

Forum:	General Assembly 4 (SPECPOL)
Issue:	The Question of Western Sahara's Sovereignty and Future Development
Chair:	Nathan Liu, Deputy President

Introduction

Located in the northwest coast and in the Meghreb region of the continent of Africa, the Western Sahara is a territory still being debated on until this day. After being decolonized by Spain in accordance with the Madrid Accord, the question of Western Sahara's sovereignty began to rise during the 1970s. Raging on for 50 years, the conflict persists as both the Polisario Front/ Sahrawi and Morocco's inability to come to terms. To solve this issue, the United Nation established the "United Nations Mission for the Referendum in Western Sahara" (MINURSO) to aim for a better and less disputed Western Sahara.

According to Namibia's representative, he described that his country is deeply concerned about the denial of the right to self-determination of the people of Western Sahara. The occupation of the territory is a great case and example of Colonialism, which would emphasize the urgency of the issue and should be resolved with utmost priority. The conventional wisdom as of now is that there are two sides to the issue at hand. With one side addressing the Western Sahara with applauding claims to Morocco's revitalizations of the economic and social aspects of the territory. The region was described as one of the most prosperous and growing economic regions due to the kingdom's sustained public investment. For instance, the development model in the Southern provinces aims to double the gross domestic product (GDP). On the other hand, there are debates regarding the Western Sahara being illegally exploited by Morocco for oil reserves, aquifers and other natural resources present in the territory. Having Morocco reaching the agreement regarding these resources with the EU, this is an obvious infringement of its international legal obligations.

Definition of Key Terms

Colonialism

A practice of dominating over a territory fully or partially in terms of political control, then exploiting the land by allowing settlers to live in the said land to exploit it economically. The Western

Sahara was formerly colonized by the nation of Spain until 1976; hence, the debate would be heavily related to the decolonized state of the Western Sahara.

Mutual Recognition Agreement

Mutual Recognition Agreement, or MRA, is an international agreement between two or more countries that acknowledges each other's conformity assessment results.

Decolonization

The withdrawal of a nation's control over a territory or land, leaving the said territory independent. Western Sahara is currently in a decolonized state and is being debated on how the land should be controlled as it does not have its own established government that has power over the whole territory.

Sovereignty

The power and ability of a governing body to hold control over the state without any 3rd party interferences from the outside.

Cease Fire

An agreement from two or more opposing sides to suspend any forms of fighting temporarily.

Advisory Opinion of the International Court of Justice (ICJ)

The ICJ advisory opinion is a legal advice issued to the United Nations or a specialized agency.

Diplomatic Recognition

An act of a nation recognizes an act or the status of another government in power of a state. Some states would like to be recognized as an independent nation or state by others internationally, rather than just by a few.

Self-determination

The action of which a country recognizes and dictates its own independence while forming its own body of government.

Referendum

The practice of submitting to the popular vote of an important measure that is put forward by a legislative body. In terms of the conflict of Western Sahara, a referendum is planned to be held in order to resolve the dispute between Morocco and the Polisario Front.

Background Information

Western Sahara

Geography

Originally colonized by Francoist Spain, Western Sahara is a non-self-governed region that is to the northwest of Sahara. The Western Sahara was named the Spanish Sahara due to the occupation of Spain until the Spanish gave up territorial control in 1976. Since then, tensions began to arise between Morocco and the Sahrawi Arab Democratic Republic over the sovereignty and control of the Western Sahara.



Caption #1: Location of Western Sahara

Colonization of Spain

The coastal region of the Western Sahara was explored very limitedly by the Europeans until much later when the Scottish and Spanish merchants arrived in the mid-19th century. In 1884, Emilio Bonelli of the Sociedad Española de Africanistas y Colonistas (“Spanish Society of Africanists and Colonists”) arrived at Río de Oro bay and ratified treaties with the people that resided in the coastal regions which gave the Spanish government to control and protect the coastal territory. In 1957, Western Sahara was taken over by Morocco which attained independence the year prior to said date; however, the Spanish troops were able to drive out the Moroccan military operations that infringed upon the territory. Finally in 1958, Spain officially united the originally split Río de Oro and Saguia el-Hamra into one, which led to the creation of a

Spanish province that is named the Spanish Sahara. The situation over territorial claims was further complicated by Mauritania, which also achieved independence recently at that time. On the other hand, due to the harsh environment that had decades of continuous desertification, droughts and the discovery of phosphate reserves led to the rise in the nationalistic sentiment of the indigenous people who gradually gained more of an anticolonial point of view. In the early 1970s, a guerrilla insurgency began to gain popularity that consisted of the Spanish Sahara's original inhabitants, the Sahrawis, and called itself the Popular Front for the Liberation of Saguia el-Hamra and Río de Oro (Polisario Front). The uprising, constant pressure from bordering nations and domestic issues caused Spain to declare its withdrawal from the Spanish Sahara in 1975. However, in the agreement between Morocco, Mauritania and Spain that prompted Spain to split up the Spanish Sahara territory for the 2 kingdoms, it did not claim anything that negates the right to self-determination by the Saharan Arab Democratic Republic (SADR).

The Decolonized Western Sahara

Bordering Nations & the Conflict

After Spain's withdrawal from the Western Sahara, two thirds of the territory was ceded to Morocco while the rest was to Mauritania. With the two thirds of the territory, Morocco also gained control of the valuable phosphate deposits as well. Fights occurred between the Polisario Front and the Moroccan forces. Due to the Polisario Front's lack of military power, Algeria was the primary supporter for the Polisario Front. These sporadic fights mostly happened in Algeria. Mauritania soon bailed out of the conflict and finally reached a peace agreement with the Polisario Front in 1979; however, the land which Mauritania had occupied was annexed by Morocco forces while the Polisario Front continued their raids to gain back the territory. In 1988, a peace proposal presented by the United Nations (UN) detailed a referendum for the Sahrawis to decide if they wanted the Western Sahara to be independent and be under the control of the Polisario Front leadership or allow the territory to fully merge and officially become a part of Morocco. The United Nations peace proposal was accepted by both Morocco and the Polisario Front and had agreed on a cease-fire in 1991. On the other hand, Morocco allocated thousands of so-called "settlers" into the territory of Western Sahara, and claimed that the "settlers" are eligible for voting in the referendum. The issue of who would be qualified to cast a ballot in the referendum is still being debated throughout the following decades.

The Conflict in Recent Times

While the issue of the voters' eligibility continued, Morocco had kept expanding its infrastructure in the region of Western Sahara despite the protests against the presence of Moroccan operations in the territories that they hold control of. The Polisario Front continued its

campaign on gaining independence and international recognition of its sovereignty in spite of a few obstacles that hindered their progress. One of the few challenges was the decrease in support from its primary advocate, Algeria, since the country had its own domestic issues that it had to concentrate on. But the support from Algeria did not completely stop. In 2001, thousands of Sahrawi refugees had fled to refugee camps located in Algeria. After the death of King Hassan II of Morocco, Muhammad VI took over and declared that Morocco would not like to hold a referendum in Western Sahara anymore. Hence, the United Nations began searching for more different solutions to appeal to both the Polisario Front and Morocco. In 2020, the Polisario Front began to intercept a key trade route between Morocco and Mauritania in search of forcing a change in the situation. In turn, Morocco initiated a military operation in hopes of breaking the blockade causing the Polisario Front to declare that they will no longer abide by the 1991 cease-fire agreement that followed the peace proposal from the United Nations.

Major Countries and Organizations Involved

Spain

Originally the colonizers of Western Sahara, but later withdrew from the land in 1976 and ceded the majority of the territory to Morocco and the rest to Mauritania. Spain declared its withdrawal from the Western Sahara due to the constant pressure from the Kingdom of Morocco and Mauritania and having a domestic uncertainty, making it unable to control the area thoroughly. Spain ruled the land from 1884 to 1976 and since the withdrawal, Spain has not participated in the dispute significantly and has not shown much support for either parties in the Western Sahara.

Morocco

King Hassan II of Morocco invaded and occupied Western Sahara in around 1975, and has asserted its rights into the formerly colonized state of Western Sahara. However, the U.S. administrations have refused and denied the recognition of Morocco's assertion of its power over the Western Sahara territory. The main point in which Morocco wanted to want Western Sahara is very simple: the claims over sovereignty and land. Since Spain ceded the Western Sahara territory in 1936, Morocco has claimed the Western Sahara as one of a part of its own kingdom. Ultimately, the conflict erupted in November of 2020 between Morocco and the separatists in the disputed Western Sahara. Even with this ongoing conflict, Morocco still holds and is able to assert its de facto control over roughly 75% of the disputed land as well as having invested heavily into the territory in recent decades. Although Morocco has agreed to the 1991 cease fire demand held by the United Nations in order to hold a referendum, the kingdom has since altered its stance in practice. Morocco rejected any referendums that

would mention full independence as an option for the Western Sahara. Instead, Morocco proposed an autonomy plan for the region.

Polisario Front / SADR

Declaring independence through the process of self-determination, the Polisario Front, or the Sahrawi Arab Democratic Republic, continues to fight for the independence of the people of Western Sahara. Despite the continuous flow of war reports from the Defense Ministry of the SADR, there has been no actual indication that they indeed have made even the slightest advance in their plan to achieve independence and sovereignty over the region. Rabat, Morocco's capital, on the other hand, is continuing to push in its overt bid to gain control of the Western Sahara, tipping this war effort more and more in their favor. In view of Morocco's military superiority, the diminished Sahrawi troops, as a result of SADR's limited economic resources are not in any position to change their situation and turn the tides to their advantage. The army of the SADR simply does not have the means to consider and fight an all out war.

Mauritania

The term "Greater Mauritania" is a term for the Mauritanian claim to Western Sahara. The border between Mauritania and Western Sahara emerged during the "Scramble for Africa", a time period of competition between the European powers in the 19th century for control of land and power in Africa. This was done to fulfill the so-called model of mercantilism. During the Green March, Moroccan soldiers and nationalists crossed the Morocco and then the Spanish Sahara border forcibly, and forced Francisco Franco, then the Spanish dictator to ratify a treaty with Morocco and Mauritania to split up the Western Sahara into two. Due to this treaty, the northern third of the borders of the Mauritanian-Western Sahara border remained. The Polisario Front forces declared the SADR based on the borders of the Western Sahara. Therefore, starting a war against the Kingdom of Morocco and Mauritania. The Mauritians pulled out of their region in 1979 as they were not willing to continue the conflict. In 2019, Mauritania, due to a diplomatic shift in the spectrum after the election of a new leader, said that Mauritania hopes to see a solution on the issue of Western Sahara. Furthermore, they have further expressed their interest in staying active and keen to find a solution to this conflict that would be accepted by all parties involved in this regional dispute.

Algeria

Similar to the kingdom of Mauritania, the border between Algeria and Western Sahara is also drawn during the "Scramble for Africa" period. Algeria and Morocco used to be on good terms and had a united front; however, after Spain's departure from the Western Sahara in 1975, the relationship between Algeria and Morocco fell. While not advocating for any additional territorial claims onto Western Sahara, Algeria also disapproved of any of its neighbors asserting dominance over the vulnerable piece of land.

Furthermore, Algeria supported the Polisario Front's hope to establish an independent nation in the Western Sahara and claim its own sovereignty. The act of succession from the Spanish government granted divided the region to both Mauritania and Morocco, the majority of which went to Morocco; however, the agreement made by the Spanish government had infringed a UN resolution that stated that all historical claims made by Morocco and Mauritania are not enough to justify the claiming of territory over Western Sahara. Due to the supposed violation of the UN resolution, Mauritania and Morocco received heavy criticism from Algeria.

United States

Following the events in 2020, the United States became the first country to recognize Morocco's Sovereignty over the territory of Western Sahara. The United States supports Morocco through a multitude of programs to improve their abilities to work together on other issues such as illegal trafficking, and ways to counter terrorism. The Foreign Military Financing also supports the further modernization of Morocco's military.

Timeline of Events

Date	Description of event
1973	The Polisario Front is formed to fight for the independence and the right of self-determination of the territory of Western Sahara.
December, 1965	The General Assembly calls for the decolonization of Western Sahara.
October 16th, 1975	ICJ Advisory Opinion stating that there are no relations of territorial sovereignty between Western Sahara and Morocco.
November 6th, 1975	Moroccan government calls for the "Green March" into Western Sahara territory.
November 14th, 1975	Spain gives up control over Western Sahara to Morocco after signing the Madrid Accord.
February 26th, 1976	Spain withdraws from Western Sahara.
August 30th, 1988	Settlement proposals made by the UN that led to the cease-fire between the Polisario Front and Morocco.
April, 1991	Resolution 690 appropriated by the Security Council; thus, leading to the creation of the MINURSO.
September, 1997	The Houston Agreements are embraced; thus, resuming the implementation of the UN's settlement plan.

June 20th, 2001	James A. Baker III's Framework Agreement is presented and submitted to the Security Council, accepted by Morocco but rejected by the Polisario Front.
July, 2003	The Polisario Front accepts the peace plan that Baker has presented about the Self-Determination of the People of Western Sahara, but Morocco rejected it.
July, 2003	The Security Council appropriates resolution 1495 that supports the peace plan Baker presented.

Relevant UN Resolutions and Treaties

- A report that summarizes the reports that were submitted by the Secretary-General to the Security Council on the issue pertaining to the territory dispute of the Western Sahara, 12th July 2005 **(A/60/116)**
- Overview of major activities done by stakeholders during the Third International Decade for the Eradication of Colonialism, 22th July 2020 **(A/75/220)**
- A resolution that touches on “the continued occupation of Western Sahara by Morocco”, 11th November 1980 **(A/RES/35/19)**
- An agreement named the Houston Agreement made by the Polisario Front and the Kingdom of Morocco organizing a referendum with the intention of mediating the conflict between the two, 28th September 1997
- The Baker Plan outlines the United Nations peace plan that further support the self-determination of the Polisario Front, 22th July 2002 **(S/2002/807)**
- The United Nations Settlement Plan was an agreement between the Polisario Front and the Kingdom of Morocco that calls upon the organization of a referendum to resolve the territorial claim issue at the time.

Possible Solutions

Mandating the Polisario Front and Morocco to improve their relationship through further involvement with the MINURSO and to resolve the dispute through a referendum. Obviously, the conflict is in dire need of a diplomatic resolution; the improvement of the two parties' relationship could be achieved through implementations of different solutions that determine the outcome and future of the Western Sahara into the referendum. Ways such as: Western Sahara gaining full independence, operating with its own government, and the SADR claiming legitimate sovereignty over the Western Sahara Territory; Western Sahara being implemented as a part of the Kingdom of Morocco while

establishing the Western Sahara Special Administrative Region that would guarantee and promise self-autonomy and power to its regional government; lastly, the Western Sahara being incorporated into the Kingdom of Morocco fully as a state or a province. Furthermore, this referendum would also require voters who are completely eligible so that voters who are illegible will not cause a disturbance in numbers which causes the referendum to be a fraud. Eligible voters could be ensured through reassessing the last Provisional Voter List (PVL) established by the MINURSO Identification Commission (IDC) which would determine whether the voter is eligible for the referendum. Furthermore, the referendum should also be as neutral as possible without any outside bribes and influences that causes biases. The results of the referendum should also be recorded by a neutral third party state so that the results would not get skewed. Mandating both the Polisario Front and Morocco to improve their relationship through the involvement of the MINURSO and the scale of the conflict would ultimately be brought down as both parties have both come to consensus of what they both want out of the referendum.

Officializing the results of the referendum if passed so that the territorial and political status of the Western Sahara are determined. The ratification could be done through requesting the Polisario Front and the Kingdom of Morocco to respectfully accept the results of the referendum. To ensure that both parties will respect the results, both nations would have to be required to sign an agreement prior to voting in the referendum that sets up punishments and legal charges if either party goes against the results of the referendum. The requirement would further allow the political status of Western Sahara to be completely determined and will not be subject to change. Furthermore, a time period that allows for a political transition period for Western Sahara so that the change would not be too sudden for the region and that the people in Western Sahara would adapt to the change in a much proper fashion. To make sure that the transition period is thoroughly implemented, a neutral third party state or country could overlook the whole process and the UN peacekeeping force could be sent to ensure political and social stability in the region. Lastly, any and all military operations in the region of Western Sahara by the Polisario Front and Morocco should be banned to prevent any more escalations of conflict as the referendum is supposed to be ending the dispute. In conclusion, the officialization of the results would ensure the continuation of the end process of the dispute as both parties would be required to acknowledge the results and have to accept it rather than persisting in the conflict.

Further supporting the re-development in the Sahrawi and Moroccan communities spread across the region of Western Sahara. The assistance such as but not limited to re-establishing the Sahrawi refugees back into the Western Sahara region following the requests from the referendum by working with the Office of the United Nations High Commissioner for Refugees (UNHCR). Moreover, the re-development could also be achieved through implementing laws that guarantee rights of personal freedom of Sahrawi and Moroccan individuals that lived in the Western Sahara region. The mediation of the hatred between the two parties should also be taken into consideration, when thought about the

re-development in the inhabitants of the region. The Moroccan Western Sahara Wall that divides the land controlled by Morocans and the other by the Polisario Front should be dismantled, for the further improvements on the two parties' relationship. Finally, by supporting the re-development, conflicts between the Polisario Front and Morocco would possibly be mediated.

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