



GWHMUN 2024



SPECPOL BACKGROUND GUIDE

Agenda: Addressing Sahrawi Self
Determination in the Western Sahara

LETTER FROM THE EXECUTIVE BOARD



Dear Delegates,

We are so proud to invite you to the SPECPOL at this years edition of GWHMUN. We promise you a high quality of debate, incredibly streamlined proceedings, and ofcourse, a whole lot of fun!

Prior to the conference, there is a (not so) tiny checklist of things we'd like you to complete to ensure the conference lives up to your expectations! First and foremost, read the background guide. We will quiz you on it. We've poured our heart and soul into it, and trust us, its the best jump starter into the ocean of research you're going to have to wade through. Personally, a good way to go about this would be taking notes from the guide to identify topics you'd benefit from researching more into. An impeccable research binder is a must for the committee!

However, do not expect a flurry of information to get you very far. It's crucial that you use this knowledge you're collecting to devise realistic solutions that can be applied to agenda, which align with your foreign policy (make sure you're really well versed with that too - this agenda in particular demands an in depth knowledge of what your country has done in the past). Additionally, we'd love to hear some legalities being thrown around in committee, but please note that we expect well constructed legal arguments, not just a monologue on different treaties and articles.

A last tip, which would better be labelled a warning. Be nice. It sounds silly to say, and we do hope we won't have to remind you of this during committee sessions. Essentially, don't be a power delegate - give people chances to speak, and cherish and value everyones opinion. Also, saying something against a country, and attacking a human being, are two very different things - be clear on that.

Okay, now that we've got all that out of the way, let us introduce our incredible Executive Board! There's Amisha Sharma, your head chair. She's pretty chill, but not afraid to rein it in when things get too out of hand. Next, we have Harshika Hundal, your vice chair. She's super cool, and a good research document paired with some fiery speeches will get you into her good graces. Finally, we have Vipran Vasan, your other vice chair. We all love him; he's a STEM kid with scarily good knowledge of the agenda and an inexhaustible supply of passion!

Please feel free to reach out to any of us, at any time, whether its tomorrow or the night before the conference! We'd be more than happy to help you out if you have any doubts regarding the agenda, how to go about research, or even how a MUN works in the first place.

Warm regards,

SPECPOL Executive Board

Amisha Sharma, Head Chair - amisha.sharma.2710@gmail.com +91 9916284924

Harshika Hundal, Vice Chair - Hundalharshika@gmail.com. +91 7339687003

Vipran Vasan, Vice Chair - vipranvasan123@gmail.com +91 98847 14873



INTRODUCTION TO SPECPOL



Welcome to the Special Political and Decolonization Committee! The SPECPOL is the fourth committee of the United Nations General Assembly, and deliberates a wide array of issues to comprehensively cover a cluster of five decolonisation related agendas : effects of atomic radiation, information-related questions, peacekeeping operations, special political missions, Palestinian refugee relief, Israeli practices in occupied territories, and international cooperation in the peaceful uses of outer space. As part of the UNGA, the SPECPOL serves as a deliberative, policymaking, and representative organ.

The SPECPOL also acts as a recommendatory or advisory body, passing non-binding resolutions. Their powers align with that of the GA, namely, making recommendations to states on international issues, approving the UN budget, electing non-permanent members of the Security Council, and making recommendations on cooperation, peace, security, human rights, and other international matters. Unlike the rest of the GA, there is no general debate at the beginning of the committee's work, and petitioners may address the committee on decolonisation issues. However, these may be modified back to typical GA procedure for the sake of debate during the conference.

Typically, the committee convenes every year from late September to mid November, convening once briefly in the spring to adopt any resolutions and decisions relating to peacekeeping passed by the Special Committee on Peacekeeping Operations.

Historically, the SPECPOL was once two separate committees, with the Fourth Committee a Decolonization Committee and the Seventh Committee being a Special Political Committee. However, being initially only responsible for trusteeship and decolonisation related matters, their workload decreased following the granting of independence to all UN trust territories on the agenda, so the 4th and 7th Committees were merged in 1990, and the SPECPOL established in 1993.

At the creation of the United Nations, 750 million people lived in colonized territory. Over 80 former colonies have become independent since 1945. Today, approximately 2 million people around the world live in colonized territory. The job isn't over yet.



INTRODUCTION TO THE AGENDA



In this edition of GWHMUN, the SPECPOL will be deliberating on a conflict rooted in the colonial period of Africa, that has recently reignited : Addressing Sahrawi Self-determination in the Western Sahara. The conflict centers around what was once Spanish Sahara, and the botched decolonisation of the area. In 1975, Morocco began claiming the then Spanish territory, countered by the indigenous Sahrawi Polisario Front in 1970s. An insurgency sprung up in Spanish Sahara, demanding an independent Sahrawi Republic.

With the conflicting claims over the territory, the UNGA passed resolution 3292 on the 13 December 1974, requesting the ICJ to share an advisory opinion on the legality of Moroccan and Mauritanian claims over the territory. The ICJ's final ruling did find legal ties of allegiance between the territory and the two countries, however in the penultimate paragraph they also outlined that the materials and information presented did not establish any tie of territorial sovereignty between the territory of Western Sahara and Morocco or Mauritania, and claimed Resolution 1514(XV) could be applied unaffected.

The Madrid Accords took place a year later, and was a treaty between Spain, Morocco, and Mauritania. They agreed that the territory would be divided between Morocco and Mauritania. These agreement took place subsequent to Moroccan pressure in the form of the Green March. The legality of these accords have been challenged by the UN General Secretary for Legal affairs and Legal Counsel in a 2002 letter. The UN believes the agreement did not transfer sovereignty over the territory or confer upon any of the signatories the status of an Administering power, and maintains that the region is a non-self-governing territory.

Military conflict ensued in the region between the Algeria-backed Polisario Front and Moroccan and Mauritanian forces, with Mauritania withdrawing in 1979 and Morocco taking over their territory. In 1991, they reached a stalemate with Morocco's construction of a sand berm, allowing the UN to mediate a ceasefire. The UN set up MINURSO to monitor the ceasefire and organise the referendum, and also established a UN buffer zone along the sand berm. While the vote never took place due to moroccan objections, and subsequent negotiations failed to achieve a breakthrough, the two sides continued to abide by the ceasefire.

All of this changed with a flurry of tit-for-tat foreign policy actions in 2019-2020. In 2019, Morocco convinced a number of Arab and African governments to open consulates in Moroccan-controlled Western Sahara. In November 2020, the cease fire collapsed, with Morocco seizing a section of the buffer zone to clear a blockade of a key route to Polisario activists. The Front resumed attacks against Morocco, but was hindered by their low militaristic capability. In December 2020, Trump administration in the US extending US recognition to Morocco's control of Western Sahara escalated tensions further, exacerbated by Algeria breaking off diplomatic relations with Morocco again in August 2021.



INTRODUCTION TO THE AGENDA



Today, the committee of SPECPOL must deliberate not only on how we may solve the crisis in Western Sahara - considering how the two sides have been locked in a stalemate for 25 years, unwilling to compromise, as seen by Morocco's autonomy proposal - but also on how we got here in the first place, unravelling the role colonial powers played in this conflict.



HISTORY OF THE SAHRAWI COMMUNITY



The people originating from the Western Sahara region have a historical legacy. Their links to the nomadic and semi-nomadic culture cultivates itself into their current rituals and traditions. The Sahrawi community has evolved over the years taking inspiration from ethnicities such as the Arab and western Africa to create a lifestyle which suits their pursuits. During the colonial era of the twentieth century, countries like Spain and France introduced changes to the Sahrawi society. Furthering from the former lifestyle in which people were arranged in tribes and would pride themselves on the ability to adapt to the desert whilst also maintaining an active and determined community, the Europeans created an entirely different way of life. Spain and France influenced the people to de-prioritise traditional values and coerced them to follow the European way of life which included new political and economical structures..

By the mid-twentieth century, movements for decolonization had gained traction globally, including in Western Sahara. In 1975, Spain lost control of the territory. This action resulted in a domino which led to the Sahrawi population's despair. Confrontations between Sahrawi communities continued as they sought self-determination through the Polisario Front and Morocco. Both of which claimed sovereignty over the region.

Since then, issues including refugee status, displacement and political instability have dawned upon the Sahrawi community. The indigenous communities are threatened as people continue to seek refuge or asylum in places like Algeria and Morocco.



WESTERN SAHARA GEOPOLITICAL NATURE



Located in a region in North Africa, the western Sahara has a complicated geopolitical nature due to disputed territory, conflict, concerns and international status. Morocco and the Polisario Front both claim the Western Sahara as their own. This creates dents in its international relations as Morocco continues to claim over the Western Saharan as part of its own sovereign territory. On the other hand, the Polisario front recognizes the region as an independent state. Many countries continue to recognize the SADR as part of the African Union yet Moroccan occupation and influence causes it to lack widespread international recognition.



The geopolitical landscape of Western Sahara is greatly influenced by Morocco's position and deeds. The monarchy refers to the Western Sahara as its "southern provinces" and sees it as an integral part of its territory, claiming administrative sovereignty over most of the region. Morocco's claims to sovereignty over the Western Sahara have been recognized by numerous countries and organizations thanks to its diplomatic efforts and contacts.

The longstanding conflict has not improved since Morocco is against any solution that would compromise its territorial integrity. Morocco's economic interests in the Western Sahara, namely fishing rights and phosphate mining, further underscore its strategic relevance in regional geopolitics.



WESTERN SAHARA GEOPOLITICAL NATURE

Morocco

Morocco views Western Sahara as an essential part of its territory and authority because of historical ties. The ICJ recognized the connections, but determined they do not constitute ownership of the region. Nevertheless, Morocco claims its full right to protect its territorial integrity and authority over the Western Sahara. Using this reasoning, Morocco has rejected demands for independence from the Sahrawis and has chosen to propose granting them autonomy instead. This approach was introduced in 2007 and has received support from the US and France. Because of Morocco's long history of centralized governing, the Polisario Front quickly rejected the suggestion and demanded complete independence for the Sahrawis.

Morocco's relationship with Western Sahara is heavily based on previous claims and geopolitical considerations. Morocco has long claimed sovereignty over Western Sahara, seeing it as a natural extension of its territory from pre-colonial times. This stance got stronger after Spain left in 1975, prompting Morocco to undertake a military campaign to recover control of the majority of the territory, despite opposition from the indigenous Sahrawi people, represented by the Polisario Front. The conflict has had an impact on Moroccan domestic politics, uniting the country over the issue of territorial integrity while also serving as a focal point for international diplomacy.

Western Sahara is considered an integral component of Morocco's land and sovereignty due to historical links.

The Moroccan internal politics have been impacted by the conflict, uniting the country on territorial integrity and playing a key role in world diplomacy. Western Sahara is considered a vital region under Morocco's control due to historical ties.

Mauritania

Following Spain relinquishing control of the Spanish Sahara in 1975, Morocco and Mauritania divided the territory between themselves. Mauritanian claims on Western Sahara had proliferated since the 1960s, fueled by the then President, Ould Daddah. Between the withdrawal of Spanish forces and the signing of the Madrid accords, the Mauritanian army invaded the southern part of Western Sahara.

As per the Madrid Accords of 1975, Mauritania administered the western half of the Ras Nouadhibou peninsula. In April of 1976, Mauritania and Morocco partitioned the country into three parts, with Mauritania getting the southern one, Tiris al Gharbiyya. While Mauritania, like Morocco, claimed rights to the territory, the ICJ advisory opinion ruled that there were no ties of sovereignty from Mauritania (or Morocco) over the territory of Western Sahara. Spain still agreed to partition the territory between the two countries.



WESTERN SAHARA GEOPOLITICAL NATURE



Mauritania waged four years of war against Polisario guerillas, conducting raids on Nouakchott, and attacks on the Zouerate mine train. During this time, a coup d'état deposed Ould Daddah. In 1979, however, due to a number of military defeats from the Polisario Front, Mauritania gave up its claim to Western Sahara, and Morocco took over the Mauritanian controlled portion of the territory. Mauritania signed the Algiers agreement with the Polisario Front, recognising the right of self-determination for the Sahrawi people and renouncing any claims on Western Sahara. They recognised the SADR on 27 February 1984.

Spain



Spain is a country that is deeply rooted in the question of the self-determination of the Sahrawi people due to its colonization of the Western Sahara region. In the late 19th century, Spain colonized Western Sahara and it became a Spanish province by the mid-20th century. Throughout the colonial period, there were numerous resistances from the Sahrawi people which led to the formation of the Polisario Front and other parties to stop the Spanish colonial rule and grant the natives independence.

After immense pressure from the International Community, Spain decolonized the Western Sahara region and other parties moved in to claim the land. There are legal implications as Spain continues to be viewed as the de jure administrative power of Western Sahara.

Currently, Spain is primarily involved with the diplomatic and humanitarian aspects of the issue. Spain, a member of the European Union, adopts the broader diplomatic view of the EU and other international organizations like the United Nations in finding a peaceful and mutually acceptable solution. Furthermore, Spain is a significant donor of humanitarian aid to Sahrawi refugees, namely those living in camps in Tindouf, Algeria.

Due to the conflict being an intricate and complicated issue, Spain still continues to be a subject of debate due to its historical and moral responsibilities.

Algeria - Harshika

Concerning Algeria, addressing the Western Sahara issue would give Morocco a level of strategic depth across the continent that would strengthen its position as a dominant force in the region. For the last forty years, Algeria has consistently backed the Polisario Front to hinder Morocco from resolving the territorial dispute. The competition between Algeria and Morocco changed in 2017 with Morocco's participation in the African Union (AU).



WESTERN SAHARA GEOPOLITICAL NATURE



Algeria has continuously taken advantage of Morocco not being in the AU to push forward a separate African plan regarding the Western Sahara conflict. This involved supporting the Sahrawi cause of the Polisario Front, describing it as a fight for decolonization against what they refer to as Morocco's occupation.

Morocco and Algeria are currently facing a diplomatic deadlock. Their conflict has a long history, but it escalated profoundly in the past year. Starting in August 2021, Algeria halted diplomatic ties with Morocco, ceased gas exports from Morocco to Spain, and alleged that Moroccan soldiers killed three Algerian inhabitants in Western Sahara. Concerns have arisen in both the region and Europe due to the escalating tensions between Morocco and Algeria, raising fears of potential open conflict and significant destabilization in North Africa, with implications for the European Union.

For half a century, Algeria has been providing refuge for sub-Saharan refugees, ranking as the second oldest refugee crisis globally. Approximately 173,600 individuals residing in five camps near the city of Tindouf in western Algeria, known as Saharan refugees, require humanitarian assistance due to extreme heat and minimal rainfall. Livelihoods and economic opportunities are constrained by the frequent sandstorms in the barren and isolated desert.

SADR - Harshika

The Sahrawi Arab Democratic Republic (SADR), also referred to as Western Sahara, is a former colony of Spain. While preparing for a vote on the region's status, the Spanish were confronted by claims from Morocco and Mauritania regarding their rights to the territory. On October 16, 1975, the International Court of Justice issued a recommendation rejecting the appeals from both countries. Several days after, Moroccan troops took over the area, and in 1976, Morocco and Mauritania came to a consensus on the splitting of the territory. Mauritania relinquished its claims in 1979, effectively placing Morocco in control. Morocco and the Polisario Front still argue over the territory, with the Polisario Front representing the rights of the Sahrawi people.

A significant portion of the Sahrawi people continue to live in exile, especially in extensive refugee settlements near Tindouf in Algeria. Most of these refugees are still not integrated and do not have full access to citizenship rights. Refugees can obtain passports from the SADR, which are only accepted by a limited number of countries that recognize SADR for traveling. Temporary passports will be provided by the Algerian government for travel to countries that do not acknowledge SADR in certain situations, although they do not grant the same privileges as citizenship.



WESTERN SAHARA GEOPOLITICAL NATURE



Polisario Front - Amisha

The Polisario Front, the Spanish acronym for “Popular Front for the Liberation of Saguia el-Hamra and Rio de Oro”, the two provinces which made up Spanish Sahara, is a rebel Sahrawi nationalist liberation movement. They claim Western Sahara, and champion the territory’s independence, arguing that the population should have the right of self determination. They are backed by Algeria, and following Spain relinquishing the territory in 1975, the Front sprang up an insurgency, launched a military struggle against the two occupying powers, Mauritania and Morocco, succeeding in driving out the former by 1979.



The group began as a movement of students who felt torn between the divergent Spanish and Moroccan influences on the country, whos initial goal was to end Spanish Colonialism in the region. However, once this was achieved, the group felt the region was entitled to self determination. They engaged in guerilla warfare, and evacuated the Sahrawi population to Tindouf refugee camps due to Moroccan air bombing of napalm and white phosphorus.

On the 27th of February, 1976, the Polisario Front proclaimed the Sahrawi Arab Democratic Republic in Bir Lahlou. While they claim sovereignty over the entire territory of Western Sahara, the government currently controls approximately 20-25% of the territory, which they call the “liberated territories”.

In 2020, the Polisario Front blocked the Western Saharan city of Guerguerat, a key trade route between Morocco and Mauritania, provoking a Moroccan military operation, the 2020 Western Saharan clashes. This prompted the Front to quit observing the 1991 ceasefire. However, due to their scaling down of their military post-1991, currently the Front is unable to do much more than hit and run attacks against the Moroccan sand berm.

As for international recognition of the Front, several states that do not recognise the SADR still recognise the Polisario Front as the legitimate representative of the population of Western Sahara - not as the government in exile of a sovereign state. The UN recognises the Polisario Front as a direct participant in the conflict, considering them the legitimate representative of the Sahrawi people since 1979.



WESTERN SAHARA GEOPOLITICAL NATURE



International Organisations (UN, AU and EU)

The United Nations

The United Nations has always been deeply involved in the conflict of the Western Sahara region. Since the formation of the United Nations, the UN has been devoted to decolonizing numerous colonies worldwide. In 1960, the UN adopted the Declaration on the Granting of Independence to Colonial Countries and Peoples, also known as the UN General Assembly Resolution 1514, emphasizing the right to self-determination.

Since then, the United Nations has stood firm in supporting the Sahrawi people's right to self-determination and has taken multiple initiatives to reach a peaceful agreement like the establishment of the United Nations Mission for the Referendum in Western Sahara a.k.a MINURSO- which is a committee to monitor the ceasefire between Polisario Front and Morocco (See Timeline) and organize a referendum - a direct vote for the reasons of resolving an issue.

The United Nations also deals in humanitarian efforts like aid to the Sahrawi refugees through the United Nations High Commissioner for Refugees (UNHCR) and the World Food Programme (WFP) in different areas like Tindouf, Algeria. A point to note is that MINURSO's mandate does not include human rights monitoring which has been a point of contention. This is because there have been concerns about human rights violations in the Western Sahara and the refugee camps.

The African Union

The African Union is another crucial international organization that is involved in supporting the Sahrawi people's right to self-determination and continues to advocate for a peaceful resolution to the dispute. The African Union has recognized the Sahrawi Araba Democratic Republic (SADR) - The Polisario Front - as a member state. The AU has also participated in many peace talks and supported various UN initiatives like deploying special envoys to facilitate dialogue. Moreover, the African Union has also aided in humanitarian aid for Sahrawi refugees in areas like Tindouf, Algeria.

However, the AU has decided to limit its peace plans and initiatives to further support UN actions in the Western Sahara. This change was most likely caused by Morocco rejoining the African Union a few months prior which made the African Union change its perspective on the issue. Morocco has considered the AU's actions to be biased and unjust so this change is in Morocco's favour.



WESTERN SAHARA GEOPOLITICAL NATURE



The European Union

The European Union has an interesting role in the Western Sahara conflict. The EU and its member states support the UN peace processes and back the Sahrawi people's right to self-determination very strongly. However, controversy arose when the European Union entered an international trade agreement with Morocco over agricultural and fishery products from the disputed region of the Western Sahara. Mainly the Council of the EU and the European Commission were the two parties that are jointly responsible for the trade relations. This infringed on the rights of self-determination of the Sahrawi people and received a lot of criticism. In response, the European Court of Justice has rejected these efforts and had two rulings in favor of the Polisario Front

USA

The United States has supported the UN peace plans and the right to self-determination of the Sahrawi people. However, in an extremely controversial move, the US shifted its stance and recognized Morocco's sovereignty over the Western Sahara region in exchange for Morocco normalizing relations with Israel. For 30 years before this announcement, the United States has always supported UN-led negotiations and placed the United States in a tough situation by criticizing the US's action as a violation of the right of self-determination - which means a violation of Article 1 part 2 of the UN charter.

The aforementioned proclamation was made by Donald Trump, and currently, the United States is under the Biden Administration. Biden Administration has been requested to reassess its recognition of Moroccan sovereignty over Western Sahara. Although no official statement has been made about the recognition, the Biden Administration has emphasized support for UN peace programs and negotiations

Aside from the matter of recognition, the USA has provided humanitarian aid to refugee camps in Tindouf, Algeria through agencies like the United States Agency for International Development (USAID) and in cooperation with the UNHCR. Furthermore, as a permanent member of the United Nations Security Council, the US has supported MINURSO's efforts to carry out its mission.



TIMELINE



Mid 17th century

The Alawi dynasty establishes the Sharifian Empire, better known as the Saadi Empire. This spans across northwestern Africa. Spain has been colonizing the coasts since the 15th century and has been in conflict with the Sharifian Empire over the northern regions of the Empire.

Reference Picture:-

https://upload.wikimedia.org/wikipedia/commons/9/97/Maroc_-_fin_XVIe_si%C3%A8cle.PNG

1859

Spain attacks a city called Ceuta and the Spanish forces move further into the Empire's territory to capture Tetouan

1860

Following the Sharifian Empire's defeat, they give Spain a new trading post to the south called "Santa Cruz de la Mar". Meanwhile, in Europe, the industrial revolution has just begun and the demand for raw materials drastically increases. Due to this, European countries become very interested in the natural resources of Africa like fossil fuels and land fit for agriculture.

Early - Mid 1884

To strengthen its presence on the coasts, Spain found a new trading post to the south of the Western Sahara called "Villa Cisneros" mainly for fishing and to bring trade routes of Nomadic people in the region to an area under their control

15 November 1884

The Berlin Conference is held where European powers like Great Britain, France, Spain and more convened to discuss their claims over African territories and it ends with countries mapping out their borders

1885

Spain creates a new colony called Rio de Oro on the trading post of Villa Cisneros to begin its colonization

Early 20th Century

Spain and France would often meet to define borders of their territories. France gains the remaining Sharifian Empire into its protectorate (A country which is controlled by another) of Morocco. Further, Spain receives the territories of Cape Juby in the south and Rif in the north as protectorates



TIMELINE



1939

The Spanish Civil War comes to an end and General Franco establishes a dictatorial regime which makes Spain isolated on the international stage. To increase their influence, Spain creates the Spanish West Africa by combining its territories in the south

October 24, 1945

The United Nations is created with one of its main goals being to end colonization and respect native people's right to self-determination



1954

After World War 2, independence movements begin across Africa, namely in the French colonies of Algeria and Morocco and the Algerian War starts in 1954.

1956

France then authorizes independence to Morocco as it feared the spread of war to regions of Europe and its other territories. Spain recognizes the new country and gives Morocco its protectorate "Rif" in the north. However, Morocco wants to regain the regions of the Sharifian Empire and form what was called "Greater Morocco".

1957

In the south, Mauritanian Independence Movements begin and they also want to integrate the Spanish regions into their future territories. Also, the Liberation Army in Morocco, which is not the country's army, crosses the border to the Spanish West Sahara to support independence movements in the South

1958

In response to the Army of Liberation from Morocco, Spain and France launch a counter-attack on land and air to drive out the Moroccans. Spain then cedes the region of its protectorate Cape Juby to Morocco in exchange for peace and an end of hostilities. The southern provinces remaining are reunited as the "Spanish Sahara"

1961

Morocco continues to support the Independence movement in Algeria by making a deal with them that Algeria will re-consider the borders separating them after the departure of the French colonizers

July 5th 1962

Algeria gains its independence. However, the new government ignores the agreement with Morocco and refuses to cede any territory. Especially because gas and oil were recently found in Algeria.



TIMELINE

September 25th 1963

Morocco and Algeria engage in what is known as the “Sand War” which ends on October 30th, 1963. But, the formal peace treaty was only signed on February 20th, 1964. The borders between the two countries remain unchanged and the borders become a demilitarized zone monitored by the countries of Ethiopia and Mali

The Spanish Sahara has been added to the United Nations list of non-self governing territories and increasing pressure is put on Spain to de-colonize the regions of the Spanish Sahara and organize a referendum on the Sahrawi people’s self-determination

1971-1972

Algeria, Morocco, and Mauritania calm down their relationships and demand that Spain leave the regions of Spanish Sahara without agreeing on the territories future and split of land between any of the parties

1973

The Polisario Front is created and begins a struggle against the Spanish colonizers to gain independence for the Saharan region

1974

Spain announces that it will be holding a referendum on self-determination soon. But, Morocco and Mauritania claim that the Spanish Sahara is historically theirs and does not wish for their independence. So, they request an advisory opinion from the International Court of Justice.

1975

The International Court of Justice rules that with the material and evidence provided, there are no links to sovereignty of the region being Morocco’s or Mauritania’s and that the referendum should not be interfered with. King Hassan II of Morocco rejects the courts advisory opinion and calls for the Moroccan people to march peacefully through the Spanish Sahara called the “Green March”

On November 6th 1975, 350,000 Moroccans march peacefully through the Western Sahara for 3 days - this was the Green March.

In the late 1975, General Franco of Spain dies and Madrid Accords are signed between Morocco, Mauritania and Spain on November 14th 1975. The Madrid Accords give 2/3rds of the Spanish Sahara towards the north to Morocco and the southern 1/3rd to Mauritania while Spain will move out of the territory. Note: The UN does not recognize the Madrid Accords as a transfer of sovereignty and the de jure (official) administrating state of the region is still Spain.



TIMELINE



The Polisario Front was not invited to the Madrid Accords and opposes the treaty and starts an arms struggle with Morocco and Mauritania forces.

Late 1975 - Early 1976

Due to the increased violence in the Western Sahara region, a majority of the population flees to Tindouf in Algeria. Algeria supports the self-determination of the Sahrawi people and sends in reinforcements

February 26th, 1976

Spain completely withdraws from the region of Western Sahara

February 27th, 1976

The Polisario Front proclaims the independence of the Sahrawi Arab Democratic Republic (SADR). Although they were largely outnumbered, the Saharan soldiers were well versed in the geography of the region. Tindouf becomes their main base with Algeria and Libya supplying weapons, ammunition and fuel

August 1979

Mauritania withdrew their claims of the Western Sahars region after pressure from SADR guerilla forces and a coup'de'tat, they sign a peace treaty with the Polisario Front. In the same time, Morocco annexes the Mauritanian region of the Western Sahara,

1981

Morocco begins building a sand wall which span over 2,500 km to cut off the free territories of the Western Sahara. This is the biggest defensive structure ever constructed and it has over 5,000,000 mines and 100,000 Moroccan soldiers gaurding it. The Sand Wall's construction finished in 1987.

1982

The Organizaton of African Unity (Now known as the African Union) accepts the SADR as a member state. Due to this, Morocco leaves the Ogranization of African Unity but this makes them very isolated diplomatically.

1991

After 16 years of war, a ceasefire is signed between the Polisario Front and Morocco. Furthermore, a UN mission called MINURSO is deployed to Laayoune to organize a referendum about the future of the territory. However, the referendum never happened due to conflict over voter elegibility and both sides blamed the other.



TIMELINE



1994

A terrorist attack happens in the Moroccan city called Marrakesh and Morocco blames Algeria for the attack. Due to this a visa is needed for Algerian citizens to travel to Morocco. In response, Algeria closes all its land borders with Morocco.

2007

After mainly relying on diplomacy for the past few years, based on the Baker Plans from 2000-2001, Morocco suggested a plan to the UN. The plan involved the Saharan region having autonomy with their own government and head of state, but under the sovereignty of Morocco. All decisions will be made by the local government other than defence and foreign policy decisions.

2007-2008

After the autonomy proposal, the Polisario Front and Morocco enter a series of negotiations in the United States. However, the negotiations failed as neither side decided to budge. These negotiations were called the “Manhasset Negotiations”

2017

Morocco rejoins the African Union after increasing their diplomatic ties with numerous countries

2020

Morocco breaks the agreement of the ceasefire 1991 by crossing the southern sand wall to connect Morocco and Mauritania. Then, the Polisario Front announces the end of the ceasefire and the fighting resumes

December 11, 2020

Some time before Donald Trump - Former President of the United States - leaves office, Trump recognises Moroccan sovereignty over the Western Sahara region in return for Morocco normalizing relations with Israel.

2021

Due to the major diplomatic success, Morocco wants to increase pressure on the SADR. Brahim Ghali, the leader of the Polisario Front was hospitalized in Spain due to Covid-19. In response, Morocco relaxed their borders with Ceuta and let around 8000 migrants pass.

Tensions between Algeria and Morocco have always been extremely high, but now Algeria completely cut off all diplomatic relations with Morocco and closed its airspace to Moroccan planes entirely. In addition, 3 Algeria trucks who were returning to Algeria from Mauritania were killed and destroyed by a bomb strike associated with Morocco



TIMELINE



2022

Russia invades Ukraine and this causes the price of gas and oil to rapidly increase. Algeria, a main supplier of gas and oil benefit from this new boost in economy. Then, Algeria announces that it will double its military budget in 2023 to almost 23 billion USD.

Current Situation

The issue remains deadlocked between the Polisario Front and Morocco. Morocco has 80% of the Western Sahara under its control and the SADR has control over the remaining 20%.

59 countries support Morocco and its autonomy proposal while 38 countries recognize the SADR and its right to self-determination. Due to the conflict, around 173,000 Sahrawi refugees live in refugee camps around Tindouf, Algeria.



LEGALITIES

UN Charter

The United Nations Charter is the foundations of the United Nations and are its basic principles which all of this member states must follow. The most important article for this agenda is the UN Charter Article 1 part 2 which states that “every nation must develop friendly relations based on respect to the right to equal rights and self-determination”. Further, Chapter 9 article 73 and 74 state that these principles apply to non-decolonized states - Western Sahara - as well. Article 73, part e, specifically outlines how to transmit information on the territory. In addition, article 55 also discusses about universally respecting the fundamental rights

The UN list of non self governing territories is also relevant, as Western Sahara remains on the list with Spain as the administering power of the territory, not Morocco.

Madrid Accords

The Madrid Accords was a treaty between Spain, Morocco and Mauritania that set out six principles which would end Spanish presence in the Western Sahara region and arrange a temporary administration of the region until a referendum. In the agreement, two thirds of the Western Sahara would go to Morocco and the rest one thirds would go to Mauritania. However, this agreement did not involve the Polisario Front or the Sahrawi people. Furthermore, due to signing this treaty, Spain violated a general assembly resolutions that it ratified (See below). Due to the fact that a referendum has not yet been held, the de jure administrating power of the Western Sahara as considered by the United Nations is still Spain and this agreement was not a transfer of sovereignty. In a 2002 letter from the UN General Secretary for Legal Affairs and Legal Counsel, he outlines that the agreement did not transfer sovereignty over the territory or confer upon any of the signatories the status of an administering power, and emphasises that Spain could not have unilaterally transferred this status. Therefore, the transfer of administrative authority over the territory did not affect international status of Western Sahara as a non-self governing territory.

General Assembly Resolution 1514 - Declaration on the Granting of Independence to Colonial Countries and Peoples

The Declaration on Decolonization was a general assembly resolution that focused on helping the transfer of power from the colonizers to the people. It's second declaration is that all people have right to self determination. A country which ratified the treaty was Spain. This means that signing the Madrid Accords is in direct violation to the Declaration on the Granting of Independence to Colonial Countries and Peoples



LEGALITIES

CJ Court Advisory (1975)

The International Court of Justice released an advisory which states that there were some legal ties between West Saharan tribes and Morocco, it doesn't overturn the right to self-determination of the Sahrawi people. Essentially it shows that Morocco cannot claim sovereignty over the region of the Western Sahara. However, the ICJ advisories are not legally binding which means that a country can reject their opinion if they want, which is what Morocco did for this opinion.



QUESTIONS A RESOLUTION MUST ANSWER (QARMA)

1. What recommendations could be made to the parties involved in the conflict to broker a lasting ceasefire in the area?
2. What can we learn from the breakdown of the 1991 Ceasefire and the failure of MINURSO, and how could we avoid these issues in the future?
3. What role did colonial powers play in this crisis, and how could the decolonisation process have been improved to avoid this?
4. Should the Sahrawi Arab Democratic Republic become the legitimate sovereign power over Western Sahara?
5. How could we combat the human rights violations in the area, with a specific focus on the heavy mining around the sand berm and the Tindouf refugee camps?
6. How did legalities, such as the Madrid Accords and the ICJ advisory opinion, influence the outcome of the situation, and how should they be modified or differently applied in the future?



FURTHER READING



1. UN Charter - <https://www.un.org/en/about-us/un-charter>
2. General Assembly Resolution 1514 - Declaration on the Granting of Independence to Colonial States and Peoples - <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-granting-independence-colonial-countries-and-peoples>
3. Madrid Accords - https://peacemaker.un.org/sites/peacemaker.un.org/files/MA-MR-ES_751114_DeclarationPrinciplesOnWesternSahara_0.pdf
4. ICJ Advisory - <https://www.icj-cij.org/case/61>
5. Timeline - <https://culturesofresistancefilms.com/ws-timeline/>
6. European Union trading issue - <https://ecfr.eu/article/western-sahara-morocco-and-the-eu-how-good-law-makes-good-politics/>

