

*International Law and the Western Sahara Conflict*. By Juan SOROETA LICERAS (Wolf Legal Publishers, Oisterwijk, 2014) 327 pp.

When a law student faces for the first time the outcome of a conflict between European law and Domestic law he becomes surprised, seeing the domestic law being displaced by the European one, but not derogating that. A similar response could appear with some phenomena in International Public Law sometimes: when rules seem to be clear in a case but they don't work in the expected way, the case is displaced, but the problem doesn't disappear. And it is also difficult to explain such a case to law students, as much as time is eroding the memory of the reasons, even of the rules, that were in the origin of the controversy. Furthermore, such cases use to fall in the principle of effectiveness hands or in the place of "extreme cases".

That happens to Western Sahara question. Self-determination right was nuclear in the decolonization process, giving rise to many new States in their struggle against foreign domination. However, their foundations have lost great part of their interest in law school programs, because the so-called "practical end" of decolonization process. Maybe we could find some considerations before to explain the "internal perspective" of the right, or trying to support, or dismiss, some secessionist movements. And scholars use to underline the post-colonial context in these occasions. Then it is necessary to refresh its role and its roots to understand why Western Sahara stands up as one exception to that "practical end", or why "Western Sahara reached the unfortunate position of being the last major territory awaiting decolonization", like Professor Soroeta says.

Probably, Juan Soroeta is one of the scholars that better knows the Western Sahara conflict, as his many writings on that score show. This volume does not only translate into English such a background, but offers a complete view of that conflict since International Law. Firstly, in an introductory chapter, the author reviews the main aspects of the right of peoples to self-determination in relation to Western Sahara. Later, chapters II, III, IV and V deal with the elements that, according to the author, "brought the Territory into a dark tunnel from which it has not been able to escape". From the Spanish colonization to the Madrid Agreements, which terminated the Spanish presence in the Territory, deserve a deep analysis, together with the Advisory Opinion of the International Court of Justice of 1975 and a study on "the constitutive elements of statehood and their application to Western Sahara".

Finally, chapters VI and VII pay attention to International Community efforts to solve the conflict. On the one hand, chapter VI is devoted to the Peace Plan reached under Pérez de Cuellar's auspices and the MINURSO (United Nations Mission for Western Sahara's Referendum) developments. On the other hand, chapter VII deals with the controversial issue of the identification process of participants in a referendum that never took place. The book closes with an analysis of one of the main consequences hanging on the postponement of the Western Sahara question: that of the

exploitation of natural resources of the Territory. Thus Juan Soroeta's book offers a complete and compromised view of a subject that claims like many others for International Law contradictions.

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