

MUNQSMUN '14

9-11 October 2014



United Nations General Assembly
Background Guide

Letter from the Executive Board

Hello Delegates,

It gives me immense pleasure to the General Assembly of MUNQSMUN 2014, which would be the most widely attended forum at this year's conference with over a 100 delegates. The agenda that we would be discussing is one of the most important aspects of international politics as it covers all the domains of the same be it social, economic, political or legal.

Do note that this would be a simulation of the Plenary Session of the General Assembly of the United Nations so your research and Outlook towards the progress of the committee should be in line with the same.

This Background Guide has been made to give a start to your research process and by no means should encompass the scope of your research.

The agenda of the committee is focused and needs special attention to detail.

We wish you all the very best for the conference and hope that you are also as Excited as we are.

Regards,

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General Information

Within the Committee resources and reports would be judged accordingly:

- 1) All UN Reports and publications are considered as credible sources of information.
- 2) All reports by other sources like State operated News Agencies or reports by other states shall not be considered credible but would still be debatable.
- 3) Nothing written in this Background Guide is to be considered as a conclusive proof to a fact, as earlier stated this document is just for the purpose of aiding your research and not presenting you with facts.

United Nations General Assembly: **Introduction**

The United Nations was founded on 24 October 1945 after the Second World War by 51 countries devoted to peacekeeping and maintaining international security, and today it has 192 Member States.

Articles 11 and 12 of the 4th Chapter of the UN Charter authorizes the General Assembly to discuss issues of international peace and security presented to it by any of its Member States. In situations where international peace and security are endangered, it may further call the attention of the Security Council. Once the Security Council takes up an issue the General Assembly shall not make any recommendation to the Security Council unless requested.

In the General Assembly, Member States consider proposals relevant to topics covered by the committee, and recommend resolutions for adoption. Although not legally binding, they demonstrate global governmental opinion, indicating which governments support peace and international cooperative security, and which ones do not.

Agenda: The question of governance of Non Self Governing Territories

When the United Nations was established in 1945, 750 million people - almost a third of the world's population - lived in Territories that were non-self-governing, dependent on colonial Powers. Today, fewer than 2 million people live in such Territories.

The Charter of the United Nations established, in Chapter XI (Articles 73 and 74), the principles that continue to guide United Nations decolonization efforts, including respect for self-determination of all peoples.

The United Nations Charter also established the International Trusteeship System in Chapter XII (articles 75-85) and the Trusteeship Council in Chapter XIII (articles 86-91) to monitor certain Territories, known as "Trust" Territories. Those Territories, each subject to separate agreements with administering States, were formally administered under Mandates from the League of Nations, or were separated from countries defeated in the Second World War, or were voluntarily placed under the system by States responsible for their administration. Eleven Territories were placed under this system.

Since the creation of the United Nations more than 80 former colonies have gained their independence. Among them, all eleven Trust Territories have achieved self-determination through independence or free association with an independent State. There are 16 Non-Self-Governing Territories remaining today. The Charter binds administering Powers to recognize that the interests of dependent Territories are paramount, to agree to promote social, economic, political and educational progress in the Territories, to assist in developing appropriate forms of self-government and to take into account the political aspirations and stages of development and advancement of each Territory.

Administering Powers are also obliged under the Charter to convey to the United Nations information on conditions in the Territories. The United Nations monitors progress towards self-determination in the Territories.

Hoping to speed the progress of decolonization, the General Assembly adopted, in 1960, the Declaration on the Granting of Independence to Colonial Countries and Peoples. Known as the Declaration on decolonization, it stated that all people have a right to self-determination and proclaimed that colonialism should be brought to a speedy and unconditional end.

In 1962 the General Assembly established the Special Committee on Decolonization to monitor implementation of the Declaration and to make recommendations on its application.

In 1990, the General Assembly proclaimed 1990-2000 as the International Decade for the Eradication of Colonialism and adopted a Plan of Action. In 2001, the Second International Decade for the Eradication of Colonialism was proclaimed. In 2011, the General Assembly proclaimed 2011-2020 as the Third International Decade for the Eradication of Colonialism.

The Committee of 24 (Special Committee on Decolonization) and its Bureau are assisted by the Decolonization Unit of the Department of Political Affairs for substantive support and by the Department for General Assembly and Conference Management for secretariat services. The Department of Public Information carries out a number of outreach activities on decolonization, including the maintenance of this website.

TERRITORY	Administration	Area (sq.km.)	Population¹
AFRICA			
Western Sahara	2	266,000	3

ATLANTIC AND CARIBBEAN

Anguilla	United Kingdom	96	14,766
Bermuda	United Kingdom	53	68,265
British Virgin Islands	United Kingdom	153	24,939
Cayman Islands	United Kingdom	260	50,209
Falkland Islands (Malvinas) ⁴	United Kingdom	11,961	3,140
Montserrat	United Kingdom	98	5,118
St. Helena	United Kingdom	122	7,670
Turks and Caicos Islands	United Kingdom	430	23,528
United States Virgin Islands	United States	340	109,750

EUROPE

Gibraltar	United Kingdom	6	28,877
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ASIA AND PACIFIC

American Samoa	United States	197	66,432
Guam	United States	549	180,865
New Caledonia ⁵	France	35,853	252,352
Pitcairn	United Kingdom	5	48
Tokelau	New Zealand	10	1,400

Variables in the situation of non-self governing territories

Trusteeship Council

The Trusteeship Council was also a UN organ that would help non self-governing territories to achieve self-determination. It was different in that it helped the territories achieve self-determination for the benefit of the nation in question, and its only interests were the interests of the nation wanting to become a member of the international community. Furthermore, this allowed the territory, or trusteeship, not to be influenced by the politics of developed countries, since most of the trusteeships are in fact Third World countries, and former colonies. This body has lost its purpose since all the trusteeships that were under its auspices have become

independent nation-states. Therefore, the Council now exists in name only, rather than function and purpose.

The number of colonies has declined considerably since the establishment of the United Nations. However, there are still territories that have gained quasi-independence but not self-governance, and that are still administered by another country. These territories are mostly concentrated in the Caribbean and the Pacific. These are: Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, the Falkland Islands, Montserrat, St. Helena, the Turks and Caicos Islands, Pitcairn, and Gibraltar; administered by the United Kingdom; the US Virgin Islands, American Samoa, and Guam; administered by the United States; New Caledonia; administered by France; Tokelau; administered by New Zealand; and the Western Sahara; administered by Morocco. (Nakayama, 2000) This shows that the United Nations mandate of complete decolonization is not yet accomplished, and until all quasi-independent territories are either absorbed by their administering countries, or are given full independence, this UN mission cannot be finished.

If the UN mission is not finished, what is keeping the mission from being completed? The answer is that there are certain activities that are keeping them from developing into independent nation-states. In other words, the UN which represents the international community, has a different set of priorities, whereas the territories, such as Guam, has another set of priorities that they feel are keeping them from attaining full independence. (UN Secretariat, 2000) Therefore, since the UN is the one that determines whether a territory is ready for self-determination, their set of activities will be the focus of this brief. The UN's set includes: the promotion of political, economic, social, and educational advancement; any economic or other activity that has a negative impact on their interests; natural resources; natural disasters and environmental degradation; special circumstances of geographical location, size, and economic condition; foreign economic investment; and activities aimed at exploiting natural and human resources. (GA Resolution 52/72, 1997)

Political, Economic, Social, and Educational Advancement:

These activities are directly related to Ch. XI Article 73 of the UN charter, which states the main goals for non self-governing territories. Political advancement means a stable transition to democracy. This includes granting of individual liberties and equality to all the residents of the territory. The reason why these types of advancements are important to the territories is because in order to be recognized as a nation-state the territory needs to have a stable democracy, and these advancements are an integral part of this concept.

They also are affected by economic advancements. The way economic advancement affects territories is that it allows them to achieve a position, in which they could effectively participate in the international community. Economic advancement also improves the people's well-being.

Social advancement affects them as well. The way this affects them is by creating a community where they could work together for the betterment of their nation. It also fosters exposure to and acceptance of other cultures. Inversely, it also exposes the world to their culture, which may benefit or influence other cultures in the world. All together these advancements are the main tool used to develop an acceptance of different cultures, which could lead to a greater integration of the international community.

The last advancements that affect these territories are the educational ones. These are probably the most important advancements an emerging nation could have, because it combines the other three advancements into one. The reason why they are so important is because education is the cure for ignorance, which is one of the largest enemies the people of the world have to deal with. It is an enemy, because ignorance breeds hate. This leads to conflicts between cultures. Another reason why educational advancements are important is because education provides the territory with the tools to bring about political, cultural, and

economic advances. These tools are theories about how these advancements can work to benefit the road to self-governance. In addition, educational advancements could also provide a greater understanding of how best to navigate through the mire of international politics. It does this by providing them with the ammunition to effectively represent the interest of their territory, so that they may acquire additional aid to contribute to their development as a nation.

Economic or Other Activities That Have a Negative Impact on Their Interests

These types of activities can be varied, but they would include such things as corruption within the government, and exploitation by the elite of the society. The corruption affects the territories, because any aid sent to help them develop the goals they need to achieve self-determination, is funneled to those in power. Corruption is not a good sign of a strong democracy, because it demonstrates the absence of accountability. Furthermore, corruption could also cause societal fractures that would cancel out any steps already taken, because it could lead to a coup, which would leave the emerging government in shambles.

Exploitation by the elite also affects people in non self-governing territories. This affects them because; these elites are the ones who possess the means to help their nation achieve independence. Unfortunately, elites do not always have the best interest of their people at heart. Instead they only follow their own interests, and they would use any achievement like this to increase their own power or influence. This type of inequality would not allow for a strong nation because if all the people do not have a say, then it is not really an equal society, which is a requirement for a successful democracy. Furthermore, if decisions are being made by a few people, then the worries of the people in general are being either ignored or suppressed. This does not provide a strong foundation for a future nation state.

Natural Resources

Availability of natural resources is also something that would affect the people of an emerging nation-state. The reason why this would affect them is because presence of certain natural resources is required for self-sustenance. Therefore, if the country does not have resources, it would have to rely heavily on imports, which can become expensive. Furthermore, if they have to rely on import, then they can be taken advantage of by the nations that are supplying them. Another issue with natural resources is that much of the territories' land have been used to specialize in cash crops for the benefit of their former colonial masters, and they are unable to switch to a more varied export market, which could foster a healthier economy. This enforces the need for importation to supplement their economy. Unfortunately, the balance of an import/export economy for these territories is skewed towards one side, which again leads to exploitation.

Natural Disasters and Environmental Degradation:

These affect the people of the territories in two ways. The first way is that since they are islands they are more susceptible to the whims of Mother Nature. Therefore, when a natural disaster occurs their basic infrastructure can be destroyed. When this happens they have to start all over from the ground up, and it retards their development even more. Also, when a natural disaster hits, the costs to repair the damage are sometimes way beyond the means of these fledgling nations. Therefore, aid would be needed to help them recover from such a devastating event.

The second way is that they are more susceptible to environmental degradation. This is because they are emerging in a time where the industrial revolution has already occurred, and many nations had

already developed their industrial capacity. The problem these emerging nations have is that they are just beginning to industrialize. Therefore, the cost to change from an agrarian economy to an industrial economy is expensive in both money and environment. This is further complicated by the fact that new industries are quite costly to the environment. Also, the strict environmental standards the international community has established is limiting what these new industrial economies can do, because of the cost for clean industries. As a result these territories are unable to keep up with the rest of the international community, because they are being denied the mistakes that are part of industrialization, and cannot learn from those mistakes.

Circumstances of Geographical Location, Size, and Economic Condition

This problem is more apparent to the international community, because these conditions do impose limits on how these territories can develop. Simply put, they do not have enough land to allow great expansion. Their borders are clearly defined, whether by water or by some other isolating geographic feature. As a result, they are unable to acquire more land since their supply of land is limited. Furthermore, the only way that they can resolve this problem is by reusing the land they already possess. Again, this transition is an expensive venture. Their location can also be a hindrance to their development. This means that they could be far off commonly used shipping lanes. This isolates them from the international economy, unless there is a reason for shipping interests to stop there and trade. In terms of their economic condition, the biggest problem they have is that they rely exclusively on agriculture. Unfortunately, most other nations also rely on agricultural products as a means for trade, and more often than not there are established institutions that protect this type of industry. This places the territory in a position, in which their goods are not selling since the protection provided by other nations

benefits their trade rather than others. This also prevents them from establishing a foundation for a nation-state.

Foreign Economic Investment

This is an interesting activity that affects non self-governing territories because foreign economic investment is a double edged sword. On the one hand, foreign investments can help these territories develop the infrastructure required to become a successful nation-state. It also provides them with a means to be competitive in the international community, since the investment is geared towards making a profit, and the territory can benefit from this profit.

On the other hand, foreign investment can also be exploitative. It does this by cutting corners and bypassing universally accepted regulations, which would normally limit their profit making. These territories are usually free of regulations and investors can do what they want in order to earn maximum profits. Unfortunately, this quest for maximum profit can cause more harm than good. Furthermore, if the territories start to try to curb this exploitation, the investors could pack up and leave. Therefore, the governments will be afraid to take any actions that would give cause for the investors to leave.

Activities Aimed at Exploiting Natural and Human Resources

The last thing that affects people of these territories is ways that they can be exploited. One-way is that when investors come into invest they generally look for a higher profit margin and they will do whatever they can to achieve this profit margin. This can be done through disregard for environmental damages. Paying wages

that do not provide enough to support a family could also do it. Unfortunately, the people would look at it as, “anything is better than nothing at all,” and they would accept it.

CASE STUDY – WESTERN SAHARA

Statement of the Problem

The future of Western Sahara is an important one, and an issue that should be brought to international attention. Western Sahara is a disputed territory in northern Africa, which is also considered a Non-Self-Governing Territory by the UN (Non-Self-Governing Territories Listed by GA in 2002).

The Declaration on the Granting of Independence to Colonial Countries and Peoples states that independence should states that "the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the United Nations Charter, and is an impediment to the promotion of world peace and cooperation, and that steps should be taken to transfer, unconditionally, all powers to the Trust and Non-Self-Governing Territories so that they might enjoy complete freedom and independence." (Declaration on the Granting of Independence to Colonial Countries and Peoples) The Declaration also states that the people of these territories should be allowed to achieve sovereignty through self-determination.

However, Western Sahara has been unable to achieve self-determination. This is because of its nature as a disputed territory. Currently, Western Sahara is partially controlled by different groups. The nation is partially annexed and controlled by Morocco. Other parts of the nation are controlled by the Sahrawi national liberation movement, the Polisario Front, in the name of the

Sahrawi Arab Democratic Republic (SADR), which it believes it is the legitimate government of Western Sahara. It is currently in exile. The Declaration on the Granting of Independence to Colonial Countries and Peoples would seem to indicate that the people of Western Sahara should be able to achieve self-determination through free elections in order to decide who has the legitimate rule over the nation.

However, Morocco and the Polisario have not been able to come to an agreement over which persons would have the right to vote in elections, and have reached an impasse. One issue is the question of whether Moroccan settlers in the lands of Western Sahara should have the right to vote in order to achieve self-determination. The two competing parties are under a UN-brokered ceasefire, but there is the fear that guerrilla fighting could break out once again. In order for an agreement to be successful, the problem of who gets to vote will need to be resolved, while maintaining the security of the country.

History and Discussion of the Problem

Overview In 1884, Spain seized control of the area now called Western Sahara as part of its sphere of influence. In 1939 it became a Spanish province in 1934, called Spanish Morocco. In the mid 1970's, Spain began a process of decolonization amongst its territories, including Western Sahara (Berke). The Polisario Front was established in 1973 as the representative of the people of Western Sahara.

The Polisario Front is a rebel nationalistic liberation force that wants Western Sahara to be an independent nation from Morocco. As such, the Polisario is outlawed in Morocco and its occupied regions of Western Sahara. The group was formed at first to gain independence from Spain, and originally had a socialist agenda. However, when Morocco and Mauritania took control of Western Saharan lands, their focus shifted toward independence from those

two nations. Over the years, their ideological focus shifted as well, away from socialist ideals and toward free market ideals, with their main cause still being freedom and liberation from Morocco.

By 1975, Morocco and Mauritania both claimed possession of the Western Sahara region, but the International Court of Justice rejected these territorial claims, recognizing that there were historical links between the Saharawi people and Morocco and Mauritania, but the Sahrawi's had a right to self-determination, as stated in the Declaration on the Granting of Independence to Colonial Countries and Peoples. However, in October of 1975, Moroccan King Hassan II sent troops into north western Sahara, and in November of 1975, sent hundreds of thousands of unarmed Moroccans into Western Sahara, called the Green March. These events caused Spain to back down from the referendum it was organizing and negotiated the Madrid Agreement, or Madrid Accords with Morocco and Mauritania (Madrid Accords).

Morocco had been trying to claim the land since its own independence from France in 1956. For some time, they sent troops into Western Sahara, but the Spanish with the help of the French were able to push them out. However, colonialism worldwide was on the decline, and Spain gave up the region of Western Sahara. The Madrid Agreement partitioned the land into two regions, with Morocco annexing the northern two thirds, while Mauritania annexed one third in the south. Spain gave up its colony there and soon left (Madrid Accords). These agreements were opposed by both Algeria and the Polisario front, who both wanted independence.

Algeria also had longer standing disagreements with Morocco. In 1963, the Sand War occurred between the two nations over mineral resources in an area between the two nations where the border was not clearly delineated. The Polisario then declared the creation of the Saharan Arab Democratic Republic (SADR), in 1976, creating a government in exile.

The president, Mohamed Abdelaziz was elected that August, and is still president. Its structure resembles a government, and as a republic has a president, judicial branch, and the legislative branch, the parliamentary Sahrawi National Council.

Its current constitution lays down guidelines for a multi-party democracy and a market economy. It considers the Sahrawi people as Muslims, Africans, and Arabs, and uses the Arabic language. However, the SADR does not have much actual power and much of the structure does not actually function, because it is a government in exile. They do have rule over many of the Sahrawi refugee camps.

The Polisario Front has similar governing institutions, and is much a part of the SADR government – they are how the SADR is able to exert its control over the part of Western Sahara that it occupies. The SADR also rules over the refugee camps on western Algeria. They are not recognized by the UN, but they are recognized by the African Union (AU Member States).

After the Madrid Agreement, the Polisario carried out guerrilla attacks on Mauritanian and Moroccan targets, continuing hostilities for decades in what is known as the Western Sahara War, from 1975 to 1991 (BBC News - Regions and Territories: Western Sahara). In 1975, as Morocco and Mauritania moved in to occupy cities, Sahrawi refugees began fleeing to refugee camps, many of which were in the Tindouf region of Algeria. (BBC News - Deadly Clashes as Morocco Breaks up Western Sahara Camp) Algeria and Libya supported the Polisario by supplying funding and arms, modernizing the Polisario forces. The French supported Morocco and Mauritania, using their air force to bomb Polisario guerrilla fighters.

In 1978, Mauritania underwent a coup d'état, and the new government renounced its territorial claims to Western Sahara. (Mauritania Timeline)Algeria continued to allowed Western Saharan refugees supportive of the Polisario to settle in the southern province of Tindouf, near Western Sahara. This was where the Polisario had and has its main base. After Mauritania left Western Sahara, Morocco moved to occupy the remaining

lands. The Polisario continued guerrilla warfare against the Moroccan forces. Eventually, Morocco attempted to contain and exclude the guerrillas by building the Moroccan Wall – a giant sand wall, separating Moroccan and Polisario controlled lands. This created a stalemate in the war, where no side would be able to make more strategic gains. However, guerrilla attacks continued even after the wall was created.

The Polisario controls land to the east of the wall; however the land there has few natural resources and is sparsely populated. Interestingly enough, Mauritania eventually recognized the SADR, which increased tensions in the relation between Mauritania and Morocco.

The hostilities ceased in a 1991 cease-fire agreement, and the UN created the peacekeeping mission "**Mission des Nations Unies pour l'Organisation d'un Référendum au Sahara Occidental**" — United Nations Mission for the organization of a Referendum in Western Sahara, or MINURSO. The plan called for a transitional period, leading up to a referendum, or election planned for 1992, when Western Saharans could vote and exercise self-determination to choose between becoming an independent country or to become a part of Morocco.

However, the referendum never occurred, because the two sides never were able to come to an agreement on who was eligible to vote. (BBC News - Regions and Territories: Western Sahara) The mission planned to identify voters based on a Spanish 1973 census, but the Polisario opposed allowing Moroccan settlers, who moved in after what they viewed as a Moroccan occupation of their lands, the right to vote. Attempts to revive a referendum process have not been successful, reaching an impasse because both groups could not come to an agreement on how to proceed with a referendum process. (BBC News - Regions and Territories: Western Sahara).

The UN has tried several times to draw new plans for a referendum process, but they have all failed. There is widespread UN support for a referendum process for the Sahrawis to exercise self-determination, but the conflict is over how that process should be

carried out. In the past few years, there has been intermittent fighting and protests.

Demonstrations broke out in 2005 in Moroccan controlled areas by independence supporters. Morocco responded with police and security forces, and a number of demonstrators and activists were jailed. Some human rights groups expressed concerns over the treatment of the jailed activists, but it is hard to gather information, as Morocco allows limited media information to come out of Western Sahara. In 2010, a camp of several thousand displaced Sahrawis was set up near the Moroccan controlled capital of Western Sahara, Laayoune. (BBC News - Deadly Clashes as Morocco Breaks up Western Sahara Camp)

In November 2010, several people were killed in violent clashes between Moroccan security forces and protesters as Moroccan forces forced people to leave the camp. Moroccan security personnel and Sahrawi civilians were both killed, though Morocco denies the latter claim.

This all occurred shortly before UN-mediated talks on the future of the territory were due to open in New York. Recently, Morocco has offered to grant the Western Saharan region autonomy within Morocco, but the Polisario has refused, still demanding a referendum for full and complete independence from Morocco. (BBC News - Deadly Clashes as Morocco Breaks up Western Sahara Camp) Currently, about 100,000 Sahrawi refugees live in camps in Tindouf, Algeria (CIA - The World Factbook).

Past UN Actions

UN Actions seem to be steered by The Declaration on the Granting of Independence to Colonial Countries and Peoples, which states that "the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the United Nations Charter, and is an impediment to the promotion of world peace and cooperation, and that steps

should be taken to transfer, unconditionally, all powers to the Trust and Non-Self-Governing Territories so that they might enjoy complete freedom and independence." (Declaration on the Granting of Independence to Colonial Countries and Peoples) This document advocates the self-determination of a people to legitimize a sovereign power. UN actions are guided toward having a referendum in Western Sahara, so that the people there can achieve self-determination.

The UN has continued to pass resolutions calling for the self-determination of Western Africa, but the parties have not come to an agreement in the issue of voter eligibility.

MINURSO On April 29, 1991, a ceasefire between Morocco and the Polisario was brokered by the UN, establishing the United Nations Mission for the Referendum in Western Sahara (MINURSO), and a plan for the region was established. The plan called for a referendum where the people of Western Sahara would vote between independence or being integrated with Morocco. (Resolution 690 (1991))

They also included a repatriation program for Western Saharan voters who were refugees, living outside of the Western Saharan territory. The Mission would have civilian personnel during this transitional period, as well as military personnel to keep the ceasefire. The referendum election was supposed to occur in January of 1992, but the original timetable was not kept.

The primary function of MINURSO at the time was to enforce the ceasefire, which has generally held. (Resolution 690 (1991)). However, the full implementation of the plan was never completed. Morocco and the Polisario were not able to find a compromise in regard to the criteria for the eligibility to vote. The MINURSO Identification Commission was established in 1993, to being identifying potential voters. This process was completed in 1998, though the opposing parties still could not agree on aspects regarding the eligibility appeals process, and the repatriation of refugees amongst other aspects. Some of the problems with voter eligibility were whether to include Moroccan settlers brought in by Morocco during the Green March.

The Polisario Front wanted to use the last Spanish census, from 1974, as the basis of voter eligibility – only those counted in the 1974 census and their descendants could vote, which came out to about 75,000 people. Morocco argued that the newer settlers had the right to vote as well. The MINURSO Identification Commission found about 80,000 eligible voters. Morocco launched appeals over the voter list for over 100,000 rejected voter applicants, which stalled the process eventually bringing the two parties to an impasse.

Since then, dialogues have occurred sporadically (Shelby). MINURSO has scaled back its personnel in Western Sahara, but it maintains a presence there to keep the ceasefire, as well as address the displaced and separated Sahrawi refugee families. MINURSO has been successful in keeping the ceasefire, but the transitional period called for in the settlement plan has still not begun, due to the parties' diverging views on key elements of the plan. The MINURSO mandate continues to be extended repeatedly, as no agreement has been reached regarding voter eligibility. (MINURSO Background - United Nations Mission for the Referendum in Western Sahara)

Houston Agreement

In 1997, the Polisario Front and Morocco entered negotiations on the organization of a referendum, so that the people of Western Sahara could express their self-determination. U.S. special envoy James Baker III, who helped write the original settlement plan, presided over these meetings (Berke). The two sides recognized the authority of the UN during the transitional period, and they also agreed to a code of conduct during the electoral period. Baker was optimistic about the UN being able to restart the referendum process, but there were no tangible results from this agreement, for

in the end, the parties were still unable to agree. (Western Sahara: Houston Agreement, 9/28/97.)

Baker Plan

The Baker plan, formally known as the Peace Plan for Self-Determination of the People of Western Sahara, was intended to grant self-determination to Western Sahara and replace the original settlement plan, and was also proposed by James Baker. The first version, known as Baker I, was distributed in 2000. ("Report of the Secretary-General on the Situation concerning Western Sahara." (2000)) This version offered Western Sahara an autonomous existence as part of the Moroccan state. The local government would have jurisdiction over issues except those relating to defence and foreign policy. Morocco accepted this version of the plan, but Algeria and the Polisario.

A second version in 2003, known as Baker II, would create a government called the Western Sahara Authority. The Saharans would have self-rule under this authority for a five year transition period, leading up to a referendum on independence, except for issues of defence and foreign policy, which again would be Morocco's responsibility. However, any actions that affect Western Sahara would require consultation with the Western Sahara Authority. In the referendum, anyone living

in Western Sahara since 1999, including the Moroccan settlers would be able to vote. However, in the interim, voters for the government of the Western Sahara Authority – the Legislative Assembly and Chief Executive – would come from the MINURSO Identification Commission lists, which excluded the Moroccan settlers. It would also limit the number of armed forces of Morocco and the Polisario during the rule of the Western Sahara Authority. For this agreement, the Polisario and Algeria agreed to this plan, and it was endorsed by the UN Security Council (Shelby), but Morocco rejected the plan, not agreeing to the referendum that included

independence as a possible option – leading to yet another impasse. (“Report of the Secretary-General on the Situation concerning Western Sahara” (2003)) Manhasset Negotiations The Manhasset Negotiations were a series of four talks between 2007 and 2008, the first direct negotiations between Morocco and the Polisario Front since the Baker Plan. This came from the 2007

UN Resolution 1754, which called upon “the parties to enter into negotiations without preconditions in good faith, taking into account the developments of the last months, with a view to achieving a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara.” (Security Council Extends United Nations Mission in Western Sahara Until 31 October, Unanimously Adopting Resolution 1754 (2007)). The talks continued peacefully, but reached yet another impasse, when Morocco wanted a proposal for autonomy under Moroccan sovereignty on the referendum ballot, but not a choice for independence. The Polisario agreed to have autonomy as a third option but would not eliminate the choice of independence.

Things to Ponder Upon

- What constitutes as the question of —Self-determination?
- The scope of —The Right to Self Determination¹ as a legal concept, norm or statutory principle;
- The conditional applicability of the above mentioned dynamics;
- Self-determination as an inalienable right?
- Scope of —The right to Self-determination as an *erga omnes* obligation;

Note: The scope of the agenda extends much beyond the above-mentioned dynamics. Delegates are free to deliberate upon those aspects as well.