Post-democratic sustainability in the EU-Morocco fisheries agreement

On the depoliticized inclusion of the waters of occupied Western Sahara

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Abstract

The territory of Western Sahara (WS) has been occupied by Morocco since 1975, displacing many of the indigenous people now living in refugee camps in Algeria. In 2019, the EU adopted a new Sustainable Fisheries Partnership Agreement (SFPA) with Morocco which includes WS waters. This in spite of two court rulings stating that trade agreements including WS resources are not legal without the consent of the people of WS. This thesis shows how sustainability is used to depoliticize the inclusion of WS waters in the SFPA. Applying the political theory of Jacques Rancière in a document analysis of official EU documents around the SFPA, the analysis reveals how the presentation of sustainable development as necessary creates a post-democratic policy space in which dissenting voices are rendered illegible. Finally, the thesis reflects on how sustainability science can avoid contributing to post-democratic tendencies by actively looking for the political in environmental governance.

Keywords: Sustainable development, post-democracy, post-politics, Western Sahara, Sustainable Fisheries Partnership Agreement, European Union

Word count: 11.936

Acknowledgements

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1 Introduction

1.1 Sustainability and the environmental 'end of politics'

For more than a decade, professor of geography and central figure in urban political ecology, Erik Swyngedouw, has called for politicizing the environment (Swyngedouw, 2007). In one of his more recent publications, he and Ernstson argue that we need to abandon "environmental or 'sustainability' science as a basis to discuss, formulate, and develop environmental policies" (Ernstson & Swyngedouw, 2018, p. 255). Swyngedouw's call for politicization is motivated by the idea of a post-political or post-democratic condition. The concept of the post-political has its origins in the work of scholars such as Chantal Mouffe, Slavoj Žižek, and Jacques Rancière, developed in response to the purported 'end of history' and associated 'end of politics' of the 1990s (Wilson & Swyngedouw, 2014). According to Swyngedouw,

> …the postpolitical condition is one in which a consensus has been built around the inevitability of neoliberal capitalism as an economic system, parliamentary democracy as the political ideal, and humanitarianism and inclusive cosmopolitanism as a moral foundation. (2007, p. 24)

This inevitability limits the space for political disagreement, turning any dispute into a (consensually agreed upon) problem that can (and must) be solved through techno-managerial adjustments or 'solutions' (Ernstson & Swyngedouw, 2018; Rancière, 1999). Swyngedouw (2007) argues that:

> …environmental issues and their political "framing" contribute to the making and consolidation of a postpolitical and postdemocratic condition, one that actually forecloses the possibility of a real politics of the environment. (p. 13-14)

Many parts of the academic world, mainstream sustainability science included, contribute to a depoliticizing process which reinforces the existing order by turning contested, political issues into "supposedly non-political acts of social management and technological adjustments" (Ernstson & Swyngedouw, 2018, p. 256). Swyngedouw thus encourages scholars to move away from a practice in which we try to bring the environment into the policy sphere (Ernstson & Swyngedouw, 2018; there are numerous examples of this within sustainability science, e.g., Dieleman et al., 2019), as this has in part led to the above tendency of depoliticization. Instead, he urges us to bring the political to the environment. This thesis attempts to do so in a case study of an EU fisheries agreement which includes the occupied territory of Western Sahara.

1.2 Introducing the case: Africa's last colony and the EU-Morocco Fisheries Agreement

In 1975, the territory then known as Spanish Sahara was in the process of decolonization – or so it seemed – and the Sahrawi people inhabiting the territory were expecting a self-determination referendum. Two countries, however, laid claims of sovereignty on the territory: Morocco and Mauritania. Today, more than 40 years later, there has been no referendum and a conflict is still on-going between the Sahrawi independence movement, the Polisario Front, and the Kingdom of Morocco (Keeley, 2021). Most of the territory is under Moroccan military occupation, and aside from a recent outbreak of military confrontation, the conflict has been under a ceasefire since 1991 (AFP, 2021). The territory is the last on the African continent without a settled post-colonial status and is sometimes referred to as Africa's last colony (Smith, 2013).

In 2019, the EU adopted a new "Sustainable Fisheries Partnership Agreement" (SFPA) with Morocco (EU, 2019). In spite of a 2018 ruling by the European Court of Justice (ECJ), which concluded that the 2006 EU-Morocco fisheries agreement was not applicable to Western Sahara waters (ECJ, 2018), the 2019 SFPA explicitly states that the 'fishing zone' includes the waters adjacent to Western Sahara (EU, 2019). The agreement thereby allows around 130 EU vessels access to the fishing grounds of both Morocco and Western Sahara (EC, 2019). The alleged legitimacy of this inclusion primarily rests on consultations carried out in Western Sahara and Morocco, in which the Polisario Front, the UN-recognized representative of the Sahrawi people (UN, 1979), refused to participate (CEU, 2018). Polisario has challenged the agreement in the ECJ (*Front Polisario v Council*, 2019). This thesis explores the ways in which this controversial fisheries agreement is depoliticized as a case of how sustainability contributes to the post-democratic governance of the environment.

1.3 Thesis aim: Exposing the political

This thesis combines a theoretical contribution to sustainability science with an empirical contribution to the understanding of the specific case chosen: the Sustainable Fisheries Partnership Agreement (SFPA) between the European Union (EU) and the Kingdom of Morocco. Exposing the political in the SFPA between the EU and Morocco enables critical engagement with how the EU is affecting the outcomes of the political conflict over Western Sahara, in turn enabling Europeans to engage with our own role and responsibilities in this. The fisheries agreement provides an interesting case, as its inclusion of the waters off the Western Sahara coast places it in the context of an intense geopolitical dispute about the sovereignty over the territory. The aim of the present thesis is to expose the political in the context of the SFPA between the EU and Morocco, and in turn to show how *sustainability* and *sustainable development* contribute to the post-democratic condition.

1.4 Contribution to the academic literature and to sustainability science

The academic literature on the Western Sahara conflict is limited, with a disciplinary concentration in anthropology and international law particularly and a significant number of Spanish-language publications, but few empirical socio-political analyses (Fernández-Molina, 2017). The present research thus contributes to this research area by providing an English language empirical case study of a qualitative, socio-political nature within the interdisciplinary fields of sustainability science and political ecology. Robbins (2015) writes that political ecology engages with other fields by using the tools of that field whilst undermining it. Political ecology takes place on the margins of other fields, criticizing and often also influencing them (Robbins, 2015). This thesis takes place on the margins of sustainability science, challenging the potential post-democratization produced by its core concept, in turn seeking to indicate how we as sustainability scientists can avoid the post-democratic traps in our field.

This research on the one hand contributes methodologically and theoretically to the field of sustainability science, as the case study provides an example of a politicizing approach to an environmental case. Recent contributions to sustainability science have engaged in the discussion of normativity and value-laden science (Boda, 2021; Harnesk & Isgren, 2021). Harnesk & Isgren (2021) reflect on the importance of engaging with environmental problems in ways that are not limited by compatibility with present institutions and social structures. This thesis engages in that discussion by proposing a theoretical framework for exposing depoliticizing tendencies within such institutions. Simultaneously, it contributes to the theoretical debate around the depoliticizing nature of sustainability and environmental framings led by Swyngedouw by illustrating this tendency through an empirical case. On the other hand, it contributes to activist and political advocacy practice by unfolding the post-democratic tools in use in the SFPA and thus exposing points ripe for critical engagement.

1.5 Research question

The thesis is structured by a research question (RQ) which guides the analysis and consists of two parts (RQa and RQb). A *thematic document analysis* is aimed at answering the **RQ:** How has the account of a) sustainable development and b) the actors involved contributed to the creation of a post-democratic policy space around the SFPA?

Finally, considering the theoretical and empirical input, I reflect on how this case study can indicate ways of politicizing sustainability science and enable the re-politicization of the case.

2 The Western Sahara conflict and the EU-Morocco SFPA

This section contains a brief outline of the events surrounding the WS conflict, the current status of the conflict, and a short introduction to EU fisheries and the EU-Morocco SFPA.

2.1 The colonial birth of the territory

Western Sahara is a territory located on the African west coast bordering on Morocco to the north, Mauritania to the south and east, and to a small extent on Algeria in the northeast (Maghraoui, 2003). Slightly larger in size than the UK, the area consists mostly of desert, has significant quantities of phosphates, some iron ore, potential for oil exploration off the coast, as well as some of the world's richest coastal fishing grounds (Porges, 2019). Before colonization by Spain in 1884 the area had never been a national state, and the colonial regime had limited state-centralized control over the nomadic Sahrawi people inhabiting what the colonizers named Spanish Sahara (Porges, 2019). According to Porges (2019), by the 1970s the colonizers were facing increasing resistance, and 1973 saw the establishment of the liberation movement, the Polisario Front (Frente Popular de Liberación de Saguía el Hamra y Río de Oro).

2.2 From colony to occupation– the incomplete decolonization of Western Sahara

In 1974, Spain took an important step toward decolonization by conducting a census to prepare for a referendum on independence (Maghraoui, 2003; Mundy, 2012). This process was halted by the UN as the International Court of Justice (ICJ) was asked to give an advisory opinion on Morocco and Mauritania's claims to the territory (Hanauer, 1995). In 1975, the ICJ rejected the two countries' claims to sovereignty (Porges, 2019). The ICJ Advisory Opinion was none the less claimed as a victory by the Moroccan king. Shortly after, the "Green March" took place, in which around 350.000 Moroccan civilians entered the territory along with 80.000 military troops (Smith, 2013; Maghraoui, 2003). In the following days, the secret 'Madrid Accords' took place, and Spain transferred administrative control of the territory to Morocco and Mauritania (Daadaoui, 2008).

Following Spanish withdrawal in 1976, the Polisario Front declared an independent state in Western Sahara – the Sahrawi Arab Democratic Republic (SADR; or RASD in its Spanish acronym) (Daadaoui, 2008). The following decades saw continuous armed struggle between the Polisario Front and Morocco, as Mauritania withdrew from the territory in 1979 (Porges, 2019). The military conflict caused large parts of the Sahrawi population – according to Mundy (2012) roughly 40% – to cross the border into Algeria to seek refuge. In 1991, the UN brokered a ceasefire between Morocco and Polisario and a deal on a Settlement Plan which included a referendum on

independence (Daadaoui, 2008). The management of this referendum became the mandate of the UN Mission for the Referendum in the Western Sahara (MINURSO), and it was set to take place the following year of 1992 (MINURSO, n.d.).

2.3 A deadlocked conflict

30 years later, no referendum has taken place, and the refugee camps in Tindouf, Algeria are home to at least 100.000 refugees (Porges, 2019; the exact population count is disputed). The territory itself is divided in two by a 2700 km long berm (sand wall), constructed as part of Morocco's military tactics during the years of armed conflict. The area around the berm is littered with millions of land mines (Porges, 2019). The largest area (about two-thirds) west of the berm is controlled by Morocco, including almost all of the coastline (cf. figure 1). The SADR, of which the Polisario Front remains the governing party, administers the smaller half to the east as well as the refugee camps in Tindouf, where the leadership is based (Porges, 2019). Polisario is recognized by the UN as the official representative of the Sahrawi people (UN, 1979). The human rights conditions in the territories
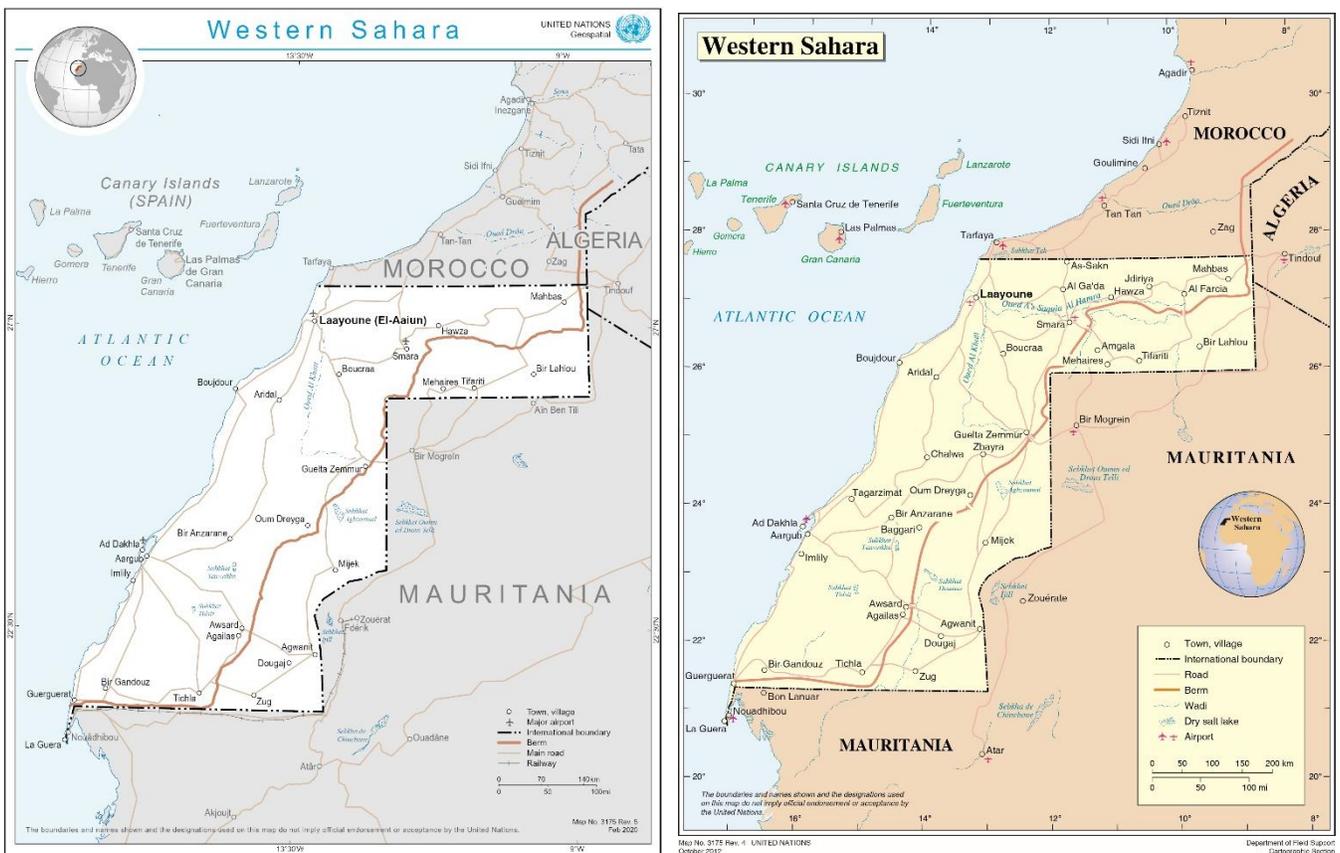
Figure 1 Maps of Western Sahara. (UN, 2020 & 2012). Full size in Appendix A

occupied by Morocco are highly criticized, but MINURSO does not have a mandate to monitor human rights

(HRW, 2014). The UN has continually reaffirmed the people of Western Sahara's right to self-determination and independence, in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples (UN, 2020). The UN process has not led to any conclusion of the conflict and the non-self-governing territory remains a case of unfinished decolonization (Fernández-Molina, 2017).

2.4 The importance of natural resource trade and fisheries for the conflict

It remains disputed whether natural resources was an important driver for Morocco when entering Western Sahara. Some argue that the occupation would have happened regardless of the presence of natural resources, due to the strong ideology around the territorial integrity of "Greater Morocco" (Drury, 2013). Whether or not the resources motivated the initial occupation, they have played an important role in the conflict since. Going further back, natural resources have influenced the colonial history of the territory, as Drury (2013) argues that the discovery of phosphate was determining for the locus of Spanish colonial rule.

WS natural resources are important for the Moroccan economy (Grande-Gascón and Ruiz-Seisdedos, 2017; Smith, 2015; Drury, 2013), although Smith (2015) concludes that the occupation as a whole has created more direct costs than direct income for the kingdom. The resources have played an important role in the introduction of a large population of settlers to Western Sahara, relying in part on resource development for employment and the creation of a local production economy (Smith, 2015). Due to an extensive settlement program, settlers from Morocco outnumber the original Sahrawi population (Eiran, 2019; Kassoti, 2019; Mundy, 2017). The large settlement of Moroccan nationals has delayed a referendum on Sahrawi self-determination by complicating the demographic question of who is entitled to vote in it, as well as by introducing a population of which a part might prefer relocation if faced with Sahrawi independence (Smith, 2015). At the same time, both the existence of the large settler population as well as the official trade of Western Sahara resources strengthen Morocco's position. The Kingdom's hold on the territory naturally only grows stronger the longer the majority of the population living there are Moroccan settlers. In addition to the question of settlers, official trade deals including WS resources legitimize Morocco's administrative role, perpetuating the status quo (Smith, 2015; Shelley, 2006).

In 2006, Shelley argued that in recent years "fishing has become more significant for both the colonization project and for the Moroccan economy" (p. 20). It can be reasoned that fishing has not decreased in importance with the new SFPA between the EU and Morocco. In this light, the SFPA including WS waters are both ways in which the EU is, at minimum indirectly, affecting the conflict. It helps Morocco create more employment for the settler

population and legitimizes Morocco's administration of the territory by making official agreements on its resources with the Kingdom.

2.5 The Sustainable Fisheries Partnership Agreement

The conclusion of the SFPA thus stands in opposition to the EU's official claim that it "does not prejudice the outcome of the political process on the final status of Western Sahara taking place under the auspices of the United Nations, and it has constantly reaffirmed its commitment to the settlement of the dispute in Western Sahara" (EP, 2019b, p.12). When voting for the new fisheries agreement with Morocco, adopted in 2019, the EU Parliament also voted on and rejected a motion to seek an opinion from the European Court of Justice (ECJ) on the SFPA (EP, 2019a). This in spite of two previous court rulings from the ECJ establishing that international agreements between the EU and Morocco cannot include territory's resources without consent from the people of Western Sahara (ECJ, 2016 & 2018; see figure 2).
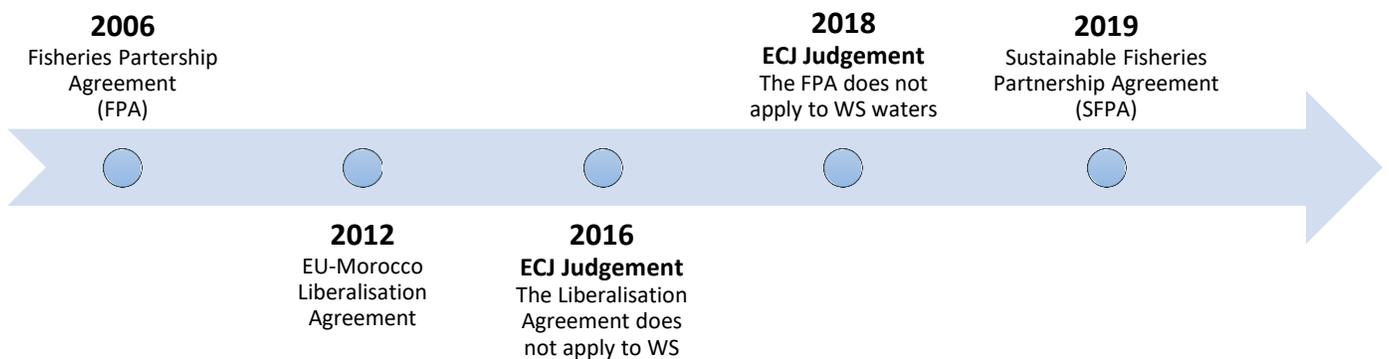
Figure 2 Timeline of EU-Morocco international agreements and court cases Council v Front Polisario (2016) and WSC v Comm. for HM Rev. and Customs and Sec. of State for Env., Food and R. A. (2018).

The new agreement is an amendment of the former Fisheries Partnership Agreement (FPA), which expired in 2018, and includes at least two significant changes. First, in reaction to the Court's judgement in 2018, it was necessary to change the agreement to explicitly include Western Sahara waters in the fishing zone and provide a basis for this inclusion by obtaining consent from and ensuring the benefit of the local population (EP, 2019b). Seeing as approximately 94 % of the EU catch under the previous fisheries protocol was taken in those waters (Marti, 2018), this inclusion is crucial. Second, the agreement was updated from an FPA to an *S*FPA, the new standard for EU bilateral fisheries agreements which aims at "contributing to scientific research, monitoring, and control and surveillance of the fishing activities undertaken in the EEZ of partner countries" (Johnson et al., 2021).

While the SFPAs technically represent an improvement from the FPAs and older models in a number of ways (e.g., by banning discards and targeting surplus fish stock only; Johnson et al., 2021), they have also been

criticized. In a recent article, Johnson et al. (2021) point to a number of problems, such as complaints from partner countries about decline in local fish stocks, problems with transparency and consultations, the difficulties of defining "surplus" stock in countries that do not always have the appropriate data as well as a general lack of sufficient data. A 2020 paper by Okafor-Yarwood & Belhabib launches an even more striking critique of the EU's Common Fisheries Policy (CFP) in third countries, including the bilateral SFPAs. They argue that "EU fisheries subsidies, which are central to its Sustainable Fisheries Partnership Agreements (SFPA) with third countries, contradict the provisions of its CFP, as they continue to target fully exploited and overexploited species notwitstanding [sic] the declared commitment to sustainability" (2020, p.1).

A 2017 policy brief from the Transnational Institute (TNI) offers a fundamental critique of the SFPAs and the CFP:

> In the context of dwindling fish stocks in EU waters, fisheries agreements allow EU fishing fleets access to non-EU waters in exchange for domestic investment in the host country. Instead of first addressing overfishing and over-consumption of seafood, the environmentally unfriendly practices already used by the EU fleet domestically are simply relocated to countries where fish stocks have not yet been depleted. (Mills et al., 2017)

The policy brief raises the question of whether fisheries agreements solve the problem of EU vessels exploiting third country waters, or merely legitimize an at-heart unsustainable practice. While the present research will not directly address the environmental sustainability of the EU-Morocco SFPA or the SFPAs as such, this criticism forms an interesting backdrop to the examination of the post-democratic nature of EU fisheries governance. The EU's approach to external fisheries is a good example of the type of post-democratic governance of the environment this thesis identifies in the EU-Morocco SFPA. The focus is on techno-managerial solutions that improve the scientific understanding of the maritime ecosystems in which EU vessels fish (with questionable solutions as a result). This leaves little space for political questions such as who should be able to decide what happens to the space where the fishing takes place. This thesis uncovers the discursive practices in place in the official EU documents which support this narrative of a neutral EU position vis-à-vis the inclusion of WS waters.

3 Theoretical framework

Multilateral institutions such as the EU and the UN are some of the central forces of the post-political condition described by Swyngedouw. With aims to build consensus and common ground around notions such as (liberal) democracy, human rights, 'free' trade, with the latest being sustainability, they epitomize what French philosopher Jacques Rancière has termed *post-democracy*. His theory on post-democracy forms part of what is sometimes referred to as post-foundational political thought.

Comprising of thinkers such as Mouffe, Žižek and Badiou, post-foundational theory is based on the premise that society and its hierarchical differences has no "ultimate ground" or 'natural' foundation and therefore "any social order is open to disruption by those who happen to be excluded and marginalized by it" (Puymbroeck & Oosterlynck, 2014, p. 86). While Swyngedouw in his analysis of the post-political tendencies of environmental framings leans on a combination of these thinkers, I choose to focus on Rancière's body of work on post-democracy because of his particular understanding of politics. As aptly put by Puymbroeck & Oosterlynck (2014):

> Contrary to Laclau and Mouffe, for whom society is political because it builds on internal and external relational differences, or Žižek and Badiou, for whom society is instituted by a political moment, Rancière contends that society 'becomes' political when its order is disrupted. (…) As such, there is no proper time and place for politics (…) (Dikeç 2002; 2005), nor is there a privileged subject bringing societal change. (Puymbroeck & Oosterlynck, 2014, p. 94)

Rancière, in other words, has a relational approach to the tension between political moments of dissent and the order which they disrupt. Rather than attempting to sublimate politics to the societal order (as Mouffe's agonistic approach) or to dispense with and replace the order altogether (as Žižek's communism), he develops an understanding of their paradoxical relation. I align with Puymbroeck & Oosterlynck (2014) in considering the relational approach of Rancière, in which this tension is seen as productive, more fruitful for an empirical investigation which aims at exposing "different tactics of depoliticization" (p. 95), in the present case in relation to the EU-Morocco SFPA.

In the following, I will dive into the components and concepts important for understanding Rancière's relational approach to post-foundational theory and concretize it by elaborating on how it relates to the case study of this thesis.

3.1 Rancière: Politics and police

To uncover the political in the SFPA and understand how it became depoliticized, a clear conceptualization of politics is necessary. Rancière (re)conceptualizes *politics* as an activity establishing the equality of speaking beings: the (theoretical) equality of every human being with any other qua our ability to produce logical speech. Conversely, those attempting to establish inequality (consciously or not) may determine the discourse of others noise rather than legible speech, in order to manifest their superiority – a practice that colonial history is filled with examples of. In the case of the SFPA, as I will show later on, this is done by considering the speech of Polisario Front irrelevant and therefore practically illegible in the policy space of the agreement.

Politics happens in moments of dissent in which someone claims their equality with everyone else and by doing so questions the logic on which the current (hierarchical) order is based (Rancière, 2010; 2007; 1999). Rancière calls this order, which is sometimes in fact referred to as politics, *the police* or the police order.

> Politics is generally seen as the set of procedures whereby the aggregation and consent of collectivities is achieved, the organization of powers, the distribution of places and roles, and the systems for legitimizing this distribution. I propose to give this system of distribution and legitimization another name. I propose to call it *the police*. (Rancière, 1999, p. 28, original emphasis)

Borrowing the concept from Foucault (Puymbroeck & Oosterlynck, 2014), he conceives of the police as a "symbolic constitution of the social" (Rancière, 2010, p. 36) that distributes the 'sensible'; what can be seen, heard, and understood as logical speech. It should not be equated with the police as institution, "the petty police" (Rancière, 1999, p. 28), which is a particular manifestation of the more general order he wishes to invoke. Neither should it be equated with the state apparatus; the "distribution of places and roles that defines a police regime stems as much from the assumed spontaneity of social relations as from the rigidity of state functions" (Rancière, 1999, p. 29). The police order, in the vein of Foucault, designates something more general than both of these particular phenomena, and is "also irreducible to simple domination or inequality" (Chambers, 2011, p. 23). It is a societal constitution in which everything is supposedly accounted for, and which is therefore devoid of any 'supplement', anything that is not accounted for in the distribution of the sensible.

> …society here is made up of groups tied to specific modes of doing, to places in which these occupations are exercised, and to modes of being corresponding to these occupations and these places. (Rancière, 2010, p. 36)

In the words of Swyngedouw (2014), the "police aspire to a spatiality in which all are included and assigned a proper place" (p. 128). It is important to note that Rancière uses the term police in a non-pejorative sense (1999,

p. 29). In the same vein, the police is not a system that should or even *can* be done away with completely. There will always be an order or system of distribution of the sensible, and therefore politics can never fully live up to its promise of implementing "freedom and equality integrally" (Rancière, 2010, p. 80). There is, however, a better and a worse police order – the better being the one in which politics has more space to erupt.

Politics, then, consists of disturbing the distribution of the sensible: when some of those who have no part, "supplementary subjects" (Rancière, 2010, p. 33) who previously had no name or place in the police order, appear through a dispute and thus demonstrates the contingency of the order.

> The police is that which says that here, on this street, there's nothing to see and so nothing to do but move along. It asserts that the space for circulating is nothing but the space of circulation. Politics, by contrast, consists in transforming this space of 'moving-along', of circulation, into a space for the appearance of a subject: the people, the workers, the citizens. It consists in re-figuring space, that is in what is to be done, to be seen and to be named in it. (Rancière, 2010, p. 37)

An obvious recent example would be that of the 2011 Egyptian revolution in which Tahrir square, quite literally a space of circulation, became a place of protest in which the democratic Egyptian subject appeared (figure 3 and 4). This interaction between politics and the police is at the core of what I have referred to as Rancière's relational approach – the relation between two rationalities or logics, the logic of the police and the egalitarian logic of politics. The police is indispensable for politics, exactly because the latter "acts on the police" and does so "in the places and with the words that are common to both, even if it means reshaping those places and changing the status of those words" (Rancière, 1999, p. 33). In the present case, the SFPA establishes a space in which everything is accounted for, which in turn is not a space for political conflict but for 'sustainable development', as I will show in my analysis.

Figure 3 Tahrir square during Egyptian revolution. By Jonathan Rashad, 2011.

Figure 4 Tahrir square in 2020. By REUTERS/Mohamed Abd El Ghany, 2020.

His perspective on the symbolic nature of knowledge ties Rancière to other post-structuralists, particularly Michel Foucault.[1] Implied in the conception of politics and police is the acknowledgement that it is impossible to fully account for the empirical reality of society, and that what can be known and understood changes throughout human history. No matter how broad or 'inclusive' a constitution of the social, there will always be a surplus. A count of the uncounted; a part of those who have no part.

3.1.1 *Equality and the power of the demos*

Politics, then, is a mechanism that makes something visible which before was not. It entails a particular political subjectivation, understood as a way for an individual or a collective to constitute an identity or subject "in opposition to the identity you've been assigned" and "by combining ways of life that were supposed to belong to separate identities" (Rancière, 2011, p. 244). In the Western Sahara conflict, a Sahrawi identity has been constructed which may not previously have existed as a collective subject but manifested itself in the political conflict over self-determination (for the complicated question of Sahrawi identity, see e.g., Isidoros, 2015; Martin, 2005; Hodges, 1983). It is a subjectivation that verifies their equality as speaking beings, in this case by claiming the right to self-determination.

To Rancière, democracy is not a political regime, set of institutions, or a particular way of life. Democracy, with Rancière, is the name of this mode of subjectivation. It is what happens when a political subject, which did not exist before the dispute, appears through a political action. The party to the dispute which before had no part in the police order becomes a political subject by identifying with the whole of the community – the demos.

> Democracy, we know, was a term invented by its opponents, by all those who had an 'entitlement' to govern - seniority, birth, wealth, virtue or knowledge. In using the word democracy as a term of derision, these opponents marked an unprecedented reversal in the order of things: the 'power of the *demos*' referred to the fact that those who rule are those whose only commonality is that they have no entitlement to govern. (Rancière, 2010, p.32)

In the logic of these opponents of democracy, those who rule must have some innate property which entitles them to rule, but by demonstrating their propensity for logical speech, the political subject proves their equality

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[1] Rancière's work rarely refers to his contemporaries, but he has recognized a certain affinity with Foucault's work and refers to him in his own work a (albeit limited) number of times (e.g., Rancière, 2010; Rancière, 2000).

with those who govern them. To belong to the *demos* is to have "no speech to be heard" (Rancière, 2010, p. 32), no entitlement to govern; in democracy, the demos demands to be heard and to take part in something it does not yet have a part in. This gap in the logic of rule, which means anyone can claim the right to govern, is what Rancière refers to as 'egalitarian logic'. "The 'normal' order of things is for human communities to gather under the rule of those who are qualified to rule" (Rancière, 2010, p. 35). Conversely, politics occur when the logic of domination, of hierarchy, of the police order, is interrupted by that egalitarian logic of democracy (figure 5).

Rancière thus understands democracy as a mechanism of subjectivation which disrupts the police order. There are three aspects to this mechanism of democracy (Rancière, 1999):

1) The **existence of a sphere, or a stage even, for the appearance of 'the people'** (the demos). On this stage, something becomes visible and discernable which before was not. This is not appearance as illusion, in opposition to the real or to reality. Rather, it is an appearance which splits reality, establishing a new distribution of the sensible – of what can be seen, heard, and understood where.

2) This "people through which democracy occurs" (p. 99) does not coincide with any social group or the parties of society. They are **floating subjects which "deregulate all representation"** (p. 100).

3) The sphere, or stage, where the 'people' appear is **the place of a dispute**. A dispute based on the opposition between "the police logic of the distribution of places and the political logic of the egalitarian act" (p. 100).

In other words, democracy exists when there is a stage on which the people appear as 'floating subjects' conducting a dispute. Dispute, or dissensus, then, is essential to democracy.
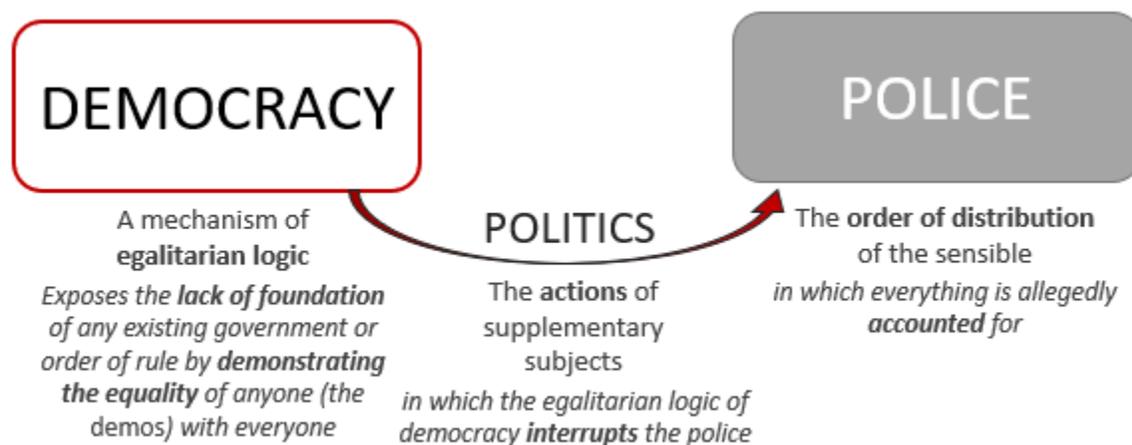
Figure 5 Rancière's Democracy, Politics, Police. Politics acts on the police order with the egalitarian logic of democracy. It is an act of dissensus in which supplementary subjects demonstrate their equality.

3.2 Consensus as post-democracy

This is why Rancière proposes the term *post-democracy* (figure 6) in response to discussions about a purported end of history and the triumph of democracy. The end-of-history narrative supposes that:

> …consensus democracy is a reasonable agreement between individuals and social groups who have understood that knowing what is possible and negotiating between partners are a way for each party to obtain the optimal share that the objective givens of the situation allow them to hope for and which is preferable to conflict. (Rancière, 1999, p. 102)

This logic can be recognized in the EU approach to external fisheries, as mentioned previously. Rancière's understanding of consensus directly opposes this:

> The essence of consensus (…) does not consist in peaceful discussion and reasonable agreement, as opposed to conflict or violence. Its essence lies in the annulment of dissensus (…), in the nullification of surplus subjects, in the reduction of (…) the political community to the relations between the interests and aspirations of [its] different parts. Consensus consists, then, in the reduction of politics to the police. (2010, p. 42)

In post-democracy the parties to any conflict or negotiation are presupposed as given, and any political conflict is merely a question of finding the most reasonable distribution of resources and positions. Pham's (2010) 'realist' approach to the Western Sahara conflict is a striking example of this, as he essentially argues that the only
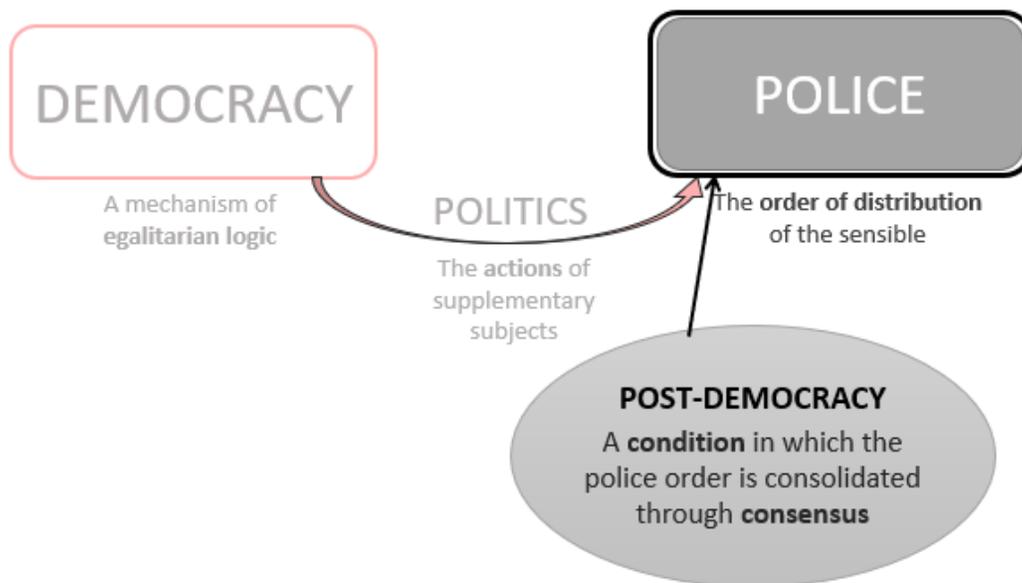
Figure 6 Rancière's Post-democracy. As consensus-thinking strengthens the sense that everything is accounted for, the democratic stage on which supplementary subjects appear shrinks or disappears. Post-democracy is the disappearance of politics.

'realistic solution' is to grant Morocco sovereignty over the territory. The invocation of 'realism' is another way of delimiting the space for dissensus. In post-democracy, the stage on which new political subjects can appear is lost. In the so-called consensus, the dispute based on the miscount and instituted in the name of the 'demos' disappears, because everything appears even more convincingly accounted for. Consensus "is, in a word, the disappearance of politics" (Rancière, 1999, p. 102).

The existing police order is strengthened by the idea of a global consensus around concepts such as 'free trade', sustainability (especially in the form of sustainable development), and 'liberal democracy', implying that everything and everyone is accounted for, including future generations. This post-democratic condition does of course not mean that politics are forever eradicated in "Western" societies. Exactly because of the impossibility of accounting for everything, there is always the potential for political disputes to erupt and challenge the current order. What Rancière emphasizes with the concept of post-democracy is that what is sometimes hailed as the epitome of democracy is in fact a system in which democracy, and thus politics, has very little space to occur. Looking through the lens of Rancière, it is possible to see the increased political agitation in the past decade or so (from climate activism to the Occupy-movement to BLM vs. alt-right protest in the US) as politics flooding the shores[2] of a system which has been damming it for too long (see Swyngedouw, 2014).

3.3 The SFPA policy space

When considering post-democratization in the context of the EU-Morocco SFPA, I use the concept of a post-democratic *policy space* to indicate the part of the police order constituted around the SFPA. I specifically refer to the discursive space created in the documents surrounding and supporting the SFPA, which have also led to the finalization of the agreement. This is a space in which everything is shown to be accounted for, and as I will show in the analysis, the sustainable development consensus is used to cement this impression of a full account. The term *policy* space indicates that we are in the realm of (supra-national) institutional government whilst referring back to the *police* order. Understanding this case through the metaphor of space aligns well with Rancière, who describes the police order as "a certain cutting out of space and time that binds together practices, forms of visibility, and patterns of intelligibility" (Rancière, 2009, p. 31). His understanding of politics as taking place in a particular sphere is another example of the spatiality present in his theory.

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[2] To reverse Rancière's own metaphor (*On the Shores of Politics*, 2007).

4 Methodology

The post-structuralist theory of Rancière forms the basis of this study. Post-structuralism is a stream within, mostly French, social theory connoted especially with French philosophers Michel Foucault and Jacques Derrida (Fawcett, 2008). The associated research practices, akin to constructivist approaches, do not attempt to locate or explain a definitive "truth", but rather to identify "meanings that are context specific and that relate to the varying discursive practices operating" (Fawcett, 2008, p. 666). The methodological approach in this thesis is aimed at exposing discursive practices specific to the context of the Western Sahara conflict and the SFPA. The objective of the analysis is to uncover how sustainability contributes to the depoliticization of this specific case of environmental governance, which in turn contributes to the post-democratic condition. Specifically, it is applied to the **research question**:

> How has the account of a) sustainable development and b) the actors involved
> contributed to the creation of a post-democratic policy space around the SFPA?

The case study applies the theoretical concepts of Rancière in a document analysis. I use content and thematic analysis to systematize the qualitative data analysis modelled on the theory and in accordance with the research questions. The purpose of this research is to expose a certain pattern of meaning making in the context of post-democracy which affects the appearance and disappearance of (political) subjects and disputes.

4.1 Data selection

Taking a post-structuralist approach to power and knowledge production, the focus is on discursive practices (Svarstad et al., 2018). In Rancièrian terms, the focus of the analysis is how the police order is shaped, or how the sensible is distributed, by certain discourses. In this case, the focus is the discursive practices found in official EU documents surrounding the SFPA.

The main object of analysis is an EU Commission Staff Working Document (CSWD, 2018) which contains a report evaluating the benefits of the SFPA for the "population of Western Sahara", including consultations with this population. This is a central document, as the inclusion of WS waters in the SFPA hinges on it, vis-à-vis the ECJ rulings (EP, 2019b). The supporting documents were gathered through a systematized google search. The scope was limited to documents authored by the EU and its different institutions; this includes press releases and briefings, the SFPA itself, and official documents related to the SFPA. No documents from outside sources or representing the political opinion of individual EU politicians were included.

The systematized google search was conducted with the search words (*EU morocco "sustainable fisheries partnership agreement" "Western Sahara"*) and limited to English language results from the official website of the European Union (europa.eu), including those of the EU institutions, e.g., the European Council (consilium.europa.eu). The 410 results were narrowed down to 17 in two sorting rounds: 1) Discarding due to irrelevance (unrelated to the topic or from unofficial sources, e.g., blogposts) and redundancy (little relevant and no unique information), 2) second discarding due to redundancy (identical documents).

In the end, the documents consisted of press releases and briefings as well as the documents involved in the formal procedure for concluding the fisheries agreement with Morocco. Not all of the latter were coded in the thematic analysis, as many statements and phrases are repeated (see coded documents in figure 7).
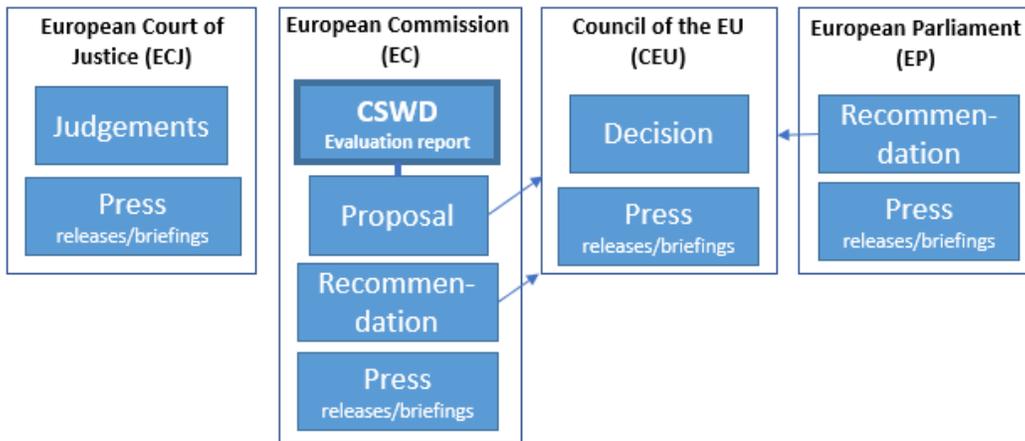
Figure 7 Document types coded in NVivo according to the codes in figure 4. The documents are referenced in the analysis according to the acronym of the institution and the year of publication (e.g., EC, 2019).

In the formal procedure (collected documents highlighted in bold), the European Commission (EC) led the negotiations with Morocco after giving the Council of the EU (CEU) a **recommendation** to authorize the EC to do so. The EC then developed **proposals** for the CEU to respectively sign and conclude the SFPA. These proposals were accompanied by the **CSWD** in order to legitimize the inclusion of WS waters. The council **decision** to sign the SFPA was followed by a **recommendation** from the European Parliament (EP)'s Committee on Fisheries for the council to conclude the SFPA. The CEU decision to conclude the SFPA was made after the EP gave its **consent** on February 12, 2019. For a full list of all analyzed documents, see appendix B.

4.2 Content and thematic analysis

The data was analyzed using a combination of content and thematic analysis (Bowen, 2009). In the *content analysis*, relevant excerpts of text were organized according to **RQa and b**. The *thematic analysis* was an iterative

process of organizing data based on predefined themes and of recognizing emerging themes within the data itself. The themes were coded in NVivo, and the first round of coding led, through an inductive and iterative process, to two main themes and four sub-themes (figure 8).
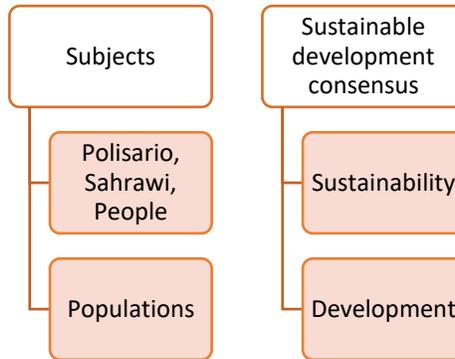
Figure 8 Themes coded in NVivo for the thematic analysis.

The final analysis presents the findings from the thematic analysis interpreted through the lens of the theoretical framework.

4.3 Limitations and positionality

The most significant limitation of the research has been the fact that the main document of analysis, the Commission Staff Working Document containing the report supporting the inclusion of WS waters in the SFPA, is only available in French. The document was translated using the online tool DeepL, a machine translation technology, and for important quotes used directly in the analysis the translation has been verified by native French speakers. The supporting documents are all in English and have also been used to corroborate the wording of the translated document.

Inevitably, the choice of topic for this thesis is influenced by my existing interest in the conflict. I am affiliated as an activist with an organization collaborating with the Polisario Front, however, I do not attempt in this thesis to assess the legitimacy of either party's claim to the territory of Western Sahara. The objective is to expose the depoliticization and how this foregrounds what can be seen and said about the EU's resource trade involvement in the area. Conversely, my pre-existing knowledge and understanding of the conflict has enabled a critical perspective on the post-democratic approach of the EU.

5 Analysis

In this chapter I attempt to answer the research question: *How has the account of a) sustainable development and b) the actors involved contributed to the creation of a post-democratic policy space around the SFPA?* I do so by exploring the ways in which the core documents around the SFPA form a post-democratic policy space. The purpose of this is to understand how the agreement is depoliticized, allowing EU to maintain the impression of neutrality vis-á-vis the WS conflict whilst carrying on the exploitation of fisheries resources in the WS waters. While my theoretical approach to power is not actor oriented but rather focused on structural tendencies, it is worth noting that the EU has significant interests in an SFPA including WS waters. As previously mentioned, around 90 % of the catch under the previous FPA was taken in WS waters. Additionally, diplomatic relations with Morocco are important to EU countries in a number of ways, including in relation to migration policy.

The main object of analysis is the 2018 Commission Staff Working Document containing the "Evaluation report on the benefits for the population of Western Sahara of the Sustainable Fisheries Agreement between the European Union and the Kingdom of Morocco and its implementation protocol" (henceforth cited as CSWD). The report includes a benefit assessment and the consultations conducted with the "relevant populations in Western Sahara" (EC, 2018b, p. 4). The report is supplemented by a number of documents, such as press releases and internal documents. Together, these documents have enabled the finalization of the SFPA. All of the coded documents have influenced the analysis, however, only some are quoted directly in the following. Figure 9 illustrates which documents quoted below are used to answer each part of the RQ.

	CSWD	CEU, 2018	EP, 2019
RQa (SD)	X	X	
RQb (actors)	X	X	X

Figure 9 Documents quoted in the analysis, marked with an X when responding to either RQa or RQb.

The two parts of the RQ (a and b) have guided the research and in particular the coding, however, in the analysis they blend together as they interact in ways that makes it difficult to separate them in the narrative. The account of the subjects affect the use of sustainable development in the post-democratization and vice versa. The following analysis is therefore not structured in accordance with RQa and b. Instead, it first (5.1) focuses on how the sustainable development consensus and the term 'local population' interact to create the post-democratic policy space. The second part (5.2) shows how the approach to the Polisario Front affects who has valid speech

in the policy space. The third part (5.3) is focused on the consultations and how they replace consent with consensus. Finally, the summary (5.4) concludes on the findings from the analysis.

5.1 The sustainable development consensus and the 'local population'

> I have not been able to find a single source that is against "sustainability." Greenpeace is in favor, George Bush Jr. and Sr. are, the World Bank and its chairman (a prime warmonger on Iraq) are, the Pope is, my son Arno is, the rubber tappers in the Brazilian Amazon forest are, Bill Gates is, the labor unions are. All are presumably concerned about the long-term socioenvironmental survival of (parts of) humanity; most just keep on doing business as usual. (Swyngedouw, 2007, p. 20)

As Swyngedouw suggests in the quote above, sustainability as a concept has garnered a strong global consensus. It is promising enough to give a sense that 'something is done' about global environmental problems, and broad enough that no one has to do anything specific. This characteristic makes sustainability an excellent tool for post-democratization. The global neoliberal consensus on 'development' (in the form of economic growth) has been able to continue with the pretention of being sustainable (Jacobsson, 2019; Gómez-Baggethun & Naredo, 2015; Keil, 2007). In spite of the fairly radical original definition of 'sustainable development' in the Brundtland report[3], the global consensus on sustainable development has largely turned into a win-win narrative of ecological modernization, in which there is no conflict between development as economic growth and sustainability (Keil, 2007). In a 2015 review, Gómez-Baggethun & Naredo show how international sustainability policy is underlined by an ideology in which the need for economic growth and free trade are seen "as the only reasonable and possible forms of organization" (p. 392). Thus, the sustainable development consensus is contained within the consensus on sustainability. The necessity for (economic) development remains unquestionable, and it is this indisputability that is used in the SFPA policy space.

Both sustainability and development figure in the stated objective of the Fisheries Agreement:

> The objective of the Fisheries Agreement is to enable the Union and the Kingdom of Morocco to work together more closely on promoting a sustainable fisheries policy and sound exploitation of fishery resources in the fishing zone defined in the Fisheries Agreement and supporting the Kingdom of Morocco's efforts to develop the fisheries sector and a blue economy. (CEU, 2018, para 7)

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[3] "Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs" (WCED, 1991)

Rather than the objective of allowing EU fleets to catch fish in the waters of Morocco and Western Sahara, the focus is on "promoting a sustainable fisheries policy" and development in the area. Throughout the CSWD it is mentioned how the non-renewal of the agreement "would risk hindering the development of local economic activities to the point of compromising the development of Western Sahara" (CSWD, p. 5) and that a continuation of the agreement will lead to increased development. The sustainability consensus is used to legitimize the agreement by creating a policy space in which sustainable development is the main concern and all other questions are subsumed to this. I will show further examples of this below, but first it is necessary to show how the documents limit which subjects can appear in the policy space.

5.1.1 The benefit of the local population

The way the subjects are defined within the policy space supports the formation of a policy space in which there is no supplement. In the following, I will show how the notion of the benefit of the 'local population' supports the creation of a policy space in which sustainable development is the central concern, whilst delegitimizing other issues or concerns and in turn the voices of other subjects.

In response to the ECJ ruling determining that the previous FPA did not apply to Western Sahara waters, the European Commission (EC) noted three conditions under which the agreement could include this territory after all. Aside from explicit mention of the territory in the text and the "consent of the populations concerned", the Commission added a third condition that "the agreement had to benefit of [sic] the local populations" (EP, 2019, p.7). First of all, the term 'people' (used by the ECJ; ECJ, 2016 & 2018) is here replaced by 'population'. This discursive change has consequences, as described by Allan & Ojeda-García (2021):

> While the term 'people' refers to a political entity with a right to self-determination, 'population' refers to the people who live in a territory (Wrange 2019). EU institutions have repeatedly used the term 'population' instead of 'people'. This means that the potential profits from the exploitation of Sahrawi natural resources revert to the Moroccan settler population. This is doubly problematic given that the resettlement of a population in an occupied territory is a contravention of the Geneva Convention. (p. 7)

Replacing people with population affects the distribution of the sensible in the policy space and limits the space for the appearance of supplementary subjects. While the term 'people of Western Sahara' includes the large group of refugees in Algeria, those living in the Polisario-controlled territory as well as Sahrawi in other parts of the world, the local or 'affected population' can include the majority of Moroccan settlers living in the occupied territory. In turn, the use of the term local population enables the centering of sustainable development, as it

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becomes possible to argue that the agreement benefits the 'population' who experiences the development it generates. The definition of 'affected populations' is kept vague, and it is explicitly acknowledged that "the services of the European Commission (…) have no precise and reliable means of determining who belongs to the 'population concerned'" (CSWD, p. 11). In spite of this admission, the rest of the report continues to use this language of benefit to the population. It is concluded that although the EU has "no jurisdiction or direct means of investigation in the territory of Western Sahara" (CSWD, p. 11), the data available "nevertheless makes it possible to (…) assess the impact of the non-conclusion of such an agreement [the SFPA] for the economy of the territory, the sustainable development and the populations concerned" (CSWD, p. 11-12). In this way, the lack of clear definition and the replacement of the word 'people' allows the report to use the definition of 'population' which suits the positive outcome of the evaluation. A space is created in which groups are "tied to specific modes of doing, to places in which these occupations are exercised, and to modes of being corresponding to these occupations and these places" (Rancière, 2010, p. 36). The role of the 'local population' is to benefit from the sustainable development that the fisheries agreement will bring.

5.1.2 The necessity of development and the noise of the Polisario

The section in the CSWD that engages with the definition of 'affected populations' determines which subjects have valid speech in the context of the SFPA. The use of the term population rather than people enables the Commission to surpass the fact that the Polisario Front is the UN-recognized representative of the people of Western Sahara. The Moroccan interpretation of the population is presented without commentary, whilst the one adopted by Polisario is critically examined. In this way, the voice of Polisario is undermined, for example by pointing to the traditionally nomadic lifestyle of Sahrawi populations resulting in "family ties that extend beyond the borders of the region" (CSWD, p. 11). This is one of the ways in which the Polisario is undermined, and its speech presented as invalid in the SFPA policy space.

Another way is by delimiting the SFPA policy space as one for sustainable development, not for politics. The report presents and invalidates the two main arguments (according to the CSWD) that Polisario and their supporters make against the trade with WS resources. The first argument centers on the fact that Morocco, by exploiting the fisheries resources of WS and the following structural investments, attempts to transform the territory's identity with the goal of annexation. Secondly, "it is argued that Morocco has pursued a policy of

settling people from Morocco in Western Sahara"[4] (CSWD, p. 14), in turn making the Sahrawi people a minority in their territory. The first argument is rejected with the claim that it is not relevant to the focus to the report, as it does not directly relate to "the question of including the waters adjacent to Western Sahara in the fisheries zone covered by the agreement" (CSWD, p. 14). Further, the authors point to the right to development which would be impeded on by waiting for a solution to the dispute within the UN framework.

> Such an approach would amount to a freeze on all activity in the territory or in the waters adjacent to it and would be tantamount to a sanction against the local populations. It is true that any fishing activity implies the use of natural resources; however, this cannot lead a priori to the prohibition of any economic activity, as otherwise any possibility of economic development would be prohibited. (CSWD, p. 15)

Economic development is presented as an absolute necessity, something unquestionable that a dispute over sovereignty cannot set aside. The (sustainable) development consensus takes precedence over the issue of annexation through structural transformation. Here as elsewhere in the report, it is made clear that the SFPA is not a political issue, and that therefore any political questions are not relevant within the SFPA policy space. The report engages with the second argument in much the same way:

> With regard to the second argument, it is true that, because of the impasse in the negotiation process, the populations of Morocco have mixed with the population of Western Sahara, which naturally changes the population structure of the territory. However, this does not prejudge the population that might actually be consulted in a referendum on the status of the territory. Moreover, while it is undeniable that a significant part of the Sahrawi population lives outside the territory of Western Sahara, it is also undeniable that a significant part of this population lives in the territory. This population has the right to claim its participation in the economic development process. (CSWD, p. 15)

The term 'population' reappears and the question of who is to determine what is done to a place is rejected as insignificant in the face of economic development. The emphasis on sustainable development, especially the economic side of it, creates a policy space in which other issues are suppressed. The only question deemed relevant becomes the economic benefit to the undefined 'local population'. In turn, questions of self-determination and independence are deemed 'political considerations that go beyond the scope of the fisheries agreement per se' and therefore irrelevant. Noise, in the context of the SFPA.

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[4] It is well-documented that an extensive settlement plan was launched by the Moroccan government, which included a number of incentives for settlers to move to the territory and large investments in infrastructure, leading to an approx. 400 percent population increase between 1974-2004 (Eiran, 2019).

5.2 Disarming the conflict, repressing the supplement

The subsumption of politics to sustainable development is post-democratic. It is an example of how post-democracy functions through a disavowal of politics, rather than repression:

> In psychoanalytic terms, disavowal denotes a defence mechanism based not on repressing pathological symptoms, but on accounting for them in such a way that their traumatic dimension is diminished. For Rancière, post-democracy involves a specific configuration of three forms of the disavowal of politics, through which the police order seeks to neutralise the political agency of the part of those who have no part. These are: archi-politics – the representation of the community as an organic whole with nothing left over (for example anti-immigrant nationalism); para-politics – the institutionalised competition for places within an established hierarchy (for example representative democracy); and meta-politics – the subordination of politics to a deeper 'essence' (for example 'the market economy'). (Wilson & Swyngedouw, 2014, p. 13)

This latter form of disavowal, meta-politics, is exactly what is at play in the SFPA policy space. The "pathological symptom" that the conflict represents to the police order is disavowed by subordinating it to the sustainable development consensus. This, along with an archi-political understanding of the 'local population', is how dissenting voices are dealt with in the policy space. Consensus politics – or post-democracy – tells us we do not need dissensus (i.e., politics) because we all agree what the problem is, and the solution, in this case, is sustainable development.

> Difficulties and problems, such as environmental concerns that are generally staged and accepted as problematic, need to be dealt with through compromise, managerial and technical arrangements, and the production of consensus. "Consensus means that whatever your personal commitments, interests and values may be, you perceive the same things, you give them the same name. But there is no contest on what appears, on what is given in a situation and as a situation" (Rancière, 2003a: §4). (Swyngedouw, 2007, p.26)

We see a similar mechanism unfolding when governments argue that we need to wait for the right technology before we can solve the climate crisis. Dissensus is not repressed, by force or otherwise, but disavowed through the appearance that everything is accounted for. When Polisario questions the premise of the SFPA, they are excluded. Although their disagreement with the SFPA is perfectly clear, their speech is determined illegible in the SFPA policy space, because it has been designated as a space for sustainable development to the benefit of the local population. The question of sovereignty is determined outside the scope of the report and the consultation process, which "was not intended to determine the final political and constitutional status of the territory of

Western Sahara" (CSWD, p. 29). This delimitation of the SFPA policy space is also mirrored in other EU documents:

> Those who did not accept to participate in the process rejected the application of the Fisheries Agreement and the Implementation Protocol thereto to the waters adjacent to Western Sahara, because they felt essentially that those acts would affirm the Kingdom of Morocco's position on the territory of Western Sahara. However, there is nothing in the terms of the Fisheries Agreement or of the Implementation Protocol thereto which implies that it would recognise the Kingdom of Morocco's sovereignty or sovereign rights over Western Sahara and the adjacent waters. (CEU, 2018, p. 2)

This clear determination that any question of sovereignty or independence is irrelevant to the SFPA precludes the question of whether or not the agreement may in other ways support Morocco's claim or strengthen its hold on the territory. Viewpoints that reach beyond the question of benefit are determined "broader political considerations that go beyond the fisheries agreement per se" (CSWD, p. 5) and "not actually relevant" (ibid., p. 14). Polisario and other organizations sympathetic to Sahrawi independence are in this way accounted for through exclusion. The space remains a space without supplement, as the dissenting subjects are disavowed, and their speech turned into noise. This disarming of the supplementary subject may ironically be what leads to renewed armed struggle, as other options for dissenting to the SFPA disappear and the UN process leads nowhere.

5.2.1   Consultations and the disappearance of the democratic stage

The central piece in the report making the democratic stage disappear is the consultation process. The process includes a range of organizations, but as mentioned neither Polisario nor any other independence friendly groups wished to participate. While the refusal to participate is clearly a no to the fisheries agreement per se, this perspective is, as we have seen, turned into noise in the SFPA policy space. Instead, the refusal to participate becomes a carte blanche for the EU to disregard the position of the Polisario and others. The narrative is that they talked to everyone except those who did not want to talk, and they all wanted the SFPA because it would lead to (sustainable) development. In other words, there is a consensus from everyone that matters.

> During the consultations, interlocutors showed very strong support for the inclusion of the waters adjacent to Western Sahara in the SFPA. Several comments or reservations were noted, but all related to implementation aspects of the partnership, such as the need to increase EU support to the fisheries sector and the benefits to the local population, rather than the partnership itself. No objections to the SFPA were

raised on political or legal grounds and none of the interlocutors objected to the inclusion of the waters

adjacent to Western Sahara in the SFPA. (CSWD, p. 31)

It is disregarded that the groups that did not participate object to the inclusion of WS waters, as the consultation process becomes the only valid space for speech. In order to have discernible speech in the SFPA policy space, they must engage on the terms of the EU and accept the framework presented to them. By refusing to engage with the premise, they are placed outside of the consensus and become irrelevant. In this way, the question of consent from the people of WS is displaced by the consensus on the need for (sustainable) development for the local population.

5.3 Summary: The post-democratic policy space of the SFPA

As shown in the beginning of this analysis, scholars argue that natural resource trade has historically affected the conflict over Western Sahara and that fishing in particular has gained importance for the occupation. In spite of this, the EU maintains that while their fisheries agreement with Morocco brings 'sustainable development' to the territory, it does not affect the conflict. The analysis has shown the ways in which this concept of 'sustainable development' along with the term 'population' are used to create a post-democratic policy space. In this space, some subjects' voices are rendered invalid or illegible in the context of the fisheries agreement. The policy space is from the onset determined as a space for sustainable development, and the global consensus on the necessity of development is utilized in this process of post-democratization. This enables an appearance of a policy space where everything is accounted for. The 'local population' is accounted for because its main function is to be the benefiter of sustainable development; the Polisario and like-minded organizations are accounted for through 'reasoned' exclusion, as they are engaging in questions that fall outside the premise that the policy space is built on; the environment is accounted for through a range of technical and scientific measures. The present analysis did not engage in depth with the latter, however, this techno-managerial approach characteristic for post-democracy is present in the CSWD as well. The environment becomes a question of surplus stocks and quotas, while questions of whose waters it is and whether there should be industrial scale fishing at all remain unasked or perhaps unaskable.

In fine, a post-democratic policy space is created in which everything is seemingly accounted for as the need for sustainable development is unquestionable, and the democratic stage disappears.

6 Reflections on emancipation

The post-democratization investigated in this case study raises a number of questions on how to escape this tendency, both in terms of the specific case of the SFPA and Western Sahara as well as in sustainability science. How do we escape the bind of post-democracy and recenter politics, in the case study and in sustainability science? Should we as scientists be aiming at global consensus building around environmental issues when these risk aiding post-democratization? How can we do sustainability science without falling into the traps of post-democracy? In this section, I explore the implications of my findings for the politicization of sustainability science and in the case of the fisheries agreement.

6.1 Politicizing sustainability science

As academics, we are both part of the existing police order and capable of challenging it. All the more important that we, as Swyngedouw says, continue to "bring the political into the environment" (Ernstson & Swyngedouw, 2018, p. 12). To restate the problem in Swyngedouw's words:

> Entire academic fields, alongside an array of professions, protocols, and procedures, supervise and enact a process of depoliticization whereby our socio-ecological condition is conceived as a problem (phrased for instance as climate change, loss of biodiversity, water crisis, depleting fish stocks, waste management, air pollution, etc.) that requires a series of techno-managerial adjustments in order to "solve," or at least manage, the consensually agreed upon problem. While this scientific approach is not false or un-true in any categorical sense, it participates in translating contested issues into scripted sets of supposedly non-political acts of social management and technological adjustments that perpetuate the existing order rather than considering our socio-ecological situation as politically deeply contested and radically heterogeneous. (Ernstson & Swyngedouw, 2018, p. 256)

There is a real risk that we as sustainability scientists repeat the problem of depoliticization; or in other words, continue to contribute to the post-democratization of the environment. It is imperative, then, that we as researchers remain skeptical of already defined 'environmental problems' which merely need the right, techno-managerial, solutions. This is not to neglect the importance or material reality of the environment – ecology still matters. The danger lies in focusing merely on the environment from a techno-managerial perspective, overlooking or perhaps concealing the political.

Ernstson and Swyngedouw (2018) instead prescribe a politicization of the environment by "foregrounding the contentious and antagonistic character of the environment itself" (p. 256). I have attempted to foreground the

contentious politics of sovereignty and independence in this case of fisheries governance in Western Sahara. I could have focused instead on the adequacy of the techno-managerial solutions and the infrastructure investments in the SFPA without questioning the premise of sustainable development. I would then have contributed to the consensus building which erases the politics of environmental governance. In the view of Rancière, emancipation is not a utopian end-goal, a finalizable objective or target – it is an ever-ongoing process of interrupting the existing order (Rancière, 2010; 2008; Bowman & Stamp, 2011). Sustainability science, as any academic field, can participate in this ever-ongoing process of critical engagement with the existing system. This case study exemplifies that critical engagement, providing a methodological contribution to the already ongoing politicization of the field of sustainability science.

6.2 Re-politicizing the SFPA

The present case is an example of how taking sustainability as a starting point can lead to post-democratization. The CSWD and the surrounding documents approach sustainable fisheries as a goal that can be reached through techno-managerial adjustments and economic investments, creating a post-democratic policy space around the SFPA. The analysis identified two discursive tools which interacted to create that space: the sustainable development consensus and the displacement of people by population. These are two potential points of critical engagement when attempting to create alternative discursive spaces in which new political subjects can appear, in which the supplement can be given a voice. This research can then be utilized by activist groups and others aiming to criticize the EU's approach to Western Sahara and the SFPA.

Attempts at creating alternative spaces, to make the democratic stage re-appear, could happen at different levels. At the institutional level, campaigns could be run directly targeting EU parliamentarians and lawmakers, or directly engaging with them/lobbying. As the SFPA has already been challenged in the ECJ, institutional level engagement would happen sidelong with the legal process, which may provide for an additional point of pressure.

At a 'citizen' level, awareness of the WS conflict and EU's involvement could be spread through campaigns, journalism, and activism in different forms. Demonstrations and other forms of activism create pressure on politicians and others in power to take a stance and reflect on the EU's engagement in the conflict. Such activism would in turn create new spaces for political subjectivation, as EU 'citizens' disidentify with the institutions of the European Union – "subjectivate the self-difference of our citizenship, or a gap between juridical citizenship and political citizenship" (Rancière, 1998, p. 29). In "The Cause of the Other" (1998), Rancière identifies this form

of political subjectivation in the protests against the French state during the Algerian independence war, in which Algerians protesting in France were killed, but whose deaths did not occur in any statistics:

> From that point onwards, there became possible a political subjectivation that did not take the form of external support for the other's war, or of an identification of the other's military cause with our cause. This political subjectivation was primarily the result of a disidentification with the French state that had done this in our name and removed it from our view. (…)

> Insofar as it is a political figure, the primary meaning of the cause of the other is a refusal to identify with a certain *self*. It is the production of a *people* different from the people seen, named and counted by the State, of a people defined by the wrong done to the constitution of a commonality that was constructing an other communal space. (p. 29)

As in France in 1961, today Europeans can protest, not against a state but a supranational institution's (here symbolic) disappearance of the supporters of independence, and in turn rediscover "what a political subject (proletarian or otherwise) is: the manifestation of a wrong, a counting of the uncounted, a form of visibility conferred upon something that is supposedly non-visible or that has been removed from visibility" (Rancière, 1998, p. 30). In this way, protesting the SFPA challenges the (post-democratic) police order both by demanding space for the Sahrawi as political subjects and by creating a democratic stage for citizens within the EU.

7 Conclusion

This thesis set out with the twofold goal of uncovering the political in a specific case study and through this contributing to a theoretical discussion in the field of sustainability science around depoliticization. This was concretized in the case study of the EU-Morocco Sustainable Fisheries Partnership Agreement by investigating how the account of sustainable development and the actors involved contribute to the creation of a post-democratic policy space in the documents surrounding the SFPA.

The thematic document analysis revealed that sustainable development contributes to the creation of a post-democratic policy space in which some subjects are given legible speech while others are denied it. The policy space is strengthened through account of the actors in which the utterances of Polisario and its allies are presented as illegible in the context, both because of the content of the speech (dissent from the focus on sustainable development) and where it takes place (outside of the consultations). The use of sustainable development in the SFPA policy-space enables the EU to present its consultations and evaluation as all-encompassing and, in turn, as apolitical in the sense that it does not influence the political conflict over sovereignty and independence in Western Sahara. This appearance of neutrality is countered by the academic literature on the importance of natural resources for the conflict. The exploitation and trade of Western Sahara's resources strengthens Morocco's hold on the territory. Simultaneously, the mere act of entering into international agreements with Morocco that include Western Sahara resources and/or territory increases this legitimacy.

On a theoretical and methodological level, this thesis contributes to the ongoing politicization of sustainability science. The analysis showed how applying Rancière's theory of post-democracy can uncover depoliticizing tools and in turn expose points of critical engagement (sustainable development and the question of people vs population). These points are also relevant for the practical engagement with the case at a political advocacy level, where they can be discursive targets in campaigns and activism. The ecological aspect of environmental governance was not the focus of this research, but it should still be recognized as an important aspect of sustainability science. Future research could investigate how a more ecological approach can be combined with the politicizing framework presented in this thesis.

8 References

AFP. (2021, February 28). Western Sahara returns to European Court of Justice. *France 24*.
https://www.france24.com/en/live-news/20210228-western-sahara-returns-to-european-court-of-justice

Allan, J., & Ojeda-García, R. (2021). Natural resource exploitation in Western Sahara: New research directions.
The Journal of North African Studies, 1–30. https://doi.org/10.1080/13629387.2021.1917120

Boda, C. S. (2021). Values, science, and competing paradigms in sustainability research: Furthering the
conversation. Sustainability Science. https://doi.org/10.1007/s11625-021-01025-7

Bowen, G. A. (2009). Document Analysis as a Qualitative Research Method. *Qualitative Research Journal*, *9*(2),
27–40.

Bowman, P., & Stamp, R. (Eds.). (2011). *Reading Rancière*. Continuum.

Chambers, S. A. (2011). The Politics of the Police: From Neoliberalism to Anarchism, and Back to Democracy. In
P. Bowman & R. Stamp (Eds.), *Reading Ranciere: Critical Dissensus*. Continuum.

Council of the European Union (CEU). (2018a). *COUNCIL DECISION (EU) 2018/2068 of 29 November 2018 on the
signing, on behalf of the Union, of the Sustainable Fisheries Partnership Agreement between the European
Union and the Kingdom of Morocco, the Implementation Protocol thereto and the exchange of letters
accompanying the Agreement*. OJ L 331/1.

Council of the European Union (CEU). (2018b). *COUNCIL DECISION on the conclusion of the Sustainable Fisheries
Partnership Agreement between the European Union and the Kingdom of Morocco, the Implementation
Protocol thereto and the exchange of letters accompanying the Agreement* (Legislative Acts and Other
Instruments 2018/0349 (NLE)).

Council v Front Polisario, C-104/16 P, Digital reports (Court Reports - general), EU:C:2016:973 (European Court
of Justice 2016).

Daadaoui, M. (2008). The Western Sahara conflict: Towards a constructivist approach to self-determination. *The
Journal of North African Studies*, *13*(2), 143–156. https://doi.org/10.1080/13629380801996471

Dieleman, C., Walker, C., Pipher, D., & Peacock, H. (2019). Challenges Turning Environment and Sustainability
Science Into Policy: An Interdisciplinary Review. In R. A. Turvey & S. Kurissery (Eds.), *Intellectual, Scientific,*

and Educational Influences on Sustainability Research (pp. 168–197). IGI Global. https://doi.org/10.4018/978-1-5225-7302-9.ch008

Drury, M. (2013). Global Futures and Government Towns: Phosphates and the Production of Western Sahara as a Space of Contention. *Publications and Research*. https://academicworks.cuny.edu/gc_pubs/285

ECJ. (2016, December 21). *The Association and Liberalisation Agreements concluded between the EU and Morocco are not applicable to Western Sahara* [Press release]. Court of Justice of the European Union. https://curia.europa.eu/jcms/upload/docs/application/pdf/2018-02/cp180021en.pdf

ECJ. (2018, February 27). *The Fisheries Agreement concluded between the EU and Morocco is valid in so far as it is not applicable to Western Sahara and to its adjacent waters* [Press release]. Court of Justice of the European Union. https://curia.europa.eu/jcms/upload/docs/application/pdf/2018-02/cp180021en.pdf

Eiran, E. (2019). *Post-colonial settlement strategy*. Edinburgh University Press.

Ernstson, H., & Swyngedouw, E. (Eds.). (2018). Bringing back the political: Egalitarian acting, performative theory. In *Urban Political Ecology in the Anthropo-obscene* (pp. 255–267). Routledge. https://doi.org/10.4324/9781315210537-14

EU. (2019). *Sustainable Fisheries Partnership Agreement between the European Union and the Kingdom of Morocco*. Official Journal of the European Union. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A22019A0320%2801%29#ntr1-L_2019077EN.01000801-E0001

European Commission (EC). (2019, February 12). *European Parliament votes in favour of EU-Morocco fisheries partnership* [Press release]. Fisheries - European Commission. https://ec.europa.eu/fisheries/press/european-parliament-votes-favour-eu-morocco-fisheries-partnership_en

European Commission, Commission Staff Working Document (CSWD). (2018 October 8). *DOCUMENT DE TRAVAIL DES SERVICES DE LA COMMISSION accompagnant le document: Proposition de décision du Conseil relative à la signature, au nom de l'Union, de l'accord de partenariat dans le domaine de la pêche durable entre l'Union européenne et le Royaume du Maroc, de son protocole de mise en œuvre ainsi que d'un échange de lettres accompagnant ledit accord*. SWD (2018) 433 final.

European Parliament (EP). (2019a February 6). *MOTION FOR A RESOLUTION pursuant to Rule 108(6) of the Rules of Procedure seeking an opinion from the Court of Justice on the compatibility with the Treaties of the proposed Sustainable Fisheries Partnership Agreement between the European Union and the Kingdom of Morocco, the Implementation Protocol thereto and an exchange of letters accompanying the said Agreement (2019/2565(RSP))*.

https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:C2020/396/02&qid=1615900260776

European Parliament (EP). (2019b January 25). *RECOMMENDATION on the draft Council decision on the conclusion of the Sustainable Fisheries Partnership Agreement between the European Union and the Kingdom of Morocco, the Implementation Protocol thereto and the exchange of letters accompanying the Agreement (14367/2018 – C8-0033/2019 – 2018/0349(NLE))*. Committee on Fisheries Rapporteur: Alain Cadec. https://www.europarl.europa.eu/doceo/document/A-8-2019-0027_EN.html?redirect#_part2_ref1

Fawcett, B. (2008). Poststructuralism. In L. Given (Ed.), *The SAGE Encyclopedia of Qualitative Research Methods*. SAGE Publications, Inc. https://doi.org/10.4135/9781412963909.n334

Fernández-Molina, I. (2017). Introduction: Towards a Multilevel Analysis of the Western Sahara Conflict and the Effects of its Protractedness. In R. Ojeda García, V. Veguilla, & I. Fernández-Molina (Eds.), *Global, Regional and Local Dimensions of Western Sahara's Protracted Decolonization: When a Conflict Gets Old* (pp. 1–34). Palgrave Macmillan.

Front Polisario v Council, T-279/19, Digital Reports, EU:T:2019:808 (European Court of Justice 2019).

Gómez-Baggethun, E., & Naredo, J. M. (2015). In search of lost time: The rise and fall of limits to growth in international sustainability policy. *Sustainability Science*, *10*(3), 385–395. https://doi.org/10.1007/s11625-015-0308-6

Grande-Gascón, M. L., & Ruiz-Seisdedos, S. (2017). The EU's Reluctant Engagement with the Western Sahara Conflict: Between Humanitarian Aid and Parliamentary Involvement. In R. Ojeda-Garcia, I. Fernández-Molina, & V. Veguilla (Eds.), *Global, Regional and Local Dimensions of Western Sahara's Protracted Decolonization: When a Conflict Gets Old* (pp. 79–98). Palgrave Macmillan US. https://doi.org/10.1057/978-1-349-95035-5_4

Hanauer, L. S. (1995). The Irrelevance of Self-Determination Law to Ethno-National Conflict: A New Look at the Western Sahara Case. *Emory International Law Review*, *9*(1), 133–178.

Harnesk, D., & Isgren, E. (2021). Sustainability as a Real Utopia – Heuristics for transformative sustainability research. *Environment and Planning E: Nature and Space*, 25148486211018570. https://doi.org/10.1177/25148486211018570

Hodges, T. (1983). The Origins of Saharawi Nationalism. *Third World Quarterly*, *5*(1), 28–57.

HRW. (2014, April 14). *Letter to Members of the UN Security Council: Extend MINURSO Mandate to Human Rights*. Human Rights Watch. https://www.hrw.org/news/2014/04/14/letter-members-un-security-counctil-extend-minurso-mandate-human-rights

Isidoros, K. (2015). The silencing of unifying tribes: The colonial construction of tribe and its 'extraordinary leap' to nascent nation-state formation in Western Sahara. *Journal of the Anthropological Society of Oxford*, *7*(2), 168–190.

Jacobsson, D. (2019). In the Name of (Un)Sustainability: A Critical Analysis of How Neoliberal Ideology Operates Through Discourses About Sustainable Progress and Equality. *TripleC: Communication, Capitalism & Critique. Open Access Journal for a Global Sustainable Information Society*, *17*(1), 19–37. https://doi.org/10.31269/triplec.v17i1.1057

Johnson, A. F., Lidström, S., Kelling, I., Williams, C., Niederműller, S., Poulsen, K. V., Burgess, S., Kent, R., & Davies, W. (2021). The European Union's fishing activity outside of European waters and the Sustainable Development Goals. *Fish and Fisheries*, faf.12533. https://doi.org/10.1111/faf.12533

Kassoti, E. (2019). The Empire Strikes Back: The Council Decision Amending Protocols 1 and 4 to the EU-Morocco Association Agreement [Text/html,PDF]. *European Papers - A Journal on Law and Integration*, *2019 4*, 307317. https://doi.org/10.15166/2499-8249/283

Keeley, G. (2021, March 8). What's behind the Morocco-Germany diplomatic dispute? *Aljazeera*. https://www.aljazeera.com/news/2021/3/8/whats-behind-the-morocco-germany-diplomatic-row

Keil, R. (2007). Sustaining Modernity, Modernizing Nature. In R. Krueger & D. Gibbs (Eds.), *The sustainable development paradox: Urban political economy in the United States and Europe* (pp. 13–40). Guilford Press. http://site.ebrary.com/id/10267380

Maghraoui, A. (2003). Ambiguities of Sovereignty: Morocco, The Hague and the Western Sahara Dispute. *Mediterranean Politics*, *8*(1), 113–126. https://doi.org/10.1080/13629390308010005

Marti, C.-P. (2018). *Research for TRAN Committee – Fisheries in Andalusia—Atlantic Region*. European Parliament, Policy Department for Structural and Cohesion Policies.

Martin, P. S. (2005). Nationalism, identity and citizenship in the Western Sahara. *The Journal of North African Studies*, *10*(3–4), 565–592. https://doi.org/10.1080/13629380500336870

Mills, E., Alexandersen, A. R., Barbesgaard, M., Pedersen, C., Feodoroff, T., & Franco, J. (2017). *EU Fisheries Agreements: Cheap Fish for a High Price* [Policy Brief]. Transnational Institute, Afrika Kontakt (now Global Aktion) and Masifundise for Hands on the Land. https://www.tni.org/files/publication-downloads/tni_eu_fisheries_agreements_en.pdf

MINURSO. (n.d.). *Background*. UN Missions. Retrieved March 11, 2021, from https://minurso.unmissions.org/background

Mundy, J. (2012). Moroccan Settlers in Western Sahara: Colonists or Fifth Column? *The Arab World Geographer*, *15*(2), 95–126. https://doi.org/10.5555/arwg.15.2.mgu34h2j94m7278u

Mundy, J. (2017). The Geopolitical Functions of the Western Sahara Conflict: US Hegemony, Moroccan Stability and Sahrawi Strategies of Resistance. In R. Ojeda-Garcia, I. Fernández-Molina, & V. Veguilla (Eds.), *Global, Regional and Local Dimensions of Western Sahara's Protracted Decolonization* (pp. 53–78). Palgrave Macmillan US. https://doi.org/10.1057/978-1-349-95035-5_3

Okafor-Yarwood, I., & Belhabib, D. (2020). The duplicity of the European Union Common Fisheries Policy in third countries: Evidence from the Gulf of Guinea. *Ocean & Coastal Management*, *184*, 104953. https://doi.org/10.1016/j.ocecoaman.2019.104953

Pham, J. P. (2010). Not Another Failed State: Toward a Realistic Solution in the Western Sahara. *The Journal of the Middle East and Africa*, *1*(1), 1–24. https://doi.org/10.1080/21520841003741463

Porges, M. (2019). Western Sahara and Morocco: Complexities of Resistance and Analysis. In L. de Vries, P. Englebert, & M. Schomerus (Eds.), *Secessionism in African Politics: Aspiration, Grievance, Performance, Disenchantment* (pp. 127–149). Springer International Publishing. https://doi.org/10.1007/978-3-319-90206-7_5

Puymbroeck, N. V., & Oosterlynck, S. (2014). Opening Up the Post-Political Condition: Multiculturalism and the Matrix of Depoliticisation. In E. Swyngedouw & J. Wilson (Eds.), *The Post-Political and Its Discontents: Spaces*

of *Depoliticisation, Spectres of Radical Politics* (pp. 86–108). Edinburgh University Press. https://www.cambridge.org/core/books/postpolitical-and-its-discontents/opening-up-the-postpolitical-condition-multiculturalism-and-the-matrix-of-depoliticisation/1D60EBD8D31CA4C2A277778568053148

Ranciere, J. (1998). The Cause of the Other. *Parallax*, *4*(2), 25–33. https://doi.org/10.1080/135346498250217

Rancière, J. (1999). *Disagreement: Politics and philosophy* (J. Rose, Trans.). University of Minnesota Press.

Rancière, J. (2007). *On the shores of politics*. Verso.

Rancière, J. (2008, September 22). *Democracy, anarchism and radical politics today: An interview with Jacques Ranciere* (T. May, B. Noys, & S. Newman, Interviewers). Anarchist Studies (Vol. 16, Issue 2).

Rancière, J. (2009). Contemporary Art and the Politics of Aesthetics. In B. Hinderliter, W. Kaizen, V. Maimon, J. Mansoor, & S. Mccormick (Eds.), *Communities of Sense* (pp. 31–50). Duke University Press; JSTOR. https://doi.org/10.2307/j.ctv11smvw2.5

Rancière, J. (2010). *Dissensus: On politics and aesthetics* (S. Corcoran, Trans.). Continuum.

Rancière, J. (2011). Against an Ebbing Tide: An Interview with Jacques Rancière. In P. Bowman & R. Stamp (Eds.), *Reading Ranciere: Critical Dissensus* (pp. 238–251). Continuum.

Rashad, J. (2011). *Tahrir Square - February 9, 2011: Thousands of Egyptian protesters in Tahrir Square demand the downfall of the regime and for Mubarak to step down* [Photograph]. Wikimedia Commons. https://commons.wikimedia.org/wiki/File:Tahrir_Square_-_February_9,_2011.png

REUTERS/Mohamed Abd El Ghany. (2020). *A general view shows Tahrir Square, after its renovation, following the outbreak of the coronavirus disease (COVID-19), in Cairo, Egypt July 13, 2020* [Photograph]. https://www.thestar.com.my/news/world/2020/08/10/cairo039s-tahrir-square-gets-a-contested-makeover

Robbins, P. (2015). The Trickster Science. In T. Perreault, G. Bridge, & J. McCarthy (Eds.), *The Routledge Handbook of Political Ecology*. Routledge. https://doi.org/10.4324/9781315759289

Shelley, T. (2006). Natural resources and the Western Sahara. *CURRENT AFRICAN ISSUES*, *No. 33: The Western Sahara conflict : the role of natural resources in decolonization*.

Smith, J. (2013). *Fishing for Self-Determination: European Fisheries and Western Sahara — The Case of Ocean Resources in Africa's Last Colony* (SSRN Scholarly Paper ID 2288750). Social Science Research Network. https://doi.org/10.2139/ssrn.2288750

Smith, J. J. (2015). The taking of the Sahara: The role of natural resources in the continuing occupation of Western Sahara. *Global Change, Peace & Security*, *27*(3), 263–284. https://doi.org/10.1080/14781158.2015.1080234

Svarstad, H., Overå, R., & Benjaminsen, T. (2018). Power theories in political ecology. *Journal of Political Ecology*, *25*(1). https://doi.org/10.2458/v25i1.23044

Swyngedouw, E. (2007). Impossible "Sustainability" and the Post-political Condition. In R. J. Krueger & D. Gibbs (Eds.), *The Sustainable Development Paradox: Urban Political Economy in the United States and Europe* (pp. 13–40). Guilford Publications. http://ebookcentral.proquest.com/lib/lund/detail.action?docID=406007

Swyngedouw, E. (2014). Where is the political? Insurgent mobilisations and the incipient "return of the political." *Space & Polity*, *18*(2), 122–136. https://doi.org/10.1080/13562576.2013.879774

United Nations (UN). (1979, November 21). *General Assembly resolution 34/37: Question of Western Sahara*. https://undocs.org/A/RES/34/37

United Nations (UN). (2012). *Western Sahara, Map No. 3175* (Rev. 4) [Map]. Department of Field Support, Cartographic Section. https://www.un.org/dppa/decolonization/en/nsgt/western-sahara

United Nations (UN). (2020a). *Western Sahara, Map No. 3175* (Rev. 5) [Map]. Department of Field Support, Cartographic Section. https://www.un.org/dppa/decolonization/en/nsgt/western-sahara

United Nations (UN). (2020b, December 10). *General Assembly resolution 75/106: Question of Western Sahara*. https://undocs.org/A/RES/75/106

World Commission on Environment and Development (WCED) & Brundtland, G. H.. (1991). *Our common future*. Univ. Press.

Western Sahara Campaign UK v Commissioners for Her Majesty's Revenue and Customs and Secretary of State for Environment, Food and Rural Affairs, C-266/16, Digital reports (Court Reports – general), EU:C:2018:118 (European Court of Justice, 2018).

Wilson, J., & Swyngedouw, E. (2014). Seeds of Dystopia: Post-Politics and the Return of the Political. In J. Wilson

    & E. Swyngedouw (Eds.), *The post-political and its discontents: Spaces of depoliticisation, spectres of radical*

    politics (pp. 1–22). Edinburgh University Press.

9   Appendixes

Appendix A: Maps of Western Sahara (UN, 2020 & 2012)

Western Sahara

- 30°

MOROCCO

Agadir

Tiznit

Sidi Ifni

ALGERIA

Goulimine

CANARY ISLANDS

Lanzarote

La Palma

Tenerife

Santa Cruz de Tenerife

Fuerteventura

Tan Tan

Oued Drâa

Zag

- 28°

Gomera

Las Palmas

Tindouf

Hierro

Gran Canaria

Tarfaya

Subkhat Tah

As-Sakn

Mahbas

Al Ga'da

Jdiriya

Laayoune

Hawza

Al Farcia

Oued A's Saquia Al Hamra

Smara

Bir Lahlou

ATLANTIC OCEAN

Boucraa

Amgala

- 26°

Boujdour

Mehaires

Tifariti

Aridal

Oued Al Khatt

Bir Mogrein

Guelta Zemmur

MAURITANIA

Zbayra

Chalwa

Sebkhet Oumm ed
Drous Telli

Subkhat
Aghzoumal

- 24°

Tagarzimat

Oum Dreyga

Ad Dakhla

Bir Anzarane

Western
Sahara

Aargub

Baggari

Subkhat
Tanwakka

Imlily

Mijek

Subkhat
Tidsit

Subkhat
Doumas

Sebkhet
Ijill

Zouérate

Awsard

Agailas

Agwanit

Bir Gandouz

Dougaj

- 22°

Tichla

Zug

Guerguerat

Bon Lanuar

Sebkha de
Chinchane

Nouadhibou

La Guera

MAURITANIA

Atar

- 20°

	Town, village
	International boundary
	Road
	Berm
	Wadi
	Dry salt lake
	Airport

0   50   100   150   200 km

0   50   100 mi

The boundaries and names shown and the designations used
on this map do not imply official endorsement or acceptance by
the United Nations.

Map No. 3175 Rev. 4   UNITED NATIONS
October 2012

Department of Field Support
Cartographic Section

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Appendix B: List of all analyzed EU documents

1. *European Commission (EC)*

European Commission (EC). (2019, February 12). *European Parliament votes in favour of EU-Morocco fisheries partnership* [**Press release**].

Proposal *for a Council Decision on the signing, on behalf of the Union, of the Sustainable Fisheries Partnership Agreement between the European Union and the Kingdom of Morocco, the Implementation Protocol thereto and an exchange of letters accompanying the said Agreement,* COM/2018/677 final. (8 October 2018.)

Proposal *for a Council Decision on the conclusion of the Sustainable Fisheries Partnership Agreement between the European Union and the Kingdom of Morocco, the Implementation Protocol thereto and an exchange of letters accompanying the said Agreement*, COM/2018/678 final. (8 October 2018.)

Commission Staff Working Document, original French title: *Document de Travail des Services de la Commission accompagnant le document: Proposition de décision du Conseil relative à la signature, au nom de l'Union, de l'accord de partenariat dans le domaine de la pêche durable entre l'Union européenne et le Royaume du Maroc, de son protocole de mise en œuvre ainsi que d'un échange de lettres accompagnant ledit accord*, SWD/2018/433 final. (8 October 2018.)

Recommendation *for a Council Decision to authorise the Commission to open negotiations on behalf of the European Union for the amendment of the Fisheries Partnership Agreement and conclusion of a Protocol with the Kingdom of Morocco*, COM/2018/151 final. (21 March 2018.)

2. *Council of the European Union (CEU)*

Council of the European Union (CEU). (2019, March 4). *EU - Morocco: Council adopts sustainable fisheries partnership agreement* [**Press release**].

Council Decision *(EU) 2019/441 of 4 March 2019 on the conclusion of the Sustainable Fisheries Partnership Agreement between the European Union and the Kingdom of Morocco, the Implementation Protocol thereto and the Exchange of Letters accompanying the Agreement*.

Council Decision *(EU) 2018/2068 of 29 November 2018 on the signing, on behalf of the Union, of the Sustainable Fisheries Partnership Agreement between the European Union and the Kingdom of Morocco, the Implementation Protocol thereto and the exchange of letters accompanying the Agreement*.

3. European Parliament (EP)

European Parliament (EP). (2019, February 12). *MEPs adopt new Fisheries Partnership with Morocco including Western Sahara* [**Press release**].

EU-Morocco Sustainable Fisheries Partnership Agreement *** European Parliament legislative resolution of 12 February 2019 on the draft Council decision on the conclusion of the Sustainable Fisheries Partnership Agreement between the European Union and the Kingdom of Morocco, the Implementation Protocol thereto and the exchange of letters accompanying the Agreement (14367/2018 — C8-0033/2019 — 2018/0349(NLE)). (**Consent**) (2020/C 449/29).

Recommendation *on the draft Council decision on the conclusion of the Sustainable Fisheries Partnership Agreement between the European Union and the Kingdom of Morocco, the Implementation Protocol thereto and the exchange of letters accompanying the Agreement (14367/2018 – C8-0033/2019 – 2018/0349(NLE))*. Committee on Fisheries. (25 January 2019.)

4. European Court of Justice (ECJ)

ECJ. (2018, February 27). *The Fisheries Agreement concluded between the EU and Morocco is valid in so far as it is not applicable to Western Sahara and to its adjacent waters* [**Press release**]. Court of Justice of the European Union. https://curia.europa.eu/jcms/upload/docs/application/pdf/2018-02/cp180021en.pdf

ECJ. (2016, December 21). *The Association and Liberalisation Agreements concluded between the EU and Morocco are not applicable to Western Sahara* [**Press release**]. Court of Justice of the European Union. https://curia.europa.eu/jcms/upload/docs/application/pdf/2018-02/cp180021en.pdf

Judgement: Western Sahara Campaign UK v Commissioners for Her Majesty's Revenue and Customs and Secretary of State for Environment, Food and Rural Affairs, C-266/16, Digital reports (Court Reports – general), EU:C:2018:118 (European Court of Justice, 2018).

Judgement: Council v Front Polisario, C-104/16 P, Digital reports (Court Reports - general), EU:C:2016:973 (European Court of Justice 2016).