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This report will be issued as a document of the Security Council under the symbol S/2019/282.

1 April 2019

Situation concerning Western Sahara

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 2440 (2018), by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2019 and requested me to submit a report on the situation in Western Sahara before the end of the mandate period. It covers developments that have occurred since the issuance of my previous report, of 3 October 2018 (S/2018/889), and describes the situation on the ground, the status and progress of the political negotiations on Western Sahara, the implementation of resolution 2440 (2018) and the existing challenges to the Mission's operations and steps taken to address them.

II. Recent developments

2. In the period since my last report, my Personal Envoy for Western Sahara, Mr. Horst Köhler, has continued to accelerate efforts to advance the negotiation process. From 5 to 6 December 2018 and from 21 to 22 March 2019, he convened round-table meetings between Morocco, the Frente Popular para la Liberación de Saguía el Hamra y de Río de Oro (Frente POLISARIO), Algeria and Mauritania in Switzerland. The round-table meetings marked the first face-to-face encounters since 2012 and were characterized by a positive spirit and respectful and constructive atmosphere. In accordance with resolution 2440 (2018), my Personal Envoy briefed the Council on 29 January on the status of discussions in the round-table process and informed about the commitment of the parties and neighbouring states to continue their engagement in the political process. My Personal Envoy continues to undertake consultations with relevant interlocutors, including Security Council members, members of the Group of Friends on Western Sahara and regional organizations on the matter.
3. The situation in Western Sahara has remained relatively calm. The ceasefire, despite some significant violations, continues to hold with both parties on the whole continuing to respect MINURSO's mandate in safeguarding the rules enshrined in Military Agreement No.1 and other related agreements. They did not however always show willingness to resolve or find mitigating solutions where a violation was determined by the Mission. Both Morocco and the Frente POLISARIO attempted to justify some of their violations of Military Agreement No. 1 as being necessary to prevent drug trafficking and other criminal

activities despite the Agreement not making allowances for such activities by military forces or using military infrastructure.

4. No further presence of Frente POLISARIO “police” has been observed in the buffer strip in Guerguerat. MINURSO conducts frequent ground and air patrols in the area, adjusting the intensity of its monitoring to the prevailing situation. There was relative calm in the area until the latter part of December, despite periodic roadblocks by civilians in the Buffer Strip protesting the lack of job opportunities in Western Sahara or increases in the Moroccan fees levied for commercial traffic. From late December, obstructions on the road increased, causing heavy traffic jams. The Moroccan Coordinator wrote twice to my Special Representative advising that Morocco may decide to intervene with force if the road blockages became unresolvable. My Special Representative urged that no intervention take place, mindful of the political sensitivity of the area. The Secretary-General of Frente POLISARIO wrote to me warning against any Moroccan intervention across the berm. As of this writing, the roadblocks continue periodically, but there has been no intervention.
5. Between 4 and 7 January, the annual auto rally known as the “Africa Eco Race” crossed Western Sahara, amidst media speculation, and Frente POLISARIO denials, of plans to re-establish an armed presence inside the buffer strip at Guerguerat and obstruct the race. On 7 January MINURSO’s military observers observed the uninterrupted passage of the race convoy through Guerguerat. On the same day, MINURSO’s military observers reported the presence of four individuals in civilian clothing inside the buffer strip travelling in an unmarked vehicle who, after restoring a painted POLISARIO/“Saharawi Arab Democratic Republic” flag on stones alongside the road (present since 2016), left the area. Morocco officially denounced this presence as a violation by POLISARIO. After interviewing the individuals, the information gathered by MINURSO has not permitted to establish a violation of Military Agreement No.1 or of relevant Security Council resolutions.
6. On 2 February, a serious incident took place. After MINURSO’s military observers had left Guerguerat for the day, a young Saharawi man lit himself on fire inside the Moroccan gate, reportedly in protest against the Moroccan “border” authorities. He suffered injuries that led to his passing away on 6 February. This prompted an emotional outcry on social media from many in the Saharawi community with some of the anger directed against the United Nations and MINURSO, largely inspired by incorrect reports that MINURSO’s military observers had witnessed the incident first-hand and had not intervened. MINURSO reached out through Frente POLISARIO to correct these impressions and calm the rhetoric.

7. On 17 October, three Saharawi illicit gold miners working East of the berm gained entry to MINURSO's team site in Mijek by falsely claiming a snake bite and requesting urgent medical attention. Once inside, they revealed their engagement in clandestine gold mining in a nearby area and claimed that they were fleeing arrest by the Frente POLISARIO. After mediation by MINURSO, and with the full cooperation of the Frente POLISARIO, the three peacefully departed the team site on 18 October, but threatened retaliation against the Frente POLISARIO and MINURSO unless their gold mining activities were allowed to resume. The Frente POLISARIO informed MINURSO that they considered gold mining illicit everywhere in the Territory east of the berm and that the three men were criminals making false representations.
8. A number of demonstrations took place in the refugee camps near Tindouf, Algeria, including one on 7 February, when approximately one hundred protesters gathered in front of the UNHCR compound in Rabouni, located close to the building of the "Presidency" of the "Saharawi Arab Democratic Republic". Protesters were demanding information on the fate of Khalil Ahmed, a former adviser to the late Mohammed Abdelaziz, who has been missing in Algeria since 2009. Another protest took place at the same site on 10 February, against limitations on the import of vehicles from Europe.
9. On 6 November, His Majesty King Mohammed VI delivered an address commemorating the forty-third anniversary of the Green March, reiterating Morocco's commitment to cooperate in good faith with my efforts and those of my Personal Envoy to establish a serious and credible political process, while taking into account the lessons of the past. He also highlighted Morocco's return to the African Union and called for an end to "division and lack of unity in the Maghreb", proposing a joint political mechanism for dialogue and consultation between Morocco and Algeria "using an open-ended agenda, without conditions or exceptions".
10. In an official statement the same day, the Frente POLISARIO, while reiterating its commitment to the peace process led by my Personal Envoy, denounced the Moroccan presence in Western Sahara as "an illegal military occupation" and defined the speech as an attempt to "ignore one of the parties to the conflict", to "obstruct the efforts of the United Nations" and "determine the framework and conditions of the conflict resolution process".
11. On 16 January and 12 February, the European Parliament adopted two resolutions giving its consent respectively to the amendment of Protocols 1 and 4 to the Euro-Mediterranean Agreement and the Fisheries Partnership Agreement, and concluding a Protocol, extending their application to goods from Western Sahara. The Representative of the Frente

POLISARIO in New York wrote to the President of the Security Council on 18 January, complaining that the outcome of the vote “represents a direct blow to human rights defenders and international law. It also represents a major obstacle to the United Nations-led peace process.” On 24 January, the Moroccan Permanent Representative wrote to inform me of the agreement, noting that it marked “the culmination of a long process of technical negotiations and political consultations with the legitimate representatives of local populations and legal validations initiated between Morocco and the EU”.

12. Moroccan investments west of the berm continued as previously reported. Morocco maintains that such investments directly benefit the people of Western Sahara and are implemented in consultation with them. The Frente POLISARIO continues to protest that they are in violation of international law and of the status of Western Sahara as a Non-Self-Governing Territory. The Frente POLISARIO also continues to claim that all public expressions of dissent, especially pro-referendum or pro-independence demonstrations west of the berm are violently repressed by Moroccan security forces.

III. Political activities

13. During the reporting period, my Personal Envoy for Western Sahara, Mr. Horst Köhler, continued his exchanges on the issue of Western Sahara with relevant interlocutors, including Security Council members, members of the Group of Friends of Western Sahara and regional organizations.
14. On 29 and 30 October 2018, my Personal Envoy held bilateral meetings with President Ouattara of Côte d’Ivoire, President Sall of Senegal, and President Ramaphosa of South Africa on the margins of the G20 Compact with Africa meeting in Berlin. All interlocutors stressed the urgent need to resolve the conflict, highlighting that a mutually agreeable solution would greatly benefit the African Union and strengthen its position as a partner for stability and peace in the world.
15. From 5 to 6 December, my Personal Envoy convened an initial round-table meeting on Western Sahara in Geneva that was attended by representatives of Morocco, the Frente POLISARIO, Algeria and Mauritania. He chose the round-table format as a symbol of the willingness of people of diverging positions to find a new way forward through dialogue. The round-table was the first face-to-face meeting in the context of the political process in six years and was characterized by a sincere, respectful and constructive atmosphere.
16. At the outset of the meeting, all delegations laid out their positions and their understanding of the situation since the last round of talks in 2012. All stressed the need for compromise

and declared their willingness to engage in the political process. On many issues, the delegations reiterated longstanding and diverging positions: The Frente POLISARIO emphasized the right to self-determination of the people of Western Sahara and highlighted the legal situation. Morocco stressed that a solution had to be “realistic” and underscored the need to draw lessons from past failed attempts to achieve a resolution of the conflict. Both Algeria and Mauritania participated in the entirety of the meeting and pledged their support and strong engagement in the process.

17. During a session on challenges and opportunities for cooperation in the region, delegations expressed agreement over the high socio-economic cost of the current situation for the region, highlighting that the ongoing protracted conflict hampered cooperation, paralyzed economic development and jeopardized security in the entire Maghreb region. They further agreed on the urgent need to increase regional cooperation, not least in the light of high rates of unemployment and a growing frustration among the young generations. My Personal Envoy was encouraged by this conversation, which he interpreted as an important aspect in the search for common ground between the parties and neighbours.
18. At the conclusion of the meeting, all delegations underscored the difference in atmosphere between the Geneva round-table and previous encounters, concluding that it could mark a new beginning for the political process. The delegations issued a joint communiqué conveying their willingness to meet again in the first quarter of 2019. My Personal Envoy complemented the communiqué with a press statement, in which he reiterated his assessment that a peaceful solution to the conflict was indeed possible.
19. On 11 December 2018, while meeting with His Majesty King Mohamed VI of Morocco in Rabat, I expressed my gratitude for the constructive engagement of the Kingdom in the political process and the initial round-table meeting on Western Sahara in December in Geneva. His Majesty reiterated the Kingdom’s commitment to the political process and commended my Personal Envoy for having brought Morocco, the Frente POLISARIO, Algeria, and Mauritania together.
20. In a letter to my Personal Envoy dated 26 December 2018, Frente POLISARIO Secretary-General Ghali expressed concern about the current trajectory of the European Union’s trade policy, warning that it could pre-empt the outcome of negotiations and negatively impact the potential for progress. Highlighting the interlinkage between the political process and actions at the level of the European Union and further urged my Personal Envoy to request EU member states to use trade constructively as a positive incentive for peace.

21. From 28 to 30 January 2019, my Personal Envoy visited New York, where he held meetings with members of the Security Council and other stakeholders. In line with para 11 of Security Council resolution 2440 (2018), my Personal Envoy briefed the Security Council on 29 January 2019 on the initial round-table meeting and his plans for the way forward. He explained that a lack of trust was the core problem in the search for a solution and called on the parties to demonstrate respect for each other and a willingness to compromise. Only by planting this “seed of durability” early on in the process, would an eventual solution be enduring. He received broad support for his efforts across the membership of the Security Council.
22. On 10 February 2019, I met Frente POLISARIO Secretary-General Ghali on the margins of the 32nd ordinary session of the Assembly of the African Union in Addis Ababa. During the meeting, I reiterated my intention to relaunch the negotiations and asked for support of all parties. Secretary-General Ghali expressed his full support for my Personal Envoy and his mission and confirmed the Frente POLISARIO’s serious intention to support the search for a solution.
23. Ahead of the second round-table meeting, my Personal Envoy held consultations with Morocco, the Frente POLISARIO, Algeria and Mauritania in February and March 2019. He felt encouraged by their constructive and serious engagement and their strong commitment to intensifying discussions and establishing a negotiations process while also taking note of serious differences of opinion on the future status of Western Sahara. However, they agreed that the focus of the second round-table meeting should be on more substantive discussions regarding the future of Western Sahara as well as on ways and means to increase trust in the political process and between the parties.
24. My Personal Envoy convened the second roundtable meeting from 21 to 22 March 2019 near Geneva. The second meeting followed the format established in December 2018, assembling Morocco, the Frente POLISARIO, Algeria and Mauritania around the table. Delegations engaged courteously and openly, in an atmosphere of mutual respect.
25. Delegations welcomed the new momentum created by the first roundtable meeting in December last year. They held in-depth discussions on how to achieve a mutually acceptable political solution to the question of Western Sahara that is realistic, practicable, enduring, based on compromise, just, lasting, which will provide for the self-determination of the people of Western Sahara in accordance with Security Council Resolution 2440 (2018). In this regard, they agreed to continue the discussion in order to identify elements of convergence. There was consensus that the whole Maghreb would greatly benefit from

a solution to the question of Western Sahara. Delegations also recognized that the region had a special responsibility to contribute to a solution.

26. Delegations welcomed the intention of the Personal Envoy to invite them to meet again in the same format. They agreed that additional trust needed to be built and committed to continue to engage in the process. The Personal Envoy encouraged delegations to explore good faith gestures and build more trust.
27. The Office of my Personal Envoy has continued to work closely with other United Nations entities and partners, including the United Nations Office at Geneva, the Office of the United Nations High Commissioner for Refugees (UNHCR), the Office of the United Nations High Commissioner for Human Rights (OHCHR), humanitarian agencies active in the refugee camps near Tindouf and the International Committee of the Red Cross.

IV. Activities of the United Nations Mission for the Referendum in Western Sahara

A. Operational activities

28. As at 28 February 2019, the military component of MINURSO consisted of 235 personnel, 45 of whom were female, against the authorized strength of 245. From 1 September 2018 to 28 February 2019, MINURSO conducted approximately 395,657 km of ground patrols and 614 hours of air patrols. Cooperation between MINURSO team site commanders and the parties was generally satisfactory. The reporting period included monthly visits to approximately 1,025 units, headquarters and strongpoints and 48 training areas. Military observers also visited 917 sub units east and west of the berm and monitored more than 320 notified operational activities by both parties.
29. Due to security concerns, ground patrolling east of the berm remains restricted to a 100 km radius from team sites, and no night patrols were conducted on either side of the berm. The acquisition of a third helicopter in January has allowed MINURSO to increase its air patrols to fill the gaps in ground patrolling, and to alleviate some of the workload placed on ground patrols. The General Assembly approved funding in the MINURSO budget for financial year 2018/19 for the acquisition of protective bunkers for all team sites east of the berm, which are due to be delivered by the middle of 2019. These bunkers will contribute significantly to the existing protection of military observers in those areas, consistent with the recommendations set out in the report on “Improving security of United Nations peacekeepers: we need to change the way we are doing business”, of 19 December 2017.

30. In line with the recommendations of the independent review, MINURSO reviewed its ceasefire monitoring concept of operations, which will reduce the number of predictable and repetitive ground patrols while increasing the number of air patrols. This change, currently underway, was enabled by the deployment in January of an additional helicopter, backed by a thorough review of MINURSO's air operations to identify how to increase the quality and consistency of aerial observation outputs. In January, the Mission began a three-month test period aimed at optimizing the increased capacity for air patrols, including improved use of cost-effective technology, obtaining a more comprehensive aerial observation of the Territory focussed on those areas that are not easily reachable by ground patrols. The Mission also identified eight high-priority areas on either side of the berm in which violations have recently been discovered or are potentially occurring, and where increased scrutiny will occur.
31. MINURSO maintained sustained dialogue with both parties on addressing alleged and actual violations of Military Agreement No.1, in a context which remains marked by their mutually exclusive positions which consider any actions by the other party inside the Territory as illicit, as well as the continued lack of direct dialogue between the respective military forces. While the Mission's role in maintaining the ceasefire has not been overtly challenged, there were several instances during the reporting period where MINURSO's determination of a violation was not respected by one or other of the parties.
32. As described in my last report, the Royal Moroccan Army has built a new sand wall near Mahbas, currently extending 80.26 km north to south in parallel to the existing berm at a distance of 8-15 km. This is a significant violation of Military Agreement #1. As urged by MINURSO, work has now stopped on the wall, and observation posts along its length have been abandoned by the Royal Moroccan Army (S/2018/889, paras. 34 and 35). However, the wall is still in operation, with four gates each manned by 4 unarmed soldiers, while MINURSO had warned that such a wall would be in violation of Military Agreement No.1. The Royal Moroccan Army continues to dispute MINURSO's assessment (S/2018/889, para 35) and did not follow up on its call for de-operationalizing the wall.
33. A second strengthening of Morocco's defensive position at the berm took place near Awsard, at a location where maintenance works at the berm had been approved by MINURSO on 12 December 2018. An inspection by MINURSO's military observers on 2 February revealed the construction of a second sand wall parallel to the existing one, approximately 15 metres from the existing wall, 30 kilometres long, 3 metres high and 6 metres wide, with a ditch running parallel to it. As this constitutes a significant enlargement, rather than the maintenance which is provided for in Military Agreement #1, it was

- declared a violation on 20 February. The Royal Moroccan Army argues that the new wall is needed to protect the berm from floods and winds, as well as smugglers, a claim that is not material to the rules set out in Military Agreement #1.
34. During the reporting period, MINURSO recorded 16 additional new Royal Moroccan Army observation posts in the restricted area, at approximately 15 km from the berm in Bir Gandouz, in the southern part of the Territory. This brings the total number of new posts discovered in the area to date to 29. Thirty-eight new Royal Moroccan Army observation posts were also found in two separate areas near Oum Dreyga, also in the restricted area. The violations working group declared each of these posts a violation of Military Agreement No.1.
35. These violations have been repeatedly brought to the attention of the Royal Moroccan Army, and on 16 January, MINURSO's Force Commander raised them again with the Commander of the Royal Moroccan Army's Southern Sector, Major General Belkhir El Farouk. The Force Commander reiterated MINURSO's demand that the Mahbas sand wall and the new observation posts in Bir Gandouz and Oum Dreyga be dismantled, restoring the status quo ante. He also insisted that any plans to build new observation posts be abandoned. Major General El Farouk reiterated Morocco's argument that these installations had no military tactical or operational purposes and were only required to prevent drug smuggling and other criminal activities. MINURSO again explained that regardless of their intended purpose, these military installations constituted violations of Military Agreement #1. Efforts by my Special Representative to convince Morocco to remove these violations have so far not borne fruit.
36. Following a sustained intervention by my Special Representative, a military presence of the Frente POLISARIO at "Waypoint 6", located inside the buffer strip, 16.6 km east of the Guerguerat road was moved to a location just outside of the buffer strip. This military presence consisted of two tents, between one and two vehicles and between two and six people. The Mission continues to monitor closely the situation in Guerguerat through frequent aerial and ground patrols.
37. Between 3 and 6 January, Frente POLISARIO conducted a military exercise at an established training facility inside the area with limited restrictions near Mehaires. This exercise had been duly notified to MINURSO under the terms of art. 3.3 of Military Agreement No.1. In line with established practice, MINURSO's military observers were present at the location and observed the exercise throughout its duration. No violation was

observed on this occasion. I nonetheless reiterate the importance of ensuring that no action, in particular of military nature, be conducted that could create risks of tensions.

38. MINURSO regularly monitors a number of new buildings constructed by Frente POLISARIO in various locations east of the berm to ensure their compliance with Military Agreement No.1 and paragraph 7 of Security Council resolution 2440 (2018). One logistics hub consisting of ten new buildings near Bir Lahlou, which had already been declared a violation in 2017, has now been included in the list of long-standing violations. Eight new buildings near Mehaires, used by the military forces of the Frente POLISARIO were declared violations on 3 October. Frente POLISARIO has been asked to remove them, but has not followed up on this request. The Mission continues to urge the Frente POLISARIO leadership to address these violations and ensure any other new buildings are in compliance with Military Agreement No.1 and paragraph 7 of Security Council resolution 2440 (2018).
39. In keeping with MINURSO's warnings, no work has been conducted by the Frente POLISARIO to establish the new military observation posts which were proposed in 2018 near Bir Lahlou (S/2018/889, para. 38).
40. Over the course of the past year, Morocco has provided MINURSO and the Secretariat with various satellite images of alleged construction and military activities east of the berm, which, they suggest, may be in violation of Military Agreement No. 1 or paragraphs 7 or 8 of Security Council resolution 2414 (2018). MINURSO has assessed all of these allegations. Some of them had previously been recorded as violations by the Mission. In addition, based these images, two new violations were identified and declared, pertaining to two sites in Mehaires, one a logistics unit, and one a cluster of still-unoccupied buildings, as referred to in paragraph 38.
41. While individual new observation posts established by either the Royal Moroccan Army or the armed forces of the Frente POLISARIO in themselves do not constitute major changes to the balance of forces on the ground, especially where they are temporary in nature or manned with troops relocated from recognized positions, they nonetheless constitute violations of Military Agreement No.1. They are also significant as potential sources of tensions and further mistrust between the parties, especially when created in large numbers.
42. In the reporting period, MINURSO recorded five freedom-of-movement violations committed by the Royal Moroccan Army and six by the military forces of Frente POLISARIO. MINURSO continues to address each such violation with the parties to ensure that they are not repeated.

43. The above general violations are in addition to the previously reported long-standing violations. These include 10 long-standing violations by the Royal Moroccan Army, and four long-standing violations by the armed forces of the Frente POLISARIO (including the establishment of a logistic hub near Bir Lahlou in 2017, as described in paragraph 38 above).

B. Mine action

44. Landmines and other explosive remnants of war continue to pose a threat to MINURSO personnel and logistical convoys. As at 28 February 2019, 81 known cluster strike areas and 26 known minefields remained to be addressed east of the berm. In September 2018, the Mission's United Nations Mine Action Service (UNMAS) relocated most of its staff back to Laayoune, in order to best access the current operations, while still maintaining a small presence in Tindouf, Algeria.
45. East of the berm, MINURSO, through UNMAS conducted survey and clearance of 2,881,436 m² of land contaminated by landmines and explosive remnants of war, releasing 33 medium- and high-priority cluster strike areas and one minefield. A total of 24,500 m² (equivalent to 5,9 km) of mission patrol and logistic routes have been verified east of the berm, enabling the movements of MINURSO military observers. A total of 376 items of explosive remnants of war were destroyed, consisting of 331 submunitions, 30 anti-tank mines and 15 other unexploded ordnance. The Frente POLISARIO destroyed its last stockpile of 2,469 mines (2,465 anti-personnel mines and four anti-tank mines) on 6 January 2019 in compliance with Geneva Call's Deed of Commitment for Adherence to a Total Ban on Anti-Personnel Mines and for Cooperation in Mine Action, signed in 2005.
46. Operations east of the berm were monitored through 28 quality assurance assessments by the MINURSO UNMAS team. In addition, MINURSO, through UNMAS conducted landmine safety training for 95 newly-arrived civilian and military personnel of MINURSO as well as landmine safety refresher training sessions to eight personnel. During the reporting period, landmines and explosive remnants of war caused three civilian injuries and one civilian death as recorded in the Information Management System for Mine Action.
47. MINURSO, through its local partner east of the berm, the Sahrawi Mine Action Coordination Office (SMACO), remains in contact with the Frente POLISARIO on matters related to mine action to better ascertain the impact of landmines and other explosive remnants of war in Western Sahara. MINURSO, through UNMAS, also continues to provide technical assistance to SMACO in the areas of operations, programme management, data management, administration and finance.

48. Since October 2018, west of the berm, the Royal Moroccan Army has reported two civilian deaths due to an accident related to landmines and explosive remnants of war, as well as one injury to military personnel and one to a civilian. The Royal Moroccan Army reported the clearance of more than 126 million m² of land west of the berm and the destruction of 679 items consisting of 614 items of unexploded ordnance, 53 anti-personnel mines and 12 anti-vehicle mines.

C. Security

49. The overall security environment in Western Sahara remains relatively stable, although there have been increased reports of smuggling and other illegal activities on both sides of the berm. The risk of terrorist attack against MINURSO remains a concern due to the prevalence of malicious actors in the surrounding region. There have been no new direct and explicit threats against the mission since 2017, but the reported arrest by Morocco of one terrorist suspect in Laayoune in January and of another terrorist suspect by the Frente POLISARIO in the refugee camps in December are indicators that terrorist armed groups may continue to view Western Sahara as a target. No significant security incidents were reported in the refugee camps during the reporting period. Algeria and the Frente POLISARIO continued to provide security to UN and international NGO premises and staff in Tindouf and the refugee camps respectively. There has been an increase in migrant-related movements and people-trafficking to Europe through Western Sahara. The unauthorized entry of two individuals involved in illicit gold mining activities into MINURSO's Team Site in Mijek, east of the berm, on 17 October, illustrates the risks to the mission of such illegal activities. On that occasion, the matter was quickly resolved through good cooperation between MINURSO and the Frente POLISARIO, but MINURSO has reviewed its own security procedures for all team sites.
50. Morocco and the Frente POLISARIO retain primary responsibility for the safety and security of United Nations' personnel, assets and resources west and east of the berm respectively, and MINURSO continues to have confidence in the commitment and capability of both parties. MINURSO also completed the 2019 Security Risk Management process in mid-February, and additional security measures provided for in the 2018-19 budget are being implemented. Situational awareness west of the berm continues to be hampered by lack of access to interlocutors.

D. Substantive civilian activities

51. MINURSO provided regular reports and analysis to the Secretariat and to my Personal Envoy on developments in and affecting Western Sahara and the peace process. The

Mission's Tindouf Liaison Office closely followed developments in and around the refugee camps, making an important contribution to this analysis. The Mission's joint civilian and military analysis structure continuously assessed developments on the ground and coordinated advice to mission leadership to facilitate engagement with the parties, in order to calm tensions and prevent conflict. MINURSO received regular visits by representatives of Member States in Laayoune and in Tindouf, Algeria, and my Special Representative has maintained the practice of briefing member states, in either Rabat or New York, several times a year.

52. Relations between MINURSO and the parties continue to be good despite disagreements on a number of issues. Meetings between the MINURSO and Frente POLISARIO leadership have not resumed in Rabouni, Algeria, as had been the longstanding practice. Regular communications and daily working-level contacts are maintained through MINURSO's Tindouf Liaison Office, and through various other electronic means. Visits by my Special Representative to the refugee camps and contacts with civil society and other relevant interlocutors in the Tindouf area remain unhindered.
53. As an interim measure, my Special Representative meets the Frente POLISARIO Coordinator outside of the Mission area when a need arises. Such a meeting took place on 28 February. Such an approach is important for maintaining effective communications and a good working relationship in the furtherance of MINURSO's mandate, and directly facilitates the Mission's role in preventing conflict. However, it remains an interim measure and my earlier call for a return to the established practice of meeting in Rabouni is still unaddressed. Morocco has indicated that it objects to both the Frente POLISARIO stance and the interim solution.

E. Challenges to the operations of the Mission

54. As previously reported (*ibid.*, paras. 55–57), the diverging interpretations by the parties of the MINURSO mandate continue to pose a major challenge to the Mission's operations, which frequently lead to vocal and systematic criticism of its activities.
55. One result of such interpretations is the Mission's lack of access to local interlocutors west of the berm, which continues to limit MINURSO's ability to form an independent assessment of the situation in Western Sahara, whether for analytical or security purposes, and thereby fulfil its mandated task of assisting my Personal Envoy. These restrictions have only tightened during the reporting period, despite the request of my Personal Envoy for the assistance of my Special Representative in maintaining contacts with some local

interlocutors. This request resulted in Morocco again adamantly objecting, claiming such contacts are incompatible with MINURSO's mandate.

56. The perception of the Mission's impartiality also remains negatively affected by the longstanding imposition by Morocco of Moroccan vehicle number plates on MINURSO vehicles west of the berm (*ibid.*, para. 56), contrary to the agreement in principle reached with the Government of Morocco in 2015.
57. The threat posed by terrorist groups and organized crime in the Sahel continue to pose major security concerns, especially in the uninhabited desert expanse east of the berm, in particular with respect to the Mission's ground patrols and resupply convoys. MINURSO has full confidence in the commitment of Frente POLISARIO to protecting MINURSO static team sites, but the nature of the extremist threat from other points in the Sahel remains a concern.

V. Humanitarian activities and human rights

A. Persons unaccounted for in the conflict

58. The question of individuals who are still unaccounted for, in relation to past hostilities, remains a major humanitarian concern. The International Committee of the Red Cross continues, as a neutral intermediary, to seek avenues with the parties on this issue.

B. Assistance to the protection of Western Saharan refugees

59. UNHCR continued to provide international protection and, together with the United Nations Children's Fund (UNICEF) and the World Food Programme (WFP), delivered humanitarian assistance to Sahrawi refugees living in the five camps near Tindouf, Algeria.
60. Malnutrition and anaemia prevalence remained public health concerns. UNHCR and WFP continued to work closely together on the treatment and prevention of anaemia, stunting and malnutrition among young children, girls, and pregnant and lactating women. WFP provided mid-morning snacks to more than 40,000 boys and girls in primary schools and kindergartens, to encourage attendance and retention. To contribute to resilience and improve food security, WFP scaled up its hydroponic projects to produce fresh animal fodder and launched a fish farm project in 2019, while UNHCR continued to support bakeries. UNHCR and WFP will jointly carry out a nutrition survey in 2019 to obtain a current nutritional profile of the Saharawi refugee population and develop recommendations to improve the population's nutritional status.

61. The UNHCR led inter-agency vulnerability assessment to identify needs by sector remains ongoing. WFP completed a separate assessment to measure food insecurity among the refugee population, finding that refugees rely heavily on food assistance and only 12 percent of the Sahrawi camp population is food secure. In addition, 58 percent of refugees are vulnerable to food insecurity and 30 percent are food insecure. WFP continues to cover the refugees' basic food and nutrition needs through monthly distributions.
62. UNICEF is also present in the camps and provides support to maternal and child health programmes, including the expanded programme of immunization, child protection and primary education activities, as well as rehabilitation of water, sanitation and hygiene facilities in schools and hygiene promotion activities.
63. The main challenge for humanitarian actors remained the funding shortfall. UNHCR is struggling to meet international standards in its life-saving activities in the areas of protection, shelter, water and sanitation, health, nutrition, education, energy, provision of non-food items and livelihoods. None of the targets for 2018 were achieved in these sectors. Dispensaries and hospitals are in need of urgent rehabilitation and distribution of hygiene kits to women and girls of reproductive age were insufficient to meet needs. New water sources are urgently required as the population receives on average only about 12 litres of drinking water per person per day – well below the minimum standard of 20 litres.
64. Last year, the humanitarian community launched a multi-agency/multi-partner appeal for USD 137 million for 2018/2019, of which the three UN agencies have only received 59 per cent of their combined overall needs. UNICEF was the lowest funded at only 30 per cent, while WFP received 100 per cent of its needs at the end of 2018, and UNHCR secured 40 per cent.

C. Confidence-building measures

65. The confidence-building measures, pursuant to Security Council resolution 1282 (1999) and subsequent resolutions, to allow family links between Sahrawi refugees in the Tindouf camps and their communities of origin in the Territory of Western Sahara remain on hold. In his briefing to the Security Council on 29 January 2019, my Personal Envoy underlined the need to build trust between the parties. In this context, he proposed a resumption of family visits under the auspices of UNHCR and received support for this initiative.

D. Human Rights

66. OHCHR is concerned by the continued pattern of restrictions to the rights of freedoms of expression, peaceful assembly and association in Western Sahara . During the reporting period,¹ OHCHR continued to receive reports of harassment, arbitrary arrests, confiscation of equipment and excessive surveillance of journalists, bloggers and human rights defenders covering human rights violations in the territory.
67. Access to Western Sahara remained limited for some people. Information received by OHCHR indicate that at least 15 persons were expelled from or denied access to the territory of Western Sahara by the Moroccan authorities during the period under review, including human rights defenders, researchers, lawyers and representatives of international non-governmental organizations.
68. Torture and ill-treatment of Sahrawi prisoners in Morocco continued to be reported. OHCHR received several communications from lawyers and/or family members of the Gdeim Izik group of prisoners alleging that several members of the group were subjected to torture, prolonged solitary confinement, medical neglect, denial of family visits and access to independent monitoring mechanisms. According to sources, in the reporting period, at least four of the prisoners entered in, or continued a hunger strike that lasted from 48 hours to over 30 days. Some of these prisoners consequently developed critical health conditions.

VI. African Union

69. In a letter to my Personal Envoy dated 1 March 2019, the Chairperson of the AU Commission assured the United Nations of its support and informed my Personal Envoy that the African Mechanism established by the African Union Summit of July 2018 in Nouakchott could not convene its inaugural meeting in the margins of the 32nd Ordinary Session of the Assembly of the Heads of State and Government, as was planned, and that consultations were underway for the convening of this inaugural meeting as soon as possible.

¹ Gaps in reporting on the situation of human rights in Western Sahara persist owing to the lack of access of OHCHR to the territory. In its resolution 2440 (2018), the Security Council encouraged enhanced cooperation with OHCHR, including through facilitating visits to the region.

VII. Financial Aspects

70. The General Assembly, by its resolution 72/301 of 5 July 2018, appropriated the amount of \$52.4 million for the maintenance of the Mission for the period from 1 July 2018 to 30 June 2019. My proposed budget in the amount of \$56.4 million (exclusive of budgeted voluntary contributions in kind) for the maintenance of the Mission for the period from 1 July 2019 to 30 June 2020 has been submitted to the Assembly for its consideration during the second part of its resumed seventy-third session. Should the Security Council decide to extend the mandate of MINURSO beyond 30 April 2019, the cost of maintaining the Mission would be limited to the amounts approved by the General Assembly.
71. As at 19 March 2019, unpaid assessed contributions to the Special Account for MINURSO amounted to \$46.0 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to \$2,102.6 million.
72. Reimbursement of troop costs has been made for the period up to 31 October 2017, while reimbursement of the costs of contingent-owned major equipment and self-sustainment has been made for the period up to 30 September 2017, in accordance with the quarterly payment schedule.

VIII. Observations and recommendations

73. A solution to the conflict is possible. Finding a just, lasting and mutually acceptable political solution that will provide for the self-determination of the people of Western Sahara, however, will require strong political will not just from parties and neighbouring states, but also from the international community. I therefore call on Security Council Members, friends of Western Sahara and other relevant actors to encourage Morocco and the Frente POLISARIO to seize the current window of opportunity presented and continue to engage in good faith and without preconditions in the round-table process launched by my Personal Envoy.
74. A core problem in the search for a solution to the protracted conflict is a lack of trust on all sides in the other's willingness to engage seriously and fairly in the process. Building trust will take time, but all parties and neighbours, as well as the international community, can contribute to a process that nurtures this trust. I urge the parties to actively show "good faith gestures" that demonstrate their willingness to make progress. With the destruction

of its last remaining stockpile of landmines, the Frente POLISARIO has already taken a commendable first step in this regard.

75. The second roundtable demonstrated that all delegations are aware that many people are placing their hope in the political process, in particular those whose lives are directly affected by the conflict. The costs of the conflict over Western Sahara, in terms of human suffering, lack of prospects for the youth, and security risks, are far too high to be accepted. I therefore welcome the agreement by delegations to continue this process and to convene again in the roundtable format, and call on the parties to continue to search for a compromise.
76. I urge the parties to respect and promote human rights, including in addressing outstanding human rights issues and enhancing cooperation with OHCHR and the United Nations human rights mechanisms, and to facilitate their follow-up missions. Independent, impartial, comprehensive and sustained monitoring of the human rights situation is necessary to ensure the protection of all people in Western Sahara.
77. Since MINURSO's inception in 1991 no exchange of fire between the parties has taken place, and this is a testament to the value of the mission's daily, active conflict-prevention interventions and early-warning role. These efforts have been successful in de-escalating tensions, in resolving alleged or potential violations of the military agreements and in maintaining the parties' confidence in the ceasefire arrangements.
78. The constraints placed upon MINURSO in accessing interlocutors to support the Personal Envoy, to better advise the Council, and to inform the mission's own security awareness, are an obstacle to its effective functioning and security planning. I urge Morocco to remove these constraints and allow free access between the Mission and local interlocutors.
79. As stated in paragraph 53 above, my Special Representative met the Frente POLISARIO Coordinator outside of the mission area as an interim measure. By facilitating effective communications, such meetings are useful to enable the Mission to effectively discharge its mandate and contribute to its preventive role. I nonetheless strongly reiterate my request to resume meetings with senior MINURSO leadership in Rabouni, and urge the Frente POLISARIO to return to the long-established practice.
80. I urge the parties to maintain their productive dialogue with MINURSO and to cooperate with it in finding satisfactory resolutions to outstanding violations, both long-standing and recent, as referred to in the operational activities of this present report, and in line with the provisions of Military Agreement No.1 and other agreements related to the ceasefire, in the

established framework and in full respect for its impartiality and independence. Maintaining peaceful and stable conditions on the ground is essential to providing a propitious climate for the political process.

81. I remain concerned about the security and safety of MINURSO's unarmed military observers in Western Sahara, in particular east of the berm, where, despite a track record of protection by the Frente POLISARIO, they remain vulnerable to threats by criminal and terrorist groups. I thank both parties for their continued commitment to the protection of MINURSO personnel and facilities, and the Council for its ongoing support for the Mission's efforts to strengthen the security of its facilities which I would call to be continued.
82. I would like to thank MINURSO's troop-contributing countries for their contributions to increasing the number of women among the military observers. This has already had a notable positive impact upon the mission and supports my efforts to pursue gender parity in the United Nations. I strongly encourage them to continue in this positive direction.
83. MINURSO remains a core element of the United Nations effort to reach a just, durable and mutually acceptable political resolution to the conflict in Western Sahara, that will provide for the self-determination of the people of western Sahara. It is the essential presence of the United Nations in Western Sahara, and actively prevents conflict to maintain peace and stability in support of the peace process. It is also the main and often sole source of impartial information and advice to me, the Security Council, the Secretariat and my Personal Envoy about developments in the Territory. I therefore recommend that the Council extend the mandate of MINURSO. It's efforts remain critical to maintaining the stable, peaceful and propitious climate necessary to achieve progress in the peace process led by my Personal Envoy.
84. I thank my Personal Envoy for Western Sahara, Horst Köhler, for his continuing efforts. I also thank my Special Representative for Western Sahara and Head of MINURSO, Colin Stewart, for his dedicated leadership of MINURSO. I would like to express my gratitude to Major General Wang Xiaojun, who recently completed his tour of duty as Force Commander, and welcome Major General Zia Ur Rehman of Pakistan into this role. Finally, I thank the men and women of MINURSO for their continued commitment, under difficult and challenging circumstances, to fulfilling the Mission's mandate.

Annex

United Nations Mission for the Referendum in Western Sahara

Contribution as of 01 March 2019

<i>Country</i>	<i>Military</i>		<i>Police</i>		<i>Total</i>
	<i>Military Observer</i>	<i>Troops</i>	<i>Civilian Police</i>		
Argentina	3	-	-	3	
Austria	5	-	-	5	
Bangladesh	8	20	-	28	
Brazil	9	-	-	9	
Bhutan	1	-	-	1	
China	13	-	-	13	
Ivory Coast	2	-	-	2	
Croatia	7	-	-	7	
Djibouti	1	-	-	1	
Ecuador	4	-	-	4	
Egypt	22	-	-	22	
El Salvador	2	-	-	2	
Finland	-	-	0	0	
France	2	-	-	2	
Germany	3	-	-	3	
Ghana	7	7	-	14	
Guinea	5	-	-	5	
Honduras	11	-	-	11	

Hungary	7	-	-	7
India	2	-	-	2
Indonesian	4	-	-	4
Ireland	3	-	-	3
Italy	2	-	-	2
Jordan	2	-	-	2
Kazakhstan	5	-	-	5
Malawi	2	-	-	2
Malaysia	10	-	-	10
Mexico	4	-	-	4
Mongolia	4	-	-	4
Montenegro	1	-	-	1
Nepal	8	-	-	8
Nigeria	6	-	-	6
Pakistan	13	-	-	13
Poland	2	-	-	2
Portugal	-	-	0	0
Republic of Korea	4	-	-	4
Russian Federation	16	-	-	16
Sri Lanka	4	-	-	4
Sweden	1	-	-	1
Switzerland	1	-	-	1
Togo	2	-	-	2

Total	208	27	0	235

