



Security Council

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Letter dated 24 October 2024 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council

I would like to transmit to you a letter sent from Brahim Ghali, the President of the Sahrawi Arab Democratic Republic and Secretary-General of the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente POLISARIO), addressed to the Secretary-General of the United Nations, containing the views of Frente POLISARIO on the report of the Secretary-General on the situation concerning Western Sahara ([S/2024/707](#)) (see annex).

I should be grateful if you would have the present letter and its annex issued as a document of the Security Council.

(Signed) Mathu Joyini
Permanent Representative of the Republic of
South Africa to the United Nations



Annex to the letter dated 24 October 2024 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council

Letter from the President of the Sahrawi Republic and Secretary General of the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente POLISARIO), addressed to the Secretary-General of the United Nations

Bir Lehlou, 15 October 2024

The Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente POLISARIO) has taken note of the report of the Secretary-General of the United Nations on the situation concerning Western Sahara, dated 1 October 2024 (S/2024/707) and would like to place on record its position regarding several elements contained in the report.

As we emphatically stressed in the letters addressed to you on 24 November 2021, 14 October 2022 and 16 October 2023 (S/2021/980, S/2022/797 and S/2023/794 respectively), which were circulated as documents of the Security Council, it was the Moroccan occupying forces that violated the 1991 ceasefire and related military agreements, including military agreement No. 1, on 13 November 2020, by attacking Sahrawi civilians in Guerguerat in the Liberated Sahrawi Territories and illegally occupying more of the Sahrawi land.

As may be recalled, the Secretary-General reported that, on 6 November 2020, United Nations Mission for the Referendum in Western Sahara (MINURSO) “helicopter reconnaissance observed the arrival of a Royal Moroccan Army military force comprising approximately 250 vehicles, many with heavy weapons, about 12 km north-east of Guerguerat in the area defined under military agreement No. 1 as the restricted area. MINURSO advised the Royal Moroccan Army that military agreement No. 1 stipulated that such concentrations of forces in that area would constitute a violation and therefore urged the Army to withdraw” (S/2021/843, para. 10).

As demonstrated by the events of 13 November 2020, the Moroccan occupying forces did not only remain in the restricted area in violation of military agreement No. 1, but they also invaded the buffer strip and used military force to illegally occupy more of the Sahrawi land. As the Secretary-General’s report pointed out clearly, the Moroccan occupying forces constructed “an approximately 20 km long new sand wall at Guerguerat” and “consolidated its presence over some 40 km² of land in the buffer strip” (S/2021/843, para. 35).

All these actions constituted a material breach of the 1991 ceasefire and related military agreements. Moreover, in his report, the Secretary-General pointed out that he wrote to the Moroccan king on 19 November 2020, “urging Morocco to exercise maximal restraint to avoid further escalation and to return to the status quo ante” (S/2021/843, para. 23). However, Morocco, the occupying state, responded by defiantly stating that its actions at Guerguerat were “irreversible” (S/2021/843, para. 23).

There is therefore no question that Morocco, the occupying state, has materially breached and torpedoed with complete impunity the 1991 ceasefire and related military agreements and has caused “the breakdown of the ceasefire”, as recognized by the Security Council in its resolution 2602 (2021) (fourteenth preambular paragraph), among others.

This is the fourth report issued since the documented and material breach and torpedoing by Morocco, the occupying state, of the 1991 ceasefire and related military

agreements. Nevertheless, we still cannot understand why the United Nations Secretariat remains reluctant to call a spade a spade and hold the occupying state fully responsible for the consequences of its breach of the ceasefire and related military agreements.

Failure to hold the occupying state accountable for its material breach of the 1991 ceasefire is not only tantamount to condoning impunity and lack of accountability, but it also undermines the confidence of the Sahrawi people and their leadership in the United Nations and its sponsored peace process in Western Sahara.

As we have indicated on several occasions, the Moroccan occupying forces have been using all types of weapons, including uncrewed aerial vehicles, to callously kill, not only dozens of Sahrawi civilians, but also civilians of neighbouring countries in transit through the Liberated Sahrawi Territories. The “aerial strikes”, referred to in the report (S/2024/707, paras. 22, 23, 26 and 44), are just a few examples of the strikes carried out by the Moroccan occupying forces against Sahrawi civilians and others from neighbouring countries.

Frente POLISARIO stresses once again that the deliberate targeting of civilians and civilian objects constitutes a war crime in line with the Statute of the International Criminal Court. It is also a violation of the rules of international humanitarian law applicable in international armed conflicts, including the principle of distinction and the prohibition of indiscriminate attacks and acts or threats of violence the primary purpose of which is to spread terror among the civilian population. Morocco, the occupying state, should therefore be held accountable for its continued crimes in Western Sahara.

To hide its war crimes and attacks on civilians, Morocco, the occupying state, tries to mislead the United Nations Secretariat and the Security Council claiming that, “on 14 occasions”, its army reported “observing flights over its units by small, uncrewed surveillance aircraft in the area of Oum Dreyga” (S/2024/707, para. 40). This is a pure fabrication because the intention behind this insinuation is very clear. It is well known that the occupying state is the one that has been employing all types of sophisticated and lethal weapons in its overall war against the Sahrawi people, and therefore its tired attempt to divert the attention away from its war crimes will fool no one.

In the report, the Secretary-General notes that “my Special Representative and the MINURSO Force Commander remained unable to meet with Frente POLISARIO in Rabouni, in line with what had been previously established practice” (S/2024/707, para. 59).

Despite the breakdown of the ceasefire and related military agreements, Frente POLISARIO continues to engage with MINURSO at numerous levels, and we remain committed to cooperating with the Mission in the fulfilment of its mandate as established by the Security Council. However, as we stressed on several occasions, we do not accept that the civilian and military leadership of MINURSO cannot meet with Frente POLISARIO at any location within the boundaries of the Territory because of fear of reprisals by Morocco, the occupying state, and the latter’s continued policy of blackmail on this issue.

The notion that Frente POLISARIO cannot meet with MINURSO leadership in our own Territory over which the United Nations does not recognize any Moroccan sovereignty because that “would constitute a recognition of Frente POLISARIO control over the Territory east of the berm” (S/2018/889, para. 52) is dangerous and deplorable, as it echoes the position of the occupying state.

The area of responsibility of MINURSO, which includes the Territory of Western Sahara within its internationally recognized borders, is clearly established

by the relevant agreements accepted by both parties and approved by the Security Council. For this reason, it is on record that former Special Representatives of the Secretary-General, including Sahabzada Yaqub Khan of Pakistan, Julian Harston of the United Kingdom and Wolfgang Weisbrod-Weber of Germany, among others, had visited the Liberated Territories of Western Sahara and held meetings with Frente POLISARIO senior officials, mainly in Tifariti, in addition to other sites. This fact demonstrates that the repeatedly cited argument of “established practice” (S/2024/707, para. 59) is erroneous, untenable and, thus, unacceptable.

Frente POLISARIO underscores again its principled position regarding the meeting with the civilian and military leadership of MINURSO. As has been the case in the past, and as a matter of principle, the only place where meetings with the MINURSO leadership, both civilian and military, can take place is the Liberated Sahrawi Territories, where the five team sites of the Mission have been operating since 1991.

The report notes that the “MINURSO logistical supply and maintenance chain improved considerably, enabling the Mission to better sustain its field presences” in the Liberated Sahrawi Territories (S/2024/707, para. 61), and welcomes “the improved ability of MINURSO to operate its logistics, resupply and maintenance chain to team sites” in those Territories (S/2024/707, para. 93).

Despite the collapse of the ceasefire, as part of its full commitment to the mandate for the implementation of which MINURSO was established by the Security Council and deployed in the Territory in 1991, Frente POLISARIO continues to do its utmost, under the most difficult circumstances, with a view to mitigating the effects on the Mission, in line with the rules of international humanitarian law applicable in international armed conflicts.

In this context, Frente POLISARIO continues to give the utmost priority to the safety and security of MINURSO military observers, personnel, assets and resources at the five team sites of the Mission in the Liberated Sahrawi Territories. It provides regular safe passage to MINURSO flights (currently once a week, besides additional flights when necessary) to do troop rotations and deliver essential supplies to the Mission team sites, among other things.

It also continues to provide safe passage for MINURSO link-up ground patrols between the Mission team sites in the Liberated Sahrawi Territories to conduct rotation operations, logistics and maintenance services. In addition, Frente POLISARIO has provided bulk water and diesel fuel to MINURSO team sites on several occasions. It has repeatedly expressed its readiness to provide the Mission with all possible material, logistical and other assistance to facilitate the operation of the Mission and ensure its sustainability.

As a gesture of goodwill to help MINURSO to overcome some of the logistical challenges that it is facing, Frente POLISARIO has provided safe passage to the Mission to conduct logistical ground convoys to resupply its team sites in the Liberated Sahrawi Territories. Thanks to this gesture, several resupply ground convoys have regularly been conducted by MINURSO to its team sites, as recognized in the report.

By contrast, Morocco, the occupying state, continues to endanger the security and safety of MINURSO military observers, and it has even threatened to target all Sahrawi civilians and assets providing services to MINURSO, even if they were escorted by the Mission patrols (S/2022/733, para. 63). Unfortunately, MINURSO seems to have succumbed to the pressure exerted by the occupying state, which puts into question the impartiality and credibility of the Mission.

Moreover, Morocco, the occupying state, has been doing everything in its power, with complete impunity, to impede the full implementation of the MINURSO mandate. It even went as far as expelling the civilian personnel of the Mission, including the observers of the African Union, in March 2016. In contravention of the status-of-mission agreement concluded with the United Nations, the occupying state continues to impose several restrictions on MINURSO that undermine the international character of the Mission and affect its impartiality, as the Secretary-General has repeatedly pointed out in his reports, including the latest report (S/2024/707, para. 64).

The occupying state also continues to deny the Mission “access to local interlocutors” in Occupied Western Sahara, which “continued to severely limit its ability to collect reliable situational awareness information and to assess and report on developments across its area of responsibility” (S/2024/707, para 63). It is imperative that, in its forthcoming resolution on the renewal of the MINURSO mandate, the Security Council calls for full and unrestricted access by the Mission to local interlocutors in the Territory.

Regarding “confidence-building measures”, the report points out that the Personal Envoy “continued to take note that neither Morocco nor Frente POLISARIO has expressed immediate interest in further work on these issues” (S/2024/707, para. 71). The fact remains that Frente POLISARIO explained to the Personal Envoy its understanding of the notion of the confidence-building measures in this context and expressed its willingness to engage on this basis. It is the other party that has officially declared on many occasions that it is unwilling to discuss any confidence-building measures.

Regarding human rights, the report points out that “the Office of the United Nations High Commissioner for Human Rights (OHCHR) was not able to visit Western Sahara for the ninth consecutive year despite multiple official requests and despite the Security Council, in its resolution 2703 (2023), urging enhanced cooperation, including through facilitating such visits” (S/2024/707, para. 72). Once again, Morocco, the occupying state, is not held responsible for obstructing the work of the United Nations bodies and for repeatedly denying them access to the Territory.

The report points out that “OHCHR continued to receive reports of hindrance, intimidation and harassment against Sahrawi activists advocating for the right to self-determination, pointing to an increasingly shrinking civic space” (S/2024/707, para. 74). It also notes that “the Committee on the Elimination of Racial Discrimination expressed concern about the targeting, intimidation and surveillance faced by Sahrawi activists, human rights defenders, student movements and Sahrawi organizations” (S/2024/707, para. 75).

The few abuses outlined in the report do not do justice to the systematic human rights violations perpetrated with complete impunity by Moroccan occupying authorities against Sahrawi civilians and human rights defenders away from international scrutiny because of the continued military blockade and media blackout imposed on Occupied Western Sahara.

It is therefore imperative that the MINURSO mandate be expanded to include a human rights component that would enable the “independent, impartial, comprehensive and sustained monitoring of the human rights situation” (S/2024/707, para. 73) in the Mission’s area of responsibility, as called for repeatedly by the Secretary-General in his previous reports.

The situation of the Sahrawi political prisoners, including the Gdeim Izik group, briefly referred to in the report (S/2024/707, para. 76), continues to be alarming because of the dire and deplorable conditions in which they are being held in

Moroccan prisons and the degrading and retaliatory practices to which they are subjected by the Moroccan penitentiary administration. We call upon you once again to act urgently to end the suffering of all Sahrawi political prisoners and their families and to ensure their immediate and unconditional release, so that they can rejoin their homeland and be reunited with their families.

The report notes “reports of exploitation of natural resources in Western Sahara” (S/2024/707, para. 77). In this regard, it is noteworthy to refer to the two historic rulings delivered by the Grand Chamber of the European Court of Justice on 4 October 2024, which confirmed the illegality of the European Union-Morocco agreements because they were concluded in violation of the right of the Sahrawi people to self-determination and their permanent sovereignty over their natural resources.

The report further notes that Morocco, the occupying state, “reported on alleged human rights violations in the Tindouf camps” (S/2024/707, para. 78). Several United Nations, European Union and international agencies have been operating in the Sahrawi refugee camps for decades, and no one of them has ever backed up these kinds of unfounded claims.

Moreover, it is Morocco, the occupying state, which has been opposing any international monitoring of the human rights situation in Western Sahara because it fears that the world would know about the atrocities and heinous crimes perpetrated by its repressive forces against Sahrawis in Occupied Western Sahara and the veritable inferno in which they have been living under occupation since 1975.

The report points out that “the National Human Rights Council of Morocco provided OHCHR with information concerning Western Sahara” (S/2024/707, para. 79). Morocco is the occupying power in Western Sahara, in accordance with General Assembly resolutions 34/37 of 21 November 1979 and 35/19 of 11 November 1980, among others. The information provided by the occupying state and its entities is unacceptable and cannot be cited in a Secretary-General’s report on Western Sahara, not only because that information lacks all credibility, but also because it represents a breach of the international status of the Territory as a Non-Self-Governing Territory over which the occupying state exercises no sovereignty.

We note that the report remains silent on the African Union. It also fails, for the eighth consecutive time, to inform the Security Council that Morocco, the occupying state, still refuses to allow the African Union observer mission to return to Western Sahara and resume its collaboration with MINURSO.

The Secretary-General points out that he maintains his “belief that it is possible to find a just, lasting and mutually acceptable political solution that will provide for the self determination of the people of Western Sahara in accordance with Security Council resolutions 2440 (2018), 2468 (2019), 2494 (2019), 2548 (2020), 2602 (2021), 2654 (2022) and 2703 (2023)” (S/2024/707, para. 88).

As we stressed in our letters (S/2021/980, S/2022/797 and S/2023/794, among others), the guidelines provided by the Security Council as to the nature of the solution to the conflict in Western Sahara for which MINURSO was established in 1991 are not contained only in the Security Council resolutions cited above. Moreover, the Security Council is the organ that established, under its authority, MINURSO and its mandate by virtue of its resolution 690 (1991), and, since then, the Council has consistently recalled and reaffirmed all its previous resolutions on Western Sahara, including its latest resolution 2703 (2023).

Frente POLISARIO affirms in this regard that the resolutions of the General Assembly on Western Sahara as an issue of decolonization on the United Nations

agenda since 1963 can never be sidelined, because they continue to constitute the framework for a peaceful, just and lasting solution.

Frente POLISARIO strongly affirms once again that it will not engage in any peace process based exclusively on the Security Council resolutions cited above or on any selective and reductive interpretation of those resolutions that is supported neither by the Security Council resolutions as an integrated whole nor by the letter and spirit of the General Assembly resolutions and the provisions of the settlement plan that underlies the MINURSO mandate and its *raison d'être*.

In the observations and recommendations, the report notes the need for the two parties to “desist from preconditions” and refers to “ongoing unilateral assertive actions” and “symbolic gestures” (S/2024/707, para. 89). This is a very clear message to Morocco, the occupying state, to desist from putting “preconditions” for engaging in the peace process and to end its provocative and destabilizing actions in Occupied Western Sahara aimed at entrenching its illegal occupation of the Territory.

The position reiterated by the head of the Moroccan government before the General Assembly on 24 September 2024 demonstrates beyond doubt that the occupying state has no political will whatsoever to achieve a peaceful, just and lasting solution to the decolonization of Western Sahara. Therefore, talking about the need for “constructively advancing the political process on Western Sahara” (S/2024/707, para. 29) will again fall on deaf ears unless the Security Council acts decisively to compel the occupying state to engage constructively and responsibly in the peace process.

In this regard, Frente POLISARIO underscores that talking about a “political solution” without linking this solution to the free and genuine exercise by the Sahrawi people of their inalienable right to self-determination and independence is no more than running in circles because Western Sahara is a United Nations-recognized issue of decolonization, to which United Nations General Assembly resolution 1514 (XV), on the Declaration on the Granting of Independence to Colonial Countries and Peoples, applies.

Therefore, any solution to the decolonization of Western Sahara must fully respect and provide for the inalienable, non-negotiable and imprescriptible right of the Sahrawi people to self-determination and independence. Pursuing the “destructive ambiguity” approach will only embolden Morocco, the occupying state, to persist in its attempts to undermine the right of our people and forcibly impose a colonial fait accompli in Western Sahara.

The philosophy and doctrine of the United Nations relating to decolonization, as well as the relevant resolutions of the General Assembly and the advisory opinion of the International Court of Justice of 1975, affirm unequivocally that the exclusive holder of the right to self-determination is the people of Western Sahara, who are strongly determined to defend their right by all legitimate means, including armed struggle.

I would be grateful if you would bring the present letter to the attention of the members of the Security Council.

(Signed) **Brahim Ghali**
President of the Sahrawi Arab Democratic Republic
Secretary-General of Frente POLISARIO