Introduction

Western Sahara is a region occupying an extensive desert Atlantic-coastal area in northwest Africa. It is bounded by the Atlantic Ocean on the west and northwest, Morocco in the north, Algeria in the northeast, and Mauritania in the east and south. It is a mostly uninhabited region with a population of 560 thousand. Western Sahara has been on the United Nations list of non-self-governing territories since 1963.

For more than thirty years, the territory of Western Sahara has been disputed between Morocco and the Frente Popular de Liberación de Saguía el Hamra y Río de Oro (Polisario Front), a national movement catering to self-determination for the people of Western Sahara since Spanish decolonization in 1975.

The Western Sahara issue has demonstrated to be one of the most protracted and intractable struggles facing the international community. The UN Security Council has so far neglected to discover a solution that will adjust these interests against Western Sahara's right to a self-determination referendum as one of the last UN-recognized colonies. The Fourth Committee of the General Assembly will aim to find a solution to the conflict at hand by re-initiating negotiations between all states involved as well as all the other Member States, as the issue of colonization in Africa is an ongoing problem and requires a new solution.

Definition of Key Terms

Non-Self-Governing Territory

Under Chapter XI of the Charter of the United Nations, the Non-Self-Governing Territories are defined as "territories whose people have not yet attained a full measure of self-government." The General Assembly, by its resolution 66 (I) of 14 December 1946, noted a list of 74 Territories to which Chapter XI of the Charter applied.
SADR

Sahrawi Arab Democratic Republic (SADR) is a self-declared state claiming authority over the disputed territory of Western Sahara, which is presently occupied by Morocco. The independence of SADR has been recognized at various points by some 80 countries, although, beginning in the mid-1990s, a number of them withdrew or suspended their recognition.

The Right of Colonial Peoples to Self-Determination

A widely accepted norm of customary international law. This right has been recognized and affirmed by the United Nations and other international bodies, including the International Court of Justice. In the case of Western Sahara, a former colonial possession of Spain, self-determination has been thwarted since 1975 by Moroccan military occupation.

Background Information

The History of Western Sahara

An Overview of Western Sahara and the Pre-Colonization Eras
Little is known of the prehistory of Western Sahara, although Neolithic (New Stone Age) rock engravings in Saguia el-Hamra and in isolated locations in the south suggest that it was occupied by a succession of hunting and pastoral groups prior to a gradual process of desertification that began about 2500 BCE.

By the 4th century BCE, trade between Western Sahara and Europe had started across the Mediterranean, as the Phoenicians sailed along the west coast of Africa in this period. The Romans also had some contact with the Saharan peoples. By medieval times this part of the Sahara was occupied by Ṣanhajāh Amazigh (Berber) peoples who were later dominated by Arabic-speaking Muslim Bedouins from about 1000 CE. A Moroccan rule of the area can be traced to Islamic expansion in the area, starting with the Midrarid Dynasty (823-977 AD).

Western Sahara depends on pastoral nomadism, fishing, and phosphate mining as the principal sources of income for the population. The Moroccan Government controls all trade and heavy subsidies in the Moroccan-controlled parts of Western Sahara. Recently, the European Court of Justice (EUJ) ruled that the EU fisheries deal should not apply to the waters off the coast of the disputed Western Sahara territory, and agriculture agreements between the EU and Morocco do not cover Western Sahara.

Portuguese navigators reached Cape Bojador on the northern coast of present-day Western Sahara in 1434. However, there was little European contact with the region until the 19th century. The conflict over Western Sahara could be traced back to the Berlin Conference of 1884 during which Western imperialist powers parcelled out African territories among themselves. Spain claimed a protectorate over the coast from Cape Bojador to Cape Blanc (at the present border with Mauritania), thus, inaugurating the modern history of the Sahrawis.

The Modern History of Western Sahara

The United Nations got engaged with Western Sahara when the UN asked Spain on December 16, 1965, to decolonize the previous Spanish territory. Following pressure from the United States to decolonize Western Sahara, Spain officially withdrew from Western Sahara in 1976 by means of the Madrid Accords. Meanwhile, the Polisario Front was formed by the Sahrawi people in 1973. The group began battling for the autonomy of Western Sahara and has been supported by Algeria.

After Spain pulled back from Western Sahara in 1976, a progressing conflict started between Western Sahara and Morocco. Upon Spain's withdrawal, Morocco and Mauritania divided the region, with Morocco controlling the northern two thirds and Mauritania the southern third.
King Hassan II of Morocco rejected claims of independence for Western Sahara, despite the International Court of Justice findings that Morocco did not have legal ties to the area. In November 1975, Moroccan soldiers, requested by King Hassan, lead 350,000 citizens into Western Sahara so as to "hold onto the region for Morocco" in the Green March. After the march, Spain partitioned the region among Morocco and Mauritania.

Polisario's battle for self-determination made Mauritania surrender its case on Western Sahara in 1978. In August 1979, Mauritania consented to a peace arrangement with Polisario. As soon as Mauritania pulled back from Western Sahara, Morocco took control of the region.

Polisario continued its attacks on Moroccan strongholds; the lengthy warfare caused thousands of refugees to escape into neighboring Algeria, and eventually, Morocco built a defensive wall around much of the area, securing its control of about four-fifths of the territory. Over a time of 35 years, Polisario Front ran a guerrilla war against the Moroccan Army.

A UN-monitored cease-fire was implemented in 1991, and the United Nations Mission for the Referendum in Western Sahara (MINURSO) was established in accordance with settlement proposals accepted by Morocco and the Polisario Front.

The settlement plan, as approved by the Security Council, provided for a transitional period for the preparation of a referendum in which the people of Western Sahara would choose between independence and integration with Morocco. The Special Representative of the Secretary-General was to own sole associated exclusive responsibility for matters concerning the vote and was to be assisted in his tasks by an integrated group of civilian, military and civilian police personnel, to be known as the United Nations Mission for the Referendum in Western Sahara.

Disputes regarding who would be permitted to vote delayed the referendum in the following years, during which time the region was integrated administratively into Morocco. UN attempts to broker a peace agreement have been unsuccessful, with Morocco, which has spent significant sums on development since the 1990s, generally rejecting any plan that might end its sovereignty over the area. Beginning in 2007 both sides participated in UN-sponsored talks, but the intermittent negotiations produced no breakthrough. In November 2010, violent clashes between Sahrawis and security forces broke out after government forces moved to clear a Sahrawi protest encampment outside Laayoune (the capital of SADR).

**Major Countries and Organizations Involved**
Sahrawi Arab Democratic Republic

The Sahrawi Arab Democratic Republic is a partially recognized state that controls a thin strip of vicinity within the geographical region and claims sovereignty over the whole territory of Western Sahara. SADR was proclaimed by the Polisario Front in 1976. The SADR government controls 20–25% of the territory it claims. It calls the territories below its occupation the “Free Zone”. Morocco controls and administers the rest of the disputed territory, and calls these lands its “Southern Provinces”. The SADR government considers the Moroccan-held territory to be occupied territory, whereas Morocco considers the abundant smaller SADR-held territory to be a buffer zone. In 1984, the SADR was recognized by the Organization of African Union in 1984 with support from Algeria and Libya, leading Morocco to leave the continental body. SADR remains a member of the African Union. A large proportion of the Sahrawi population remains in exile, particularly in large refugee camps around Tindouf in Algeria. These refugees remain, for the most part, unintegrated and without access to full citizenship rights.

The Kingdom of Morocco

Morocco annexed the former Spanish colony in 1975 and fought the Polisario Front until the United Nations brokered a cease-fire in 1991 and set up a peacekeeping mission to facilitate a referendum on Western Sahara’s future, which has never taken place. Morocco has proposed wide-ranging autonomy for Western Sahara. But the Polisario Front insists the local population, which it estimates at 350,000 to 500,000, has the right to a referendum. To this day, most of the Western Sahara territory remains under Moroccan control. In the 1980s Morocco built a 2,700 kilometer-long barrier to keep Polisario fighters out of the bulk of the area that lies to the north and west of it. Moroccan kings had ruled over what is now called Western Sahara from 1578-1727 and lost it in the context of Spanish and French colonization in the 1800s when Spain took administration of what was then called the Spanish Sahara. From Morocco's point of view, given the country's history, this territory was and remains integral to the country's unity.

The Kingdom of Spain

Spain first gained control of the Western Sahara region in 1884, during the so-called “scramble for Africa”. In 1965, the UN had first called on Spain to decolonize the Sahara, after Morocco had already claimed independence from France. In 1975, Spain officially terminated its administration of the Sahara.

The Islamic Republic of Mauritania

The situation looks different from the perspective of the Islamic Republic of Mauritania. Initially allied to Morocco, Mauritania was then militarily defeated by the Polisario, which was one of the principal...
causes of the 1978 military retreat that drove out Mauritania out of Western Sahara. Since then, Mauritania has slowly moved to “positive neutrality”, in which it proclaims no official preference for one side or the other and allows the Polisario to move freely through the north of its territory.

**The French Republic**

In 1977, France intervened in support of Mauritania, Morocco, and Spain as the conflict reached its peak intensity. As one of the P5 countries, France has been cautious to hold a neutral position on the conflict, however, it has been accused of being biased in favor of Morocco as well as other major world powers.

**People's Democratic Republic of Algeria**

In Algeria -like the Algerians themselves- the Sahrawis are seen as victims of colonization who are entitled to the right of self-determination. Algeria's opinion is reinforced by references to international law, and the situation is, therefore, seen as requiring resolution within the framework of the UN, all the more so because all concerned actors have agreed to the organization of a referendum on self-determination.

Algiers has always insisted that the Western Sahara conflict has only two “concerned” parties: Sahrawi Arab Democratic Republic (SADR) and Morocco; Mauritania and Algeria are merely “interested” parties. Algeria is an interested party because the conflict “takes place at its borders, and so it remains vigilant”. There are five refugee camps in Algeria where Western Sahara's refugees live, near the Algerian provincial capital of Tindouf. Currently, UNHCR estimates that more than 90,000 Sahrawi refugees live in camps in Tindouf, in Southern Algeria.

**The State of Libya**

Libya supported the Polisario Front’s efforts in independence by sending troops to Western Sahara.

**The Kingdom of Saudi Arabia**

Saudi Arabia has expressed its opinion to support Mauritania, Morocco, and Spain in 1977.

**The Republic of Namibia**

Namibia has expressed that the Western Saharan people are being denied the right to self-determination and regrets that colonialism in Africa is still an ongoing problem. Namibia has urged the United Nations to immediately commence in its work to hold a referendum in Western Sahara.
Timeline of Events

<table>
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<tr>
<th>Date</th>
<th>Description of event</th>
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<tr>
<td>1884</td>
<td>Spain colonizes Western Sahara during the “scramble for Africa”</td>
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<td>1957</td>
<td>Newly-independent Morocco lays claim to Western Sahara</td>
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<td>1965</td>
<td>The UN calls for the decolonization of Western Sahara</td>
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<td>1973</td>
<td>The Polisario Front is founded</td>
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<td>1975-91</td>
<td>Morocco annexes Western Sahara after Spain withdraws, the Polisario Front fights a 16-year-long guerrilla war against Moroccan forces</td>
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<td>1976</td>
<td>Polisario guerrillas declare the Saharan Arab Democratic Republic (SADR)</td>
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<td>1979</td>
<td>Mauritania withdraws and Morocco lays claim to Western Sahara’s formerly Mauritanian territories</td>
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<tr>
<td>1991s-2000s</td>
<td>UN-brokered cease-fire ends the war, Morocco has yet to hold an agreed referendum on independence</td>
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Relevant UN Treaties and Events

- International Court of Justice Advisory Opinion on Western Sahara
  o According to the landmark findings of the International Court of Justice (ICJ) in 1975, the native Sahrawi people of Western Sahara are the sovereign power in Western Sahara. Though Sahrawi nationalists were not allowed to present arguments before the court in 1975, the ICJ opinion ultimately found in their favor. The Court simultaneously called for the immediate holding of a self-determination referendum on independence while rejecting Moroccan claims to a historical title over Western Sahara.

- The Madrid Accords

- Western Sahara, 22 October 1975 (S/RES/377)
- The situation concerning Western Sahara, 31 May 2000 (S/RES/1301)
- The situation concerning Western Sahara, 30 April 2007 (S/RES/1754)

Previous Attempts to solve the Issue

The Settlement Plan/Baker Agreement

The Settlement Plan was an agreement between the Polisario Front and Morocco on the organization of a vote, which might represent the expression of self-determination for the people of Western Sahara, leading either to full independence, or integration within the dominion of Morocco. It resulted in a ceasefire that remains effective to the current day, and therefore the institution of the MINURSO peace force to administer it and to arrange the vote. The referendum never occurred.

Possible Solutions
Renegotiations concerning the Settlement Plan should be initiated, with emphasis on the determination of the referendum to be held in Western Sahara. The people of Western Sahara should be the only ones voting in the referendum and Moroccan migrants should not be sent to Western Sahara to vote.

More so than Western Sahara's independence, an autonomous administration is necessary for Western Sahara, and further, this administration needs to be recognized by Morocco. Complete independence is an option for the Western Saharan people, giving the Sahrawis total control over its natural resources and international guarantees, however, an independent Sahrawi state might struggle to maintain current living standards. SADR is already largely supported by Moroccan investment, and complete independence may cause serious economic repercussions. Examples of complete secession in Africa have not yet been successful (South Sudan, an oil-rich territory that won independence and then imploded, as well as Eritrea). The concept of a federation, involving the Moroccan king's partial sovereignty over Western Sahara in return for Polisario autonomy, could be a possible solution.

Moreover, Human Rights in Western Sahara is another important issue to be addressed. It has been difficult to police the territory due to its political situation, and locals have been destabilized by smugglers and jihadists around the region. The Moroccan government controls the majority of the economic activities in Western Sahara, and those who publicly support Polisario say they are denied jobs. The region still lacks stable jobs and a good university. It should be one of the foremost goals of the Special Political and Decolonization Committee to create an environment in the region that is conducive to strong economic growth, job creation, and better security.

The launching of a debate between Morocco and Moroccans, Polisario and the Sahrawis, as well as among other regional and international parties, should help change generate new support for the resolution of one of Africa's biggest colonization conflicts. A second goal is to better understand the political reasons behind the impasse and, above all, try to change its underlying dynamics; this requires rethinking the way in which the crisis has been handled by the actors and, in particular, by the UN. Ignoring the problem does not help, and the longer it lingers, the more likely it will become more violent both internally, and throughout the region.

Bibliography


Appendix or Appendices