

**THE EUROPEAN UNION'S POSITION ON THE WESTERN SAHARA
CONFLICT:
A BARRIER TO MEDITERRANEAN COOPERATION**

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Abstract

In 2008, the Union for the Mediterranean was established by the members of the European Union and the Mediterranean partner countries to turn the Mediterranean basin into an area of dialogue, exchange and cooperation to guarantee peace, stability and prosperity through the development of common projects. However, the Western Sahara conflict prevents the initiation of common projects between Morocco and Algeria and also puts at risk common projects in the entire Maghreb region. This article aims to explain why the European Union, despite its significant leverage on Morocco through strong economic relations and the European Neighborhood Policy's financial contributions, prefers to remain inactive in solving the Western Sahara conflict. It is argued that the European Union's inactivity is due to the policies of France, the United States and Spain on the Western Sahara conflict. France and the United States support the Moroccan autonomy plan on account of their strategic interests in Morocco and North Africa, and for the same reasons, Spain pursues a balanced policy that suits Moroccan interests. The European Union neither wants to upset these member states nor the United States by intervening in the conflict and putting diplomatic pressure on Morocco. Therefore, the European Union has adopted an inactive position on the Western Sahara conflict that seriously hinders Mediterranean cooperation efforts under the Union for the Mediterranean.

Keywords: *The Western Sahara Conflict, the European Union, the Union for the Mediterranean, Morocco.*

AVRUPA BİRLİĞİ'NİN BATI SAHRA SORUNUNDAKİ POZİSYONU: AKDENİZ'DE İŞBİRLİĞİ İÇİN BİR ENGEL

Özet

Akdeniz İçin Birlik, 2008 yılında, Avrupa Birliği ve Akdeniz'deki ortak ülkeler tarafından Akdeniz havzasını ortak projelerin geliştirilmesi yoluyla barışı, istikrarı ve refahı garanti altına alan bir diyalog, değişim ve işbirliği alanına çevirmek amacıyla kurulmuştur. Ancak, Batı Sahra sorunu Fas ve Cezayir arasında projelerin başlatılmasını engellediği gibi tüm Mağrip bölgesinde de ortak projeleri riske sokmaktadır. Bu makale, Fas ile olan güçlü ekonomik ilişkilerine ve Avrupa Komşuluk Politikası ile Fas'a sağladığı mali yardımlara rağmen Avrupa Birliği'nin Batı Sahra sorununun çözümünde neden pasif bir pozisyonda kalmayı tercih ettiğini açıklamaktadır. Avrupa Birliği'nin pasifliği Fransa, Amerika Birleşik Devletleri ve İspanya'nın Batı Sahra sorunundaki politikalarından kaynaklanmaktadır. Fransa ve Amerika Birleşik Devletleri Fas ve Kuzey Afrika'daki stratejik çıkarlarından dolayı Fas'ın otonomi planına destek vermekte, aynı nedenlerden dolayı İspanya ise Fas'ın çıkarlarına uyan dengeli bir politika yürütmektedir. Avrupa Birliği bu üyelerini ve Amerika Birleşik Devletleri'ni rahatsız etmemek amacıyla soruna müdahil olmamakta ve Fas üzerinde diplomatik baskı kurmamaktadır. Bundan dolayı Avrupa Birliği, Batı Sahra sorununda pasif bir pozisyon benimsemiştir ve bu pasif pozisyon Akdeniz İçin Birlik'in kapsamındaki Akdeniz'deki işbirliği çabalarının önünde ciddi bir engeldir.

Anahtar Kelimeler: *Batı Sahra Sorunu, Avrupa Birliği, Akdeniz İçin Birlik, Fas.*

Introduction

One of the most important regional cooperation initiatives of the European Union (EU) concerns the Mediterranean area. Following unsuccessful attempts to ensure Mediterranean cooperation with the Global Mediterranean Policy (1972-1990) and the Renovated Mediterranean Policy (1990-1995), the EU introduced the Euro-Mediterranean Partnership (EMP) in 1995 in order to effectively cope with the increasing threats of the post-Cold War period, such as terrorism, trafficking in drugs, guns and humans, the proliferation of weapons of mass destruction and illegal immigration. The main logic behind the creation of the EMP was to reduce the spread of these threats from the south Mediterranean area to Europe by ensuring socio-economic development and democratization in Mediterranean partner countries. However, the EU did not achieve its EMP targets mainly because of the Arab-Israeli conflict, in particular after the collapse of the Middle East Peace Process in 2000.

In 2007, in order to ensure real Mediterranean cooperation, the then-French President Nicolas Sarkozy tried to convince EU and Mediterranean country leaders to adopt his proposed Mediterranean Union project. After initial disagreements, in particular between Germany and France about the context of the new initiative, the Union for the Mediterranean (UfM) was created on July 13, 2008 as the re-launched EMP, with the aim of turning the Mediterranean basin into an area of dialogue, exchange and cooperation guaranteeing peace, stability and prosperity through developing common projects. The founding members of the UfM were the EU's 27 countries and 16 countries from the Mediterranean region (Tunisia, Syria, Israel, the Palestinian Authority, Morocco, Mauritania, Lebanon, Jordan, Egypt, Algeria, Montenegro, Monaco, Albania, Croatia, Bosnia Herzegovina and Turkey). However, as a result of the Israeli military operation against the Gaza Strip in December 2008, Arab states started to boycott the main institutions of the UfM, turning it into a defunct organization.

The other reasons for the UfM's failure are the various regional conflicts that obstruct the development of common projects. Like the regional conflicts in the Mediterranean area, such as the longstanding conflict between Turkey and Greek Cypriots, the Western Sahara conflict also interferes with the development of common projects. Today, the Western Sahara conflict not only prevents the development of common projects between Morocco and Algeria, which are the main conflicting countries, but also threatens projects which affect the wider Maghreb region. In fact, the EU has significant leverage on Morocco, which illegally controls some 85% of Western Sahara territories, through the European Neighborhood Policy (ENP) and strong economic relations. However, the EU does not want to intervene in the Western Sahara conflict and put diplomatic pressure on Morocco. The EU abstains from involving the conflict in order not to antagonizing France, Spain and the U.S. because France and the U.S. clearly support the Moroccan autonomy plan, while Spain pursues a balanced policy that suits Morocco, due to their strategic interests in Morocco and North Africa. The EU's resulting inactivity is a barrier to developing Mediterranean cooperation in the context of the UfM.

This paper begins by providing information on the history of the Western Sahara conflict. The second section explains the establishment, structure and aims of the UfM and then analyzes the negative impact of the Western Sahara conflict on the UfM. The third section firstly focuses on the strong relationship between the EU and Morocco in order to demonstrate the EU's significant potential leverage to impose diplomatic pressure on Morocco to convince that country to find a solution. After that, it analyzes the policies of France, Spain and the U.S. on the Western Sahara conflict to show why the EU prefers to remain inactive without putting diplomatic pressure on Morocco. The conclusion provides a general evaluation of

the situation and offers some recommendations to the EU to ease the work of the United Nations (UN).

1. The History of the Western Sahara Conflict

The Western Sahara (formerly the Spanish Sahara) is an area of 266,000 square kilometers located in northeast Africa. It borders Morocco on the north, Mauritania to the east and south and Algeria on the northeast, and has a 1,200-kilometer-long coastline on the Atlantic Ocean. Today's internationally recognized borders of the Western Sahara were determined by the Spanish- Franco treaties of 1900, 1904 and 1912. The population of the Western Sahara is 522,928 as of July 2012 (Central Intelligence Agency, 2012, November 9). The territory is rich in natural resources, particularly phosphates and uranium, while it has rich fishing grounds off its long coastline and great potential for large offshore oil reserves (Omar, 2008: 43).

As a result of the Berlin Conference (1884-1885), at which the European powers divided Africa, Spanish colonization began in the Western Sahara. After long Spanish domination, in 1965, the UN involved itself in the Western Sahara issue with the General Assembly's first resolution requesting the government of Spain, as the administering power, to take immediately all necessary measures for the liberation of the Spanish Sahara from colonial domination (United Nations, 1965: 59-60). In 1966, the UN General Assembly this time called on Spain to take all necessary steps to hold a referendum on self-determination in the Western Sahara (United Nations, 1966: 72-73), and by 1973, the General Assembly had adopted six more resolutions requesting Spain to hold a referendum on self-determination. The Polisario Front (*Popular Front for the Liberation of Saguia el-Hamra and Rio de Oro*), a guerrilla group seeking independence for the Western Sahara, was founded in 1973. In early 1975, Spain announced it would hold a referendum. However, King Hassan II of Morocco opposed this, proposing arbitration by the International Court of Justice (ICJ) instead. The ICJ, in its advisory opinion on October 16, 1975, found that there were ties between the Moroccan King and some of the tribes of the Western Sahara, although it also concluded that these ties were not sufficiently important to affect the population's right to self-determination. The ICJ therefore argued that the Sahrawis were the owners of the territory, and therefore they had right of self-determination (International Court of Justice, 1975). One day after the ICJ's opinion, King Hassan called on Moroccans to make a "Green March" that aimed to put pressure on the Spanish authorities. In November, nearly 350,000 civilian Moroccans crossed into the Western Sahara to show their support for their king's aim to annex the territory.

Following the Green March, Spain signed the Madrid Accords with Morocco and Mauritania on November 14, 1975. The agreement, which was not recognized by the UN, resulted in Spanish withdrawal from the Western Sahara and turning

over administrative responsibilities to Morocco and Mauritania. Algeria and the Polisario Front, which had demanded independence, strongly opposed the agreement. In 1976, as a result of the agreement, Morocco annexed the northern two-thirds of the Western Sahara while Mauritania acquired the southern third. In the same year, the Polisario Front, diplomatically and militarily backed by Algeria, declared the independent Sahrawi Arab Democratic Republic (SADR)¹ and started a guerrilla warfare campaign against the occupying forces. Although Mauritania announced its withdrawal from the southern parts of the region in 1979 as a result of the Polisario Front's military struggle, Morocco soon after took control of these formerly Mauritanian regions. The ensuing military struggle between Morocco and the Polisario Front continued until the UN implemented a cease-fire in 1991.

Due to the pressure from Perez de Cuellar, Secretary-General of the UN, in 1985, King Hassan of Morocco had to accept a referendum for the self-determination of the Western Saharan people. After, Perez de Cuellar sent his settlement proposal to Morocco and the Polisario Front, and the UN's Settlement Plan came into effect in April 1991 after its approval in the Security Council. The plan first established a ceasefire between the parties. Next, in order to carry out the referendum, the plan required the creation of the United Nations Mission for Referendum in Western Sahara (MINURSO), composed of civilian, military and police components (Theofilopoulou, 2006: 3). However, on December 15, 1995, as a result of disagreements on the identification of voters in the referendum, Boutros Ghali, Secretary-General of the UN, stressed that he was not optimistic about the implementation of the referendum and instead indicated the need to start direct talks between the parties. However, the Polisario Front rejected talks because of the precondition that there be no mention of independence for Western Sahara. In May 1996, the Security Council decided to suspend the identification of voters and reduced the military presence of MINURSO.

On January 1, 1997, Kofi Annan was appointed as the new Secretary-General of the UN and, three months later, he appointed James Baker, former U.S. Secretary of State, as his personal envoy for Western Sahara. Baker convinced the parties to sign the Houston Accords, which reactivated the Settlement Plan. This also led MINURSO to resume the identification of voters for the referendum on self-determination in December 1997, which it finalized in January 2000. However, Morocco then rejected the referendum due to its fear of losing the vote (Omar, 52), which led Annan to decide to abandon the winner-take-all nature of the referendum (independence or integration), instead calling on Baker to find a compromise solution (Mundy, 2004: 130).

¹ The SADR is now recognized by more than 80 countries, and is a full member of the African Union.

In September 2000, Baker proposed a draft Framework Agreement (FA) for a five-year autonomy period followed by a referendum. The draft FA, which was accepted by the Security Council in June 2001, granted extensive administrative autonomy to the Sahrawis while recognizing the sovereignty of Morocco over the Western Sahara. However, it is important to note that the draft FA did not mention the options in the referendum for the final status of the Western Sahara. Baker's first plan was accepted by Morocco but rejected by the Polisario Front and Algeria on the grounds that it could lead to the integration of the territory with Morocco. In July 2002, the Security Council asked Baker to pursue his efforts to find a solution, indicating that it would consider supporting any approach which would provide self-determination (Theofilopoulou, 9-11). Baker, with UN support for his efforts, presented his second plan in 2003, called the "Peace Plan for Self-Determination of the People of Western Sahara". The most significant difference in the second plan was the options it presented on the final status of the territory after the five-year autonomy period: independence, autonomy or integration with Morocco. The second plan was accepted by the Polisario Front and Algeria, but Morocco, with the strong support of France, rejected it for including the option of independence (Roussellier, 2005: 326- 328). After the collapse of the second plan, Baker resigned in June 2004.

Having rejected the second Baker plan, Morocco argued that it was still willing to give Sahrawis autonomy as long as the sovereignty, national unity and territorial integrity of Morocco were respected. In April 2007, Morocco sent its new proposal, which later gained the support of the U.S., France and Spain, to Ban Ki-Moon, UN Secretary-General. The new Moroccan proposal, which was called the "Moroccan Initiative for Negotiating an Autonomy Statute for the Sahara Region", was in fact along the same lines as Baker's plans in terms of the powers of the local administration. The only matters that Rabat wanted to control were foreign affairs, defense and the currency. In addition, although the proposal included a referendum concerning the region's autonomous status, it did not clarify whether the people of the Western Sahara could choose independence or integration into Morocco (Sola-Martin, 2009: 131). Therefore, the Polisario Front strongly rejected it. In response to the Moroccan proposal, the Polisario Front sent its own counter-proposal to the UN, entitled "Proposal of the Frente Polisario for a Mutually Acceptable Solution that Provides for the Self-Determination of the People of Western Sahara", which demanded a referendum on self-determination, including the options already endorsed by the Security Council. The effect of these one-sided proposals, particularly the Moroccan one, was to further the deadlock in the Western Sahara conflict. Since his appointment to the post of Personal Envoy of the UN Secretary-General for Western Sahara in 2009, Christopher Ross, former Ambassador of the U.S. to Syria and Algeria, has been working to convince the parties to reach a just, lasting and mutually acceptable political solution, which can provide for the self-

determination of the people of Western Sahara. Ross has several times urged the parties to move swiftly into serious negotiations, and has asked key members of the international community to use their influence to encourage the parties to do so (Ross Calls for a Settlement, 2012, November 12).

Since the beginning of the Western Sahara conflict in the mid 1970's, its cost has been very high, not only in terms of humanitarian, economic and political harm for the main conflicting parties, namely Morocco, the Polisario Front and Algeria, but also for the international community and regional economic and political integration efforts among the Maghreb countries. The EU has also been affected by this conflict, particularly regarding the UfM's aim of developing projects in the southwest Mediterranean, which has been blocked by disagreements between Morocco and Algeria over the Western Sahara.

2. The Impact of the Western Sahara Conflict on the Union for the Mediterranean

The main purpose of the EU in developing regional cooperation policies is to ensure its own security. It considers that disseminating economic, political, social and cultural benefits through regional cooperation should lead to peace, economic development and prosperity in the countries on its periphery, which should prevent threats from these countries reaching Europe, such as international terrorism, illegal immigration, drug and human trafficking. Besides, the EU wants to increase trade and investment opportunities for its own economic actors. With these aims, the EU started to create and implement regional cooperation policies with African countries in the 1960s, expanding them to include Mediterranean, Middle Eastern and East European countries during the 1970s and 1980s. Since the end of the Cold War, the EU has accelerated its regional cooperation efforts (Smith, 2006: 69-70), and created the European Economic Area in 1994, the Northern Dimension in 1999, the ENP in 2004, the Central Asia Strategy in 2007, the Black Sea Synergy in 2008 and the Eastern Partnership in 2009.

In addition, the EU has developed several initiatives for Mediterranean countries, which are the main sources of threats like terrorism, and cross-border trafficking in drugs, women, illegal migrants and weapons (Council of the European Union, 2003: 3-5). In this context, the EU created the Global Mediterranean Policy in 1972, the Renovated Mediterranean Policy (RMP) in 1990 and, more comprehensively than the previous two, the Euro-Mediterranean Partnership (Barcelona Process) in 1995. However, since these initiatives all eventually failed, in 2008, the EU decided to create the UfM, which was envisaged as the continuation of the EMP, in order to achieve regional cooperation through projects.

The then-French President Nicolas Sarkozy made great efforts in 2007 and 2008 to convince other EU members, and the Mediterranean countries, to accept his Mediterranean project. After initial disagreements, the deal was reached on March 3, 2008, between France and Germany regarding the context of the new initiative. The Franco-German deal paved the way for the creation of the UfM. On March 20, 2008, the European Commission, realizing that the EMP was no more than a forum, decided that Sarkozy's new initiative needed more institutionalization and financial support for common projects to achieve Mediterranean integration (European Commission, 2008). At the Paris Summit of July 13, 2008, the 27 member states of the EU and 16 countries from the Mediterranean region (Tunisia, Syria, Israel, the Palestinian Authority, Morocco, Mauritania, Lebanon, Jordan, Egypt, Algeria, Montenegro, Monaco, Albania, Croatia, Bosnia Herzegovina and Turkey) established "The Barcelona Process: The Union for the Mediterranean" with the aim of making the Mediterranean an area of peace, democracy, cooperation and prosperity. With the declaration of the member countries of the new initiative in Marseilles on November 4, 2008, the name "The Union for the Mediterranean" began to be used.

The main logic and target of the UfM is to strengthen relations between the EU and the Mediterranean countries through financially empowered projects. Six priority project areas were determined at the Paris Summit of July 2008. The first is the de-pollution of the Mediterranean, including coastal and protected marine areas, particularly in the water and waste sectors. The second is the creation of maritime and land highways to increase the flow and freedom of movement of people and goods. The third is the introduction of a joint Civil Protection program on prevention, preparation and response to disasters, linking the Mediterranean region more closely to the EU Civil Protection Mechanism. The fourth is the research and development of alternative sources of energy (the Secretariat was tasked with exploring the feasibility, development and creation of a Mediterranean Solar Plan). The fifth project area is the promotion of higher education and scientific research in the Mediterranean and the establishment of a "Euro-Mediterranean Higher Education, Science and Research Area" in the future. The sixth project area is the promotion of small and medium-sized enterprises in the Mediterranean partner countries by assessing the needs of these enterprises, defining policy solutions and providing them with resources in the form of technical assistance and financial instruments (Secretariat of the UfM, 2008b: 19-20).

In order to achieve the goals and realize the projects, more institutionalization was provided for the UfM. Thus, in addition to the existing institutions of the EMP, the parties agreed to create biennial summit of the Heads of State and Government, charged with giving political guidance to the partnership and endorsing a broad two-year work program, the Permanent Joint Committee, assigned to assist and

prepare the meetings of senior officials and ensure appropriate follow-up, the Secretariat (in Barcelona), mandated to work on projects just in technical nature, and the Co-Presidency (including one country from the EU and one country from the Mediterranean partners), authorized to call and chair the summits, all ministerial meetings, senior officials meetings, and a Joint Permanent Committee. In addition to these new institutions, the existing institutions of the UfM were charged with new missions to fulfill the objectives of the UfM. Accordingly, the mission of the Foreign Affairs Ministerial meetings was specified as reviewing progress in the implementation of the conclusions of the summits, preparing future summit meetings and approving new projects. Sectoral Ministers were mandated to review the progress made in each policy area of the partnership, while the Senior Officials were authorized to deal with all aspects of the initiative. They convene regularly to prepare ministerial meetings and to submit projects and proposals and the annual work program for adoption (Secretariat of the UfM, 2008b: 13-16; Secretariat of the UfM, 2008a: 3-5).

The UfM, however, started to collapse soon after its creation, primarily because of the Arab- Israeli conflict, which brought its main institutional structure into political deadlock. As a result of Israel's military strike on the Gaza Strip in December 2008, known as the Gaza War, the Arab countries, encouraged by Egypt, began boycotting the UfM's leading institutions. Due to this, most importantly, the Summits of Heads of State and Government have not gathered since 2008. In addition, the Arab countries boycotted the Foreign Affairs Ministerial Meetings in order to show their reaction to Avigdor Lieberman, the Israeli Foreign Minister. The Sectoral Ministerial and Senior Officials Meetings have also been affected by the Arab-Israel conflict. For instance, in April 2010, as a result of terminological disagreements, the Water Strategy document was not accepted (Med Water Conference Ends in Failure, 2010, April 13). Due to these developments, the UfM reached political deadlock and ceased to function.

The second reason behind the failure of the UfM is the negative impact of other regional conflicts on the development of common projects. As earlier mentioned, the UfM wants to reach its aims through projects, by offering support to regional, sub-regional and transnational projects (or national projects in the framework of regional strategies or initiatives) submitted by the private sector, civil society, national or regional authorities, institutions and sectoral ministerial meetings. These projects must be compatible with the project priority areas identified by the Heads of State and Government in the Paris Declaration or those covered by the Secretariat's Work Program, and consistent with the UfM's general political and development criteria. In addition, the submitted projects must contribute to the implementation of regional strategies or initiatives (Secretariat of the UfM, 2012). However, problems between Turkey and the Greek Cypriots have become a serious

obstacle to the development of common projects involving these UfM members. The disagreements between Morocco and Algeria over the Western Sahara, which also created a border conflict between them, are serious impediments to the project-based aims of the UfM as well. These two countries' tense relations have not only obstructed the development of projects between them, but also threaten projects that involve the entire Maghreb region (Sarkozy's Mediterranean Union on Hold, 2009, March 16).

Algeria makes no territorial claims on the Western Sahara today, although it formerly claimed that the Western Sahara's northeast region, which borders Algeria, belongs to the Algerian Sahara. This claim was among the most important reasons behind the war with Morocco in 1976. Algeria also recognized the independence of the SADR in 1976. Since that time it has given financial and military support to the Polisario Front's guerrillas, and still supports the independence of the Western Sahara by defending the Polisario Front's arguments in international platforms. In 1994, the bombing of the Atlas Asni Hotel in Marrakech worsened Algeria's relations with Morocco as the latter blamed Algeria for the bombing and expelled all Algerian residents and tourists. In retaliation, Algeria closed its land border with Morocco. As a result, economic relations between Maghreb countries have suffered for 18 years. The disagreements between Morocco and Algeria on the Western Sahara have also had a negative impact on efforts to economically integrate the Maghreb region. Most importantly, the summits of the Arab Maghreb Union, established in 1989 by Morocco, Algeria, Libya, Tunisia and Mauritania to increase free trade, have not gathered since 1994 (Open that Border, 2010, May 27). Yet, although the conflict has led to instability in the region and damaged the EU's UfM initiative, the EU is still unwilling to involve itself in solving the conflict. The following section explains the reasons for the EU's inactivity.

3. The European Union's Position

In its European Security Strategy (ESS), which was adopted by the European Commission in 2003, the EU emphasized that both violent and frozen conflicts persisting on EU borders threaten regional stability. These conflicts, according to the ESS, destroy human lives and social and physical infrastructures; they threaten minorities, fundamental freedoms and human rights. In addition, the ESS emphasized that conflict can lead to extremism, terrorism and state failure; it also provides opportunities for organized crime (Council of the European Union, 2003: 4). In the ESS, the EU pointed out the Mediterranean area suffers from economic stagnation, social unrest and unresolved conflicts. In order to fight the resulting regional instability, the EU indicated the importance of engagement with Mediterranean partners through more effective economic, security and cultural cooperation (Council of the European Union, 2003: 8). Today, the Western Sahara

conflict is the most important reason for instability in the southwest Mediterranean and, as analyzed in the previous section, it also hinders the achievement of the aims of the UfM.

The EU's stance on the Western Sahara conflict is disappointing in its passivity. Historically, compared to other UN-supervised disputes in the Mediterranean, such as Cyprus and Israel-Palestine, the EU has taken a backseat position in the Western Sahara conflict. The EU first declared its neutrality in this conflict. Then, from 1988, it has supported the initiatives of the UN in a passive manner (Darbouche & Colombo, 2010: 5). That is, unlike the UN and the U.S., the EU has never played a prime diplomatic or mediating role in the Western Sahara conflict (Benabdallah, 2009: 433). Today, the EU sees the Western Sahara conflict as resolvable primarily within the UN framework, so the conflict is not on the EU's policy agenda (Gillespie, 2010: 89). The EU even lacks a special envoy and provides no border assistance mission for the Western Sahara conflict (Darbouche & Colombo, 9). EU institutions have also kept their silence on this conflict, except the European Parliament which has several times acknowledged the self-determination right of Sahrawi people and openly criticized Morocco's illegal occupation (Darbouche & Colombo, 7). However, in 2012, the European Parliament also contradicted itself by approving the EU-Morocco Agriculture Agreement that included the Western Sahara territories. This agreement, backed by the European Commission, immediately lifted tariffs on 55 percent of Moroccan farm exports to the EU compared 33 percent before. In return, Morocco agreed to eliminate tariffs on 70 percent of agricultural imports from the EU within 10 years, compared to 1 percent before (EU Parliament Approves, 2012, February 16). What is certain is that the EU is in the strongest position to put diplomatic pressure on Morocco to permit the referendum on self-determination that the UN has demanded to be held. Because, as analyzed below, the EU is Morocco's biggest economic partner and Morocco is the largest recipient of EU funds under the ENP.

Bilateral relations between the EU and Morocco date back to the 1960s. In 1969, a trade agreement was signed that exempted manufactured goods from duties. Under the Global Mediterranean Policy, the two parties further developed their economic relations by signing the Cooperation Agreement of 1976, which included trade arrangements and financial participation in the form of donations to Morocco's socio-economic development. Between 1976 and 1996, to accompany the Cooperation Agreement, four financial protocols were signed. During this period, Morocco received €574 million from the Community budget and €518 million in the form of loans from the European Investment Bank (European Commission, 2007: 17). With the introduction of the EMP in 1995, the EU and Morocco signed the Association Agreement in 1996, which came into force in 2000. Replacing the former Cooperation Agreement, the Association Agreement

added new areas of cooperation, particularly political dialogue and cultural exchange. In 1996, Morocco started to get financial support from the MEDA Program, the financial instrument of the EMP, which allowed the EU to significantly increase its financial support to Morocco compared to earlier financial protocols. From 1996 to 2006, Morocco received approximately €1.5 billion in financial support from the MEDA, which made it the largest recipient of EU funds of all Mediterranean partners (European Commission, Development & Cooperation - Europeaid, 2012, September 27). Morocco has further developed its economic and political relations with the EU in the 2000s by participating in the EU's regional cooperation initiatives, becoming among the first countries of the Mediterranean to conclude an Action Plan under the ENP in 2004, and joining the UfM in 2008.

The EU is Morocco's leading trading partner, investor and most important touristic market (European Commission, 2007: 3). The trade volume between the EU and Morocco has been growing fast, by over 80% between 1995 and 2007. In contrast to decreasing European demand in world markets due to the global financial crisis, trade volumes between the EU and Morocco grew by over 20% between 2007 and 2011, reaching €23.9 billion in 2011 (Morocco exports: €8.7 billion, Morocco imports: €15.2 billion). It is important to note that the EU-Morocco Agriculture Agreement, which was approved by the European Parliament on February 15, 2012, and the introduction of the free trade area in industrial products on March 1, 2012, are expected to significantly increase trade volume between the parties. In addition, most of the foreign direct investments made in Morocco came from within the EU, particularly from France. In 2010, the EU's direct investment in Morocco (stocks) was €15.2 billion, almost 60% of the EU total share of investments (stocks) in the Mediterranean area (€ 25.4 billion) (European Commission, Directorate General for Trade, 2012, October 24).

Besides strong economic relations with the EU, Morocco is the largest beneficiary of the European Neighborhood and Partnership Instrument (ENPI) of the ENP. The accession of the Central and Eastern European Countries, as well as Cyprus and Malta in 2004 changed the EU's borders and thus its neighbors, which brought both new challenges and new opportunities for the EU. Therefore, in 2004, the EU decided to create the ENP to promote prosperity, stability and security in its periphery. The ENP is composed of 16 non-candidate countries.² It depends on bilateral treaties in which the EU considers partner countries' individual capacities and requirements. After publication of country reports, the EU produces Action Plans that define both short- and long-term reforms (3-5 years) which the partner

² The partner countries of the ENP are Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine, Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, the Occupied Palestinian Territory, Syria and Tunisia.

countries are expected to fulfill. This bilateral approach also distinguishes the ENP from the UfM, which mainly concerned common projects. In 2007, the ENPI was introduced by the EU as the financial instrument of the ENP, after which the EU abolished its former instruments, the MEDA and TACIS. The ENP partner countries receive financial support from the ENPI according to the level of democratic reforms they introduce. For example, as a result of political reforms implemented since the accession of Mohamed VI to the Moroccan throne in 1999, the EU gave 'Advanced Status' to Morocco in the ENP in 2008. Morocco today is the largest beneficiary of the ENPI, receiving €654 million in 2007-2010 and €580.5 million for 2011-2013 for the development of social policies, economic modernization, good governance and human rights, institutional support and environmental protection (European Commission, Development & Cooperation - Europeaid, 2012, September 27). However, neither Morocco's Association Agreement nor Action Plan mentions how to deal with the Western Sahara conflict. The EU's reluctance to involve itself in the Western Sahara conflict by putting pressure on Morocco, even though it is in a strong position through the economic relations and financial allocations of the ENP, stems from the policies of France, the U.S. and Spain, as detailed below.

France is the most important supporter of Moroccan claims on the Western Sahara among EU member countries. Even though France has preferred to remain committing to the UN process at the declaratory level as a political tactic, it has always given clear support to Morocco. For example, during the invasion of the Western Sahara by Morocco and Mauritania, France gave both countries diplomatic support in the Security Council and also provided them arms. In November 1977, France even sent its troops to help Mauritania's fight against the Polisario Front (Benabdallah, 429). In 2001, the then-French President Jacques Chirac, while visiting Morocco, went further regarding Moroccan sovereignty claims on the Western Sahara by referring to the territory as the "southern provinces of Morocco" (Chirac Stirs Tension in Sahara, 2001, December 3). During President Sarkozy's term of office (May 16, 2007-May 15, 2012), France gave strong support to the Moroccan autonomy plan. For instance, on October 23, 2007, Sarkozy stated in the Moroccan parliament that "I hope to see Morocco's autonomy plan serve as the basis of negotiation in the search for a reasonable resolution. France will be at your side" (Sarkozy juge sérieux le plan d'autonomie, 2007, October 23). Under the current administration of new French President, François Hollande, Paris has renewed its backing for the autonomy plan. For example, in July 2012, Pascal Canfin, the Development Minister of France, said at a press conference held in Rabat that "France's position on the Western Sahara issue remains the same ... the Moroccan autonomy plan is the only realistic basis for negotiations" (Morocco's Autonomy Plan, 2012, July 20).

France believes that the solution to the Western Sahara conflict cannot be reached at the UN. Instead, it claims that it significantly depends on Algeria negotiating with Morocco, a view which irritates Algeria. According to Algeria, the conflict is not between Algeria and Morocco because the former no longer has any territorial claims over the Western Sahara; rather, the conflict concerns decolonization and self-determination that must be completed (Darbouche & Zoubir, 2008: 99). In reality, France's staunch support for Morocco's aim to prevent the establishment of an independent Sahrawi state stems from its own strategic interests. Firstly, France fears that a Sahrawi state would destabilize Morocco, in which France has important economic interests, as France is Morocco's main trading partner and principle external investor. The trade volume between these countries reached €7.8 billion in 2011, with €4.6 billion Moroccan imports and €3.2 billion Moroccan exports. In addition, despite a 57% decrease in 2011, France continues to be the largest investor in Morocco, with French foreign direct investment (FDI) representing 48% of the cumulative FDI total in Morocco between 2009 and 2011 (Moroccan Investment Development Agency, 2012: 6). Secondly, France fears that a Sahrawi state would fall under Algerian and Spanish influence. Thirdly, in particular after the September 11 terrorist attacks, France considers that a Sahrawi state might become a failed state in which terrorist organizations could shelter (Darbouche & Zoubir, 99).

Like France, the U.S. is strongly in favor of the Moroccan autonomy plan due to its strategic interests in Morocco and North Africa. The U.S. and Morocco have longstanding peaceful and special relations since Morocco officially recognized U.S. independence by signing a treaty of peace and friendship in 1786 at Marrakech. When, in 1912, Morocco became a French protectorate with some parts of Morocco also coming under the Spanish rule, the U.S. did not recognize these countries' control of Morocco until October 20, 1917. Morocco gained its independence in 1956 and the U.S. immediately recognized its independence. Since then, Morocco became one of the most important allies of the U.S. in the Arab world on account of its support for U.S. foreign policy interests. In this context, during the Cold War years Morocco sided with the western world against the threat of communism. It also sent its troops to Saudi Arabia to show its support for the U.S.-led war to liberate Kuwait from Iraqi occupation in 1991. Since the September 11 terrorist attacks, Morocco has closely cooperated with the U.S. to prevent the spread of terrorism from North Africa. In return for this support, the U.S. has given more aid to Morocco than any other African or Arab country since the 1950s, except Egypt. In addition to political relations, economic relations are important. In 2004, the U.S. signed a free trade agreement with Morocco that came into force in 2006. Today, Morocco is the 55th largest trading export market for U.S. goods, while the U.S. is Morocco's sixth largest trading partner (U.S. Department of State, 2012, September 11).

Even though Morocco was its strategic ally during the Cold War, the U.S. took a neutral position on the Western Sahara conflict from 1977 to the Bill Clinton administration's second term. Toward the end of his second term, President Clinton slightly changed U.S. policy in favor of Morocco when he realized that the inability of diplomatic efforts to resolve the conflict meant a continuing threat to regional stability (Slimi, 2009). Under the George W. Bush administration, the U.S. furthered its support for Morocco in 2007 by describing the Moroccan autonomy plan as "serious and credible" and urging the conflicting parties to work on its details. The U.S. support for the Moroccan autonomy plan has not changed under the Barack Obama administration (Saidy, 2011: 88-89). For instance, in Marrakech in November 2009, Hillary Clinton, Secretary of State, clearly expressed U.S. policy on the conflict: "This is a plan ... that originated in the Clinton Administration ... I don't want anyone in the region or elsewhere to have any doubt about our policy, which remains the same" (U.S. Department of State, 2009, November 3).

The U.S. support for the Moroccan autonomy plan also stems from strategic interests to prevent terrorism developing in, and spreading from North Africa. Firstly, the U.S. fears that an independent Sahrawi state would cause regional instability, and that this state could become a haven for terrorists. In order to prevent such risks, the U.S. prefers the Moroccan autonomy plan as a realistic and credible solution. Secondly, the U.S. considers that bringing together the Maghreb states to fight against terrorism in the Sahel depends on a realistic and credible solution to the Western Sahara conflict. Thirdly, the U.S., taking into account the close connection of economic issues with security, sees that the conflict hinders economic cooperation efforts in the region, which thereby increases the threat of terrorism. Specifically, the Maghreb countries' current unwillingness to economically cooperate with one another, the closed land border between Morocco and Algeria, and the failure of the Arab Maghreb Union to improve economic cooperation are totally against U.S. interests. Thus, the U.S. considers that the only way to foster economic cooperation is to solve the conflict through a realistic and credible plan (Saidy, 89- 91).

While French and the U.S. policies on the Western Sahara conflict obviously favor Morocco by giving support to its autonomy plan, Spanish policy under Prime Minister Mariano Rajoy, since his arrival in office on December 11, 2011, can be defined as balancing Spanish support for the UN resolution of Sahrawi self-determination with upholding its interests in Morocco and the North Africa. In reality, however, this policy, which favors the maintenance of the status quo, without doubt suits Morocco, which sees deadlock as being in its interest. It should also be noted that Spain, the former administrative power, has vacillated over the Western Sahara conflict since its inception. For example, under the dictator

Francisco Franco, Spain never accepted Moroccan sovereignty claims over the Western Sahara, but due to U.S. pressure it had to sign the Madrid Accords in 1975. In the late 1970s, for economic and strategic reasons, Spanish governments preferred to adopt a balanced policy in the face of conflicting pressures from Morocco, Algeria and the Polisario Front. During the 1980s and early 1990s, socialist governments tried to create positive relations with both Morocco and Algeria. As a result, Spain became Morocco's second most important economic partner after France, while Morocco refrained from vigorously claiming territorial sovereignty over Spain's North African enclaves of Ceuta and Melilla (Benabdallah, 427).

Under the rule of Prime Minister José María *Aznar*'s conservative Popular Party (PP), between 1996 and 2004, Spain's relations with Morocco deteriorated because of the Parsley Island conflict, illegal immigration to Spain, disputes over sovereignty in Ceuta and Melilla, the fisheries issue and Spanish opposition to Moroccan claims on the Western Sahara (Benabdallah, 427; Spain's Aznar, 2000, May 23). Regarding the issue of the Western Sahara, for instance, in April 2002 in Washington, Aznar explained to President George W. Bush his strong opposition to the annexation of the Western Sahara by Morocco and, in July 2002, his government publicly stated that "Spain's wish is that there be a peaceful solution to this problem within the framework and resolutions of the United Nations" (Zoubir, 2007: 172).

In March 2004, the Spanish Socialist Workers' Party (PSOE), led by José Luis *Zapatero*, won the general election. During his term of office, *Zapatero* strived to improve Spain's relations with Morocco. His most important step was to offer official support to the Moroccan autonomy plan of 2007. *Zapatero*'s move stemmed specifically from the shocking Madrid train station bombings of March 11, 2004. *Zapatero*, considering that Al-Qaeda was very active in the Saharan territories and that Morocco was a bridge between Africa and Spain, believed he had no other choice except to cooperate with Morocco to prevent the spread of international terrorism to Spain. For the Polisario Front, Spanish policy on the Western Sahara under *Zapatero* was extremely aggravating, as Bouchraya Beyoun, the representative of the Polisario Front in Spain, emphasized during PSOE's final days in power: "*Zapatero* has brought great harm to the Sahrawi people for eight years in power due to its support to the Moroccan thesis, thus extending the Moroccan occupation of Western Sahara" (*Zapatero*'s Government, 2011, December 8).

When Mariano Rajoy won the Spanish elections with the PP in November 2011, Morocco feared that Spain would not maintain *Zapatero*'s obvious support for the Moroccan autonomy plan. However, under Prime Minister Rajoy, Spain chose to adopt a balanced policy on the Western Sahara conflict that does not threaten

Moroccan interests. On the one hand, Spain supports a referendum for self-determination in the Western Sahara under the framework of the UN. For instance, on September 26, 2012, before the 67th session of the UN General Assembly, Rajoy stated that “Spain maintains its active commitment to a just, long-lasting and mutually acceptable political solution to the dispute in Western Sahara, one that foresees the self-determination of the people of Western Sahara in accordance with the principles and objectives of the United Nations Charter” (Spain Affirms, 2012, September 26). This approach stems from a combination of Spain’s moral responsibilities as the former administrating power of the Western Sahara, strong pro-Polisario public opinion in Spain, and the importance of Algerian natural gas supplies to Spain.

In accordance with Rajoy’s balanced policy, on the other hand, Spain sometimes comes close to supporting Moroccan claims on the Western Sahara in order not to threaten its strategic interests in Morocco and North Africa. First, Spain does not want to upset Morocco due to its fear of the spread of terrorism, illegal immigration, and drug and gun smuggling from Morocco to Spain. Second, in particular during the current economic crisis, Spain does not want to shake its strong economic relations with Morocco. Third, Spain fears becoming involved in another conflict with Morocco over Ceuta and Melilla. In this respect, for instance, Morocco was very satisfied by the Spanish Foreign Minister *José Manuel García-Margallo*’s remarks on the Western Sahara during a conference held at the headquarters of the UfM on September 19, 2012. In his speech, *García-Margallo* said that “probably, Morocco’s biggest challenge will be how to implement autonomy in the southern territories” (*Morocco Satisfied*, 2012, October 3). This emphasis by Spain’s chief diplomat on the “southern territories” was read by Morocco as entailing Spanish support for its sovereignty claims over the Western Sahara. It should also be noted that Rajoy’s balanced policy does not annoy Morocco; instead, it suits its interests because Morocco prefers the continuation of status quo on the conflict and does not want to see any diplomatic pressure from Spain as the former colonial power in the Western Sahara.

Conclusion

On the Western Sahara conflict, France, the U.S. and Spain have maintained pragmatic policies in favor of Morocco on account of their strategic interests in Morocco and North Africa. Therefore, the EU has adopted an inactive position in this conflict in order not to antagonize them. However, this passivity does not suit the EU’s own interests as it prevents the UfM achieving its aims. This is because, without finding a solution to the Western Sahara conflict, it seems impossible to develop common projects involving Morocco and Algeria under the UfM framework. More importantly, this conflict also threatens the UfM’s aim of developing common projects in the Maghreb area as a whole. Thus, the EU’s

inactive position on the Western Sahara conflict is a barrier to the UfM's wider Mediterranean cooperation efforts. However, as detailed below, the EU can protect its interests in the Mediterranean region under the UfM by contributing to the endeavors of the UN.

It is acceptable that the EU cannot solve the Western Sahara conflict on its own, but it can contribute the UN efforts. The Personal Envoy of the UN Secretary-General has repeatedly called on key members of the international community to use their influence to encourage the parties to join negotiations that would ultimately lead to a referendum on self-determination in the Western Sahara. The EU, which is among the most important actors in international relations, can act on this conflict by introducing policies that can contribute to the work of the UN. The largest responsibility here falls to Catherine Ashton, the High Representative of the EU for Foreign Affairs and Security Policy.

Firstly, Ashton can urge Bernardino León, the Special Representative for the Southern Mediterranean region, to intervene in the Western Sahara conflict. Currently, the EU has ten special representatives in troubled countries and regions: Afghanistan, the African Union, Bosnia and Herzegovina, Central Asia, the Horn of Africa, Kosovo, the Middle East Peace Process, the South Caucasus and Georgia, the Southern Mediterranean region, Sudan and South Sudan. All these representatives are tasked with supporting the work of Ashton. Their role is important in providing the EU with an active political presence in key countries and regions, acting as a 'voice' and 'face' for the EU and its policies, and making the EU a more consistent and effective actor on the world stage (European Union External Action Service, 2012). It is important to note that one of León's missions is to help the ENP and UfM achieve their aims. However, like the EU, he refrains from taking a stance on the Western Sahara conflict. In contrast, in August 2011 in Madrid, Leon even preferred to praise Morocco as "a good example that shows that we can implement far-reaching reforms and maintain stability" (Nation Managed to Implement Reforms, 2011, August 7). Instead of this, the EU could choose to give him an active role in solving the Western Sahara conflict. Such an active Special Representative for the Southern Mediterranean region, who could also work closely with his UN counterpart, would be able to encourage the parties to negotiate. Alternatively, given León's already heavy workload, the EU could also consider the appointment of a special representative responsible only for the Western Sahara conflict.

Secondly, the EU can put diplomatic pressure on Morocco to start negotiations under UN auspices by using its significant leverage on this country through its strong economic relations and the large financial contribution of the ENP. Moreover, regarding economic relations, the EU can also consider its Agriculture Agreement as a diplomatic tool. Taking into consideration the importance of this

agreement for Morocco, the EU can pressure Morocco by threatening not to extend the agreement. Beyond Morocco's national economic interests, this kind of political maneuver would also trouble the biggest beneficiary of the current deal, the King of Morocco, who is head of one of the three largest agricultural producers in Morocco and owns 12,000 hectares of the nation's most fertile farmland (King of Morocco, 2012, January 29).

Another significant lever for the EU to put diplomatic pressure on Morocco regards the EU's financial contributions through the ENP. Here, it must be also emphasized that the UfM is not a suitable platform for the EU to put pressure on Morocco because, in contrast to the EMP, in which Arab countries are only expected to comply with EU decisions, in the UfM, the notion of co-ownership was introduced so that Arab countries have legal grounds to try to impose their interests (Gianniou, 2010, November 10). The ENP, however, is a bilateral policy run by the EU, giving the EU legal grounds to impose its interests in exchange for providing financial contributions to partner countries. Thus, the EU can use this advantage with Morocco, which has received €1234.5 billion between 2007 and 2013 from the ENP, the largest financial contribution that the EU has allocated to any ENP partner country.

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