



APPEL DE TANGER  
Groupe de Contact

TANGIER APPEAL  
Contact Group

## Executive Summary

White Book

*The African Union and the Sahara Issue*  
1<sup>st</sup> Follow-up Meeting of the "Tangier Appeal"  
Marrakesh, January 28, 2023

The Sahara Issue, multidimensional because of its political, geostrategic and socio-economic ramifications, constitutes today, almost 50 years after its first manifestations, in addition to an artificial conflict, **a major constraint to the ideal of continental integration**, as formulated and supported by the African Union (AU).

Since the forced admission of the "sadr" to the Organization of African Unity (OAU) in 1982 and acted in 1984, **its illegal and incongruous presence, on all levels from the legal, political and institutional point of view, has not ceased to give rise to misunderstandings, debates and legitimate challenges of various kinds**. As a result of a coup de force, this presence continues to challenge States, institutions and objective observers.

However, the continent has since set itself new ambitions, decided to base its integrationist approach on credible and operational foundations and set itself tangible objectives at the service of all African citizens. To this end, it has created a new institution, the African Union (AU), dedicated subregional organizations, an ambitious action program, Agenda 2063, a major trade project, the African Common Free Trade Area (AfCFTA), and many other sectoral policies and strategies. In addition, this development has aroused great interest in the international community and in Africa's partners, whether regional organizations or influential countries, which have decided to become more closely associated with the continent through an organized and mutually beneficial relationship.

After 40 years of illegitimate presence of a non-state entity within the Pan-African Institution, **should we be satisfied with such a situation and status quo?** Is it not now high time for the African family to get rid of the ornaments of the past and to free itself from an ideological legacy weighing on African internal and external action, while a large majority of the Continent's states do not recognize or no longer recognize this entity, a veritable grain of sand, wrongly implanted, in the AU machine?

Could African intelligence not at last extricate the AU from this "original sin" and from this flagrant contradiction of a pseudo-state's membership in it, when an exclusive and inclusive process led by the United Nations encourages the search for a negotiated and mutually acceptable political solution based on realism and a sense of compromise, and when no other regional or international organization has had to suffer such an intrusion?





APPEL DE TANGER  
Groupe de Contact

TANGIER APPEAL  
Contact Group

## Executive Summary

White Book

*The African Union and the Sahara Issue*  
1<sup>st</sup> Follow-up Meeting of the "Tangier Appeal"  
Marrakesh, January 28, 2023

From a pan-African point of view, the debate on the AU and the Sahara Issue cannot be posed without questioning the presence of the "sadr" - a non-state entity that has none of the attributes of a viable, independent and sovereign state - within the continental organization.

This presence, **legitimately described as a "historical anomaly", a "legal aberration" and a "political contradiction"**, was discussed at length during five subregional seminars held between May and October 2021 in Nouakchott, Dakar, Accra, Dar es Salaam and Kinshasa. These seminars helped to create a palpable momentum, carried by political, economic and academic personalities and credible representatives of civil societies from around thirty African countries, **on the need to correct this obstacle to Africa's regional and continental integration, its peace, security and stability, as well as the institutional consolidation of its main continental organization, the AU.**

The five stages of this process, materializing the intellectual phase of the Pan-African Campaign on the stakes of the AU in the light of the Sahara Issue, were concluded by a Round Table, organized in Tangier, on the sidelines of the 14th edition of the MEDays Forum, on November 4, 2022, which allowed to deepen the reflection, by gathering an audience of African personalities, on the basis of the major themes debated during the five Workshops, which were all articulated around a common vision: the African Unity. The high point of this Round Table was the formalization of a joint declaration, the "**Tangier Appeal**", bringing together 16 former African Prime Ministers and Ministers of Foreign Affairs representing 16 different countries.

**The "Tangier Appeal" calls on the Pan-African Community to "correct the historical anomaly, the legal aberration and the political contradiction that is the illegal and illegitimate admission, then the unjustified retention within the continental organization of the pseudo "sadr" and its negative operational impact", while urging for its expulsion from the AU.**

The signatories of the "Tangier Appeal" have asked the Amadeus Institute to produce a "White Book" which, through this duly argued legal and political reference document, will effectively equip the "Contact Group", acting on behalf of the signatories during the next advocacy phase of this Pan-African Campaign.

The "White Book" is the result of the intellectual phase of the Campaign and a faithful reflection of the debates held. Its added value lies in its process of co-construction mobilizing various African stakeholders. It is also the materialization of a vision, that of a united Africa, that of a renewed Pan-Africanism, far from the ideologies of another time, and carried by the living forces of the Continent.



APPEL DE TANGER  
Groupe de Contact

TANGIER APPEAL  
Contact Group

## Executive Summary

White Book

*The African Union and the Sahara Issue*  
1<sup>st</sup> Follow-up Meeting of the "Tangier Appeal"  
Marrakesh, January 28, 2023

Adopting the multidimensional approach that characterizes this Pan-African Campaign, the "White Book" objectively analyzes the political, legal, economic, security and institutional repercussions of the aberrant presence of this non-state entity within the AU on Pan-Africanism and on the Unity of the Continent. It develops an irrefutable factual and legal argument, relying in particular on the contradictions, inherited from a manifest partiality, of the OAU and then the AU, in the treatment of the Sahara Issue.

✓ **The history of the Sahara Issue, the legal coup de force of the admission of a non-state entity among the independent and sovereign Member states of the Pan-African Institution and its multidimensional implications**

Historically, the OAU's decision in 1982 to admit a non-state entity as a member of the continental organization occurred in a singular context marked by political and ideological currents that are now obsolete. The position inherited by the AU raises the question of the institutional vulnerability of the Organization in the face of separatist movements, which are numerous in Africa and pose a real threat to African unity. Consolidating the AU's institutional reform, which began in 2016, is a prerequisite for making the Organization the forum for promoting regional integration and African unity, around common pan-African positions on issues of common interest.

Such consolidation requires first of all that the AU be protected against any attempt at political or ideological instrumentalization, as was the case when the "sadr", a non-state entity, was admitted to the OAU and then retained in the AU.

**The correction of the anomaly** that the presence of the "sadr" in the AU represents is, of course, a sine qua non condition for the immunization of the Institution which, in addition, **would regain its credibility and its neutrality** on the Sahara Issue and could thus fully play the role that falls to it in **support of the exclusive UN process**, consecrating the **pre-eminence of the Moroccan Autonomy Plan as a compromise, sincere, realistic, credible and pragmatic political solution**, as recalled by the last UN Security Council Resolution (2654).

It would also be in line with the position of the vast majority of AU member states, of all multilateral and regional institutions, as well as with the current international dynamics, marked by the growing support of African states for the Autonomy Plan and materialized by the **opening of Consular Representations of more than twenty countries of the Continent** in the cities of Laayoune and Dakhla.

Beyond the purely historical and institutional dimension, the definitive resolution of the regional dispute over the Sahara would also represent an undeniable victory for African Unity.



APPEL DE TANGER  
Groupe de Contact

TANGIER APPEAL  
Contact Group

## Executive Summary

White Book

*The African Union and the Sahara Issue*  
1<sup>st</sup> Follow-up Meeting of the "Tangier Appeal"  
Marrakesh, January 28, 2023

- ✓ **The presence of a non-state entity with separatist aims as an obstacle to the economic integration of Africa and its regions, which is now more imperative than ever**

On the economic front, the post-Covid context, characterized by urgency and uncertainty, accentuates the need to **strengthen the continent's economic integration** and development cooperation in order to mitigate the socio-economic impact of the pandemic on AU member states. This context is exacerbated by the consequences of the conflict in Ukraine, which requires Africa to show more than ever solidarity and unity in order to face the multiple crises that affect it directly and indirectly.

Such consolidation cannot be achieved without completing the economic integration of the continent and its subregions through the effective implementation of the FTAA. To this end, the role of the Regional Economic Communities (RECs) is of fundamental importance in supporting this continental integration process. The Arab Maghreb Union, paralyzed by an artificial conflict, undeniably lags at the bottom of the performance table of all RECs on the continent.

The resolution of the regional dispute over the Sahara is thus an **entry point to consecrate the economic integration of the Continent**, through the overcoming of the tensions paralyzing the construction of the Maghreb, the real missing piece in the puzzle of Africa's economic integration. The Guerguerat incident (October-November 2020) demonstrates the need to overcome political impasses and unproductive ideological positions.

Indeed, the three-week obstruction by campers led by armed Polisario militias of a vital and strategic road axis - linking Europe, North Africa and West Africa to the rest of the Continent - has endangered not only the neighboring countries and the region, but also the economic and food security of the entire Continent. This incident, in addition to being a **blatant violation of the 1991 ceasefire, is the very antithesis of the dynamic of free trade and free movement of goods and people** intended, in letter and spirit, by the AU Constitutive Act and Agenda 2063.





APPEL DE TANGER  
Groupe de Contact

TANGIER APPEAL  
Contact Group

## Executive Summary

White Book

*The African Union and the Sahara Issue*  
1<sup>st</sup> Follow-up Meeting of the "Tangier Appeal"  
Marrakesh, January 28, 2023

### ✓ **The threats of separatism and extremism in a continent that suffers from a security atomization that prevents collective resilience to terrorism and secessionism**

Moreover, the presence of the non-state "sadr" in the AU illustrates the dangers of **separatism, which is inextricably linked to extremism**, another major threat to African unity. Morocco and its neighboring countries could only benefit from a unified and harmonized pan-African security policy, deployed in partnership with other regional communities. Terrorism and religious extremism, which are present in all four corners of the continent, particularly in the Sahel-Saharan arc, as well as groups with secessionist aspirations, represent a common challenge that goes beyond the borders of regional communities.

These dissident and extremist groups continue to **take advantage of porous borders and the dysfunctional nature of Africa's hesitant and fragmented security policy**. The increase in these extremist and separatist threats underscores the urgent need to strengthen the AU's security capabilities, particularly through the operationalization of the main components of the African Peace and Security Architecture (APSA), including the North African Regional Capability (NARC), which has been paralyzed due to the regional dispute over the Sahara, and which is necessary for the prevention, management, and resolution of sub-regional conflicts.

### ✓ **Innovative solutions to establish the AU as a credible, legitimate and effective supporter of the UN process**

In the wake of the conclusions of the five sub-regional seminars and the Tangier Round Table, the "White Book" **emphasizes the concrete solutions available to the AU, in order to definitively rebalance its position on the Sahara Issue** and thus be able to effectively support, in all impartiality and legitimacy, the exclusive UN process.

The AU's position on the Sahara Issue has undergone an undeniable evolution since the return of Morocco to the Organization<sup>1</sup>, in 2017, particularly through the Majority Motion of Kigali, signed in July 2016, by twenty-eight African states, which supported the reintegration of Morocco into its "institutional family", while emphasizing "the special circumstances" of the admission of the "sadr" to the OAU and calling for its suspension.

<sup>1</sup> At the Nouakchott Summit in July 2018, the AU enshrined the exclusive role of the UN Security Council in dealing with the Sahara Issue, adopting Decision 693 (XXXI), which agrees, moreover, on the "need for the AU to actively contribute to the search for a solution, through renewed support to the efforts led by the UN Secretary-General and his Personal Envoy".



APPEL DE TANGER  
Groupe de Contact

TANGIER APPEAL  
Contact Group

## Executive Summary

White Book

*The African Union and the Sahara Issue*  
1<sup>st</sup> Follow-up Meeting of the "Tangier Appeal"  
Marrakesh, January 28, 2023

In accordance with Decision 693 (XXXI), taken on the occasion of the Nouakchott Summit of July 2018, which enshrined the exclusive role of the UN Security Council in the treatment of the Sahara Issue, **African states and the AU would benefit today from going beyond this achievement and showing more pragmatism.**

**The solution of the definitive suspension, exclusion or expulsion of the "sadr" from the AU,** which unanimously emerged during the Pan-African Intellectual Campaign, as an **indispensable prerequisite for the return of the AU's impartiality and credibility on the Sahara Issue** - far from any form of manipulation or manifest bias - is proving to be a **necessity in order to consolidate the Continent's Unity** and to protect it from the divisions linked to the growing separatist threats.

This solution, **the regulatory modalities of which were set out in the "White Book"**, because it converges with the need to serenely re-engage the AU in its role as an active, credible and impartial supporter of the UN, in accordance with the spirit and the letter of Decision 693 (XXXI), **should not be considered a taboo or an unattainable objective.**

Its realization, which is part of a favorable dynamic, where realism and pragmatism prevail, **is not only Morocco's ambition, but also that of all African States wishing to put an end to unnecessary divisions and to the permanent instrumentalization** of an Organization that serves a pan-African purpose and ideal

✓ **The White Book identifies ten factual considerations that justify the need for the AU to initiate, as soon as possible, the definitive suspension, exclusion or expulsion of the "sadr":**

- 1- The "sadr", imposed on the OAU/AU alone, is not a state entity since it has none of the qualifying and commonly accepted attributes of an independent and sovereign state (a territory, a population and an effective government);
- 2- The "sadr", installed on Algerian territory, is subject to a higher sovereignty, that of Algeria. The principle of international law of reciprocity of rights and benefits and non-discrimination derives from the sovereign equality of the members of a multilateral organization (Article 2, paragraph 1 of the UN Charter and the Helsinki Act of 1975). However, the "sadr", which is not effective because it is subject to a higher sovereignty, is the only member of the AU over which the sovereignty of another member of the same organization is exercised. The members of the AU, an organization based on the sovereign equality of its members, according to Article 4(a) of its Constitutive Act, are therefore not legally equal;



APPEL DE TANGER  
Groupe de Contact

TANGIER APPEAL  
Contact Group

## Executive Summary

White Book

*The African Union and the Sahara Issue*  
1<sup>st</sup> Follow-up Meeting of the "Tangier Appeal"  
Marrakesh, January 28, 2023

- 3- The "sadr" is a non-state entity with no international legal responsibility. The "sadr", which is not a party to any international legal instrument or convention outside the sole framework of the AU, cannot challenge itself or be the subject of a dispute, or even request international arbitration. The AU therefore accepts a member that is not equal in rights and obligations to the other members of the Pan-African Organization;
- 4- The admission of the "sadr" to the OAU is a legal power grab in flagrant violation of its Charter and a shameless attempt to pervert the condition retained in its Article 4 regarding the membership of "any independent and sovereign African state". Its continued membership in the AU contravenes the principles set out in Articles 3 and 4 of its Constitutive Act;
- 5- The admission of the "sadr" to the OAU took place in a particular context, at a time when the continent was in the grip of various ideological currents that are now obsolete. This context and the fundamental change in circumstances that resulted from its evolution were recognized by the majority of AU member states that signed the Kigali Motion;
- 6- By admitting the "sadr", the OAU prejudged, in all partiality, the outcome of a process, described as a "regional solution", of which it was the guarantor, which did not reach its conclusion because of this admission. The referendum option, favoured by the OAU and then tested for a time by the UN, has proved to be inapplicable and inappropriate in the case of the Sahara;
- 7- The presence of the "sadr" within the OAU and then the AU has distanced the organization from the treatment of the Sahara Issue and hinders its effectiveness, its legitimacy and its credibility to provide effective support to the UN process, which has rejected for 20 years the option of referendum, and which emphasizes since April 2007 the pre-eminence of the Moroccan autonomy proposal;
- 8- Decision 693 (XXXI) taken by the AU during the Nouakchott Summit in July 2018 attests to the exclusivity of the UN process in the search for a "just, lasting and mutually acceptable political solution" and invites, in fact, the Pan-African Organization to espouse the position of the United Nations expressed through the relevant resolutions of the Security Council, especially since April 2007 and the definition of new parameters for the settlement of this regional dispute;



APPEL DE TANGER  
Groupe de Contact

TANGIER APPEAL  
Contact Group

## Executive Summary

White Book

*The African Union and the Sahara Issue*  
1<sup>st</sup> Follow-up Meeting of the "Tangier Appeal"  
Marrakesh, January 28, 2023

- 
- 9- The "sadr", which is ineffective because of its non-state nature, does not add value to the AU and is a source of division rather than unity. It hinders the effectiveness and proper functioning of the Pan-African Organization while disrupting the smooth running of meetings, conferences and bi-regional summits between the AU and its international partners;
  
  - 10- Finally, the presence within the AU of the "sadr", a non-state emanation of an armed separatist group, illustrates the institutional vulnerability of the Organization, represents an undeniable brake on regional and continental economic integration, and, because it is the expression of a form of apology for bellicose separatism, it contributes to the constant threat of destabilization of the Maghreb and of undermining regional security within the pan-African institution and its main bodies.

