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The Human Face of Sovereignty

A Study on Moroccan Sovereignty over Western Sahara

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Abstract

The purpose of this thesis is to investigate Morocco's sovereignty over Western Sahara from a Human Security perspective based on the concept that *the state's primary responsibility is the protection of its people and that this obligation is inherent in the states claim to sovereignty*, as presented by the R2P theory. The study also explores how far the analysis should stretch when applying Owen's definition of Human Security as a basis for sovereignty. This is done by performing two different analyses, one where only the Western Saharan territory is regarded and one where the so called Tindouf refugee camps are included. The study finally concludes that the *analytical range* of Human Security could stretch as far as the effects of sovereignty when sovereignty is the concept being measured. This means that the analysis where the Tindouf refugee camps are included ought to be the correct analysis and when the camps are included one could argue against Morocco's sovereignty over Western Sahara according to the R2P theory based on Owen's definition of Human Security.

Key words: Responsibility to protect, R2P, Human Security, Morocco, Western Sahara, Tindouf.
Words: 10 505

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1   Introduction

In 1975 the UN International Court of Justice declared the Sahrawi peoples right to self-determination over the Spanish colony which today is generally called Western Sahara. Morocco claimed the right to the land and the next year King Hasan II ordered 300 000 Moroccans to march into the territory.[1] This came to be known as "the green march" and it was the starting point for an insurgency war between the Moroccan army and Sahrawi organization *Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro* (Frente POLISARIO or just POLISARIO).[2] The war lasted until the UN brokered a ceasefire in 1991. Despite the ceasefire, POLISARIO was, and still is, the main opposing party to the Moroccan "reintegration" of West Sahara. In 1976 POLISARIO declared the Saharan Arab Democratic Republic (or SADR).[3] When the war broke out in 1976 thousands of people fled to the southwestern parts of Algeria where they were allowed to settle near the town of Tindouf.[4] The camps grew and multiplied, and the refugees has now lived there for nearly 40 years. Most of them were born in the camps and has never seen the land their parents fled from. Chronic malnutrition and an unforgiving climate plague the refugees in the Tindouf camps.[5]

The situation has, on a political level, stagnated. Morocco claim their sovereign right over Western Sahara based on historic rights and some analysts say that the issue has become a matter of principle for the Moroccan royal family.[6] United Nations Mission for a Referendum in Western Sahara (MINURSO) keeps trying to persuade the Moroccan government to allow a referendum to be held, but without success.[7] The Swedish government is investigating the possibility of recognizing Western Sahara. If this were to happen Sweden would be the first western and/or European country to do so. This has led the Moroccan government to stop the opening of IKEA-stores in Morocco and they threaten to boycott Swedish products and companies.[8] Despite all this, no real change has taken place. The metaphorical

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[1] BBC News, *Western Sahara Profile*, 2014-01-07, http://www.bbc.com/news/world-africa-14115273. [Retrieved: 2015-12-17].
[2] MINURSO – The United Mission for the Referendum in West Sahara, *MINURSO Background*, 2015, http://www.un.org/en/peacekeeping/missions/minurso/background.shtml#, [Retrieved: 2015-12-17].
[3] BBC News, 2014.
[4] BBC News, 2014.
[5] World Food Program, 2014, *Protracted Relief and Recovery Operation – Algeria PRRO 200301.*
[6] The Guardian, *Western Sahara's Stranded Refugees Consider Renewal of Morocco Conflict,* 2015-01-06, http://www.theguardian.com/world/2015/jan/06/morocco-western-sahara-referendum-delay, [2016-01-02].
[7] MINURSO, 2015.
[8] Sveriges Radio, *Kritik mot att erkännande av Västsahara dröjer,* 2015, 10, 02, http://sverigesradio.se/sida/artikel.aspx?programid=83&artikel=6270139, [Retrieved: 2015, 12, 27].

trenches dug in the late 70's are still there, on either side of the debate, and no decisive change can be seen the near future.

But this does not mean that the situation on the ground is stable. From 2010 to 2015 the Freedom House ranking of the Moroccan controlled regions has fallen from 6.5 to 7.[9] MINURSO is the only UN-mission in the world that does not have a mandate to investigate or monitor matters of Human Rights.[10] The African Union, Human Rights Watch, the US government and Ban Ki-Moon have all called for an expansion of the mandate to include human rights. Despite this, leaked documents have suggested that the Moroccan government has lobbied for the Security Council to keep the mission mandate the way it is.[11]

This is why I have chosen to focus this study on the individual level. For 40 years the debate concerning Moroccan sovereignty over Western Sahara has been waged on a normative, state-centric level, akin to the classical interpretations of the Westphalian sovereignty concept. But there are many ways to construe sovereignty and the theoretical critique that emerged in the field of international relations after the end of the Cold War presented a host of new ways to view the old discourses. And as mentioned, I intend to change perspective and approach the issue on a human level using the *Human Security* theory. The connection between the quite concrete humanitarian situation and the abstract concept of sovereignty will be made through one of the basic principles of the *Responsibility to Protect (R2P)* theory. R2P says that the sovereignty of a state is dependent on the security of its people and Human Security in turn measures the security of people. Thus, by using Human Security I may be able to say something about the Moroccan sovereignty over Western Sahara.

But the humanitarian situation in Western Sahara is not the only consequence of the sovereignty situation. The refugee camps outside the Algerian town of Tindouf are home to a large part of the Sahrawi people and headquarters for the POLISARIO. Since they reside in another country, it could be reasoned that they should not be part of this sovereignty analysis. But after all, their situation is dependent on the situation in Western Sahara which in turn is dependent on the Sovereignty debate. This opens up for a more theoretical consideration on the application, or analytical range, of the Human Security theory when investigating sovereignty. Should the camps be included in the analysis or not, in order to get a correct measurement? Refugee groups who reside outside the main analytical focus has to my knowledge not been included in a sovereignty study before. I believe this to be a relevant theoretical discussion in a globalizing world where the situation of

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[9] Freedom House, Western Sahara, 2010/2015. https://freedomhouse.org/report/freedom-world/2010/western-sahara, https://freedomhouse.org/report/freedom-world/2015/western-sahara. [Retrieved: 2015-12-29]
[10] Human Rights Watch, *UN/Western Sahara: Give Peacekeepers a Human Rights Mandate,* 2013-04-17, https://www.hrw.org/news/2013/04/17/un-western-sahara-give-peacekeepers-human-rights-mandate, [Retrieved: 2015-12-29]
[11] The Guardian, *Leaked Cables: Morocco Lobbies UN to Turn Blind Eye to Western Sahara in 'House of Cards' Operation, 2015-12-17, http://www.theguardian.com/global-development-professionals-network/2015/jun/17/leaked-cables-morocco-united-nations-western-sahara-house-of-cards, [Retrived:2016-01-02].*

one region, be it conflict or climate change, can force people to leave their homes. Since this question is decisive when answering my main research question I have chosen to highlight this issue and make it a secondary research question. This theory development must not be seen as a study in it self. Rather it should be regarded as an element to this case study and perhaps a first step on which to build in future studies.

1.1   Purpose and Research Questions

The purpose of this study is twofold. Firstly, I wish to investigate the Moroccan sovereignty over Western Sahara from a new perspective, the perspective of Human Security in relations to the R2P theory's basic principle of sovereignty. The goal is to try and approach this current, stagnated issue in a new way and at the same time shift the focus from states to people. Secondly, I wish to investigate how one could apply Human Security when investigating a case of sovereignty. The goal for this approach is to further the Human Security theory in relation to sovereignty.
In order to do this, I will answer the following questions:

- *How can Moroccan sovereignty over Western Sahara be understood based on the theory of R2P and on Owen's definition of Human Security?*

- *How far could the analytical range of Human Security reach when investigating sovereignty?*

2 Earlier Research and Core Concepts

2.1 Sovereignty

We sometimes take the sovereign system, with the state as the obvious point of reference, for granted. However, the sovereign system is after all just *one* way of organizing our human affairs. In the end sovereignty is a human construction and if we as humans decide that it's no longer adequate to manage our lives we have the capability to change it.[12] But regardless of which system we choose to arrange our world in the creation of any type of system is bound to spark questions concerning sovereignty. That is to say that in any systemization of social power and in any construction of a social machinery the question of who has the right to wield that machinery is bound to emerge. To think of the state as sovereign is to think of the state as legitimate in its authority and in its right to exercise power and control.[13] Sovereignty needs the state in which to locate itself and it is through the state that sovereignty can exercise dominance. Without that political authority, separated from the social community, it cannot exist.[14] The same thing can be said about states and their relation to other states. They only gain meaning in a social context and in the relationship and shared understanding with other states. The result of this is what is called mutual recognition.[15]

But if sovereignty as a concept is old, its connection to a state in terms of structured institutions and to a territory clearly demarcated by borders and boundaries is quite recent. Even though this too is contested, international relations canon still described the peace treaties of Westphalia and Osnabruck in 1648 as the beginning of the modern conceptualization of Sovereignty and the birth of modern statehood.[16]

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[12] Pemberton, Jo-Anne, 2009, *Sovereignty – Interpretations,* Palgrave Macmillan, Macmillan Publishers Limited, Hampshire, p. 1.
[13] Pemberton, 2009, p. 16.
[14] Pemberton, 2009, p. 18.
[15] Pemberton, 2009, p. 6.
[16] Baylis, John, Smith, Steve, Owens, Patricia, 2008, *The Globalization of World Politics – An Introduction to International Relations*, 4 ed. Oxford University Press: Oxford, p. 23.

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A summary of the Westphalian constitutional concept
according to Baylis et. al:

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- Humanity is organized into exclusive, territorial (and political) communities with fixed borders.
- Within the political communities borders the state or government has an entitlement to supreme, unqualified, and exclusive political and legal authority.
- The principle of self-determination or self-governance constructs countries as autonomous containers of political, social and economic activity in that fixed borders separate the domestic sphere from the world outside.[17]

First and foremost, it is the aspect of self-determination and freedom from interference that's been the central aspect for the modern worlds interpretation of sovereignty, but it also welded the ideas of territoriality and sovereignty together [18]

2.2 Classical Sovereignty – The Case of Morocco and West Sahara

Here I allow the discussion about the main interpretation to be exemplified by the case of Morocco and West Sahara. This will also provide further historical background for the case study.

The UN International Court of Justice (UN-ICJ) proclaimed in 1975 that before the Spanish colonization there were certain ties between the Moroccan and Mauritanian sultans and *some* of the tribes living in the area now called West Sahara. However, the court could not conclude that there were any ties *of territorial sovereignty* between the kingdoms of Morocco and West Sahara or Mauritania and West Sahara. With this said, the court claimed that there were no obstacles for the implementation of resolution 1514, the Spanish decolonization of West Sahara. The court also claim that there were no obstacles for the principle of self-determination *"...through a free and genuine expression of the will of the people of the Territory"*.[19] There are both hardliners and moderates within the ranks of the POLISARIO, but the most common view seem to be that the organization claim sovereignty based on the same principle as described by the UN-ICJ where a referendum and self-determination should be the guiding aspects.[20]

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[17] Baylis, 2008, p. 23.
[18] Baylis, 2008, p. 23-24.
[19] International Court of Justice (ICJ), *West Sahara – Summary of the Advisory Opinion of 16 October 1975.*
[20] ICG, 2007, *Western Sahara – Out of the Impasse*, International Crisis Group Middle East/North Africa Report No. 66, 11 June, p. 10.

The Moroccan state however claim sovereignty based on historic rights. This is a clear indication of Morocco's conceptualization of sovereignty and the connection they make between territory and state sovereignty and thus their right to rule that area as described in the Westphalian concept presented above. The Moroccan government refuse to consider the option of independence for the Sahrawi. In a speech to commemorate the 39th anniversary of "The Green March" in 2014 King Mohammed VI said that *"Morocco will remain in its Sahara, and the Sahara will remain in its Morocco until the end of time".*[21]

All of the above mentioned claims to sovereignty presented above could be considered correct. They all have legitimate claim to sovereignty over Western Sahara. The difference is *on what they chose to base the concept of sovereignty.* If you choose to base sovereignty on the recognition of other states or by the de facto control of a certain region, then Morocco can claim sovereignty over Western Sahara. If, however, you choose to base the sovereignty concept on the will of the indigenous people of the region, as is POLISARIO's claim and also the UN-ICJ's recommendation, then Morocco could not claim sovereignty over the region. This is the difference between *claims* and the *basis for claims.* And, as mentioned in the introduction, this study attempts to investigates sovereignty on the basis of Human Security.

2.3   Critique and New Ideas

One cannot talk about Sovereignty without mentioning globalization. For the last five or six decades a phenomenon has been growing which has made it much harder to separate the worlds of domestic and global politics.

As with any of the great concepts of international relations the concept of globalization is hard to define, indeed, some say impossible to define. There is no simple two or three sentence definition of what globalization really is. However, it could be possible to say what globalization is in relation to something more specific, say sovereignty.[22] New global authorities have emerged which transcends national borders. The autonomy of states, especially smaller states, has seen a trend of compromise. In order to solve domestic problems or develop domestically states

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[21] Robert F. Kennedy Human Rights, 2015-12-18, *Observations and Topics to be Included in the List of Issues – On the Occasion of the Human Rights Committee's 2016 Review if the Kingdom of Morocco's Implementation of the International Covenant on Civil and Political Rights,* Robert F. Kennedy Human Rights, Collective of Sahrawi Human Rights Defenders, Sahrawi Association of Victims of Grave Violations of Human Rights Committed by Morocco, Action by Christians for the Abolition of Torture-France, Bureau des Droits de l'Homme au Sahara Occidental, Fondation Danielle Mitterrand/France Libertés, French Association of Friendship and Solidarity with African Peoples, AdalaUK, p. 4.

[22] Al-Rodhan, Nayef R.F. Stoudmann, Gérard, 2009, *Definitions of Globalization – A Comprehensive Overview and a Proposed Definition,* Geneva Center for Security Policy, Program on the Geopolitical Implications of Globalization and Transnational Security, p. 8.

have had to engage in multilateral cooperation to a much larger degree today than they had to before. But territoriality is still important, if not only for the purposes of administration.[23] Despite globalization, the state continuous to be an important actor in the world of international affairs and cannot be dismissed at hand.[24] On the whole, Baylis agrees and says that sovereignty today is being transformed rather than eroded and it still remains the main founding covenant of global political order.[25] This criticism is tightly linked to the criticism on Realism and the state-centric view that come with it. The critique grew stronger during the end of the Cold War and questioned much of the foundations of earlier international relations theory.[26] One can discern a few concrete theoretical results that sprung out of the criticism on classical sovereignty and Realist theories. Two of these are the concept of *Responsibility to Protect (R2P)* and the other is *Human Security*. When exploring one, the other is inherently relevant.

The basic concepts for the R2P theory's approach to sovereignty were not new but had already been formulated years earlier. Nicholas Wheeler described a theory in his book *Saving Strangers* where the international system is built on rules and norms which by extension meant that states has both rights and obligations which are weighed against each other. Thus, if a state violates its own citizens the sovereignty of that state should be confined. *Saving strangers* was written from a *just war* point of view.[27]

Pemberton refers to F.H. Hinsley and writes that states owe duties to other states because they owe duties to humanity, and where rulers are destructive in their relation to humanity sovereignty looses its reason to exist. "*While sovereignty may serve as a license to kill in certain circumstances, it is not a license to murder, whether externally or internally*".[28]

The United Nations did not use to have such a liberal view on sovereignty as the above quote describes. In the UN Charter from 1945, Art. 2.7, it is stated that "*[n]othing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the jurisdiction of any state*".[29] Two years later, in 1948, when the *Universal Declaration of Human Rights* was formulated it stated that the responsibility for the protection and promotion of humanitarian issues resided within the state itself. However, as the world developed and new ideas were put forth the notion of cosmopolitan responsibilities grew alongside criticism on Realists views.

The conflict in Kosovo and the genocide in Rwanda came to be a turning point for the UN. In 2001 the Report of the International Commission on Intervention and

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[23] Baylis, 2008, p. 24.
[24] Pemberton, 2009, p. 2.
[25] Baylis, 2008, p. 24.
[26] Sheehan, Michael, 2005, *International Security – An analytical survey*, Lynne Rienner Publishers, Inc: Boulder, Colorado, pp. 23, 62-63.
[27] Aggestam, Karin ed. 2004, *(O)rättfärdiga krig,* Studentlitteratur AB: Lund, p. 15.
[28] Pemberton, 2009, p. 6.
[29] Dower, Nigel, 2009, *The Ethics of War and Peace,* Polity Press: Malden, p. 179.

State Sovereignty (ICISS) was created where the concept of R2P was formulated.[30] Not all of the five permanent members were unanimously confident in the adoption of the new concept and the version adopted in 2005 was very revised and watered-down. None the less, the adoption of the R2P concept is the first time in history that the UN, or any other society of states, had officially and to some degree stated that sovereignty might be subordinate to humanitarian issues.[31]

As mentioned above, there are many theories which attempts to provide an approach on which sovereignty is hinged on the security of the citizens. But I believe that the R2P concept can be seen as a culmination of the humanitarian intervention norm that grew during the 1990's and the most established and comprehensive formulation of sovereignty versus the security of people.

Human Security on the other hand is a result of the stretching of the security concept. According to Thakur, the concept expanded both *horizontally*, to encompass a wider range of issues beyond the traditionally military, and *vertically,* to embrace both regional and global structures upwards as well as individuals further down. The concept however is quite ambiguous which can be described by the two legs on which it stands. One the one hand Human Security has grown out of the Human Rights tradition which in turn identifies the state as the source of threat towards individuals. On the other hand, Human Security recognizes the fact that the state is a necessary agent in the promotion of human security.[32]

The relationship between Human Security and Human Rights have always been contested among scholars. However, it is clear that while Human Rights has a much more legalistic approach the Human Security concept is much more inclusive and broader.[33] Human rights dictate the conditions in which all people are allowed to live, Human Security concerns the survival of those people.[34] But because of the inclusive nature of Human Security, which also contains political and personal threats, the theory will per definition cross paths with human rights.

[30] Dower, 2009, p. 180. Baylis, 2008, p. 535.
[31] Baylis, 2008, pp. 535-538.
[32] Thakur, Ramesh, 2006, *The United Nations – Peace and Security,* Cambridge University Press: Cambridge, p. 72.
[33] Thakur, 2006, p. 70-72.
[34] Owen, Taylor, 2004, *Challenges and opportunities for defining and measuring human security*, Human Rights, Human Security and Disarmament, 3 issue, United Nations Institute for Disarmament Research (UNIDIR): Geneva. p. 22.

3 Theory

3.1 Responsibility to Protect

R2P is based on the principle that the states primary responsibility is the protection of its people and that this obligation is inherent in the states claim to sovereignty. Thus, when people suffer and the state is unwilling or unable to halt or avert that suffering, the state loose its claim to sovereignty and thus allows for other actors to rightfully intervene in order to protect the people.[35] As the theory per definition stipulates criteria for a legitimate intervention it goes hand in hand with the just war-theory tradition. But the R2P concept did not stop at stipulating states responsibilities towards its own people. It broadens this responsibility to include the international community's responsibility to prevent, and to react to humanitarian crisis and also the responsibility to rebuild failed states.[36]

But where is the limit for a states sovereignty? How bad must the situation be for it to be invalidated? The R2P theory is primarily built on the basis of legitimate international intervention, and according to the ICISS rapport the guiding principle must always be the same as the Hippocratic principle – *first do no harm*, and the report stresses the point that non-interference concept in classical sovereignty is not just a protection for states and governments, but also people. However, there are cases where a situation "shock the conscience of mankind" such as genocide, massacre or ethnic cleansing on a large scale and when the threats are that clear and direct a military intervention can be motivated. The report clarifies this by establishing six criteria which must be met before an intervention can take place. These are mainly based on the just war-tradition.[37]

But even though the concept is primarily built from the point of view of legitimate military intervention, it is the underlying principle of sovereignty versus the security of people that I will build upon in this thesis. The invalidation of sovereignty and a military intervention does not necessarily need to be linked. This means that the loss of sovereignty in it self can be motivated by other criteria than with which a military intervention is motivated.

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[35] ICISS – Commission Report, 2001, *The Responsibility to Protect – Report of the International Commission on Intervention and State Sovereignty*, Published by the International Development Research Centre: Ottawa, p. XI.

[36] Baylis, 2008, p. 535.
[37] ICISS– Commission Report, 2001, p. 31-32.

According to the ICISS report sovereignty is based on a *dual* responsibility. Externally; as a responsibility to respect the sovereignty of other states, and internally; *to respect the dignity and basic rights of all the people within the state.*[38] This internal responsibility is reflected in one of the basic principles of R2P which stipulates that: *"Where a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it, the principle of non-intervention yields to the international responsibility to protect".*[39] When the "principle of non-intervention yields" can by definition be read as the invalidation of state sovereignty.

At the same time, the report stresses the point that state sovereignty still matters and that it's the best chance we have of creating peace, balance and to uphold human rights. Thus, the invalidation of a states sovereignty is not to be taken lightly.[40] When it comes to describing the criteria for loss of sovereignty based on Human Security threats, the reasoning described above is the one I intend to follow.

3.2   Human Security

Human Security is "people centred". This means that it puts the individual at the centre of the analysis. It is also multi-sectoral which means that the theory has a broad understanding of what may constitute a threat and from what areas insecurity may emerge. These areas are identified as economic, food, health, environmental, personal, community and political security.[41]

But any concept, no matter what term is used, involves a trade-off between precision and inclusiveness. The UNDP-definition of Human Security developed in 1994 is a holistic concept which incorporated a lot of different aspects, actors and elements.[42] This definition has been criticized for being too broad and that is why I have chosen to follow Owen's definition of Human Security:

"Human security is the protection of the vital core of all human lives from critical and pervasive environmental, economic, food, health, personal and political threats."[43]

He bases this theory on what he calls *severity relevance.* This means that you should not categorize threats as Human Security-threats just because they happen to fall into a certain category. Instead he suggests that human security threats should

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[38] ICISS– Commission Report, 2001, p. 8.
[39] ICISS– Commission Report, 2001, p. XI-XII.
[40] ICISS– Commission Report, 2001, p. 7-8.
[41] United Nations Trust Fund for Human Security, 2009, *Human Security in Theory and Practice – An Overview of the Human Security Concept and the United Nations Trust Fund for Human Security,* Human Security Unit: New York, p. 6.
[42] Thakur, 2006, p. 82.
[43] Owen,2004, p. 20.

be categorized based on the severity of the threat and the policy response required.[44] The advantage of this theory is that you can keep the broad inclusion of Human Security without confusing severe threats with matters of human well-being or human development. By including the phrases *"critical and pervasive threats"* the threats are narrowed down to only include the most immediate threats. The second part of the definition is a set of categories. These are based on the UNDP-definition, however, they are not to be seen as threats themselves but more as categories or typologies which can guide me in the research and analytical process.[45]

How these threats occur or who's responsible for the threats are not relevant to the Human Security. Since the approach is taken from a human point of view the situations or issues that threaten people are the primary analytical interest. If the threats are created by the government or not is irrelevant. In relation to the R2P theory it says that loss of sovereignty should occur if the government is *unwilling* or *unable* to avert the threat. As such, the threats do not need to be created by the government for it to be their responsibility.

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[44] Owen, 2004, p. 20.
[45] Owen, 2004, p. 20-21.

4 Method

4.1 Case Study

A case study could be described as a study where the research questions contain *how* or *why*. The study should attempt to investigate current events in a situation where the researcher has little or no ability to affect the outcome or the chain of events. It is also useful to conduct a case study when the set of evidence needed to answer the research question is diverse which I believe it is in this case.[46]

I will split my analysis in to two parts where one is solely focused on the situation in the refugee camps and the other is focused on the actual territorial region of Western Sahara. Then, I will be able to do two evaluations of the Moroccan sovereignty over the region of Western Sahara, one where the refugee camps are excluded, and one where they are included. The difference between these two analyses will be the basis for a theoretical consideration on the potential importance of including separated refugee groups when analysing Human Security with regards to sovereignty. I do not attempt to say anything definitive on the subject or provide a definitive answer. The aim is instead to open a discussion and perhaps further the field of Human Security theory by suggesting a connection between Human Security and sovereignty. Since the first research question is dependent on the answer of the second question I will reverse the order of the two in my discussion and conclusion.

4.2 Theory development

The main focus in this study is not theory development, but as mentioned above it will have a theory developing element through the exploration of the operationalization of Human Security in relation to sovereignty. This question presented itself during the process of this study and I could simply have pushed past it by taking a stance in the matter. However, I believe that the question could hold an important discussion which could further the theoretical connection between

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[46] Robert K. Yin, *Case Study Research – Design and Methods*, 2009, 4. Ed. Thousand Oaks: Sage. pp. 11, 13.

Human Security and Sovereignty which is why I canonized it to the status of a research question.

There are two common paths for a classical theory developing study. One consists of developing causal mechanisms as to why X affects Y. The other focus on finding explanatory factors which can result in adding factors to causal mechanisms or finding competing factors to the ones that are given in the theory.[47] I will do neither of the two. Instead, my theory development will focus on the application or operationalization of Human Security.

Refugee groups have been included in the UNDP's development of Human Security and categorized as *community security* with a territorial focus. However, these refugee groups have either been the soul subject of the analysis or they have reside in the area being analysed.[48] This may be the most relevant operationalization of Human Security in most cases since most applications of Human Security are aimed at analysing a specific area with the Human Security analysis being the end result. In connection to sovereignty however the application may be different.

4.3   External and Internal Validity

The study described above is a typical single case study in the sense that I do not attempt to say anything about other cases and I do not have any specific generalizing ambitions. The strive to always produce results that can be generalized to a larger population could hinder researchers from attempting otherwise good explorations of interesting cases.[49] A single case study can provide more depth on a subject than any other form of study which is why I believe it to be appropriate in this case. As long as the internal validity of the study is solid, by means of correct and reasonable operationalization, the study can still be useful to both policy makers and other researchers.[50] Adding to the external validity is the so called *building block-principle* which means that the cumulative effect of many studies testing and developing the same theory or case works as building blocks in developing the theory or the understanding of the case.[51]

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[47] Esaiasson, Peter, Gilljam, Mikael, Oscarsson, Henrik, Wängnerud, Lena, 2007, *Metodpraktikan – konsten att studera samhälle, individ och marknad*, ed. 3, Nordstedts Juridik AB: Vällingby, p. 125.

[48] United Nations Development Programme (UNDP), 1994, *Human Development report 1994,* Oxford University Press: New York. p. 32.

[49] Teorell, Jan, Svensson, Torsten, "Att fråga och svara – samhällsvetenskaplig metod". 2007, ed. 2. Liber: Malmö, p. 17.

[50] Esaiasson, et. al. 2007, p. 64.

[51] Alexander, L. George, Bennett, Andrew, 2005, *Case Studies and Theory Development in the Social Sciences*, MIT Press, Cambridge, s. 111-112.

4.4 Operationalization and Limitations

Another issue is the question of delimitation in time when analysing Human Security as a basis for sovereignty. If you go back far enough you are bound to find Human Security threats in every country. For this reason, I will contain the study to only analyse the last five years between 2010-2015. A five-year analytical frame would not be so broad that it would be hard to accurately investigate within the frames of this thesis, and still not so restrictive that the results could be said to be anomalous. I will also be able to go into greater depth with a more restricted time-frame. However, there is a risk in including 2015 in the analysis since there is always a risk in analysing something very resent. Current "facts" has the potential to change. However, the year has now past and a majority of the yearly reviews and mission updates are already published, at least for the first half of 2015, and it would seem strange not to include them. The inclusion of quite recent data will also provide a good indicator for which way the different trends seem to point into the future.

4.4.1 Operationalizing Human Security

I will operationalize Owen's definition of Human Security by using his own concept which he calls *Regional Relevance*. This means that instead of gathering all the different possible threats in a "laundry list" and cross them off one by one (which would potentially mean a vast amount of unnecessary work) one should base the selection on the relevant threats in the region. The selection is thus based on data availability and works from the assumption that if an issue is serious enough, someone will probably measure it. This improves ones chances of gathering the relevant data as well as staying true to the broader definition of human security.[52] Since my two analyses are isolated from each other the threats explored do not need to be the same. In each case I will base my selection on Owen's definition and on the concept of *regional relevance*.

It would be possible to criticize Owen's regional relevance concept at this point. As mentioned the concept is based on the assumption that if it's serious, someone will measure it. However, when applying this to a case such as Western Sahara where Morocco actively tries to expel journalists and hinder NGO's from investigation and monitoring the situation the concept may not work. Even if threats are serious it is not certain that someone will measure it. However, during the research process I have found a satisfactory host of sources and despite the Moroccan governments opposition towards scrutiny I believe that the regional relevance concept is still useful in this case.

Through the *regional* relevance-concept I will identify a set of important issues. For the sake of intersubjectivity and context I will present all the issues. However,

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[52] Owen, 2004, p. 21.

I will highlight the issues that I believe passes Owen's definition for *threats* to Human Security in the two cases. There is an unlimited number of possible threats directed at humans and to try and create a complete coverage would be impossible.[53] For the sake of analytical feasibility, it is thus important to draw the line somewhere.

The threshold for deeming an important issue a Human Security threat is embedded in Owen's definition. The line is drawn using the terms *vital core* and *critical and pervasive threat*. Vital core is what constitutes a minimum level of survival and critical and pervasive threat establishes both severity and immediacy. Based on this, the issues that are to pass as threats are those that take, or seriously threaten lives. Thus, only the most serious threats are considered. The following list contains the treats and issues I have identified in my two analyses:

Table 1. List of threats and issues identified in the two analyses.

	Threats		Issues	
Western Sahara	**Association and Organization**	**Arrest and Torture**	**Suppression of opinion**	**Land Mines and Freedom of Movement**
Refugee Camps	**Food-Insecurity**	**Environmental Threats**	**Economic situation**	**Suppression of opinion**

The threat *Arrest and Torture* may include arrests and other situations which overlap with the previous threat *Association and Organization*. However, all situations do not overlap and the threat itself is not directly connected to the laws of association and organization but instead contains a much bigger focused on *the manner* of which the authorities exercise their power. This is why I have decided to regard this threat as its own category.

The economic aspects of Human Security may also be relevant in the analysis on the Western Saharan territory. The local population is impoverished and reports of corruption are widespread.[54] However, there is not enough material available for me to properly investigate the claims mentioned in the Human Rights Watch- and Freedom House reports. This is why I have put this aspect aside in my analysis as dictated by the concept of regional relevance.

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[53] Owens, 2004, p. 21.
[54] Freedom House, 2011, Western Sahara

4.5 Material

The material used in this thesis will be varied. Variation could in itself be a strength as it allows for a wider perspective and could offer different point of views, which is especially important when it comes to using journalistic material. It does however put a lot more pressure on my ability to remain critical and vigilant when it comes to reviewing the sources. For the most part, I will rely on reports from humanitarian NGO's. The NGO reports are especially important when it comes to finding data for describing the humanitarian situation since the UN mission does not have a mandate to investigate matters of human rights and the Moroccan state has, as mentioned, hindered activists, reporters and NGO's to enter the Western Saharan region. But, since I will not be able to travel to the area and do my research on the ground I will have to rely on the sources available.

To ensure a critical view and good validity I will follow the so called *critical criteria* as described by Teorell and Svensson. The first criterion is to determine the *authenticity* of the material. It's basically an assessment of the truth behind the fact and the authenticity of the claimed sender. The second criterion is what's called *concurrency*. Concurrency regards the time between the presentation of the fact or information and the actual event. The last criterion is *tendency* which is a quite subjective assessment. It focuses on the facts tendency to lean towards any particular ideology or towards one or the other side in a conflict, for example.[55]

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[55] Teorell, Svensson, 2007, pp. 105-106.

5 Analysis – Human Security in Western Sahara

5.1 Association and Organization

The threat of political oppression through Morocco's laws of association and organization is not a direct threat on the Sahrawi people of Western Sahara, the law applies in all Moroccan controlled territory. However, the effects of the law have been much more severe in Western Sahara which in turn has led to lots of protests and demonstration. The laws have pushed the independence debate out of the arena of open and constructive conversation and instead forced it to reside on the barricades. This has meant that the laws have resulted in many deaths and arrests and the situation does not seem likely to change in the near future.

Many of the political threats in Western Sahara can be traced back to the Moroccan constitution and the states decision to penalize so called "attacks on territorial integrity".[56] The law comes from article 3 of the Moroccan constitution from 1996 and penalize: *"an objective that is illegal, contrary to good morals or that aims to undermine the Islamic religion, the integrity of national territory, or the monarchical regime, or that calls for discrimination."*. This law is in violation of international standards of civil rights and is used to oppress and prohibit associations and organizations that advocate Sahrawi self-determination.[57] This also allows the Moroccan state to ensures that independence-minded leaders are excluded from local politics and the Moroccan government.[58] In 2010 a gathering organized by local activists was violently dispersed by police. About 12 people died and many were injured.[59] In November the same year activists had set up a refugee camp outside Western Sahara's main city Laayoune. Moroccan security forces used helicopters, tear gas and water cannons to disperse the activists and residents. The outcome of this confrontation varies. According to Moroccan sources 11 officers were killed and 2 civilians were wounded. According to POLISARIO 11 civilians died and about 700 were wounded. Many more were also arrested. Regardless, the confrontation was violent and lead to the breakdown of the then ongoing negotiations between Morocco and POLISARIO and both sides accused each other

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[56] Human Rights Watch, 2008, *Human Rights in Western Sahara and in the Tindouf Refugee Camps*, Human Rights Watch – Morocco/Western Sahara/Algeria, p. 97
[57] Human Rights Watch, 2008, p. 97-98.
[58] Freedom House, 2012, Western Sahara.
[59] Freedom House, 2011, Western Sahara.

of trying to disrupt the process.[60] Security forces has shown this type of brutality when confronting many protests and demonstrations during the period of 2010 to 2015 and many of the victims were not activists but bystanders.[61]

5.2   Arrests and Torture

Due to the strict control enforced by the authorities, activist, and others, are at risk of being arrested, and worse, for seemingly insignificant things. Human Rights Watch tells the story of Naama Asfari who was detained and harassed at several different occasions and who was arrested after an argument with the police over a keychain which featured the Sahrawi flag. Naama's cousin who was present was also arrested. Both were sentenced to four months in prison.[62]

In 2013 six people (including one minor) were detained and tortured during a protest concerning the lack of a humans rights mandate for the UN-mission.[63] And in 2014 a Sahrawi activist died in custody which in turn resulted in protests. Police intervene and several people were arrested and injured.[64]

The practice of torture seems to be a common feature in the Moroccan rule despite the fact that they ratified the *UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* in 1994. According to Amnesty International there have been 173 cases of torture, documented by the organization, between the years 2010 and 2014.[65] Asphyxiation, beating, stress positions and simulated drowning are only a few of the methods used my Moroccan authorities to force confessions from detainees. Many of these confessions hold up in court and many people have received very long prison sentences. In 2011 the Moroccan government felt forced to address the issue after many protests and a lot of pressure from international NGO's. The government initiated progressive reforms and promised to change the constitution. This however has had no effect in practice according to Amnesty International.[66]

It's not just the Sahrawis who are subject to torture. The practice of torture seems to be present in Morocco as well. However, the people of Western Sahara are especially subjected because of the courts and the politician's liberal interpretations of laws in general and the law which prohibits attacks on Morocco's "territorial integrity" in particular. Many of the torture victims are supporters of Western Sahara's self-determination or engaged in other "separatist" organizations.

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[60] Freedom House, 2011, Western Sahara.
[61] Amnesty International, *Morocco: Endemic Torture Used to Incriminate Suspects, Gag Dissent,* 2015-05-19, https://www.amnesty.org/en/press-releases/2015/05/morocco-endemic-torture/, [Retrieved: 2015-12-30].
[62] Freedom House, 2010, Western Sahara.
[63] Freedom House, 2014, Western Sahara.
[64] Freedom House, 2015, Western Sahara.
[65] Amnesty International, 2015.
[66] Amnesty International, 2015.

However, among the 173 victims documented by Amnesty International there were also left-wing activists, people accused of having islamist or terrorist affiliations and ordinary criminals. And those who report acts of torture are often prosecuted for "slander".[67]

A lot of detentions or "disappearances" can be attributed to the Moroccan anti-terror law put in place after the Casablanca bombings in 2003 where 12 suicide bombers killed a total of 45 people, including themselves. The counterterrorism law (adopted only 12 days after the attacks) gave police and other security forces unprecedented authority to detain, question and hold anyone suspected of terrorist activities and the misuse of this authority is documented. Suspects are often arrested by plain clothed security operatives without them identifying themselves and the family of the detained are rarely notified for days or weeks, hence the terms "abduction" or "disappearance" is commonly used. These abductions were most common during the month following the 2003 bombing with 1500 people detained. The number of detentions based in the counterterrorism law has decreased but are still observed from time to time and the law is still in place.[68]

5.3   Other Issues

The Robert F. Kennedy Center for Justice and Human Rights reported about 70 different human rights violations between the first of January and the last of June in 2015.[69] The two main categories of threats have been described above but there are of course many more aspects of the situation in Western Sahara. But with regards to Owen's definition of Human Security they do not pass the *severity*-criteria and would thus belong in the category of *human development* or *human wellbeing*.[70] I will, for the sake of creating a more comprehensive analysis highlight some of the other *issues* in the following and last part of this chapter.

5.3.1 Suppression of Opinion

Suppression of opinion is also a big breach in the human rights in the region. Morocco expelled 15 Spanish and 4 Norwegian journalists because they were "planning to meet with separatist elements"[71] and due to economic constraints, internet and independent satellite broadcasts are largely unavailable.[72] Local

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[67] Amnesty International, 2015.
[68] Human Rights Watch, 2010, *Morocco: "Stop Looking for Your Son" – Illegal Detentions Under the Counterterrorism Law,*
[69] Robert F. Kennedy Human Rights, 2015, p. 5.
[70] Human Rights Watch, 2008, p.5.
[71] Freedom House, 2013, Western Sahara
[72] Freedom House, 2013, Western Sahara

journalists are often unfairly prosecuted, convicted or in other ways harassed according to the Human Rights Watch.[73]

5.3.2 Land Mines and Freedom of Movement

Another threat is the so called "Berm". The stone and dirt wall was created when Mauritania handed over their part of Western Sahara to the POLISARIO in the late 70's. Morocco however moved in quickly to take control of this region as well. When the fighting stopped in 1991 the frontline was demarcated by a wall or "berm". It is one of the longest demarcations in the world as well as one of the most mined and the threat of landmines is a big problem. It has caused 230 casualties out of which 51 resulted in death in the period between 1999 and 2013.[74] However, the POLISARIO controlled area south east of "The Berm" is largely uninhabited and the people who have been exposed to the minefields are not part of the civilian population but primarily soldiers in the POLISARIO resistance. The freedom of movement is restricted in certain areas and this is enforced by both Moroccan and POLISARIO authorities.[75]

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[73] Roth, Kenneth, Benchemsi, Ahmed, 2015, *Morocco's Smiling Face and Heavy Hand*, Human Rights Watch, https://www.hrw.org/news/2015/11/09/moroccos-smiling-face-and-heavy-hand, [Retrieved: 2016-01-01].
[74] International Campaign to Ban Landmines, 2015, *Landmine & Cluster munition Monitor – Country profile Western Sahara.* http://www.the-monitor.org/en-gb/reports/2015/western-sahara.aspx, [Retrieved: 2015-12-29].
[75] Freedom House, 2011, Western Sahara

6 Analysis – Human Security in the Tindouf Refugee Camps

In 1975 thousands of people fled from Western Sahara as a result of the Moroccan "Green March" and the following war. They fled across the border to Algeria where the Algerian government granted them refugee status and set up five camps around the south western town of Tindouf. The area where the camps are located is called "The Devils Garden" due to the frequent extreme temperatures and sandstorms. The area is almost completely barren and self-reliance opportunities are extremely limited. Due to the remoteness of the camps the refugees are unable to take part in any local economy.[76]

The Algerian government supported the refugee camps until 1986 when they asked UNHCR (United Nations High Commission for Refugees) to take over the responsibility together with the WFP (World Food Program) who have now supported the camps for 30 years.[77] The Camps are administered by the POLISARIO and also provide the headquarters for the organization and for the exile government of Sahrawi Arab Democratic Republic (SADR).[78]

Today the number of refugees in all the Sahrawi refugee camps are estimated by the Algerian government to be about 165 000. This however is not a reliable number and UNHCR wants to conduct a proper census. In the mean time the UN agency uses the planning figure of 90 00 so called "vulnerable" refugees.[79]

6.1 Food-insecurity

According to the WFP the Sahrawi refugees who live in the camps outside the Algerian town of Tindouf are very dependent on humanitarian assistance to survive. The WFP country director in Algeria Francesca Caponera describes the situation in the camps as very harsh and says that; *"[a] halt in WFP food assistance would have a severe impact on the food security and nutritional status of the refugees and may also have unpredictable consequences on the stability of the area."[80]*

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[76] World Food Program, 2014, p. 2
[77] World Food Program, 2014, p. 3.
[78] World Food Program, 2014, p. 3-4.
[79] UNHCR Algeria Factsheet, August 2010, p. 3.
[80] World Food Program News, *UN Agencies In Algeria Urge Continued Food Assistance To Refugees From Western Sahara*, 2015-02-25, http://www.wfp.org/news/news-release/un-agencies-algeria-urge-continued-food-assistance-refugees-western-sahara, [Retrieved: 2015-12-31].

Due to the growing number of other humanitarian emergencies around the world in recent years the WFP has been forced to cut costs and suspend parts of its assistance to the longer standing situations, such as the Tindouf camps. This has resulted in fewer food items for the Sahrawi refugees which creates a lot of anxiety in the camp.[81] During a joint assessment mission carried out by the WFP and the UNHCR most households mentioned food assistance as their greatest concerns.[82]

The water supply in the camps in general is still much bellow standards which also affects sanitation. The water management is currently being upgraded by UNHCR to provide an estimated 18 liters of drinkable water per person per day.[83] The effects of the sanitation situation can be seen in the attendance frequency in the camps different pre-schools where the attendance is far bellow enrolment data at regular intervals which reflects the seasonal illness that sweep the camps.[84] Despite the WFP's ability to uphold a regular distribution and despite the fact that the minimum daily calorie intake is met, the sweeps of seasonal illness is caused by the high levels of malnutrition.[85] This can be described by several variables. The Sahrawis who are traditionally a semi-nomadic people have been forced to change their eating habits. As a semi-nomadic people their diet traditionally consists of mostly dairy and meat. But, when they are dependent on the food items provided by the WFP and some other bilateral donors, their eating habits has had to change. The extreme temperatures in the area also makes the conservation of fresh food, meat and dairy very difficult which in turn can explain the high levels of acute and chronic malnutrition, the anaemia (iron deficiency) and the celiac disease (constipation and diarrhea, usually caused by vitamin deficiency). To counter this lack of vitamins and general nutrients the WFP has had to introduce fortified and enriched food rations, especially to infants, children and pregnant or lactating women.[86]

6.2 Environmental Threats

For the last ten years the Saharan desert has seen a dramatic increase in the occurrence of extreme weather, mostly in the shape of heavy raining and flooding. So called "flash floods" in the Tindouf refugee camps resulted in great loss of WFP commodities.[87]

During flooding in October last year the Algerian Red Crescent estimated that about 90 000 refugees were affected and that one third, about 35 000 people were

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[81] World Food Program, 2015.
[82] World Food Program, 2014, p. 2.
[83] UNHCR, Algeria Factsheet, August 2015, p. 2.
[84] World Food Program, 2014, p. 3.
[85] World Food Program, 2014, p. 8.
[86] World Food Program, 2014, p. 11.
[87] World Food Program, 2014, p. 4.

severely affected by the foods. More than 17 000 homes were completely destroyed and many families lost practical items such as mattresses and water containers.[88] The families living in mud brick houses were the ones who suffered the most devastation. Families living in traditional Sahrawi tents managed the floods better and were able to erect their tents elsewhere or after the flooding had subsided. To counter this UNHCR had to airlift about 1500 family tents and 10 000 plastic sheets among other items to quickly counter the shelter needs.[89]

Latrines were destroyed which in the stagnate water remaining created a serious health risk. A lot of the communities' livestock was also taken by the flooding. The Algerian Red Crescent concludes that due to the otherwise extremely dry climate the camps have no resilience towards these types of disasters which explains the total destruction.[90] The climate situation is however changing and even though these heavy rainfalls and flash floods are not a common occurrence they are expected to reoccur frequently, hence the need for better resilience.

6.3   Other Issues

As in the previous analysis in chapter five I will now present the issues that I believe to be important to create a context but not severe enough to pass Owen's *severity-*criteria and should thus be regarded as important issues, but not necessarily as Human Security threats.

6.3.1   Economic situation

The travel distance to and from Tindouf is quite long and the transportation, for both people and goods, is difficult and costly. This, together with the limited cash availability creates a situation where market facilities are very limited. Despite this some people in the camps have been able to run small shops that sells food items not provided by the WFP. Many families have also tried to establish small household gardens. This has been assisted by the support of the UN and other NGO's by providing technologies which require less water than usual to produce vegetables. However, these gardens seldom produce an excess of products that can be sold and apart from the extreme environment these small scale food productions are hampered by the limited resources and the lack of an agricultural tradition

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[88] World Food Program, 2014, p. 4.
[89] UNHCR, *Devastating Flooding Affects 25,000 Sahrawi Refugees in Tindouf Camps*, 2015-10-23, http://www.unhcr.org/562a19706.html, [2016-01-02].
[90] International Federation of the Red Cross and the Red Crescent Societies – News, *Red Crescent Volunteers Work Towards Recovery Following Algeria Floods,* 2015-11-20, http://www.ifrc.org/en/news-and-media/news-stories/middle-east-and-north-africa/algeria/red-crescent-volunteers-work-towards-recovery-following-algeria-floods-69663/, [Recovered: 2016-01-01].

among the Sahrawi people.[91] These economic threats are tightly linked and can, in some regards, be said to be caused by the environment as well. I have however chosen to present it separately since not all economic aspects are caused by the environmental situation.

6.3.2 Suppression of Opinion

The POLISARIO is, as mentioned above, managing the refugee camps from their headquarters in Tindouf. The POLISARIO is however fractioned between hard-liners and more moderate elements. This has lead to situations similar to the ones seen in Western Sahara but with the POLISARIO as the dictating authority instead. There have been rapports of the freedom of expression being constrained in the Tindouf camps and other POLISARIO controlled areas. The organization also restricts free movement within their controlled area, the SADR.[92]. The mistreatment and torture of dissidents and Moroccan POW's has also been reported. [93]

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[91] World Food Program, 2014, p. 5.
[92] Freedom House, 2015, Western Sahara.
[93] Freedom House, 2012, Western Sahara

7   Discussion

As can be seen, the threats presented in the two analyses varies greatly. In the first one the threats are more political, in the other the threats are caused by the circumstances. In my summarizing analysis I will of course only regard the two Human Security *threats* in each case and not the other issues identified. I will start by weighing the threats presented in the case of Western Sahara against Moroccan sovereignty according to the R2P theory. After that I will do the same analysis but add the situation in the Tindouf refugee camps and se if the results differ.

7.1   Sovereignty Western Sahara

The fact that I have no comparative research concerning the situation in Morocco could be seen as a flaw in this study. This means that I have no possibility to juxtapose the situation in Morocco and West Sahara and will not be able to discern similarities or differences in the way the Moroccan state treats the two territorial entities.

I know that many of the restricted liberties and some of the threats that exist in West Sahara are also present in Morocco. This however does not necessarily need to be a problem. Even if the situations in Morocco and in West Sahara are the same this would only say something about the states sovereign right in mainland Morocco as well. I believe that the situation in Western Sahara can be seen in isolation. If the situation in Western Sahara is so bad that it may, according to the R2P concept, be grounds for compromising Morocco's sovereignty then that's adequate for this analysis. If then the situation is equal bad in Morocco, then that's a separate analysis.

According to Owen's definition the two main threats mentioned in the analysis can be seen as Human Security threats. However, are these threats severe enough and multiple enough to invalidate the sovereignty as the R2P theory suggests? From a purely normative perspective, one could easily say that wherever there is a threat to peoples lives, the international community should intervene. However, such an approach may not be realistic, even in the most optimistic view on global politics. According to the theory of R2P as discussed in the theory chapter there is an important balancing act to be made here. On the one hand we have the principle of internal responsibility which says that the state should *respect the dignity and basic rights of all the people within the state* [94] and *[w]here a population is suffering*

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[94] ICISS– Commission Report, 2001, p. 8.

serious harm, as a result of internal war, insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it, the principle of non-intervention yields[...]. On the other hand, there is the admonition that sovereignty should not be taken lightly and not something to be thrown aside on a whim.

If we apply this to the case of Western Sahara, I believe that we can conclude that the Moroccan sovereignty is not invalidated on the basis of Human Security. True, there are at least two important Human Security threats, the threat against *association and organization* and the threat of *arrests and torture.* These are important and clear beaches of not only human rights but also of the conventions the government has signed. The *respect for the dignity and basic rights of all the people* is definitely not there. However, it is the formulation *all the people* that offer another analytical interpretation. For despite this being severe and despicable threats to Human Security it affects only a relatively small part of the population. The same thing can be seen in the other paragraph which says; *where a population is suffering from serious harm [...].* This to me indicates that the population as a collective, or as at least a majority, must be affected by the threats in question for the situation to invalidate sovereignty. The entire population is of course suffering from the political oppression and the suppression of opinion, but it is only the effects of these issues, the torture, the arrests the violent dispersion of protesters, that can be counted as *threats* according to Owen's definition and the *threat* is thus quite limited.

7.2   Sovereignty Western Sahara and the Tindouf Refugee camps

Maybe the situation in Western Sahara is not severe enough to invalidate sovereignty on its own, but what happens if we include the refugee camps as a part of the "sovereignty situation"? Even if the Moroccan state is not directly responsible for the situation in the camps, they could be said to be indirectly responsible for creating the situation which necessitated the camps.

If both the situations are regarded in tandem and in comparison to the Moroccan sovereignty of Western Sahara I believe that it, contrary to the previous analysis, motivates an invalidation on the Moroccan sovereignty. The situations are very different and as mentioned in the beginning of this chapter the threats vary greatly. Only the political situation in the to cases seems to be similar, even though the political threats do not seem to have the same violent effects in the camps as can be seen in Western Sahara. This is probably due to the fact that the refugee camps are much more transparent due to their close cooperation with UN-agencies and other NGO's. I do believe however that seen through the reasoning of the R2P theory as described above, the situation in Western Sahara and the situation in the Tindouf refugee camps complement each other.

The aspect missing from the previous analysis, the suffering of the many, can definitely be seen in the Tindouf refugee camps where a large part of the Sahrawi people, an estimated minimum of 90 000 suffer and has suffered for almost 40 years. The threats seen there, with the chronic malnutrition and the dangerous environment, are not created by the Moroccan state per se. This however is not a necessary condition as mentioned in the end of chapter 3. A state can either be unwilling or unable to halt or avert the suffering, regardless of what type of threat may cause that suffering.[95] In the case of the Tindouf refugee camps the Moroccan state can be said to be *unwilling* to halt or avert the suffering. It could thus be argued that, according to the R2P theory, the Moroccan sovereignty could be compromised when confronted with the collective situation of Western Sahara and the refugee camps if described using Owen's definition of Human Security.

7.3   Analytical Range

Which of the two analyses above are correct? How far could one allow the application of Human Security to stretch?

Human Security is a very definitive theory and concerns actual cases with more or less measurable variables. It is specifically designed to say something about a specific case and, as mentioned chapter 4.2, these cases are often targeted at either a specific territorial area, or a specific demographic group. Human Security is also designed to be used and work in isolation. This study however, problematizes the application of Human Security since the theory is only used as a tool in order to say something about the abstract and quite theoretical concept of sovereignty. The bridge between the very concrete Human Security theory and the abstract concept of sovereignty is the R2P theory. This means that the application of Human Security, in this case, does not intend to produce results in its own right, it simply serves another theory which is why the analytical range of the theory is more flexible in this case than in normal applications of the theory. But flexibility without restraints would not be analytically feasible. We need something to guide and restrain the application and I believe that the concept that constitutes the end result should be the guiding aspect. In this study that would mean that the restraints consist of the concept of sovereignty in the form it takes, in the situation it creates and the consequences which can be directly linked to that sovereignty situation. It could thus be argued that when Human Security is used as a basis for sovereignty the application of the theory, the analytical range, could stretch as far as the direct effects of the sovereignty situation itself.

If we apply this to the case at hand one could conclude that the Tindouf refugee camps should be included in the analysis which would suggest that the second analysis in 7.2 includes the correct measurement.

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[95] ICISS – Commission Report, 2001, p. XI.

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8   Conclusion

8.1   How far could the analytical range of Human Security reach when investigating sovereignty?

I conclude that the analytical range of Human security could stretch as far as the effects of the sovereignty situation when sovereignty is the concept being measured. This means that in the case of West Sahara the Tindouf refugee camps should be included in the analysis when investigating Moroccan sovereignty over Western Sahara since that situation is caused by, and dependent on, the sovereignty situation.

8.2   How can Moroccan sovereignty over Western Sahara be understood based on the theory of R2P and on Owen's definition of Human Security?

I believe that one could argue against Morocco's sovereignty over Western Sahara based on the answer of the previous question and based on the theories of R2P and the definition of Human Security as presented in the study.

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