

Brussels
11 April 2018

To the attention of Mr Mohamed Ali Alhakim
Executive Secretary of the UN Economic and Social Commission for Western Asia

Re: UNESCWA's case study report on renewable energy in Morocco

Dear Mr Ali Khalil,

It is our privilege to present you with our compliments. We are writing in relation to a publication by the UNESCWA, "Case study on policy reforms to promote renewable energy in Morocco", which is particularly concerning as it fails to distinguish between the territory of Morocco and that of the Non-Self-Governing Territory of Western Sahara, and as such goes against the UN stance in this lingering conflict.

The report is available on UNESCWA's website <https://www.unescwa.org/publications/policy-reforms-promote-renewable-energy-morocco>. The file is seemingly published in 2017, but its properties suggest the file was changed as late as 12 March 2018.

In complete disregard for the International Court of Justice, which had established that there were no ties of sovereignty between Morocco and Western Sahara and that the people of Western Sahara had a right to self-determination, Morocco invaded Western Sahara upon Spain's withdrawal from its colony in 1975. The invasion and subsequent occupation was immediately condemned by the UN Security Council. Over one hundred UN Resolutions have since acknowledged that the conflict ought to be resolved within the framework of self-determination. No country in the world recognizes Morocco's claims to Western Sahara. To date, Western Sahara appears on the UN's list of Non-Self-Governing Territories – territories pending the process of decolonization. Unique is that the UN has not appointed an administering power to the territory. In 1991, the UN was able to broker a ceasefire agreement, and set up a UN Mission in the territory with a single mandate of organizing a self-determination referendum. That referendum has still not taken place, mainly due to Morocco's efforts to thwart the mission.

The lingering conflict continues to have a high human and humanitarian cost. During Morocco's violent invasion, many Saharawis fled to the neighbouring Algerian desert, which today still hosts the Saharawi refugee camps that are home to over 170,000 people. These refugees survive in harsh desert conditions and on dwindling humanitarian aid. Saharawi refugees are separated from their relatives who stayed in their homeland by a military fortified wall that is over 2000 kilometers long, and home to one the world's largest and most dense minefield. Saharawis who live under the yoke of Morocco's occupation are victims of serious human rights violations that have been reported by the UN Human Rights Committee, in addition to credible international organizations such as Human Rights Watch, Amnesty International, and others.

Morocco does not distinguish between its own territory, as internationally recognized, and the parts of Western Sahara that it has annexed. That is particularly evident in its exploitation and exploration of the territory's resources – object of a UN Legal Opinion in 2002, which concluded that such as activities were illegal if not undertaken in accordance with the wishes and the interests of the people of the territory.

As the UNESCWA report points out, Morocco has invested heavily in renewable energy. But what the report fails to clarify, is that a substantial part of Morocco's ambitious programs are in fact being implemented outside of Morocco's territory as internationally recognized, and inside Western Sahara.

The report boasts the Moroccan Solar Plan (Noor) and the Moroccan Integrated Wind Program, but does not mention that both programs include the construction of energy-generating infrastructure in Western Sahara. The Moroccan Solar Plan foresees in the construction of solar plants in Sabkhat Tah (near Western Sahara's capital of El Aaiun or Laâyoune) and in Boujdour. If completed, 30% of Morocco's generated solar potential through Noor will come from Western Sahara. No less than 22.75% of the energy generated through the Moroccan Integrated Wind Program will come from wind turbines in Western Sahara. It should be noted that the UNESCWA report primarily documents Morocco's renewable plans toward the 2020 horizon. When taking into account Morocco's more recent plans for a 200MW wind farm in Aftissat (already being constructed) and for a 400MW farms near Dakhla, the share of production in Western Sahara out of Morocco's total wind energy production has risen above 40%. This is not mentioned anywhere in the report.

Through a string of holdings, the renewable energy sector in Morocco is regulated predominantly by the royal family – the same royal family that ordered the invasion of Western Sahara. All wind farms in Western Sahara belong to the portfolio of a company owned by the king, Nareva. This is not mentioned anywhere in the report.

Further obfuscating the dark side of Morocco's renewable energy plans, all maps used in the report depict Morocco as including Western Sahara. This is not in line with the UN's position and cartography.

Perhaps the smokescreen is not surprising, given that the report has been prepared by Mr Taoufik Laabi, the former Director of Renewable Energy of Morocco's state-owned electricity agency ONEE. But it is astounding that the report passed presumed UN-review and has been published under UN header. That is all the more so, given the severe problems posed by the Moroccan-controlled renewable energy production in Western Sahara: what incentive is there for the Moroccan king to engage in the UN-mediated peace talks, when he, himself, is benefitting from the Moroccan army's presence in Western Sahara? As Morocco becomes dependent on its military presence in the territory for its supply of energy, what interest will it have in negotiated peace? The Moroccan government does not hide that a significant part of the energy generated in Western Sahara will be used for its taking of the territory's natural resources, in violation of international humanitarian law.

For years, Morocco has refused to take engage in UN-mediated talks to resolve the conflict. The current UN Secretary General's Personal Envoy, Mr Horst Köhler, is doing all within his reach to resuscitate the dialogue between the parties to the conflict. In that context, it is particularly unfortunate that a UN agency will advertise Morocco's construction of energy infrastructure in the part of Western Sahara that it holds under military control. It would certainly provide political legitimacy to Morocco's presence in the territory, and undermine the painstaking efforts of the Personal Envoy.

The UN Development Programme has specified in 2010 that “UNDP Morocco programmes are limited to the internationally recognised borders of Morocco” and that all of UNDP’s activities “are restricted to particular localities north of the UN line”. One would expect this line to be taken across the board of all UN bodies and agencies.

We would be grateful for an answer to the following questions:

1. Does UNESCWA share the view of the UN Security Council and General Assembly that Western Sahara is a Non-Self-Governing Territory?
2. Was UNESCWA aware that a significant part of Morocco’s renewable energy projects are in fact carried out in Western Sahara, and thus not in Morocco proper as internationally recognized?
3. Does UNESCWA consider it acceptable for Morocco to build energy infrastructure in a territory that it holds by military force?
4. Has UNESCWA liaised with the Personal Envoy of the UN Secretary General for Western Sahara, Mr Horst Köhler, with regard to its publication? If so, what were his views on the publication?

We call upon UNESCWA to rescind the case study report about Morocco’s renewable energy policy reforms, as its references to Western Sahara are not in line with the UN position in this conflict and the mentioned Moroccan energy projects undermine the UN’s efforts to solve the conflict.

Thank you for your consideration of our letter, and please do not hesitate to contact us should you require any further information on the above mentioned issues. We’d be happy to oblige.

Sincerely,

Sara Eyckmans
Coordinator
Western Sahara Resource Watch
coordinator@wsrw.org

A copy of this letter will be sent to:

- *UN Special Representative for Western Sahara and Head of the UN Mission for the Referendum in Western Sahara, Mr Colin Stewart*
- *Personal Envoy of the UN Secretary General for Western Sahara, Mr Horst Köhler*
- *President of the UN General Assembly, HE Mr Miroslav Lajčák*
- *Chair of the UN Fourth Committee, Mr Walton Alfonso Webson*
- *UN Under-Secretary General for Legal Affairs, Mr Miguel de Serpa Soares*