

UNITED NATIONS  
GENERAL  
ASSEMBLY



Distr.  
GENERAL

A/9176  
1 October 1973  
ENGLISH  
ORIGINAL: SPANISH

Twenty-eighth session  
Agenda item 23

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING  
OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

Letter dated 28 September 1973 from the Permanent Representative of  
Spain to the United Nations addressed to the Secretary-General

In connexion with item 23 of the agenda for the current session of the General Assembly, I have the honour to transmit to you the text of the following documents:

1. Communication dated 20 February 1973 from the General Assembly of the Sahara addressed to the Head of the Spanish State;
2. Acknowledgement of the communication of the General Assembly of the Sahara by the Head of the Spanish State, dated 6 March 1973;
3. Ratification of the communication of 20 February 1973 by the new members of the General Assembly of the Sahara returned in the elections of July 1973;
4. Reply to the communication of the General Assembly of the Sahara by the Head of the Spanish State, dated 21 September 1973.

I should be grateful if you would arrange for this note, together with the full text of the communications attached hereto, to be circulated as a General Assembly document.

(Signed) Jaime de PINIES  
Ambassador, Permanent Representative  
of Spain to the United Nations

ANNEX I

Communication from the General Assembly of the Sahara  
addressed to the Head of the Spanish State

PRAISE BE TO THE ONE GOD, WHOSE KINGDOM ALONE IS ETERNAL.

At its extraordinary meeting of 20 February 1973, the Saharan General Assembly, conscious of its historic responsibility as the body legally representing the entire Saharan people, of the momentous importance of its utterances and of the noble desires which guide it towards the future, declares:

Its firm resolve and resistance in the face of any attempt by foreign parties to meddle in its internal affairs, with which it alone is competent to deal;

That the Saharan people alone is entitled to decide its future, without coercion or interference from abroad;

Its desire to publicize and make universally known the fact that the age-old ties between the Spanish and Saharan peoples are completely voluntary and are founded on the friendship, sincerity, mutual respect and justice which have always characterized the fraternal relationship between the two peoples, a relationship that brings the Sahara many benefits;

Its wish to co-operate with all peoples of the world in order to contribute to the achievement, with the Lord's help, of universal peace and progress;

That, for the purpose of exercising its right of self-determination, it considers it necessary that the security and integrity of its territory and population should be guaranteed at all times, these being essential conditions for the people of the Sahara to play a growing role in the administration of the Territory.

Accordingly, it requests the Head of the Spanish State to ensure:

1. That the process effectively permitting the Saharan people to decide its future is continually furthered;
2. That, at the same time, the existing legal institutionalization is gradually extended so that the people of the Sahara will have a greater share in the functions and powers of its internal administration;
3. That the supreme authority of the Saharan people continues to reside in the person of the Head of the Spanish State and that Spain continues to provide international representation for the Saharan people, to guarantee the integrity of its territory and to defend its frontiers;

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4. That, in accordance with the generosity which it has displayed in the past, Spain continues to assume responsibility for the financing and technical assistance necessary to the political, social, economic and cultural development of the Saharan people.

On behalf of the people of the Sahara, the General Assembly reiterates its conviction that the stage of self-determination initiated by this declaration will lead, in peace and harmony and without unlawful outside interference, on the basis of the territory's brotherly ties with Spain and in line with its continually expanding capabilities, culture, progress and development, to the determination of its future through the solemn and momentous act of a referendum, an expression of the will of the Saharan people, which knows that it can succeed only with the help of Almighty God and the guidance of Spain.

These are the sentiments and desires of the Saharan people, as expressed through its General Assembly.

Please accept the assurances of our deep respect and high consideration.

Peace be with you.

(SIGNATURES FOLLOW)

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ANNEX II

Acknowledgement of the communication of the General Assembly  
of the Sahara by the Head of the Spanish State

TO THE GENERAL ASSEMBLY OF THE SAHARA:

I am in receipt of the communication of 20 February 1973 in which the General Assembly of the Sahara expresses to me the firm resolve of the Saharan people to decide its own future, in friendship and co-operation with Spain, and at the same time requests the gradual extension of the existing legal institutions leading to a greater share in its administration and asks that the supreme authority of the Saharan people should continue to reside in my person as Head of State and that Spain should continue to provide international representation for the Saharan people, to guarantee the integrity of its territory and to defend its frontiers, and to provide the financing and technical assistance necessary to the development of the Saharan people in all spheres.

I wish to assure you that your statements and your request have been received by me with the attention, affection and respect which the noble Saharan people has always inspired in me, and I have instructed my Government to study them with the greatest diligence and to propose appropriate measures, which I shall shortly be transmitting to the General Assembly of the Sahara for its information, comments and suggestions.

Trusting in God, the Saharan people and the Spanish nation are moving towards a future of peace and prosperity and of fraternal and lasting alliance.

(Signed) Francisco FRANCO

El Pardo, 6 March 1973

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ANNEX III

Ratification of the communication of 20 February 1973 by the new members  
of the General Assembly of the Sahara

As new members of the General Assembly, we hereby ratify the document submitted and adopted by acclamation at the extraordinary meeting of the Assembly held on 20 February 1973, which was transmitted to His Excellency the Head of State.

In witness whereof, we sign this document at the extraordinary meeting of the General Assembly held at Aaiun on 28 July 1973.

(THERE FOLLOW 48 SIGNATURES OF THE  
NEW MEMBERS OF THE GENERAL ASSEMBLY  
OF THE SAHARA)

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ANNEX IV

Reply to the communication of the General Assembly  
of the Sahara by the Head of the Spanish State

TO THE GENERAL ASSEMBLY OF THE SAHARA:

On 6 March 1973 I informed the previous session of the General Assembly, in reply to its communication to me dated 20 February, ratified by the present session at its constitutive meeting on 28 July last, that I had instructed my Government to study the requests contained in the said message.

The Government, in accordance with my instructions, has considered the aspirations of the Saharan people, whose legitimate representative the General Assembly is, and has, in the light of those aspirations and in pursuance of Spain's commitment to the advancement of the Saharan people, prepared the following reply, which has been approved by the Council of Ministers and endorsed by me:

1. The Spanish State reiterates that the Saharan people, whose age-old ties with the Spanish people have, since their inception, been absolutely voluntary, is sole master of its destiny and no one has the right to frustrate its will. The Spanish State will defend the liberty and desire for free decision of the Saharan people.
2. The Spanish State guarantees the territorial integrity of the Sahara.
3. The Spanish State confirms its historic commitment to pursue with the utmost vigour the economic and social development of the Territory, acknowledging the Saharan people's ownership of its natural resources and the proceeds of their development, and its intent to promote the culture and ways of life characteristic of the Saharan people and the welfare of its religion.
4. The Spanish State reiterates and solemnly guarantees that the population of the Sahara will freely determine its future. This self-determination will take place when the population freely so requests, in conformity with the statement of the General Assembly in its above-mentioned communication of 20 February 1973.
5. Continuing the process of political advancement of the Saharan people and in preparation for its future, a system of gradually increasing participation of that people in the management of its own affairs will be instituted. This system will come into force when the legislative process referred to below has been completed.
6. The Spanish State submits to the General Assembly the following basic provisions as the principles by which the political and administrative organization of the Sahara will be guided:

- (a) The Saharan people is the owner of its natural wealth and resources.
- (b) During the period of application of this Statute, the Saharans shall enjoy all the rights inherent in Spanish nationality.
- (c) The Head of the Spanish State is the embodiment of the partnership existing between Spain and the Sahara. He shall be represented in the Territory by a Governor-General.
- (d) The Spanish State shall guarantee the territorial integrity of the Sahara, shall represent it at the international level and shall ensure its defence. Internal affairs shall be within the competence of the Territory's own organs.
- (e) The General Assembly of the Sahara, as supreme representative organ of the Saharan people, shall be responsible for drawing up general provisions concerning the internal affairs of the Territory, without prejudice to the power of sanction vested in the Governor-General. It may also propose any course or measure which it deems advisable with regard to those affairs.
- (f) The promotion of traditional usages and customs and of Shari'a justice shall be confirmed and intensified.

7. Should the General Assembly signify its assent to these basic provisions, they shall be embodied as a series of articles in the relevant Statute, which shall be approved by law.

8. The acceptance of these basic provisions by the General Assembly neither replaces nor diminishes the right of the Saharan people to self-determination concerning its future, for which this new stage is a necessary preparation.

Trusting in God, the Saharan people and the Spanish nation are moving towards a future of fraternal alliance, peace and prosperity.

(Signed) Francisco FRANCO

El Pardo, 21 September 1973

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