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IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING
OF INTERNATIONAL SECURITY

Letter dated 16 August 1979 from the Permanent Representative
of Morocco to the United Nations addressed to the Secretary-
General

I have the honour to transmit herewith the text of a message addressed to you by His Excellency Mr. M'Hamed Boucetta, Secretary of State for Foreign Affairs and Co-operation of the Kingdom of Morocco.

On instructions from my Government, I would request that you kindly arrange for this message to be issued as an official document of the General Assembly under item 46 of the provisional agenda.

(Signed) Abdellatif FILALI
Ambassador
Permanent Representative

* A/34/150.

ANNEX

Message dated 8 August 1979 from Mr. M'Hamed Boucetta, Secretary of State for Foreign Affairs and Co-operation of the Kingdom of Morocco addressed to the Secretary-General

As you know, Morocco was the first and the sole party to take the problem of Ifni and the Sahara, at that time under Spanish domination, to the United Nations. At its twentieth session the General Assembly adopted resolution 2072 (XX) of 16 December 1975, paragraph 2 of which states:

"Urgently requests the Government of Spain, as the administering Power, to take immediately all necessary measures for the liberation of the Territories of Ifni and Spanish Sahara from colonial domination and, to this end, to enter into negotiations on the problems relating to sovereignty presented by these two Territories."

After having complied with this demand as regards the Territory of Ifni (1969), Spain always refused to apply the above-mentioned resolution in the case of the Sahara.

On account of the tension prevailing in the region as a result of Spain's equivocations, the Security Council was prompted to consider the problem and in November 1975 adopted resolution 380 (1975), which in accordance with Article 33 of the Charter of the United Nations recommended that the parties concerned should undertake negotiations.

In response to that appeal, Spain, Mauritania and Morocco undertook negotiations, which led to the tripartite agreement of Madrid of 14 November 1975, of which the General Assembly took note in resolution 3458 B (XXX) and which was registered with the Secretariat of the United Nations on 9 December 1975. 1/

As you also know, the problem was raised in various forums of the Organization of African Unity (OAU), which has considered it since 1965.

In 1976 the Port Louis summit meeting decided that an extraordinary summit meeting should be held in order to consider the so-called question of Western Sahara.

In 1978 the 15th summit meeting held at Khartoum adopted a resolution 2/ that:

1/ Official Records of the Security Council, Thirtieth Year, Supplement for October, November and December 1975, document S/11880, annex III.

2/ See A/33/235 and Corr.1, annex II.

- A. Set up an Ad Hoc Committee composed of five African heads of State to consider all the data of the problem,
- B. Requested the submission of a report on the holding of an extraordinary summit meeting as called for by the 13th summit meeting held at Port Louis.

During the 16th meeting of the Organization of African Unity held this July at Monrovia, the Ad Hoc Committee of Heads of State submitted a report containing its recommendation. The following should be noted:

(a) In providing for an extraordinary summit meeting on the question of the Sahara, the resolution adopted at Khartoum clearly intended to give that question specific treatment and thus to maximize the chances for finding a global and, probably, lasting solution to it.

The 16th summit meeting, however, made no reference to the need for an extraordinary summit meeting, and by transforming itself into such a meeting served only to create more confusion regarding the data of the problem.

(b) Couched in general terms, the resolution adopted at Khartoum entrusted the Ad Hoc Committee merely with the "consideration of all data of the question" without giving it a mandate to submit a recommendation of any description. In endorsing a recommendation that was as peremptory and categorical as a verdict without appeal, the 16th summit meeting deliberately closed the door on any process of dialogue, consultation or concertation. Moreover, the invalidity of this recommendation followed from the shifting political and psychological factors involved in the problem, and the 16th summit meeting should, perhaps, in the light of a statement of the facts or a declaration of differences among the parties to the dispute, have served as another forum for thought and reflection aimed at safeguarding the chances of peace, rather than at ruining them under the influence of emotions and demagoguery.

It should be recalled, furthermore, that the precipitation and haste that marked the adoption of the recommendation of the Ad Hoc Committee were the principal factors in the deliberate violation in spirit and in letter of the OAU charter and its rules of procedure.

In fact, as far as procedure is concerned, in an effort to have the report and the recommendation adopted by consensus the Chairman of the 16th summit meeting requested the view of the Assembly, which recommended a roll-call vote to him. The vote did in fact take place. The results of the vote were announced as 32 in favour, 4 against, 9 abstentions and 4 absent.

The Chairman announced that since the required majority had not been obtained the report and the recommendation had been rejected. Confusion ensued, during which a number of delegations requested that the vote should be repeated, as one member State which had been absent during the vote, namely, Botswana, had returned and wished to vote in favour of the report. In the general confusion and outburst of

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emotion, the Chairman decided to proceed to a second vote, which aroused reactions that were as virulent as they were violent on the part of the delegations that were against that procedure. Those who were of that second opinion rightly considered that the second vote was inadmissible, irregular and anti-statutory, since the first decision by the Chair was the only one in conformity with the practices and customs of our organization.

However, a second vote was in fact taken, the results of which were 33 votes in favour, 2 against, 8 abstentions and 6 absent.

Consequently, from the point of view of procedure it should be noted that:

(a) In accordance with the practice of international bodies, including OAU, assemblies never put committee reports to the vote, but merely take cognizance or note of them, putting on record, where necessary, the reservations of delegations that have remarks to make with regard to the reports.

(b) In accordance with the practice of international conferences, when the results of a vote have been announced and a decision or resolution is adopted or rejected, there is no question of putting the matter to the vote again during the same meeting; article 81 of the rules of procedure of the General Assembly of the United Nations (A/520/Rev.13) would have been an appropriate guide in this respect.

(c) It should also be emphasized that during the first vote no delegation voiced any objection with a view to halting or opposing the voting. It was, in fact, only following the rejection of the Committee's report, a rejection formally announced by the Chairman, that a number of delegations nevertheless saw fit to challenge the regularity of the first vote. In any event, and, in particular, in view of the procedural and substantive flaw that vitiated the procedure followed during the 16th summit meeting and distorted its deliberations, Morocco does not consider itself in any way bound by the results of that summit meeting, results that were moreover obtained in haste and precipitation and in the most flagrant contempt for the OAU charter and its rules of procedure. Furthermore, the lack of realism which Morocco has previously denounced has just been confirmed at Algiers by the very persons who contrived at Monrovia to defend the so-called merits of both the report and its recommendation.

I wish to draw your distinguished attention, Sir, to all these facts so that you might be fully informed regarding the irregular conduct of the debates of the 16th summit meeting on the question of Western Sahara and regarding the deliberate breaches of procedure committed with the aim of having the recommendation adopted.
