

Research report

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Issue: [Addressing the claims on the WEstern Sahara]
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Introduction

As of 1970, the Western Sahara has been in an everlasting state of conflict within itself, its original oppressor and with some of its neighbours. The United Nation's stance on this matter has been made very clear, "All peoples have the right of self-determination", the problem stems from the fact that not everyone agrees with the self-determined choice made by said people. With conflict brewing since 1970, and erupting within the mid 70s, the outlash of Western Saharan people against their Spanish oppressors was with good right, the right of self-determination. The United Nations, having been contacted by Morocco in 1975 to discuss the claims of Western Saharan people, and even sending a visiting mission to hear out the population. 51 years later, the region of the Western Sahara is still in trouble. With no clear end to the conflict in sight, the local people wonder if there will be a good solution to the problem.

Definition of key terms

Decolonisation

The action or process of a state withdrawing from a former colony, leaving it independent.

Self-determination

The process by which a group of people, usually possessing a certain degree of national consciousness, form their own state and choose their own government.

Referendum

A vote in which all the people in a country or an area are asked to give their opinion about or decide an important political or social question.

Sovereignty

Supreme power or authority.

Proxy forces

A person authorized to act on behalf of someone else; agent.

International Court of Justice (ICJ)

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations (UN). It was established in June 1945 by the Charter of the United Nations and began work in April 1946. The Court's role is to settle, in accordance with international law, legal disputes submitted to it by States and to give advisory opinions on legal questions referred to it by authorized United Nations organs and specialized agencies.

Annexation

The taking possession of another nation's land, mostly with force or without permission of said other nation.

Concession

The grant of rights, land or property by a government, local authority, corporation, individual or other legal entity.

War of attrition

A prolonged period of conflict during which each side seeks to gradually wear down the other by a series of small-scale actions.

Stalemate

A situation in which further action or progress by opposing or competing parties seems impossible.

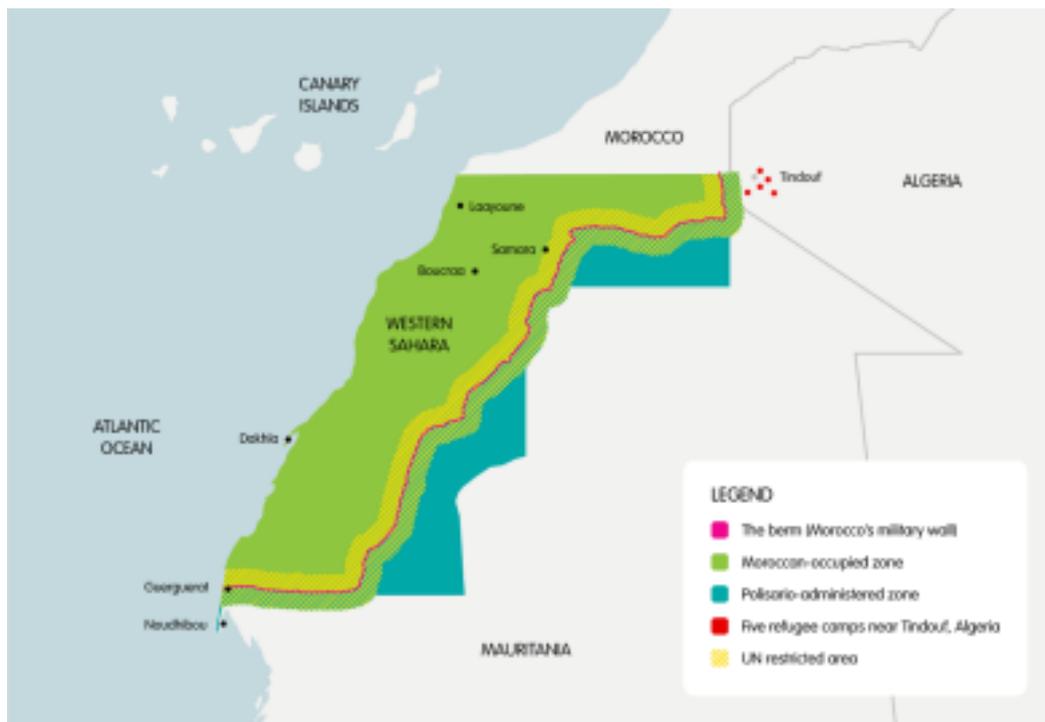
Cease-fire

An agreement, usually between two armies, to stop fighting in order to allow discussions of peace.

General Overview

Western Sahara, often described as Africa's last colony, is a former Spanish colony between the countries Morocco and Mauritania. In the Berlin Conference of 1885, Western Sahara was assigned to Spain. The name then became the Spanish Sahara. The Spanish abandoned the territory in 1975 after the United Nations asked Spain to do so after a major decolonisation movement that started in 1965. However, after Spain abandoned the territory, the Sahrawis did not get the right to express their self-determination - instead, two-thirds of the territory was handed over to Morocco, and one-third of the territory was handed over to Mauritania. This act was not recognized by international law.

Around this time, the indigenous Sahrawi nationalist movement began to emerge. This led to the formation of the political form known as the Polisario Front in 1973. The Polisario Front took up arms against the Spanish colonizers, and later waged war on Morocco and Mauritania when the area was handed over to the latter countries. After pressure from the Polisario military and international calls to grant the Sahrawi people self-determination, Spain finally announced its intention to hold a referendum on their independence in 1974.



The announcement of the referendum sparked a year-long conflict between Spain and Morocco, while Morocco continued to advance its claim to the Western Sahara, by supporting proxy forces on the ground. They also took this case to the International Court of Justice. The court dismissed “any tie of territorial sovereignty” between Western Sahara and both Morocco and Mauritania in October 1975. They also affirmed the Western Saharan’s right to choose how to fulfill their self-determination.

King Hassan II of Morocco, just hours after the ICJ rule, announced his intention to seize Western Sahara by force. This movement, which became known as the “Green March”, led to the annexation of Morocco of the territory. Spain withdrew from its promise of a referendum to avoid further conflict with Morocco. Instead, in November 1975, they agreed to grant control of Western Sahara to Morocco and Mauritania with economic concessions in return. In 1976, Spain transferred its status as administering power to Morocco and Mauritania. This was never recognised by the UN.

Moroccan and Mauritanian forces had already started occupying the territory in late 1975, where they clashed with Polisario forces. This led to 40% of the Sahrawi population to flee to Algeria. They remain in the camps in Tindouf to this day.

Polisario was able to drive out Mauritania now that they had support from Algeria. They engaged in a war of attrition with Morocco. The Sahrawi guerillas were able to attack and retreat in Western Sahara and southern Morocco in the late 1970s to the early 1980s. Morocco’s forces countered Polisario with help of France, the United States and financial aid from Saudi Arabia. They built a 2,700-kilometer berm which was heavily mined and patrolled. This berm had caused a stalemate in the late 1980s. All Polisario could do was harass Moroccan forces along the berm, while Morocco could only eliminate Polisario forces if they invaded northern Mauritania and western Algeria. A cease-fire agreement was finally

reached between Polisario and Morocco after several engagements between 1989 and 1991.

Through the 1990s and early 2000s, there were several peace initiatives. Despite this, conflict reemerged in 2005, which became known as the "Independence Intifada". This was a streak of demonstrations and riots in the Moroccan-occupied territories of Western Sahara. These demonstrations lasted for 7 months and finally stopped in November 2005. Demonstrations broke out again in late 2010 in a refugee camp in Western Sahara. The protests started off peacefully, but later turned into clashes between the inhabitants and police forces.

As a reaction to the failure of the police force to prevent anti-Sahrawi looting in Dakhla, protests began on the 26th of February in 2011. The movement had receded by May 2011.

As of today, the Moroccan government are in control of large parts of Western Sahara, which are also known as the Southern Provinces. Only 20% of Western Sahara territory is controlled by the Sahrawi Arab Democratic Republic. The key issues of the ongoing Western Sahara peace process are the establishment of a Sahrawi state, rehoming the Sahrawi refugees displaced by conflict, and international recognition.

Major parties involved

Spain

Spain first got involved when they got Western Sahara assigned in the 1885 Berlin Conference. From this point on, Western Sahara was under Spanish rule until 1976, when they gave up the power to Morocco and Mauritania.

Morocco

Morocco got involved when two-thirds of the Western Sahara territory got handed to them by the Spanish government in 1976. To this day, the Moroccan government is still in charge of a huge part of the territory.

Mauritania

Mauritania got involved when one-third of the Western Sahara territory got handed to them by the Spanish government in 1976. They claimed the territory for several years, but dropped all claims in 1979.

Western Sahara

Western Sahara is the area that was colonized by Spain and Mauritania and is still colonized by Morocco to this day. The indigenous people, the Sahrawi, have formed the Polisario Front to fight against the colonizers.

Algeria

Algeria started taking in refugees from Western Sahara and backing and supporting the Polisario Front. There are many refugee camps along the Algerian border, in the Tindouf area. They further support the right of the Sahrawi people to self-determination.

France

France started to intervene in 1977, during the peak of intensity. The French military intervened on behalf of the Mauritanian government in the war against Sahrawi guerilla fighters. This was called "Opération Lamantin".

United States of America

The United States of America started backing Morocco in their fight against Polisario starting in the late 1970s. The Obama administration distanced itself from the Moroccan autonomy plan in 2009. On the 10th of December 2020, former president Trump announced that they recognize Morocco's sovereignty over Western Sahara.

Saudi Arabia

Saudi Arabia financially aided Morocco in their fight against Polisario. In early 2021, Saudi Arabia has yet again affirmed "its unwavering support for Morocco's territorial unity".

Libya

Libya helped back the Polisario Front alongside Algeria.

Polisario Front

While ideas started in 1971, the Polisario Front was officially established in 1973. Polisario is the rebel nationalist liberation movement started by the Sahrawi people formed to fight for their independence in Western Sahara.

Sahrawi Arab Democratic Republic

The Sahrawi Arab Democratic Republic (SADR) was established in February 1976 by Polisario. It is not recognized by the United Nations, but they won recognition from several other states.

Timeline of key events

1434 Discovering of Western Sahara by European discoverers

Portuguese mariner Gil Eanes discovered a passable route around Cape Bojador, located in Western Sahara. This was considered a major breakthrough for European exploration.

1885 The Berlin Conference

The Berlin conference of 1885, also known as the Berlin West Africa conference, was a meeting of major European powers at which they negotiated the claims of African territory. This was the height of European competition for territory in Africa, and it later became known as the "Scramble for Africa". Major European nations such as France, Germany and Great Britain turned to Africa for natural resources during the 1870s and early 1880s. The scramble for territory led to conflict between European powers, especially between the British and the French. By 1900, European states had claimed 90 percent of Africa.

1961 Special Committee on Decolonization

This committee was established by the General Assembly in 1961, as a subsidiary devoted to the issue of decolonization.

1973 Formation of Polisario

The Polisario Front is the rebel nationalist liberation movement by the Sahrawi, the inhabitants of Western Sahara. While it started forming in 1971, the formation as we know it was established on May 10th 1973. Polisario fights for independence in Western Sahara, a territory controlled by Morocco and Mauritania. The United Nations considers Polisario to be a legitimate representative of the Sahrawi people.

1974 The Spanish announcement of a referendum

On August 21st, 1974, Spain proposed a referendum on the status of Western Sahara. This referendum was later abandoned. This led to Morocco and Mauritania claiming sovereignty on the territory.

1975 The Spanish abandon the area

The Spanish government abandoned the territory after the United Nations pushed them to as a result of a major decolonization movement that started in 1965. Spain did abandon the area, but gave two-thirds of the territory to Morocco, and one-third of its territory to Mauritania.

October 1975 ICJ dismisses territorial sovereignty

After the announcement of the referendum, Spain and Morocco went into a year-long conflict. Morocco advanced its claim on Western Sahara. The case got taken to the International Court of Justice, which dismissed any sovereignty between Western Sahara and Morocco and Mauritania.

6 October 1975 Green March

Hours after the announcement of ICJ, King Hassan II of Morocco announced his intention to occupy Western Sahara by force. This became known as the "Green March". 200,000 unarmed volunteers marched to the border of Western Sahara to claim the area.

November 1975 Madrid Accords

Spain withdrew from their earlier promise of a referendum to avoid conflict with Morocco and instead granted control of Western Sahara to Morocco and Mauritania with economic concessions in return.

1976 Spain transfer administrative status to Morocco and Mauritania

In 1976, Spain transferred its status as administering power to Morocco and Mauritania. This was never recognised by the UN.

Late 1970s - early 1980s Sahrawi guerillas attack southern Morocco

With the newfound support of Algeria, Polisario was able to drive out Mauritania. They also engaged in a war of attrition with Morocco. From the late 1970s to the early 1980s, the Sahrawi guerillas were able to attack southern Morocco.

Late 1980s Stalemate

Morocco built a 2,700-kilometer berm with support of the United States, France and financial support from Saudi Arabia. This berm eventually caused a stalemate between Morocco and Polisario.

1989 - 1991 Cease-fire between Polisario and Morocco

After several engagements between Polisario and Morocco from 1989 until 1991, they finally came to a cease-fire agreement. During this time, most of the territory was under Moroccan control. Polisario claims to have control over 20% of the area, including some Sahrawi refugee camps near the Algerian border. This is currently still largely the same.

May 2005 Independence Intifada

Independence Intifada was a series of demonstrations, riots and disturbances that broke out in May 2005 and lasted until November 2005. The term is used by Sahrawi activists and the series of riots happened in Western Saharan territories controlled by Morocco.

November 2020 Polisario declare 1991 cease-fire to be over

The leader of Polisario has announced the end of the 1991 cease-fire, due to Moroccan forces entering the UN-moderated buffer zone in the territory to open a road blocked by the Polisario front, which they viewed as the Moroccan military igniting war. Morocco said it had no intention of breaking the cease-fire.

December 2020 US recognizes Moroccan sovereignty over Western Sahara

Former US president Donald Trump announces his recognition of Morocco's sovereignty over Western Sahara, in exchange for Morocco normalizing their relationship with Israel.

Previous attempts to solve the issue

As of 1991, a ceasefire has been initiated between the various armies in the region by suggestion of the UN. Ever since, no blood has been shed on all sides, however, the situation has not really improved. The conflict is seen as one of the toughest nuts to crack

for the UN councils that have discussed it.

The closest the UN has come to any form of solution was in 2003, when the Security Council unanimously supported the so-called 'Peace plan for Self-determination of the People of Western Sahara' in July of 2003. The plan proposed a period of autonomy for the region, with a referendum after determining the outcome of the situation. The referendum offered the local people integration with Morocco or independence and also included an option of further autonomy. Although the Peace plan was supported by the Polisario front along with its ally Algeria, Morocco rejected the plan in April of 2004, deeming the autonomy of the region could only be final and not transitional as proposed by the plan. Independence had to be ruled out, as it was out of the question for Morocco to engage in negotiations over its sovereignty and territorial integrity. This resulted in major members of the Security Council to pull their support, including the United States.

The Security Council encouraged a mutually accepted political solution not necessarily including a referendum with independence as an option. The Secretary-General at the time, Kofi Annan, told the Security Council in 2002 that this would not be possible, due to the entrenched state all parties within the conflict found themselves in. Annan, moving the Peace Plan aside, and trying to find solutions by consulting key members of the Security Council. These members put their bilateral interests ahead of long term solutions, and Annan made the conclusion of negotiations without preconditions. However, the actions of former Secretary-General Ban Ki-moon point to using the Moroccan proposal as a basis for negotiations.

As of 2019, another round of UN mediated talks was held, this however resulted in no resolution being passed, but with an agreement of a meeting between the Moroccan and Polisario Front to meet again. The Polisario Front is still strong with its demands for independence, whereas Morocco is willing to grant the Western Sahara region a wide range of autonomy, but not independence. The UN Mediator of the meeting, former German president Horst Köhler has stated that the whole Maghreb region of Africa could benefit from a final solution, and that the conflict has a far too high risk of human suffering and lack of prospects for the youth within the area.

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