
been built in Dakhla and Awsard camps. In Laayoune camp, a new osmosis system was installed, renewing the 24 kilometre water pipeline with Awsard camp. Local staff members at the Saharan water department received training on technical aspects of water treatment.

74. In the education sector, UNHCR provided 127,540 school books, covering about 80% of the overall needs. UNHCR rehabilitated two primary schools in Smara and Laayoune camps, and trained 1,756 teachers in curriculum development and pedagogy. An additional ten Saharan refugee students, among 103 students who passed their Baccalaureate exam, were awarded scholarships. So far 25 students are recipients of UNHCR scholarships since 2008. UNICEF also provided school furniture.

75. In 2010, UNHCR supplied one third of the cooking gas requirement, in complement to the supply provided by the Algerian Red Crescent. UNHCR also provided clothing to schoolchildren, traditional Saharan clothing to women and 2,200 tents and materials for tents.

76. In the health sector, UNHCR and WFP, through their implementing partner, the Algerian Red Crescent, provided a supplementary feeding program to moderately malnourished children under five, and pregnant and lactating women in all camps. UNHCR also provided support to the nursing school, conducted training courses for nurses and midwives, and supplying products and teaching aids. In the agriculture sector, 55 refugees in Dakhla camp benefited from greenhouses, seeds, water pumps, and training. UNHCR continued supporting the vocational centres for women, youth, and handicapped persons.

77. To enhance the protection of refugees, UNHCR supported the legal establishments in the Tindouf camps. Incentives and training were also provided to lawyers and judges. UNHCR has commenced construction of new field offices in all the camps to enhance refugee protection and bring services closer.

E. Confidence-building measures

78. UNHCR continued to implement the Confidence Building Measures programme to facilitate contact and communication between Western Saharan refugees in the Tindouf camps and their families in the Territory. MINURSO continued to provide logistical support, including United Nations police officers to facilitate travel procedures and provide escort.

79. However, the exchange of family visits by air and the free telephone services, which are the main components of the CBM programme, experienced significant setbacks during the reporting period.

80. The family exchange programme between locations in the Territory and the Tindouf refugee camps was halted on 26 March, due to a disagreement between the parties over the eligibility of a beneficiary. Subsequent attempts to re-launch the programme on 2 April and 17 September failed. As a consequence of these actions, some 1,740 potential beneficiaries lost the chance to benefit from this vital humanitarian service.

81. The free telephone service is interrupted since 20 September, following the failed family exchange flight of 17 September.

82. Following intensified efforts made by the UN High Commissioner for Refugees, António Guterres, and my Personal Envoy Christopher Ross, to engage the parties, UNHCR chaired a meeting in Geneva on 9 and 10 February, with representatives from both parties, as well as Algeria and Mauritania as observers. My Personal Envoy and the Special Representative for Western Sahara also attended.

83. During the two days of constructive deliberations, the participants reaffirmed the importance of the CBM programme and the need to find ways and means to maximize the links between families divided by conflict for 36 years. The Parties expressed their commitment to cooperate fully with UNHCR in implementing the 2004 Plan of Action, in accordance with its mandate and principles, and to preserve the humanitarian character of the CBM operation.

84. The Parties and the two neighboring countries agreed to the following conclusions aiming to increase the number of beneficiaries from the CBM programme:

- a. The seminars will be re-launched, with the first one to be held during the second half of 2011 in Madeira, Portugal.
- b. UNHCR, jointly with MINURSO, will deploy a reconnaissance team to conduct a road technical feasibility assessment mission on 18 April. UNHCR will also look into the feasibility of providing a larger aircraft for the family visits by air.
- c. The mail services and the resumption of the telephone centers were agreed upon in principle. UNHCR will provide some proposals for further consideration and discussion.
- d. UNHCR will submit to the parties for approval one single list of beneficiaries, after verification is completed by UNHCR through full and unhindered access on both sides. UNHCR is working on the preparation to implement this system by July 2011.
- e. As this was the second such meeting since July 2000, it was agreed to hold regular coordination meetings at least twice a year, in Geneva. The next meeting is proposed to take place in September 2011.
- f. An evaluation meeting will be held in December 2011.

85. Family visits by air were resumed on 7 January 2011. Since then, eight round-trips have been conducted, enabling 894 persons to travel or receive relatives on both sides.

86. Since March 2004, out of 41,237 Saharans registered, a total number of 13,942 persons (30% of those registered), mostly women, children and elderly, have benefited from the family visits. The remaining 27,295 are waiting to benefit from the activity.

87. On 25 February, UNHCR was not able to include one Sahrawi refugee in the family visit by air, after Morocco refused in writing his participation in the programme due to alleged crimes committed by the individual in Laayoune in 2001. The Frente Polisario claimed that the move was politically motivated. The refugee began a hunger strike in protest.

88. Further to the recommendation on the conduct of a census made in my previous report of 6 April 2010 (S/2010/175, para. 75), and in line with its mandate and established practice, UNHCR will continue discussing with the host country the need for registration in Tindouf refugee camps.

F. Irregular migrants

89. During the reporting period, 17 irregular migrants were recorded in Western Sahara. The Frente Polisario handed them over to the Mauritanian authorities in Zouerate on 1 September 2010.

G. Human rights

90. The broad outline of the events attendant to the establishment and dismantling of the Gdim Izik protest encampment are set out at the beginning of this report. The human toll is not clear as the parties have provided conflicting figures and independent means of verification are scarce. Moroccan authorities announced that 11 of its security agents and two civilians had been killed while 70 security agents and four civilians were wounded on this occasion and during the subsequent outbreak of violence in Laayoune. Moroccan authorities released a 14-minute video of edited coverage of the dismantling of the camp and subsequent events in Laayoune, showing acts of violence by Saharan protestors against Moroccan security forces, including a protestor at the camp seen to be defiling the body of a security officer. Shortly after the incident, Frente Polisario claimed that 36 Saharans, including an eight year-old child were killed, more than 700 wounded, and 163 went missing. It is undisputed that, on 24 October, a 14 year-old Saharan boy, al-Najem al-Kareh, was killed and four others were wounded by Moroccan security forces while making their way to the camp, but accounts of the circumstances of the incident differ.

91. According to local and international human rights organizations, on 8 November, following the dismantling of the camp, Saharans in Laayoune reportedly attacked and set fire to property belonging to Moroccan citizens or Saharans thought to be pro-Moroccan. The same day Moroccan citizens allegedly attacked Saharan civilian homes and their residents, reportedly in the presence of or with the active participation of Moroccan security personnel in most cases.

92. Investigations by local and international human rights organizations found that over 200 Saharans, including children, were detained. Many Saharans, including women, elderly, and disabled persons, have alleged that they were subjected to torture or ill-treatment, including threatened of or actual sexual violence, during the dismantling operation or while in detention. Families of detained Saharans asserted that they were unable to obtain information about the whereabouts of their relatives, in many cases for over two weeks. While some of those detained were released, a Moroccan parliamentary commission (see Para. 91) noted that, by January, judicial proceedings had been initiated in relation to over 185 Saharans, including the referral of 19 to the jurisdiction of the Military Court, one to a juvenile court, and 132 to the Laayoune Court of Appeal. At least five of those referred before the Military Court are members of Saharan human rights organisations.

93. On 27 November, the Moroccan Lower House established a "Parliamentary Commission of Inquiry" to investigate the establishment and dismantling of the camp, the events in Laayoune, and their implications. The Commission travelled to the Territory, heard 122 witnesses and published its report in January. Among other things, the report concluded that, in a context of considerable socio-economic disparities in the Territory, the camp had been set up initially as a social protest but that "criminals, those with a criminal record, and a group of terrorists" took over. It confirmed the official figures of fatalities and noted that 238 security personnel and 134 civilians were injured.

94. It expressed appreciation that live fire was not used in order to protect civilians, noted that equal measures were not put in place to protect security personnel, and called on the justice system to punish criminals. The Commission noted limited abuses in the "search and arrest" operations, which thereby warrants the justice system to pay due attention to complaints of abuses. The report also put forward several recommendations, including the need to address the underlying causes of the protest and to identify responsibility for allowing the installation and the expansion of the camp. It also shed light on the failure of the local authorities to fulfil several of their responsibilities and recommended the opening of an investigation to define responsibilities for violations in certain sectors, notably housing, the management of state properties and real estate, fishing licences, and social assistance. The Commission recommended compensation for residents, businessmen, and investors whose properties had been damaged. Based on its discussions with the General Crown Prosecutor, the Commission expressed confidence that justice "will take its natural course in guaranteeing the right of every citizen to a fair trial".

95. According to the Commission's report, disparities among populations of the Territory were considerable despite significant advances in socio-economic indicators and investment in infrastructure. The report noted that social services - from social housing, to social assistance programmes and subsidised consumables - benefited a small group rather than the majority of the population.

96. Local and international human rights organizations noted that protestors at the camp were calling for their right to work, and to adequate housing and for an end to the marginalization and the inequitable distribution of resources in the Territory. Local organizations highlighted that Saharans suffered from high levels of unemployment as a result of discriminatory employment practices and despite employment opportunities, notably in the phosphate and fishing industries. Local and international organizations also stressed that no information had been received to date to indicate that criminal investigations and prosecutions had been effectively launched into alleged violations of the rights of Saharan civilians by security forces or into attacks against them and their properties by Moroccan civilians.

97. As referred to in para. 13 above, incidents took place between two groups of Moroccan and Saharan civilians as of the early morning of 26 February in Dakhla. Further incidents took place when approximately 400 Saharans demonstrated later the same day. Local sources added that the demonstration was triggered by the inaction of security forces when Moroccan youths reportedly attacked three Saharan neighbourhoods, allegedly destroying shops and other property belonging to Saharans in the presence of security forces. While Moroccan civilians suspected of participating in the attacks were reportedly arrested, no information was available as

to whether an investigation was opened into the conduct of the security forces. Media reports indicate that the local authorities have committed to launch an inquiry into the material damage caused during the violence and consider possible reparations.

98. Saharan human rights defenders and activists continued to report impediments to their ability to operate. The trial of seven well-known Saharan activists, including one woman, charged in relation to their highly publicized visit to the Tindouf camps in October 2009, is ongoing. On 11 February, the Ain-Sab'a Court of First Instance in Casablanca postponed its decision indefinitely to facilitate further investigation. Defence lawyers complained that the trial failed to adhere to international standards for fair trial.

99. Following the dismantling of the camp, the Moroccan authorities allowed international human rights organisations, such as Amnesty International and Human Rights Watch, and foreign journalists - with some restrictions - to visit the Territory and to carry out their work, in particular to investigate the camp incident and to make their findings public. This notwithstanding, instances of ill-treatment of individuals conducting visits in solidarity with the people of Western Sahara or participating in demonstrations in the Territory calling for the implementation of UN resolutions on its status were reported.

100. With regard to the human rights situation in the refugee camps in Tindouf (Algeria), information remains limited. In recent years, allegations of violations were reported, notably of the rights to freedom of expression and movement. In September, the Frente Polisario arrested Mostapha Selma Sidi Mouloud, a "SADR" police officer, on his return from the Territory to the camps, where he resided. While in detention, his exact whereabouts were unknown. The Frente Polisario reportedly accused Mr. Mouloud of espionage and treason after he publicly expressed his support for a degree of autonomy for the Territory under Moroccan sovereignty. In October, the Frente Polisario released Mr. Mouloud, handing him over to UNHCR.

101. As detailed in this report, there were allegations of violations of human rights in the Territory and the refugee camps during the reporting period. MINURSO does not have a specific human rights mandate, and the Office of the United Nations High Commissioner for Human Rights has no presence in the Territory or in the refugee camps in Tindouf. Such allegations and counter allegations by the parties should be transformed into mutual acceptance of effective arrangements that genuinely address attendant issues and concerns to generate confidence.

H. Administration of the Mission and security measures

102. Facility and infrastructure maintenance at MINURSO team sites are in the final stages of completion. At the Mehaires, Agwanit, and Mijek team sites, soft wall accommodation will be replaced with hard wall accommodation by mid 2012. Six other team sites have already had their soft walls replaced with hard wall accommodation. Plans are also underway to replace the soft wall kitchens in all the nine team sites with hard wall kitchens over the next two years.

103. Since my previous report, MINURSO has installed water-treatment plants in team sites Smara and Tifariti in addition to Mahbas and Bir Lahlou, and at Mission headquarters in Laayoune. The Royal Moroccan Army is continuing to assist in the

rehabilitation of the desert airfield at Awsard. Work on this project, which has been delayed due to equipment failure and bad weather, is anticipated to be complete by July 2011.

104. The Mission has launched an environmental protection programme, in line with my efforts towards “greening the United Nations” and the promotion of sustainable energy. The Mission has installed a waste water treatment system at team site Mahbas and plans to have the technology installed in all nine team sites by 2014. The Mission is also replacing electric water heaters and electric security lights with solar-powered water heaters and solar security lights. Trials of the Fuel Farm and Security Access Control at the Mission Logistics Base have found them effective and they will be installed at remote locations such as helipad refueling facilities in the team sites.

105. The reporting period saw an increase in security incidents involving United Nations staff. A total of 14 incidents were recorded, with the majority occurring in the aftermath to the violence in Gdim Izik and Laayoune in November 2010. Incidents included assault with weapons and threats of physical attacks on UN staff, vandalism of UN vehicles and other property, harassment of staff, intrusion into private residences, attempted robbery, and sabotage.

106. While most cases occurred in Laayoune, Tindouf also recorded incidents. During the unrest in Gdim Izik and Laayoune on 8 November, two staff members were injured while two vehicles were destroyed by stone-throwing in Laayoune. At the Tindouf Liaison Office and Tifariti and Mijek Team Sites, quick action by Frente Polisario security forces prevented demonstrators expressing solidarity with Gdim Izik protesters from entering UN premises.

107. In Tindouf, the UNHCR/CBM sign at 27 February camp was damaged by angry demonstrators on 15 November. Earlier on 3 June, the UNHCR’s sub office in Rabouni camp was broken into and United Nations and private property stolen.

108. The Mission took measures to mitigate these incidents and threats, including the installation of 11 cameras at United Nations premises, and continues the use of X-ray machines and observation mirrors at all entrance and exit points.

I. Conduct and discipline issues

109. The Mission has continued to give priority to the conduct and discipline of its civilian and military components, focusing mainly on prevention through training on rules and regulations, United Nations core values, and procedures for handling misconduct. During the reporting period, eight cases were reported, including one sexual abuse and exploitation allegation. The majority of cases were already investigated and closed by the Mission, leaving one allegation from 2010 under investigation.

V. African Union

110. MINURSO continued its cooperation with the observer delegation of the African Union led by its Senior Representative, Yilma Tadesse of Ethiopia. I wish to reiterate my appreciation of the African Union for its contribution.

111. On 26-28 August, my Special Representative in Western Sahara attended a high level meeting in Cairo, Egypt, where common strategies and enhanced cooperation towards advancing peace in Africa were discussed.

112. On 23 September, at the invitation of the African Union, my Special Representative in Western Sahara visited the African Union Headquarters in Addis Ababa for high level meetings and briefings on efforts by the United Nations and various organs of the African Union to address diverse problems in Africa. The consultations also brought the issue of Western Sahara into focus, with suggestions being made to involve a panel of regional eminent persons to find a way to get Morocco more involved in the work of the African Union.

113. MINURSO continued to support the African Union delegation in Laayoune, in the form of logistical and administrative assistance drawn from its existing resources.

VI. Financial aspects

114. The General Assembly, by its resolution 64/284, decided to appropriate the amount of \$57.1 million for the maintenance of MINURSO for the period 1 July 2010 to 30 June 2011. Should the Security Council decide to extend the mandate of MINURSO beyond 30 April 2011, the cost of maintaining the Mission until 30 June 2011 would be limited to the amounts approved by the General Assembly. The proposed budget for MINURSO for the period 1 July 2011 to 30 June 2012 in the amount of \$61.4 million (exclusive of budgeted voluntary contributions in kind) has been submitted to the General Assembly for consideration during the second part of its resumed sixty-fifth session.

115. As at 28 February 2011, unpaid assessed contributions to the Special Account for MINURSO amounted to \$44.7 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to \$2,410.3 million.

116. As of 28 February 2011, amounts owed to troop contributors totaled \$0.5 million. Reimbursement of troop and contingent-owned equipment costs have been made for the period up to 30 October 2010 and 30 September 2010, respectively, in accordance with the quarterly payment schedule.

VII. Observations and recommendations

117. I am concerned about the deterioration of the security situation in Western Sahara, resulting from the absence of a peace agreement between Morocco and the Frente Polisario and the continuing 20-year-old status quo in the Territory. I regret the loss of lives and property that occurred during the violence in Gdim Izik and Laayoune on 8 November and I call on the parties to refrain from resorting to violence in future.

118. The current negotiating process has existed since the Council's first calls for direct negotiations between the parties to achieve "a just, lasting, and mutually acceptable political solution, which will provide for self-determination for the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations," and since

Morocco and the Frente Polisario presented their respective proposals to the Council in April 2007. After the passage of four years and ten sets of meetings between the parties, this process remains deadlocked.

119. Neither party has accepted the proposal of the other as the sole basis of negotiation and neither party has taken steps to date that would suggest a readiness to move to an acceptable compromise. Despite the parties' recent agreement to devote future rounds of talks to the innovative approaches and discrete subjects that were agreed at the sixth round of informal talks, as well as others that may subsequently be identified, they are likely to remain attached to the essence of their proposals.

120. That said, current circumstances may suggest a way forward. At this time of protest and contestation throughout the Middle East/North Africa region, the sentiments of the population of Western Sahara, both inside and outside the Territory, with regard to its final status are more central than ever to the search for a settlement that will be just and lasting, but these sentiments remain unknown. What is clear is that arrival at a final status on which this population has not clearly and convincingly expressed its view is likely to engender new tensions in Western Sahara and in the region. In recognition of this fact, the Council may wish to recommend three initiatives to the parties:

- a. first, that the parties find a means to include respected representatives of a wide cross-section of the population of Western Sahara inside and outside the Territory, formally or informally, in the consideration and discussion of issues related to final status and the exercise of self-determination.
- b. second, that the parties deepen further their examination of each other's proposals and, in particular, seek common ground on the one major point of convergence in their two proposals: the need to obtain the approval of the population for any agreement. It is instructive in this regard that the proposals of both parties foresee, albeit in different form, a referendum that will constitute a free exercise of the right to self-determination
- c. third, that the parties devote additional energy to identifying and discussing a wide range of governance issues with a view to meeting the needs of the people of Western Sahara and with the understanding that many aspects of these issues can be discussed without reference to the nature of the final status of the Territory – for instance, how to structure the its executive, legislative, and judicial branches, how organize and conduct elections, and how to design primary and secondary education.

121. , Addressing human rights issues is also important for the larger resolution of the conflict. Both parties have responsibilities to ensure the protection of human rights. I take note of the recent initiatives of the Kingdom of Morocco which encompass national institutions as indicated in para 17 of this report, as well as the proposed fuller use of the mechanisms of the Human Rights Council. I appreciate the expressed commitment of Morocco to ensure unqualified and unimpeded access to all Special Procedures of the Human Rights Council. I now expect such engagement of the HRC mechanisms

to address on an independent, impartial and sustained basis the alleged violations of the universal rights of the people of Western Sahara in the Territory and the camps for the next reporting period.

122. I welcome the resumption of the family-visits, as well as the parties' commitment to make progress on the road option and agreement to resume the seminars. Once again, I urge both parties to continue to cooperate with UNHCR in a constructive and conducive way to the smooth running of the programme's full implementation to maximize the participation of the refugees and their family members divided by the conflict for over 35 years. I strongly call upon both parties to refrain from using this humanitarian programme for politically motivated objectives and to grant UNHCR full and unhindered access to beneficiaries on both sides. I would like also to thank Algeria and Mauritania for their support to this humanitarian programme.

123. I am pleased to note the progress in the clearance of land mines and explosive ordnances of war and the decrease in mine accidents recorded during the reporting period. I am also pleased with the recruitment and training of members of the local population in demining activities. These invaluable activities contribute directly and positively to the safety of the civilian population in the region as well as of United Nations personnel. I also note the increased cooperation in information sharing with the parties and urge more activity in this respect. To allow for this vital work to continue, additional resources for the United Nations mine action efforts in Western Sahara will be required. I call upon donors to support the efforts of the parties and of MINURSO in order to take advantage of the progress and investments made to date.

124. I am concerned with the increase in violations of Military Agreement No. 1 by the parties. I support MINURSO's efforts in working with the parties to review the terms of Military Agreement No. 1 and propose amendments, should the parties deem it necessary. In the meantime, it is their responsibility to ensure that violations are not committed by their military forces, and I call on them to adhere fully to the provisions of Military Agreement No. 1 and to extend their full cooperation to MINURSO. I reiterate my call to the parties, which has not been followed up to date, to establish direct cooperation and communication through a joint military verification mechanism to discuss allegations of violations and other issues of common interest.

125. This year, the United Nations marks MINURSO's 20-year anniversary and the successful maintenance of the ceasefire, while the situation of Western Sahara remains unresolved and the negotiations towards a future peace agreement continue. In 20 years, the situation on the ground has changed dramatically, both in terms of the size and makeup of the local population as well as of the level of economic activity and infrastructure, with remarkable differences between the Territory west and east of the berm. In this context, MINURSO's role and activities, as spelled out by the Security Council upon its establishment and in subsequent relevant resolutions, are met with increasing challenges to its operations and in its relations to the parties. By way of example, while remaining a constituting element of the Mission's mandate, all activities in preparation of a referendum on self-determination have been suspended owing to the disagreement between the parties. Challenges to the

Mission's freedom of movement and operations inside the Territory recorded over the reporting period illustrate the Mission's eroding ability to implement its 1991 mandate, including such fundamental activities as monitoring and reporting developments in Western Sahara as they directly affect the political and security situation.

126. As the sole presence of the United Nations in the Territory – with the exception of a small UNHCR office in support of the confidence-building measures programme – and as a guarantor for the stability of the ceasefire, I believe that the presence of MINURSO remains relevant. However, at this critical juncture and in light of the new challenges described in this report, I would seek the assistance of the Security Council in reaffirming the role of MINURSO and ensuring that the minimum conditions for it successfully to operate are met, and call on the cooperation of both parties, Morocco and the Frente Polisario. In this context, and in light of my Personal Envoy's continuing efforts, I recommend that the Security Council extend the mandate of MINURSO for a further twelve months, until 30 April 2012.

127. In conclusion, I wish to thank Christopher Ross, my Personal Envoy, for his tireless diligence in working with the parties towards a just, lasting and mutually acceptable political solution that will provide for the self-determination of the people of Western Sahara. I wish also to thank my Special Representative in Western Sahara, Hany Abdel-Aziz, as well as Major General Jingmin Zhao (China), MINURSO's Force Commander, for their dedication at the helm of MINURSO. I also want to thank the women and men of MINURSO for the work they are doing, under difficult circumstances, to fulfil the Mission's mandate.

Annex

United Nations Mission for the Referendum in Western Sahara

Contributions as at 30 March 2011

<i>Country</i>	<i>Military observers^a</i>	<i>Troops^a</i>	<i>Civilian police^b</i>	<i>Total</i>
Argentina	3	0	0	3
Austria	2	0	0	2
Bangladesh	8	20	0	28
Brazil	10	0	0	10
China	11	0	0	11
Croatia	7	0	0	7
Djibouti	2	0	0	2
Egypt	20	0	2	22
El Salvador	6	0	3	9
France	13	0	0	13
Ghana	10	7	0	17
Greece	1	0	0	1
Guinea	5	0	0	5
Honduras	12	0	0	12
Hungary	7	0	0	7
Ireland	3	0	0	3
Italy	5	0	0	5
Jordan	2	0	1	3
Malaysia	12	0	0	12
Mongolia	4	0	0	4
Nepal	2	0	0	2
Nigeria	8	0	0	8
Pakistan	10	0	0	10
Paraguay	5	0	0	5
Poland	1	0	0	1
Republic of Korea	2	0	0	2
Russian Federation	17	0	0	17
Sri Lanka	3	0	0	3
Uruguay	3	0	0	3
Yemen	10	0	0	10
Total	204	27	6	237^c

^a Authorized strength is 231, including the Force Commander.

^b Authorized strength is 6.

^c Actual strength on the ground, for military and civilian police, including the Force Commander.