

# KIIT

INTERNATIONAL  
**MODEL 20**  
**UNITED 18**  
NATIONS  
28th-30th SEPTEMBER



UNGA ESS

**STUDY GUIDE**

Dear delegates,

A very warm welcome to the 11th Emergency Special Session of the General Assembly. Since the formation of the United Nations in 1945, only 10 Emergency Special Sessions(ESS) have actually been convened in the past, which makes these sessions a rather extraordinary affair. The ESS usually has an idiosyncratic focus, and is only called to session to discuss a pressing issue which threatens international peace and security in response to a lack of unanimity among the members of the Security Council. The topic you will be dealing with in this particular ESS simulation is ‘the escalation of the conflict in Moroccan occupied territories of Western Sahara’. Within this committee you will have a chance to showcase your tenacity as a diplomat by accurately demonstrating how your nation would act within the scenario we have provided. As chairs we understand the vastness of the task at hand, and we are here to help you. Therefore, below is a guideline of what we are expecting from the committee. However, it is to be noted that this background guide is not exhaustive. We strongly encourage delegates to delve deep into their research, using our guide as a starting point and for reference purposes. We recommend the delegates have an holistic understanding of the topic at hand and the past incidents that have spearheaded this ESS simulation. It goes without mentioning that we do not expect the delegates to know everything about the agenda at hand nor the committee per se. A basic holistic ideation of the situation at hand is all you will need to further expand on during discussions. In committee, it is required that you know the mandate of the committee as well as the foreign policy of your allotted nation.

As delegates, you are required to come to a diplomatic consensus in the form of a resolution, in reference to the topic we have provided. Whilst ‘the escalation of the conflict in Moroccan occupied territories of Western Sahara’ may seem fictitious, the rhetoric surrounding the subject - the theory of self-determination, terrorism, the plight of refugees and human rights – is extremely salient. The crisis in Western Sahara too is a pragmatic, unresolved and much ignored ongoing crisis that has never been discussed at this level. We are expecting delegates to complete their background research on these sub-topics in reference to their country’s position to accurately depict what an ESS on this topic may look like, if it one day did come to fruition. The delegates are also required to know the basic merits of the situation in the region as of today. Within the general speakers list, we will expect delegates to outline their country’s main points, highlighting what they believe is the most pressing issue and assessing why their fellow delegates should concur. Within moderated caucus, we expect a range of issues to be discussed with links to politics, academic theory, international law and diplomacy, cross-referenced with the scenario you have been provided with. Within unmoderated caucus we expect delegates to portray good diplomacy skills by collaborating and partnering with their peers to reach the best possible outcome in a comprehensive manner.

The background for the 11<sup>th</sup> UNGA ESS (provided alongside the study guide) should give you

enough information to critically analyse how and why this session was convened. When studied holistically in reference to the study guide, you should be able to make links between the information from the 'recent developments' section and your own academic research to form a sound argument from your own countries perspective. For example, Point 6 of the background guide mentions inhumane treatment of refugees. What is your country's unique stance on the plight of refugees? How would they react in an ESS to this information? You need to use your own judgement and knowledge to answer these questions, and bring that information to the committee with you!

The study guide also lists some expected discussion topics. We strongly recommend you focus your research around these and again, cross-reference to the background guide to make it relevant to the committee. We understand the difficulty of researching a fictitious scenario, however by completing this extra bit of analysis, we can ensure the debate will be much more fruitful and your ESS experience will surely be of high quality!

Over the three days, we expect the committee sessions to cover all the salient issues highlighted. It is your job to decide the running order of these topics, and which topics have precedence over others. Remember, the point of the ESS is to ensure international peace – therefore the chairs would look favourably on beginning the session on the most pressing issues which may threaten international peace. Of course, the delegate of the United States may have a wildly different idea of what constitutes as pressing to the delegate of Ethiopia - this is another thing a good delegate should consider. For background, it may be wise to study similar real-world issues surrounding self-determination and ongoing crises similar to Western Sahara to familiarise and prepare yourself for the flow of debate. For example, the Kashmir dispute between India and Pakistan is a similar spat. So, some may argue, is the Israel-Palestine debate (which has been discussed in ESS multiple times). Researching the independence negotiations and peace-talks between India and Pakistan over Jammu and Kashmir may give you an insight into how situations such as these progress. Similarly, the rhetoric used around the Israel-Palestine issue may also be of use considering the fact that the 10th ESS session went on for over a decade without any formidable resolution.

We hope these tips and hacks will be of use to you, and we are extremely excited to welcome you to KIIT International MUN 2018 as delegates in this once in a lifetime experience as a part of the 11th Emergency Special Session simulation. All the very best with your endeavours and, happy researching!

Yours faithfully,

Aniruddha Talukdar, Ayush Banerjee & Nathaniel McVeagh

## Mandate:

Uniting for Peace has been implemented 10 or 11 times since the adoption of General Assembly resolution 377 (V) on 3 November 1950, depending on how one characterises the first case. The Security Council has referred a majority of the cases, but has not done so since 1982, while the General Assembly has done so most recently albeit not since 1997. Following three vetoes by the USSR on the situation in Korea [S/1653 (6 September 1950), S/1752 (12 September 1950), S/1894 (30 November 1950)], six Security Council members requested the General Assembly to consider the situation [A/1618 (4 December 1950)]. Although the Security Council removed the item from its agenda – a procedural issue not subject to the veto – enabling the General Assembly to freely discuss the matter under Article 11 of the United Nations Charter, in resolution 498 (V) [1 February 1951] the General Assembly nonetheless employed language from Uniting for Peace: “noting that the Security Council, because of lack of unanimity of the permanent members, has failed to exercise its primary responsibility for the maintenance of international peace and security with regard to Chinese communist intervention in Korea [...].”

Moreover, this is the case most frequently associated with Uniting for Peace as resolution 377 (V) was adopted in response to the 6 and 12 September 1950 vetoes by the USSR referenced above. The first request from the General Assembly interestingly came from a permanent member of the Security Council, the USSR, and all General Assembly requests have dealt with situations that place one or more of the P3 (France, United Kingdom, United States) on the spot. All the Security Council requests save two, on the other hand, were in response to vetoes by the USSR.

Under the resolution 377A(V), "Uniting for peace", adopted by the General Assembly on 3 November 1950, an "emergency special session" can be convened within 24 hours. It is crucial that a delegate discerns the core essence of the paragraph quoted below to get a basic understanding of under what circumstances can a session of this kind be convened.

"Resolves that if the Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to Members for collective measures, including in the case of a breach of the peace or act of aggression the use of armed force when necessary, to maintain or restore international peace and security. If not in session at the time, the General Assembly may meet in emergency special session within twenty-four hours of the request therefor. Such emergency special session shall be called if requested by the Security Council on

the vote of any seven members, or by a majority of the Members of the United Nations"

## Appendix:

As delegates in the Emergency Special Session committee, you have been presented with a fictitious yet extremely plausible emergency situation, set in one of the most politically ambiguous and overlooked regions of the world. The situation in Western Sahara has been on hold for decades; the disputed territory has seen war, human rights abuses and the enduring question of self-determination all in the short but turbulent years since Morocco gained independence from Spain in 1975. The United Nations has attempted on multiple occasions to appease both sides, but to no avail. As delegates, your job is to critically analyse and debate the topic presented in a systematic and diplomatic way.

Please use this study guide as a *basis* to your own extended research and explore all avenues of debate possible. The following information should give you an overview of what we expect to be debated within the session but please note, this is not conclusive!

## Introduction:

Have you ever looked at a world map, and noticed a grey area on the North West of the African coast? Often unlabelled, often ignored and visualised as an area of 'no data' (Figure 1), this piece of land known as Western Sahara doesn't make the news much. A population almost two times smaller than Bhubaneswar, but a land area akin to that of The United Kingdom, Western Sahara is an enigma. Not quite country, not quite territory. Not quite anything. But yet the geopolitical importance of this strange piece of land is striking.

Historically, Western Sahara was a former Spanish colony, remaining under European control until decolonization in 1975. When the Europeans left, a power vacuum emerged igniting centuries old claims over the land.

Contemporarily there are two key players within the region. The first is Morocco, who claim Western Sahara is entirely Moroccan, claiming the region is an integral part of their Southern provinces. The second is the Polisario front, an independence movement fighting for recognition as The Sahrawi Arab Democratic Republic. After decades of struggle, in 1992 Morocco and the Polisario discussed a peace treaty overlooked by the UN. One condition of such a treaty was that a referendum should be held on whether Western Sahara was wholly Moroccan, or if it should pursue independence. Currently Morocco administers 80% of the region and such a referendum has never been held as the Moroccan government has consistently and ferociously denied the Sahrawi their right to choose.

Academics have asserted that "the dispute over Western Sahara... is as much a struggle over the potency of international law as it is a row over land" (*Spector, 2009*). On the surface, it may look like just a spat over territory, but because the concept of sovereignty is incomplete and ambiguous within international law, this is what makes the situation so complex and the debate so challenging. Western Sahara has never really belonged to anyone, and is steeped in rhetoric regarding a right to self-determination. For as long as Morocco has claimed it as part of them, there have been those shouting loud for independence. Although the United Nations has long had a presence in the region as 'the United Nations Mission for the Referendum in Western Sahara' - also known as MINURSO - some claim the focus on the referendum does little to bring peace, arguing self-determination is not a one-size-fits all remedy for such a troubled part of the world.

## **History:**

### **1884:**

- Spain colonizes Western Sahara after the 1884 Berlin Conference. It is known as 'Spanish Sahara' throughout the colonial world.

### **1957:**

- Morocco raises their first claim over Western Sahara at the United Nations.

### **1965:**

- The United Nations General Assembly passes a resolution requesting Spain to decolonise the territory.

### **1973:**

- The Polisario Front is formed, establishing itself as the sole representative of the Sahrawi people and Western Sahara's independence movement.

### **June 1975:**

- Morocco takes territorial dispute to the World Court at The Hague, which rules Western Sahara should have self-determination. Spain is ordered to organize a referendum.

### **November 1975:**

- King Hassan of Morocco sends 350,000 troops into Western Sahara, known as the 'Green March'. Spain agrees to transfer administration to Morocco and Mauritania.

### **December 1975**

- Morocco is occupying the territory.

### **1976:**

- The Polisario Front, backed by Algeria and Libya, proclaim the Sahrawi Arab Democratic

**Republic (SADR). Conflict breaks out between the Polisario and the Moroccan and Mauritanian armies. Algeria, sympathetic to the Polisario, takes many refugees.**

**1979 :**

**- Mauritania signs a peace deal with the Polisario and relinquishes control of its claim over Western Sahara - it is no longer a key player within the region.**

**1980:**

**- Morocco annexes territory left by Mauritania.**

**1984:**

**- SADR is admitted as a member state of the Organization of African Unity. Morocco subsequently leaves the OAU out of protest.**

**1988:**

**- The UN proposes some settlement initiatives which are agreed upon by Morocco and the Polisario. The notion of the referendum is considered.**

**1991:- The UN brokers a ceasefire. The UN Mission for the Referendum in Western Sahara (MINURSO) is established and a date for the referendum is set for 1992. This is soon postponed as Morocco takes issue with who should be allowed to vote.**

**1997:**

**- Former US Secretary of State James Baker becomes the Secretary General's 'personal envoy'. A round of talks with both parties soon results in the establishment of the 'Houston Accords'.**

**2001:**

**- James Baker proposes autonomy for Sahrawi under Moroccan sovereignty (Baker Plan I). Whilst Morocco agrees, the Polisario (backed by Algeria) reject this proposal.**



**2003:**

- The Baker Plan II is proposed. It suggests Western Sahara should become a semi-autonomous region within Morocco, with an independence referendum to be held within 5 years. The Polisario, Algeria and the Security Council accept this proposal yet Morocco rejects it saying it will never give up sovereignty

**2007:**

- Both sides unveil peace plans to the United Nations and both seem open to negotiation. Peace talks between the two sides are held and Morocco agrees to a referendum on 'self-determination'. However, the Polisario insist on full independence.

- Sahrawi refugees near the Algerian border are reunited with relatives in Western Sahara as a 'confidence building measure'.

**2008:**

- Another round of talks concerning the implementation of resolutions 1754 and 1783 were held.

- Preliminary discussions between the two parties discussed subjects such as administration and institution issues.

**2009:-** MINURSO was extended through resolution 1871.

**2011:**

- Talks continue, yet no mutual solution is reached. The MINURSO mandate is once again extended.

**2012:**

- The Human Rights Council adopts the outcome of the 'Universal Periodic Review of

Morocco'. Although Morocco was implementing some of MINURSO recommendations, it was still steadfast on Western Sahara's right to self-determination and refused to support the MINURSO mandate on that particular issue.

**2013:**

- A draft resolution prepared by the US, the penholder on Western Sahara, had been discussed earlier by the Group of Friends of Western Sahara (France, Russia, Spain, the US and the UK) and between the US and Morocco in bilateral consultations. The initial draft apparently included language giving MINURSO a mandate to monitor and gather information on human rights violations and included a reference to human rights monitoring in the camps near Tindouf, Algeria, but by the time the draft was distributed to all Council members this language had been withdrawn.

**2014**

- Human rights seemed to be at the top of MINURSO's agenda. All parties are encouraged to continue their efforts to enhance and promote human rights in the refugee camps in Algeria.

- The Secretary General requests a further 15 troops to be deployed to the region which is supported by the latest MINURSO resolution 2152.

**2015:**

- On 8 December, Council members met in consultations on Western Sahara. The Secretary-General's Personal Envoy, Christopher Ross, briefed, stating that the negotiation process meant to facilitate a solution to the conflict over Western Sahara remains stalemated, with a solution needed more urgent than ever. He said that while the Polisario is ready to resume face-to-face talks, Morocco remains unready to do so without significant preparation through shuttle diplomacy.

**April 2017:**

- Several units of the MINURSO were attacked by locals using stone pellets and self-made weapons.

- Large scale demonstrations that sometimes took a violent turn were found to jeopardise the proceedings in Laayounne.

#### **October 2017:**

**-The Catalan Independence Referendum concerning Spain saw an overwhelming support in Western Sahara. The pro-independence Sahrawi in an attempt to show solidarity to the movement used the Referendum as its precedent to plea for a referendum of their own in order to legally secede from Morocco.**

**-Several attempts were made by Moroccan officials to thwart the protests and demonstrations however the plea was not withdrawn just merely delayed.**

#### **December 2017:**

**- Special Representative of the Secretary-General and head of MINURSO Kim Bolduc steps down and is succeeded by Colin Stewart.**

#### **April 2018:**

**- Resolution 2414 is adopted, extending MINURSO's mandate for 6 months.**

**- Four Sahrawis were shot dead during an anti-smuggling operation conducted by Algerian security forces near a border crossing between Algeria and Mauritania. Law enforcement officials in the region strengthened vigilance operations to combat the same.**

#### **May 2018:**

**-Thirty nine pro-independence Sahrawis and human-rights activists, and most of the remaining pro-Polisario Sahrawi political leaders, were sentenced to between six months and three years in prison by an El-Aaiún court, on charges of disturbing public order, membership of illegal associations, incitement to unrest, damaging public property and rioting.**

**- Five incidents of arson in public buildings occurred in the Guerguerat, Smara, Dakhla, Laayoune and Aousserd camps in May and June. Frente Polisario investigations revealed attempted sabotage.**

#### **June 2018:**

- A group of young men engaged in an aggressive discussion with the Wali of Laayoune camp, subsequently setting fire to his office and stoning his vehicle. Several suspected perpetrators were detained and later released. Guerguerat now sees immense military presence from the Royal Moroccan Army against repeated warnings from local authorities of Frente Polisario including the violation of United Nations established regulations for the region.

**July 2018:**

-Mr. Horst Köhler was appointed as the new UN Personal Envoy in the region who conducted investigative visits from 23rd June to 1st July 2018. He visited Guerguerat, Rabat, Rabouni, Smara, Dakhla and Laayoune.

- He also met Mr. Morocco's Minister of Foreign Affairs Nasser Bourita and Head of Government Saad Eddine El Othmani to negotiate a possible settlement that would be mutually beneficial to the involved parties.

**August 2018:**

-Report of the Secretary-General on the situation concerning Western Sahara was presented to the Secretary General which outlined the major upheavals in the region including the recent developments and the extent to which MINURSO has been operational in the region.

-A UNSC session on the situation concerning Western Sahara failed to gain unanimity after the situation worsened considerably since the last UNSC meeting reviewing the operations of MINURSO in the region.

-The failure to gain unanimity at the UNSC session triggered the Permanent Mission of Tunisia to move the matter under question to the 11th Emergency Session meeting on behalf of the African Union.

## Discussion Topics:

### MINURSO:

We would expect the current UN peacekeeping mission, 'The United Nations Mission for the Referendum in Western Sahara' (MINURSO) to be debated by delegates within moderated caucus at length. Examining both the history and mandate of MINURSO is vital when formulating any resolutions, and we would expect critical analysis of the lack of progress MINURSO has had within the region since it was established.

On 29<sup>th</sup> April 1991, Resolution 690 establishes MINURSO in accordance with settlement proposals accepted on 30 August 1988 by Morocco and the Polisario. This resolution initially included an implementation plan in which participants would be able to choose one of two outcomes; integration with Morocco or Western Saharan independence. Due to lack of resolve, MINURSO is constantly extended and the 'referendum' which it was set up to oversee, postponed.

The UN outlines MINURSO's mandate thusly:

- Monitor the ceasefire;
- Verify the reduction of Moroccan troops in the Territory;
- Monitor the confinement of Moroccan and Polisario troops to designated locations;
- Take steps with the parties to ensure the release of all Western Saharan political prisoners or detainees;
- Oversee the exchange of prisoners of war, to be implemented by International Committee of the Red Cross, (ICRC);
- Repatriate the refugees of Western Sahara, a task to be carried out by the United Nations High Commissioner for Refugees (UNHCR);
- Identify and register qualified voters;

- **Organise and ensure a free and fair referendum and proclaim the results;**
- **Reduce the threat of unexploded ordnances and mines.**

Discussion of why the referendum has been constantly postponed may be a salient topic to debate. Some academics believe the rigidity of MINURSO has been its downfall. By only considering two possible outcomes (either integration or independence), the likelihood of a compromise between the regions two key players was diminished. Furthermore, the Polisario and Morocco had indeed put forward alternative suggestions for resolve, such as autonomy for the Sahrawi, yet MINURSO was steadfast on a referendum which never materialised.

There have also been claims that “members of the Secretariat and MINURSO had been working in a contradictory manner, often sending confusing messages to the Security Council and the parties as to what the UN was trying to achieve”, (Theofilopoulou) raising questions of fragmentation which the debate could also address.

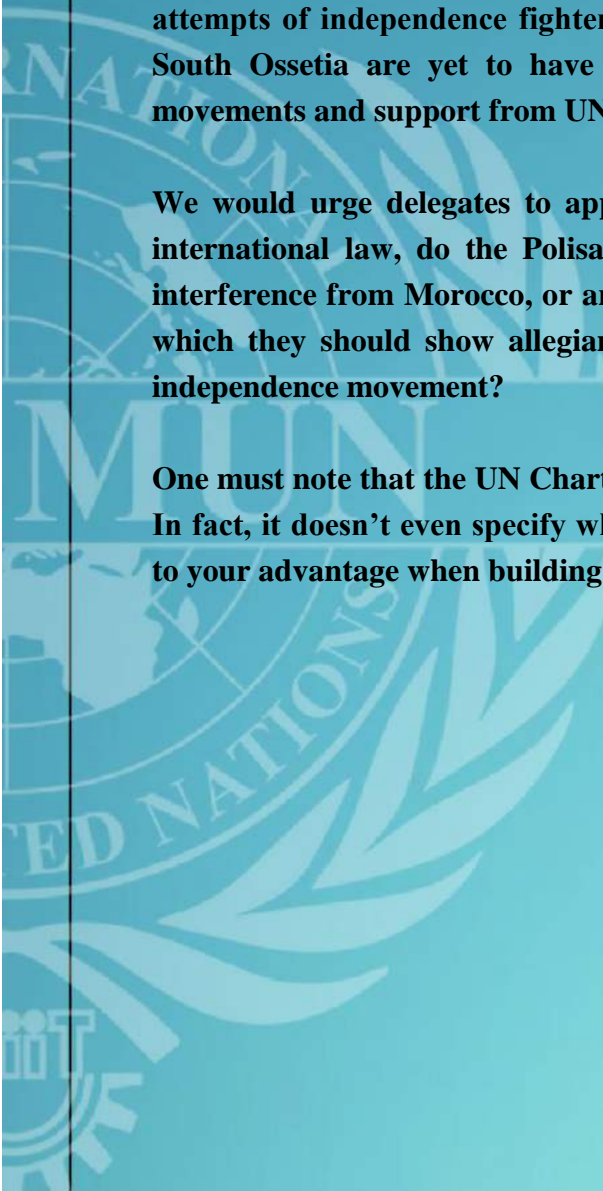
### **Human Rights and Refugees**

Human rights issues are critical to ESS debate. As outlined within the fictitious rationale for this session, the conflict and violence seen in Western Sahara will immediately catalyse debate around human rights. The discussion between delegates may concern, but is not limited to: their countries commitment to aiding those in the region, treatment of refugees, NGO intervention, economic commitments and perceived international terrorist threats.

The most contemporary human rights issue within Western Sahara today surrounds the 165,000 or so refugees scattered across Polisario controlled camps in Western Sahara itself or neighbouring south-west Algeria. This figure is estimated by the UNHCR and numerous NGOs but is, however, disputed. Accounts of brutality and horrific treatment of refugees are constantly reported from these camps where conditions are basic and policing is low.

Due to these issues, some report that these Polisario camps are breeding grounds for Islamist terrorist cells which, as an issue with as much contemporary salience, should definitely be considered by delegates. In October 2011, three European aid workers were kidnapped from Polisario-administered camps and one can assume an escalation of violence within the region would breed more terrorist activity.

### **Self Determination**



We would expect delegates to confront the issue of self-determination within debate, as this is paramount to the Western Sahara question. The Charter of the United Nations refers to self-determination explicitly in Chapter One, quoting “that a people, based on respect for the principle of equal rights and fair equality of opportunity, have the right to freely choose their sovereignty and international political status with no interference”.

Although this sounds like a straightforward issue, the boundaries of self-determination within international law are hazy at best. Contemporarily, the Spanish government has blocked the attempts of independence fighters in Catalan and “countries” like Kosovo, Transnistria and South Ossetia are yet to have full UN recognition despite hugely significant breakaway movements and support from UN member states.

We would urge delegates to apply the theory of self-determination to Western Sahara. In international law, do the Polisario have the right to fight for their independence without interference from Morocco, or are they just a group of rebels with no respect for the country which they should show allegiance too? Can the principles in the UN Charter support an independence movement?

One must note that the UN Charter does *not* state how a people should fight for independence. In fact, it doesn’t even specify what constitutes a ‘people’. Use this ambiguity, dear delegates, to your advantage when building your country’s unique perspective.

# About the Letter establishing the 11th Emergency Special Session:

Every General Assembly Emergency Special Session(ESS) requires a background of increasing dissent at the Security Council. When there is a lack of unanimity at the UNSC, for the question to be raised at an ESS, a member state representative at the Security Council writes to the Secretary General on behalf on the Council for the matter to be further discussed.

The contents of the letter however, cannot be held against the member concerned because the nation that drafts the letter has little to do with its findings. It just serves as the point of contact for communicating the merits of the situation to the Secretary General who perceiving a credible threat towards international peace and security moves it for an ESS meeting.

In this case, Tunisia as a member of Organisation of Islamic Cooperation and the African Union moved the matter to the Secretary General considering its dynamic policy in the region and at such regional arrangements.

It is not necessary to find a conclusive solution. If you would research on previous ESS sessions, you would be bewildered to see that the 10th ESS session has been going on for over a decade.

The letter attached provides a context for the ambiguity under with this agenda has been(can be) moved to an ESS for further deliberations.

## Expected Bloc Positions

### 1. African Union

- The SADR has been recognised by the African Union (AU) and many African countries support their independence claim. Furthermore, the AU in the past has held weekly meetings with MINURSO, Morocco and the Polisario to ensure conversation is kept open. An escalation of conflict in the region would be of key concern to African countries and their main concern would be to keep peace. It is expected, however, that African countries would lean more towards supporting the Polisario and would not support Morocco's claim over the land.



## 1. The European Union

- Academics have coined the term “fish before peace” when referencing Morocco’s relationship with the EU. During the Barcelona process the EU signed many bilateral agreements with Morocco aimed at deepening their economic integration with many agreements involving fishing. Because of this, we would expect to see EU countries give their full support to Morocco.
- European countries may have the capacity to help refugees and others affected by the conflict by providing aid and assistance, however delegates should thoroughly research their countries conditions for giving aid.

## 2. Group of Friends of Western Sahara:

### I. France:

- o We would expect the French delegate to vehemently support Morocco. As an ex-colony, Morocco-France relations are strong and France has worked hard in the past to protect Morocco from international scrutiny regarding the Western Sahara issue.

### A. United States of America:

- We would EXPECT the United States to support Morocco, however we would urge the delegate of United States to be creative when forming The United States position considering their unique outlook on international relations and Islamic majority countries under President Trump.
- The United States will be highly concerned about the allegations of terrorist activities in the area.

### 1. Vehement Supporters of the Polisario Front would include:

- Iran
- Algeria
- Libya
- Cuba
- Lebanon (more specifically Hezbollah)

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