

## Pretexts & Consequences

The ideology of the greater Maghreb served as a central pretext for Morocco's 1975 occupation of the Western Sahara. Prior to and throughout its decolonization, Morocco has asserted that its sovereignty over that region is essential to its territorial integrity. Morocco holds that pledges of allegiance between Sahrawi chiefs and the Sherifian Sultan in Morocco, prior to Spain's colonization, constitute Sahrawis' collective recognition of the Kingdom of Morocco's authority. As such, Morocco has never accepted that the principle of self-determination should apply to the Sahrawi people, despite its seeming acceptance of a referendum.

In addition to development, which has enabled Morocco's exploitation of Sahrawi resources and the funding of the occupation, regional security is used as a key pretext for Morocco's continued domination of the Western Sahara. The security discourse, as in Israel, has sustained influential support from the U.S. and France, in particular, in allowing Morocco's continuous evasion of a referendum on self-determination and international law. By acquiescing to the referendum negotiated as a part of the ceasefire agreement of 1991, Morocco has portrayed itself as a willing partner in a negotiated resolution, while simultaneously creating "facts on the ground," which will render any fair and representative referendum impracticable. In this way, the referendum per se may later be used by Morocco as a legitimizing tool.

## Other State Tools

A device that Morocco employs to sustain its occupation is geostrategic promotionalism aimed at delegitimizing POLISARIO. Initially, this focused on the imaging of POLISARIO as an organization founded by Leninist, Marxist, and Guevarist leadership that threatens conservative and Western interests. This discourse was particularly effective during the Cold War, with Morocco serving as an ally to the West and sustaining pro-Western regimes such as that of Zaire's Sese Seko Mobutu. Branding POLISARIO a radical leftist opposition group has signaled Morocco's strategic utility to the West as a stabilizing force against an ostensibly threatening SADR.

After the Cold War, the portrayal of POLISARIO shifted to exploit the global trends of "Islamophobia" and combating "terrorism," particularly in the wake of the 11 September 2001 events. Morocco has warned of radical Islamist ideology among POLISARIO's ranks, as well as the alleged infiltration of al-Qa'ida into the camps outside Tindouf. While such accusations are unsubstantiated, Morocco, as a long-time ally of the U.S. and France is able to manipulate the discourse of "terror" and exploit fears. Morocco's willingness to embrace the neoliberal global economy and open up to foreign direct investment has concretized further its geostrategic standing with Western governments' in support for its occupation of the Western Sahara.

To win the support of the Arab world, Morocco has portrays POLISARIO as a secessionist movement. Accordingly, the Arab League views an independent Western Sahara as anathema to Arab unity, rather than the outcome arising from the right to self-determination.

## Sahrawi Government-in-exile

On 27 February 1976, the POLISARIO formally proclaimed a government-in-exile of the Saharwi Arab Democratic Republic (SADR). SADR administers the POLISARIO controlled "liberated zone" and conducts its affairs from within Algeria. The highest office of the government is the Presidency, currently held by Muhammad Abd ul-`aziz. The Prime Minister, presently Abd ul-Qadir Talib `Umar, is appointed by the president and heads the Council of Ministers, or cabinet. The government structure is contains a judiciary, and the parliamentary Sahrawi National Council. SADR was seated as a member of the AU in 1984, following which Morocco left the organization in protest. Over 60 states have entered into diplomatic relations with the SADR, and a portion of those states have withdrawn recognition pending resolution of the conflict.

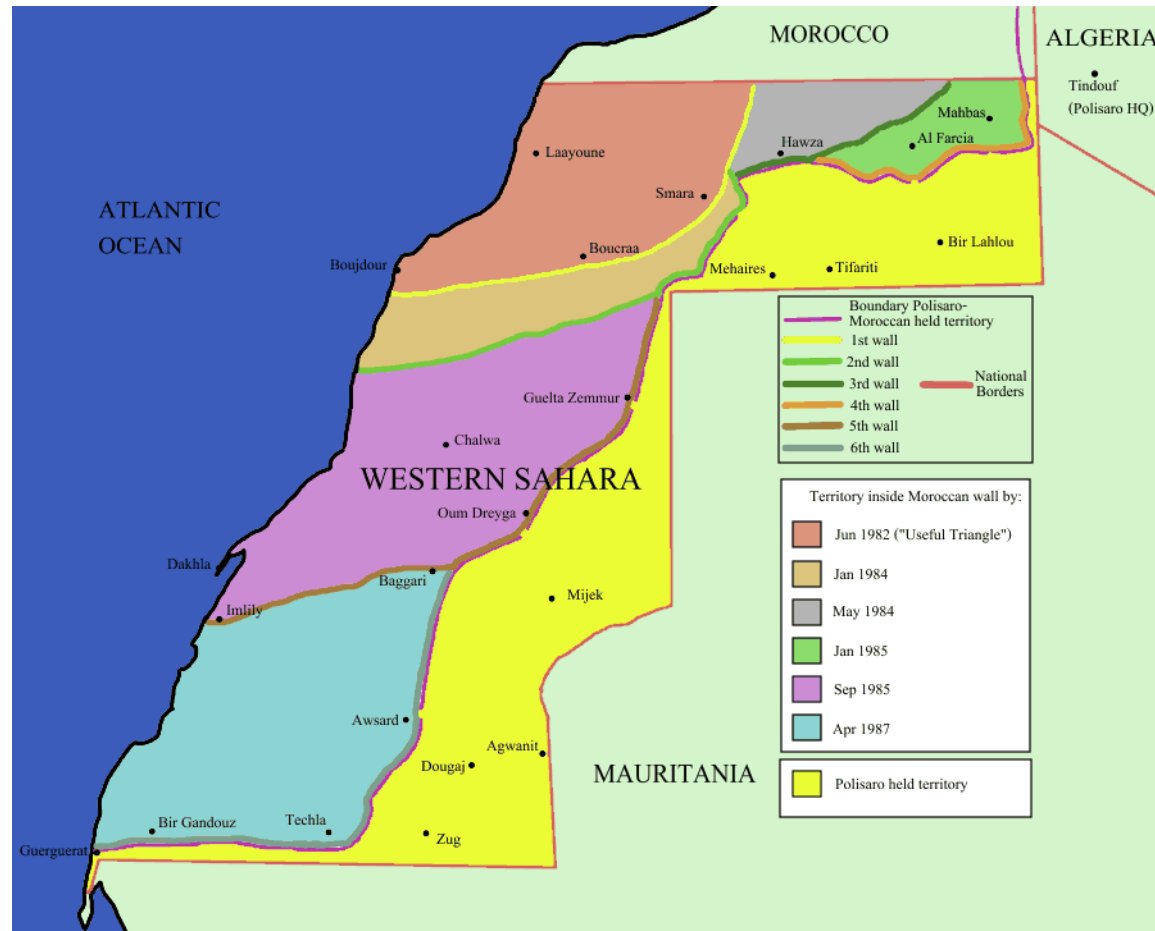
Since 1976, the SADR government has evolved from a structure inextricably linked with POLISARIO to a more-independent government. The most-recent Constitution (1999) closely resembles that of many European states and calls for a multiparty democracy with a market economy. Realizing certain provisions is contingent upon independence. In the "pre-independence" phase, the head of the State is the POLISARIO general secretary; however, after independence, POLISARIO is to be separated from the government structure. Moreover the Constitution declares the SADR's commitment to human rights and the concept of the greater Maghreb, as a regional counterpart to pan-Arabism.

## The Right to Adequate Housing in International Law

The UN Special Rapporteur on the Right to Adequate Housing defines it as “the right of every woman, man, youth and child to gain and sustain a secure home and community in which to live in peace and dignity”. General Comment No 4 of the UN Committee on Economic, Social and Cultural Rights has recognized that the right to housing should not be interpreted in a narrow, as merely having a roof over one’s head for example. Rather, it includes: security of tenure; availability of services, materials, facilities and infrastructure; affordability; habitability; accessibility; location; and cultural adequacy.

HLRN has deepened this definition and added the following entitlements: access to environmental goods; freedom from dispossession; information and capacity building; participation and self-expression; return, rehabilitation, compensation, restitution and resettlement; safe environment; security and privacy; land; and water.

Most recently, the 1998 Rome Statute of the International Criminal Court recognized extensive destruction carried out unlawfully and wantonly as a war crime.



Moroccan occupation forces have constructed the earthen separation wall over several progressive stages, as reflective in the map above.