

# MOROCCO: Western Sahara: What Horst Kohler's resignation means for the political process

*Horst Kohler, personal envoy of the UN Secretary-General for the Western Sahara, surprised many with his decision to resign on May 22.*

By Samir Bennis

Morocco World News (31.05.2019) – <https://bit.ly/2Ie4m2A>– Kohler's resignation comes at a time when the political process he led since his appointment in August 2017 had been revived after more than eight years of stalemate.

## *Kohler's impact on the political process*

There is no doubt that Kohler's sudden departure is a major setback for the UN political process to help the parties to the conflict achieve a mutually acceptable political solution.

To better understand the negative impact this resignation will have on the political process, it should be examined in its political context. It comes after two round tables in which all parties to the conflict, including Algeria and Mauritania, took part and three weeks after the Security Council adopted a

new resolution in which it urges them to cooperate in good faith to pave the way towards a settlement.

Although the round tables held in Geneva in December 2018 and March 2019 did not lead to any substantial progress or address the substantive issues, the fact that Kohler brought all parties together, including Algeria and Mauritania, after more than eight years of stalemate, was in itself a diplomatic achievement. Kohler managed to achieve in less than two years what his predecessor, Christopher Ross, had failed to achieve in more than nine.

Kohler breathed new life into the political process and thanks to his charisma and his gravitas, he enjoyed the relative trust of all parties. With his resignation, the political process is likely to return to square one. As an immediate result, it is likely that there will be no roundtables until early next year or even later. Therefore, the provisions of resolution 2468 adopted on April 30 will come to naught.

### ***Uphill road to appoint a new personal envoy***

During the remaining four months of the mandate of the UN Mission in the Western Sahara, known as MINURSO, the focus of the UN Secretary-General and the Security Council will no longer be on ensuring that the parties participate in a new round table, but to appoint a successor to Horst Kohler. Given the complex nature of the conflict and the failure of five former UNSG personal envoys to successfully lead the political process, it is unlikely that Antonio Guterres, Secretary-General of the UN, will succeed in appointing a new personal

envoy before the end of MINURSO's mandate on October 30th.

Guterres took more than seven months to appoint a new personal envoy following his inauguration as UNSG on 1 January, 2017. Although the former personal envoy Christopher Ross resigned in early March 2017, it was an known within the UN since the end of 2016 that Guterres wanted to appoint a new personal envoy to move the political process past the impasse.

Guterres' mission to find a successor will be all the more complicated since he will have to reconcile the positions of all parties and appoint a personality that can earn their trust. As in the past, the parties will engage in fierce diplomatic maneuvering behind the scenes to influence the decision of the UNSG. With the presence of John Bolton in the Trump administration, it is likely that he will try to influence the choice of the future personal envoy as well.

***Behind the scenes maneuvering to sway the decision of the UNSG***

Algeria and Polisario, who have often welcomed that the personal envoy be American, will strive to make sure that Kohler's successor will also be American. In the coming weeks, the lobbying firms Foley Hoag and Keene Consulting, which work for Algeria, will certainly double down on their efforts to convince the US administration of the need for an American to oversee the UN-led political process of the Western Sahara.

Conversely, Morocco, which has had disappointments with former personal envoys James Baker and Christopher Ross, both

Americans, will certainly try to ensure that the new personal envoy be European. The two times that American diplomats led the political process, they took positions that undermined Morocco's interests, and were even accused of bias in favor of the Polisario.

In 2003, when James Baker was the personal envoy of former UN Secretary-General Kofi Anan, he proposed the so-called "Peace Plan for the Self-Determination of the People of Western Sahara." The plan proposed a transitional period of 5 years, followed by a referendum of self-determination with the option of independence among the two possible options. More still, Baker proposed that the Security Council implement the peace plan without the consent of the parties. Although the UNSG tried to add autonomy as a third option to reassure Morocco and secure its approval, Rabat rejected it.

The plan sparked such concern in Morocco that Moroccan diplomacy began to question whether Baker's plan had been proposed at the behest of the US administration. It took a meeting between King Mohammed VI and US President George W. Bush on the sidelines of the UN General Assembly in September 2003 for Rabat to be assured that the US position on the conflict had remained unchanged and that Baker's plan did not represent the American position.

A similar scenario happened with former personal envoy Christopher Ross. Ross was appointed to replace Dutch diplomat, Peter Van Walsum, who had repeatedly said that the option of independence of the Western Sahara was not viable.

Ross took office in January 2009, almost two years after the start of the 2007 political process and four rounds of negotiations under his predecessor Van Walsum. However, instead of building on his predecessor's work, Ross preferred to take a new approach and seemed willing to consider the option of independence.

Moreover, during most of his term, the political process deviated from his main objective, insofar as Ross appeared receptive to the weaponization of the issue of human rights in the Western Sahara by the Polisario and Algeria. This prompted Morocco to withdraw its confidence in him in mid-2012, to only recant its decision after it received assurances from former UNSG Ban Ki-moon that the parameters of the initial political process would be maintained.

### ***Morocco's preference for European personal envoy***

By contrast, Morocco's interests were strengthened during the mandate of Peter Van Walsum and Horst Kohler. After three years as a personal envoy of the UNSG, the former Dutch diplomat became deeply convinced that the establishment of a new state in southern Morocco was not viable, hence the need to find a political solution.

Likewise, during Horst Kohler's short term, the Moroccan position was further strengthened to the chagrin of Polisario and Algeria. Three resolutions were adopted during his mandate: Resolutions 2414, 2440 and 2468. They placed an unprecedented emphasis on the need for the parties to strive to find a compromise to achieve a "realistic, practicable and

enduring political solution to the question of Western Sahara based on compromise." In addition, Resolutions 2440 and 2468 have progressively paved the way for the Security Council to consider Algeria as a party to the conflict.

The unprecedented inclusion of Algeria in these two resolutions on an almost equal footing with Morocco, responds to a long-standing request from Rabat that the UN consider Algiers as a party to the conflict, since the Polisario would not have existed or lasted without its logistical, financial, political, military, and diplomatic support. This involvement of Algiers in the process was a necessary condition for Morocco to participate in any discussion or round table with the Polisario.

Moreover, the last three reports of the UN General Assembly and the latest Security Council resolutions called on the Polisario to stop its actions and provocations in the Guerguerat area and to refrain from deploying its administrative functions in the area east of Morocco's defense wall, including Tifariti and Bir Lahlou.

In addition, the UN Secretariat and the Security Council have put an end to the mirage of the "liberated zones" long peddled by the Polisario. Polisario's allegations concerning these zones suffered a further setback in the last UNSG's annual report on the conflict in which he summoned the separatist movement to meet with MINURSO representatives in the Rabouni region, in the Tindouf camps, and not in the "liberated zones."

Contrary to what has been said, the hypothesis that Kohler resigned because of pressure from Morocco is not plausible. To be sure, Kohler took a step that was not viewed favorably by Rabat. Since taking office in September 2017 and despite Morocco's opposition to any involvement of the African Union in the UN-led political process, Kohler made no secret of his intention to involve the AU and the European Union in the process. Morocco had to engage an all-out diplomatic offensive to prevent the involvement of the AU and the EU and ensure that the Western Sahara remain an exclusive prerogative of the United Nations.

Nevertheless, once the African Union solemnly affirmed that the conflict is within the exclusive purview of the UN, Morocco benefited from Kohler's mediation efforts. To say that Morocco is behind his resignation omits all the aforementioned facts and shows a lack of understanding of the balance of power within the Security Council.

If Morocco had such an influence on the political process and on the Security Council, it would have gotten rid of the former personal envoy, Christopher Ross. Even after declaring him persona non grata in 2012, Morocco had to reconsider its position and its decision to collaborate with him.

If Morocco failed to make its position prevail at the time partly because of US pressure, it would be even less able to do so now with the presence of John Bolton, notorious for his bias in favor of the Polisario. Even if Morocco were tempted to put pressure on Kohler to force his departure, it would risk the wrath of the Security Council, which has just expressed "its full support for the ongoing efforts of the Secretary-General and his Personal Envoy to sustain the

renewed negotiations process in order to achieve a solution to the Western Sahara question.”

### ***Beyond Kohler's health condition***

Beyond the health reasons cited by Kohler, it appears more plausible that his sudden decision was made because of the highly complex nature of the conflict. After nearly two years of talks and discussions with both parties and members of the Security Council, Kohler likely realized that no matter how hard he tried to ensure a successful outcome of the political process, his good offices will fall short because of the intransigence of the parties and the lack of political will in the Security Council to adopt an approach that can end the conflict.

One more plausible explanation of his resignation is his conclusion that after two round tables and almost two years of sustained efforts that none of the parties are ready to budge on their positions and no matter how many round table he would oversee, his efforts would fall short of achieving the desired outcome.

In addition, the adoption of Resolution 2468 and the abstention of Russia and South Africa have perhaps served as wake-up call for Kohler that it would be futile for him to continue. This was the second Russian abstention since Kohler took office. Despite the progress Kohler has made since taking office, Russian abstention was as a clear sign that none of the permanent members are ready to support a solution that undermines the interests of its allies involved in the

conflict.

Rather than continue to oversee a political process that has no chance of succeeding and in which four of his predecessors have failed, Kohler has most likely preferred to throw in the towel and avoid being trapped in a vicious cycle.