on how to move beyond the impasse, but, as the Secretary-General reported to the Security Council in April 2010, his efforts had produced “no movement on the core substantive issues.” After a round of talks with members of the Group of Friends of the Western Sahara this summer, Ross sent a letter to the Permanent Five members of the Security Council arguing that only their direct engagement (and that of the friends) could shift the parties from their current positions.

CONCLUSION

The institution of the Personal Envoy responds to the political limitations of a peacekeeping operation, which has, for structural and other reasons, long had its capacity to act as an impartial mediator questioned. However, operating from outside the country the various Personal Envoys have – so far – not been successful in finding a political solution to the conflict over Western Sahara. The underlying dynamics of the conflict and the regional and international interests surrounding it are such the responsibility for this failing undoubtedly lies elsewhere.

Since assuming the position in 2009, Ross has worked effectively with a small team drawn from DPA’s regional division and mediation support unit and the cooperation of the UN Department of Peacekeeping Operations. His deliberately low-key approach reflects the hope that the UN process can provide a framework within which the parties may gradually come to see the benefits of moving forward from mutually exclusive positions that have altered little in more than thirty years. However, the Personal Envoy’s efforts are hampered by the reluctance of the broader international community, in deference to Morocco, to accede to suggestions that in other contexts would be obvious next steps: a call, for example, for the parties’ various allegations of human rights violations to be subjected to independent verification; or a direct appeal to the parties to return their two proposals to the drawing board for modifications that might provide the basis for future negotiation.

NOTES

1 France hews so closely to Morocco’s position that other states see it as a direct representation of Morocco in the Council; the United States and the United Kingdom have deep ties to Morocco, including on issues such as counter-terrorism, that ensure that they too will provide Morocco support; Spain has historical and emotional ties to the Sahrawis but will not jeopardize its important bilateral relationship with Morocco to satisfy them; Russia is supportive of Polisario.