

CONCLUSIONS

MARC FINAUD

Ladies and gentlemen,

At the end of this research seminar on “Territorial Autonomy: An Effective Means for the Political Settlement of Conflicts”, I wish to thank the organizers and experts for their contributions. Without entering into the detail of each of the presentations we heard, I would like to underscore three lessons that can be drawn from them.

First of all, territorial autonomy can be an important means for the political settlement of conflicts, but it is not a panacea and above all there is no such thing as one single model perfect enough to be used in every case. Each autonomy statute must take into account the context, the history of the conflict, the degree of trust or distrust between the parties, their respective interests, but also the whole gamut of existing models, in order to put forward a customized solution.

Second, there can be a contradiction between an autonomy statute, even when it has been incorporated into domestic law, and its practical implementation. As we have seen, in some cases the central state can be tempted to revisit some powers granted to the autonomous region, or within the autonomous region some may still be tempted by secession. This is the reason why it is important that the autonomy statute provides for guarantees, in the Constitution, the law, the judicial power, the permanent mechanism for dialogue or for negotiation between the central state and the autonomous region, as well as the possibility to resort to a third party such as a state or an international organization. In this respect, the experts underlined that the Moroccan Initiative for the Autonomy of the Sahara Region provided for such guarantees so that, even should the central state decide to amend the autonomy statute, it wouldn't be able to do it without the consent of the Sahara Region.

Thirdly, one can identify the success factors of operational autonomy regimes. In this respect, a democratic political system based on the rule of law allows indigenous populations or minorities to express their wishes and realize their rights. Autonomy can also work within a wider system of decentralization or regionalization, such as in the case of Morocco, or even within a federal state. Moreover, the success of autonomy can be enhanced by good time management: this is often a long-term project which requires changes to the legislation and different mindsets, but this project must establish deadlines and timelines to reassure the parties.

Finally, the autonomy comes into play against the backdrop of a newfound balance between the notion of sovereignty (now compatible with wide power sharing within a supranational body as well as at sub-state level) and the notion of self-determination, which no longer necessarily requires an independent state but can also take the shape of regional or territorial autonomy. This is precisely the kind of balance offered in the Moroccan Initiative for the Sahara, even if the detailed provisions of its statute will have to be negotiated between the parties.

I thank you for your attention.