

INTRODUCTION

THE MOROCCAN AUTONOMY INITIATIVE FOR THE SAHARA REGION AS A MEANS TO SETTLE THE CONFLICT

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Ladies and gentlemen,

Welcome to this international research seminar on: “Territorial Autonomy: an effective means for the political settlement of conflicts”, organized by the Permanent Mission of Morocco to the United Nations, which I warmly thank for taking this initiative.

This seminar is taking place ten years almost to the day after the first academic conference on this theme, hosted by the Geneva Centre for Security Policy (GCSP). At the time, the question that had been asked was: “Can autonomy fulfil the right to self-determination?” Experts from various autonomous regions of the world were then able to exchange views and compare their experience, just the way they did the following ten years. They came from a wide variety of countries or regions: Canada, the Caribbean, Denmark, Spain, France, India, Iraq, Italy, Indonesia, Mexico, Nicaragua, the Philippines, Puerto Rico, Portugal, Serbia, Switzerland, Tanzania, etc.

These experts contributed to these seminars by highlighting the whole gamut of situations that led to different forms of regional or territorial autonomy. Year after year, they were able to discuss the issue from the following angles: respect for human rights, the management of natural resources, representativeness in the negotiations, regional solidarity, the development model, the role of non-governmental organizations or external relations. But the principle that has always guided these seminars is the need to look into these different types of autonomy as the preferred way to bring about a political settlement to conflicts. These conflicts, which are often protracted, may have been caused by the persecution of ethnic or linguistic minorities, the dismantling of colonial empires or regimes, or by third countries’ ambitions. More often than not, autonomy within the borders of a central state provided a sustainable solution and avoided secession, a potential source of new conflicts, while ensuring that the population of the autonomous region would be able to freely manage its own affairs. It is precisely that balance of powers and attributions that can ensure the success of any autonomy arrangement.

This was indeed the spirit behind the Initiative put forward in April 2007 by the Kingdom of Morocco with a view to the autonomy of the Sahara Region. As stated in its content, the Initiative answers the appeal that the Security Council of the United Nations has been reiterating since 2004 for the “parties and States of the region to continue to cooperate fully with the United Nations to end the current impasse and to achieve progress towards a political solution”. It aims at bringing “*hope for a better future for the region’s populations, [at putting] an end to separation and exile, and promot[ing] reconciliation.*” Moreover,

“7. The Moroccan initiative, which is inspired by an open spirit, aims to set the stage for dialogue and a negotiation process that would lead to a mutually acceptable political solution.

8. As the outcome of negotiations, the autonomy statute shall be submitted to the populations concerned for a referendum, in line with the principle of self-determination and with the provisions of the United Nations Charter.

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9. To this end, Morocco calls on the other parties to avail the opportunity to write a new chapter in the region's history. Morocco is ready to take part in serious, constructive negotiations in the spirit of this initiative, and to contribute to promoting a climate of trust."

As can be easily seen, this Initiative offers a solution, which the Security Council has since then regularly qualified as "serious and credible", to end a conflict that has been dragging on since 1975. I would recall that it was at the request of Morocco that the territory called "Western Sahara", under Spanish colonial occupation, was in 1963 put on the agenda of the Fourth Committee of the General Assembly of the United Nations, which deals with decolonization-related issues. The idea was then to encourage an agreement between Spain and Morocco. Such an agreement came to be in the 1975 Madrid Accords that the General Assembly took note of in resolution 3458 B dated 10 December 1975. However, in the context of the Cold War, this dispute turned into a regional conflict.

With a view to definitely solving this dispute, negotiations are currently taking place under the aegis of the Security Council and the Personal Envoy of the Secretary General, between the parties, Morocco, Algeria, Mauritania and the "Polisario" supported by Algeria. After years of sterile discussions, the only breakthrough that made it possible to take the negotiations forward has been the 2007 Moroccan Initiative. As highlighted in the text of the Initiative:

"In this respect, Morocco pledges to negotiate in good faith and in a constructive, open spirit to reach a final, mutually acceptable political solution to the dispute plaguing the region. To this end, the Kingdom of Morocco is prepared to make a positive contribution to creating an environment of trust which would contribute to the successful outcome of this initiative."

In order to once again compare the autonomy statute offered by Morocco for the Sahara Region with other experiences of autonomy around the world to solve conflicts, we shall be hearing several subject matter experts. They will mostly present successful cases of autonomy in the framework of past conflicts, or look into the reasons why some failed. They will also tell us how the Moroccan Initiative could draw lessons from these for the Sahara Region.

But before that, I would like to add that these models of autonomy or their adaptation to specific contexts, could very well be replicated to solve conflicts currently going on in the world. One could think of countries fragmented along ethnic, cultural or religious lines such as in Ukraine (for its Eastern provinces, whose autonomy has been provided for in the Minsk Agreement but hasn't yet been implemented), Mali (where the Tuareg rebellion has been used by terrorist groups), Iraq (in Kurdistan), the Democratic Republic of the Congo, Afghanistan, Myanmar, Libya, Syria or Yemen, that are suffering from fratricidal civil wars. One could also mention now peaceful countries where some regions may still be tempted to secede, such as Catalonia, Scotland, Flanders, the Serbian Republic of Bosnia-Herzegovina, or the Tamil Provinces of Sri Lanka. When existing autonomy arrangements are removed or threatened, it may lead to secession, as was the case in Kosovo.

Invited experts will therefore share with us their knowledge and practice of several examples of autonomy:

- Dr **Katia Papagianni**, from the Center for Humanitarian Dialogue in Geneva, has worked on several conflicts: in Liberia, in Libya, in Syria, in Myanmar, in Ukraine, in the Philippines, in Yemen; she has also worked for the United Nations or the OSCE in Russia, in Bosnia-Herzegovina and in Iraq;
- Mr. **Thomas Benedikter**, expert on South Tyrol-Alto Adige between Italy and Austria, has also studied and worked on other conflicts in Asia where autonomy was instrumental, in Northern

India for example; unfortunately Mr. Benedikter was not able to be physically with us today, but he will present us his research via videoconference;

- Dr **Miguel González**, professor at York University in Toronto (Canada) specializes in Latin America where he has studied existing autonomy arrangements, such as in Bolivia, Colombia, Nicaragua and Honduras, in order to protect the rights and interests of indigenous populations;

- Finally, Professor **Mawardi Ismail**, former Dean of the Faculty of Law at the University of Darussalam-Banda Aceh, will share his experience of the autonomy statute of Aceh in Indonesia, which brought an end to this conflict after years of civil war.

Before giving them the floor, I wish to inform you that the International Academic Autonomy Network recently launched its website (www.academicautonomynetwork.com), which brings together the contributions of experts from all walks of life on autonomy and which have already been published by Morocco. We hope this tool will advance research on this important subject and will inspire the negotiators of new peace agreements around the world.