

for me not to have to glorify it here. This struggle, however, did not prevent Algeria from first putting its problem to the United Nations. Whatever the developments of that liberation struggle, the Algerian people accepted the fact that the solution of its problem be reached by its exercise of the right of self-determination.

"This reminder, I believe, can give some indications of the philosophy of Algeria as regards the satisfaction of claims. And if the Head of State of Algeria stated that he would not have waited for a visiting mission from the United Nations to come to his country, that meant that he himself would have gone directly to the United Nations."¹

93. Mr. EL HASSEN (Mauritania) said he believed that no member of the Committee could doubt for an instant Mauritania's consistent attachment and loyalty to the struggle and its continuous support of all peoples struggling to regain their dignity. He did not say that simply for effect, and he did not believe that it was necessary to emphasize the point. His country's policy was well known in the United Nations; it was well known among the non-aligned countries; it was well known in OAU; it would

¹ See *Official Records of the Security Council, Thirtieth Year, 1854th meeting.*

therefore be difficult for any member of the Committee to believe that Mauritania could be taught any lesson in that respect.

94. What Mauritania had tried to tell the Committee was that the ties which it had with the Saharans were not ties of self-interest. Mauritania did not want the Saharans to be pawns on a political chessboard which was completely foreign to them. The ties which Mauritania had with the Saharan people were ties of flesh and blood, ties of everyday life, ties of brotherhood. The proof of that was that, some days previously, it had been announced that Mauritania had designated its Minister for the Civil Service to be Deputy Governor, which proved that he had no connexion with the Sahara.

95. Who were those being presented as the spokesmen of the Saharan people and of Saharan sovereignty? They were the former Permanent Representative of Mauritania to the United Nations and the former Chargé d'affaires of Mauritania in Algiers. It was a Mauritanian affair. If the United Nations was to find a solution to a Mauritanian affair, Mauritania would close its eyes to any solution arrived at by the United Nations. But even if it was not a Mauritanian affair, it was not, in any event, an Algerian affair.

The meeting rose at 6.25 p.m.

2181st meeting

Thursday, 4 December 1975, at 11.10 a.m.

Chairman: Mrs. Famah JOKA-BANGURA (Sierra Leone).

A/C.4/SR.2181

AGENDA ITEM 23

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Territories not covered under other agenda items) (continued) (A/10023 (parts I, II and IV), A/10023/Add.5, A/10023/Add.6 (parts I and II), A/10023/Add.8 (part III), A/10082, A/10095, A/10097, A/10101, A/10104, A/10300, A/10326-S/11862, A/10337-S/11872, A/10373-S/11881, A/C.4/804, A/C.4/L.1120/Rev.1, A/C.4/L.1121, A/C.4/L.1122/Rev.2, A/C.4/L.1123, A/C.4/L.1124, A/C.4/L.1126, A/C.4/L.1127)

QUESTION OF FRENCH SOMALILAND: CONSIDERATION OF DRAFT RESOLUTIONS (continued)*

1. Mr. PAQUI (Benin), introducing draft resolution A/C.4/L.1122/Rev.2, relating to the question of French Somaliland, drew attention to some departures from the text of draft resolution A/C.4/L.1122/Rev.1. The changes had been made in consultation with the countries bordering on so-called French Somaliland and mainly affected two operative paragraphs, namely, paragraph 2, to which the words "unless an urgent solution to it is found", had been

added after the words "international peace and security", and paragraph 3, which now ended with the words: "by effecting in particular the release of political prisoners and the return of the representatives of the liberation movements recognized by the Organization of African Unity and of all political refugees recognized as such by the liberation movements and political parties, in accordance with the Convention of the Organization of African Unity Governing the Specific Aspects of Refugee Problems in Africa, 1969".

2. The changes were the result of serious negotiations and had led several countries, namely, Egypt, Mali and Uganda, to join the sponsors of the draft resolution, who hoped that it would now meet with the approval of all countries bordering on so-called French Somaliland and that, in view of those changes, the delegations of Somalia and Ethiopia, in the spirit of brotherhood which had thus far prevailed in the Committee, would agree to withdraw the amendments they had submitted at the 2179th meeting (A/C.4/L.1123 and 1124).

3. The CHAIRMAN informed the Committee that the revised text of the draft resolution was currently being distributed. In view of the appeal made by the representative of Benin, she asked Ethiopia and Somalia if they agreed to withdraw their amendments.

* Resumed from the 2179th meeting.

4. Mr. IBRAHIM (Ethiopia)* said that his delegation's amendment (A/C.4/L.1124) was not actually an amendment but an addition to draft resolution A/C.4/L.1122/Rev.1. Although his delegation thought that the substance of the additional paragraph it had suggested would have completed the text of the draft resolution, it was willing to withdraw its amendment in the light of the appeal which had just been made.

5. Mr. HUSSEIN (Somalia) said that his delegation would like first of all to assure its brothers who had just appealed to it that it, too, was willing to accede to the request and withdraw the amendments it had suggested (A/C.4/L.1123) in the light of their appeal and also in view of the slight improvements that had been made in the draft resolution.

6. His delegation strongly maintained that the true interest of the people of the Territory under review would have been best served had the amendments proposed by his delegation been accepted and incorporated in the draft resolution currently before the Committee (A/C.4/L.1122/Rev.2). His delegation therefore believed that the non-acceptance of its amendments left open a big question, namely, whether the provisions of the draft resolution sufficiently reflected all the basic issues with regard to which the people of the Territory had demanded appropriate action: unconditional independence as well as respect for national sovereignty and territorial integrity, coupled with the safeguarding of the basic elements of human rights, including the right of the people to exercise freely, and without fear, intimidation or any other illegal and arbitrary pressure or interference, their legitimate right to determine their political future in a climate of complete freedom.

7. In particular, his delegation believed that the two main problems which had been brought to the attention of the Committee by the representatives of the liberation movements and the distinguished petitioners had not been given the weight and consideration they might have warranted.

8. Those two problems were, first, the political repression perpetrated by the administering Power through the enactment of Fascist-like laws and regulations against pro-independence leaders and their supporters, who constituted the overwhelming majority of the indigenous inhabitants of the Territory; and, second, the huge number of people of the Territory—according to the petitioners, over 30,000 persons—who had been expelled from their homeland in an inhuman manner. In that connexion, he read out the following passage, which had been quoted by Mr. Dini, of the Ligue populaire africaine (LPA), at the 2168th meeting.

“Furthermore, the repressive operations are by no means simple police measures. Military trucks frequently invade the shanty town inhabited by the indigenous population. In organized round-ups the police sweep up several dozen residents at a time, with no regard for sex or age, and move them, without food or water, several dozen kilometres away, to an area that is nothing but desert. Naturally, some of these deportees, who are too young or

* The statements on the question of French Somaliland made at this meeting by the representatives of Ethiopia and Somalia are reproduced *in extenso* in accordance with the decision taken by the Committee at its 2172nd meeting.

too old to withstand such hardships, die in making their way back in temperatures which . . . sometimes exceed 40°.”

Speaking of such terrifying Fascist-like repressive measures, Mr. Dini had also said that “in addition to the round-ups, the capital of so-called French Somaliland (Djibouti) had been cut off from the rest of the country since 1966 by a barbed-wire barricade reinforced by a minefield, thus rendering it inaccessible to the inhabitants of the hinterland”.

9. However, appeals had been addressed to his delegation by many friends in the Committee, especially by some African brothers, whose sincerity and good faith with regard to the paramount interest of the people of the French Somaliland (Djibouti) his delegation did not doubt. In addition, his delegation did not wish to give a wrong impression and appear to be looking for unnecessary trouble or to be trying to dramatize excessively the situation in the Territory. It realized, also, that the question of French Somaliland was one to which the United Nations was fully committed under Chapter XI of its Charter and that it was therefore in duty bound to take any and all measures necessary to accelerate its decolonization. His delegation was therefore ready to accede to the appeals addressed to it and not oppose the draft resolution with the slight revisions that had just been read out. Thus it had also decided, with great reluctance, to withdraw its own amendments for the sake of understanding and co-operation.

10. The CHAIRMAN thanked the delegations of Ethiopia and Somalia for their spirit of co-operation and said that the Committee would vote on the draft resolution at the following meeting.

QUESTION OF SPANISH SAHARA: CONSIDERATION OF DRAFT RESOLUTIONS (*continued*)

11. The CHAIRMAN, referring to draft resolutions A/C.4/L.1120/Rev.1 and A/C.4/L.1121, drew attention to the administrative and financial implications of the two drafts contained in documents A/C.4/L.1127 and A/C.4/L.1126 respectively.

12. Mr. BANDIO (Central African Republic)** said that his country, on the initiative of Mr. Jean-Bedel Bokassa, Life President of the Central African Republic and Life President and Secretary-General of the Mouvement de l'évolution sociale de l'Afrique noire (MESAN), the single party of the Central African Republic, had organized an important meeting on 8 November 1975 in support of His Majesty King Hassan II and the brother people of Morocco on the occasion of the Green March. That movement of solidarity for His Majesty King Hassan II and the brother people of Morocco determined the position which his delegation would take on the question of the decolonization of Western Sahara. The Green March had certainly resulted in the signature of the tripartite agreement at Madrid on 14

** The statement by the representative of the Central African Republic and subsequent statements on the question of Spanish Sahara made at this meeting are reproduced *in extenso* in accordance with the decision taken by the Committee at its 2168th meeting.

November 1975, between Spain on the one hand and Morocco and Mauritania on the other, in keeping with the principles of the Charter of the United Nations and recent Security Council resolutions. The African group of States had met on several occasions in an effort to arrive at a consensus on the question of the decolonization of Western Sahara. Unfortunately conflicting viewpoints had prevented agreement on a platform that would have enabled the group to maintain its cohesion. To tell the truth, the Sahara was a place where one was always thirsty, and the phenomenon of the mirage gave hope that one's thirst might eventually be slaked; unfortunately, it was nothing but an optical illusion.

13. In the African group of States the Central African Republic had stated its Government's position to the effect that any draft resolution that overlooked the tripartite agreement concluded at Madrid on 14 November 1975 would fail to receive its support. That explained why it had joined the sponsors of draft resolution A/C.4/L.1120 of 28 November 1975, which, in its opinion, took account of two principles: first, the aspirations of the Saharan populations to self-determination and, secondly, supervision of the exercise of self-determination by a United Nations observer. The decolonization of the Sahara was certainly a very important issue for the parties concerned and consequently legal arguments contended with political arguments.

14. In conclusion, his delegation hoped that the problem would be dealt with realistically, that is, taking account not only of General Assembly resolution 1514 (XV) but also of the Madrid agreement, which was already being put into effect, and of the need for a United Nations observer to supervise the exercise of self-determination.

15. Mr. SLAOUI (Morocco) said that, since the Fourth Committee had begun considering the question of Western Sahara, many delegations had expressed their views on the problem and had put forward arguments in support of their idea of the procedure that should be followed in order to accelerate the decolonization of the Territory.

16. Like all the others, the Moroccan delegation had clearly stated its point of view. It had, first and foremost, established that Morocco, which had always acted with zeal and conviction in the United Nations and had determinedly upheld the principles of the Charter, could not venture and never had ventured on any undertaking that was not in keeping with the spirit of the Organization or with the guidelines laid down by its organs.

17. He solemnly declared that Morocco, like Mauritania, indignantly rejected all allegations to the effect that Morocco was seeking any solution for the Sahara that would be inconsistent with strict application of the relevant resolutions of the General Assembly or the Security Council, or the principles which those countries had always defended in matters relating to decolonization.

18. In his delegation's view, draft resolution A/C.4/L.1120/Rev.1 was the only one that contained a balanced set of recommendations. It took account of all the issues and factors involved in the question of Spanish Sahara and paved the way for the peaceful decolonization of the Territory on the basis of full respect for the fundamental

principles of the Organization. First of all, the draft was in line with the policy pursued by the United Nations since 1965. The General Assembly, in its resolution 2072 (XX), and the Security Council, in its resolutions 377 (1975) and 380 (1975), had recommended that Spain, Morocco and Mauritania should negotiate with a view to arriving at a final settlement of their colonial dispute. The General Assembly had also recalled, in other resolutions, the right of the Saharan populations to self-determination. Draft resolution A/C.4/L.1120/Rev.1 thus achieved a judicious balance between those two fundamental aspects of the question of Spanish Sahara.

19. In taking note of the tripartite agreement reached at Madrid on 14 November, the draft took cognizance of the implementation of earlier United Nations resolutions by the parties involved in the colonial dispute.

20. In reaffirming the right of the Saharan populations to self-determination the draft formed part of the process of the application of General Assembly resolution 1514 (XV), which constituted the charter of decolonization.

21. Paragraph 3 of the draft, in which the parties to the agreement were requested to ensure respect for the freely expressed aspirations of the Saharan populations, showed that the United Nations intended to see that free and authentic consultations were organized. As for paragraph 4, it entrusted the implementation of the principle of self-determination to the new tripartite administration, instituted by the agreement of 14 November 1975. It also struck a suitable balance between the agreement concluded on the recommendations of the Organization and the need to respect the principle of self-determination. The concrete co-operation of the United Nations, at the point when the aspirations of the populations were to be expressed, would be provided through a United Nations representative appointed by the Secretary-General. That co-operation obviously implied the participation of a representative of the Secretary-General at the planning and elaboration stages, as well as at the stage of execution of the consultation.

22. Of all the texts before the Committee, draft resolution A/C.4/L.1120/Rev.1 was the only one which had the merit of taking full account of the realities and specific features of the question of Spanish Sahara. In fact, as many speakers in the Committee had pointed out, and particularly the representative of India (2176th meeting), the General Assembly had never applied the principle of self-determination uniformly or blindly. No two decolonization procedures were exactly alike. The General Assembly had tried in each case to take the specific circumstances into consideration before recommending a particular process of decolonization. That method had enabled the Organization to carry out effectively the monumental work of decolonization undertaken since the adoption of the Charter. Morocco had supported all initiatives for the emancipation of peoples under colonial rule. The Moroccan delegation was sure that the policy of the General Assembly would enable colonialism in all its forms to be brought to a final end. It was that policy that had guided Morocco when it had implemented the Organization's recommendations with a view to achieving genuine and effective decolonization of the Territory.

23. The first steps to give effect to the agreement of 14 November 1975 had been taken on 19 November. He wished formally to announce that Morocco, Mauritania and Spain were firmly determined to discharge all the commitments entered into at the time of the conclusion of the agreement. The tripartite administration, which was currently in charge of the Territory, would take all necessary measures to ensure that the Saharan populations were able freely to express their aspirations.

24. In view of those considerations Morocco supported draft resolution A/C.4/L.1120/Rev.1, which was in keeping with the commitments it had already subscribed to in the United Nations and which it had no intention of evading.

25. Morocco considered that the attempts made by certain representatives at the previous meeting to impugn its motives were unjust and uncalled for. There was no cause to question Morocco's dedication to the principles of self-determination or its willingness to organize a consultation of the Saharan populations during the interim administration of the Sahara. The aspirations of the Saharan people would be freely expressed, and United Nations officials would be there to witness the proceedings. Why deny the interim administration, in which two African States were participating, the confidence accorded to the administering Power—Spain—in draft resolution A/C.4/L.1120.

26. The participation of Morocco and Mauritania in the interim administration actually afforded the best guarantee that all schools of thought in the Sahara would be given the opportunity freely to express their views on their future. In participating in the Territory's administration, Morocco and Mauritania were committed to ensuring that all the peoples of the Territory were able to take part in the consultation.

27. As Morocco had consistently stated, the Madrid agreement had its basis and justification in Security Council resolutions 377 (1975) and 380 (1975). On the substance of the issue that agreement could not be called into question, since it settled an existing dispute and had been concluded between the parties to that dispute.

28. There was no question of ratifying or confirming the agreement, since it was self-sufficient. All that was necessary was to take due account of it in the conduct of the proceedings aimed at putting a final end to the colonial presence in Western Sahara.

29. Mr. SAM (Ghana) said he had asked for the floor to make a formal proposal for consideration by the Committee. As far as he had been able to gather, for the very first time in the history of the Committee, two draft resolutions had been submitted on the question of Spanish Sahara—they were contained in documents A/C.4/L.1120/Rev.1 and A/C.4/L.1121. One of the two draft resolutions left no doubt as to its studied fidelity to the principles enshrined in the United Nations Charter, to which the members of the Organization had, individually, severally and of their own free and sovereign will, sworn undying allegiance. That draft resolution was unquestionably the one contained in document A/C.4/L.1121.

30. Draft resolution A/C.4/L.1121 was not only consistent with the principles of the United Nations Charter,

particularly those set out in Chapter XI, which was devoted to Non-Self-Governing Territories, among which Spanish Sahara, as a colony, should, without question, be counted; it also, kept absolute faith with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV). A large number of the countries represented in the Committee had reason to be grateful for that Declaration and would, he was certain, wish to be given an opportunity to show their appreciation for what the Declaration had helped them to achieve.

31. The Committee's close attachment to the principles of the Charter and of the Declaration and the very strenuous efforts it had made over the years to uphold and defend them would seem to suggest that draft resolution A/C.4/L.1121 deserved to be given such consideration as would clearly and unequivocally be commensurate with the very high esteem in which the Committee had over the years consistently held the principles which that resolution also sought to uphold and respect. The whole world was watching to see where the Committee's priorities lay.

32. Draft resolution A/C.4/L.1121 was a very familiar friend. It contained no extraneous material, no surprises and certainly no ambiguities. It made no references to any agreement that had not readily, clearly and formally been recognized, approved and sanctioned by the United Nations, or any other important international body, group or community. It did not seek to foist on anybody an agreement aimed at determining the future of a people which had very clearly not been consulted as to the acceptability of that agreement. It did not insist that all should defer to, recognize, hail or uphold any "interim administration", which not a single international body, much less the United Nations, had shown any desire to embrace. The draft resolution simply advocated the principle of self-determination, with which all members of the Committee were so familiar.

33. That principle, simply put, only sought to ensure that any people emerging from a colonial status would have the opportunity and the inalienable right to decide exactly what they wanted to do with their own future. It did not seek to place any disabilities whatsoever upon any people. Any people in a situation similar to the one in which the people of Spanish Sahara found themselves were ensured absolute freedom to choose to be divided into two, three or more groups, in union, individually or severally with one, two, three or more countries, or with none. The principles also afforded them the opportunity to decide to be an independent and a sovereign State with their territory intact and undiminished. Draft resolution A/C.4/L.1121 unquestionably sought to ensure for the people of Spanish Sahara all those opportunities. Such a liberal and gracious draft resolution deserved to be praised to high heaven. It was also unquestionably faithful to the principles to which the Members of the United Nations had always been committed. The overwhelming support which it was bound to receive could also be gleaned from the large number of sponsors it had found.

34. In view of those facts and the need for the members of the Committee to assure themselves and others once again that the United Nations and, consequently, the principles

for which all Members firmly stood commanded the highest possible priority in their thinking, he formally proposed under rule 131 of the rules of procedure of the General Assembly that the Committee should give priority to draft resolution A/C.4/L.1121 over draft resolution A/C.4/L.1120/Rev.1. In giving priority consideration to draft resolution A/C.4/L.1121, the Committee would be doing exactly what everyone did when they found themselves in strange surroundings: they instinctively looked first and foremost for the familiar and reached out for it. Draft resolution A/C.4/L.1121 was that familiar friend.

35. Mr. MAINA (Kenya) said that the problem of decolonizing Spanish Sahara was not new. One thing that was relatively new was the tactics and manoeuvres used to convert the question of decolonization into a territorial dispute between the neighbouring States as the administering Power finally departed. At the previous session (2131st meeting) his delegation had made a statement on the question to advise the Committee against falling into the trap set by some Powers which had proposed referring the question to the International Court of Justice. It had seen—and it had said so—that the proposal could do no more than delay the decolonization process. That prediction had turned out to be true, since the question had merely been put off for one year and nobody now seemed to pay any attention to the advisory opinion of the Court.

36. The exercise which the Committee had witnessed earlier in the current session could easily have ended in tragedy if the Security Council and other more sober parties had not intervened.

37. From what had been going on in the Committee, his delegation recognized a manoeuvre on the part of two Powers to create the impression that everything would be fine if only a fourth party, Algeria, could stop interfering. That was a clever move, designed to divert the Committee from discharging its responsibilities with regard to decolonization and lead it to deal with matters relating to territorial disputes which properly fell within the competence of other organs of the United Nations. There was no territorial dispute between Morocco and Mauritania, on one side, and Algeria, on the other side. That was clearly a red herring. The question lay between the United Nations and the administering Power. The fact that there had been unilateral actions and secret deals in order to prevent the people of Spanish Sahara from exercising their right to self-determination and attaining independence did not alter the role of the Fourth Committee. Draft resolution A/C.4/L.1120/Rev.1 attempted to distort the mandate of the Committee and the United Nations as a whole. It called upon the United Nations to give its blessing to the reprehensible actions taken earlier in the session by one Power, leading to the secret deal between the three States. After paying ritual lip-service to the principles on which the work of the Committee was based, it called upon the United Nations to be an embarrassed observer to the final acts of distortion and the denial of the right of the peoples

of Spanish Sahara to self-determination. The Committee should say a clear "No" to that invitation.

38. Where decolonization had been arranged properly, invitations to ceremonies were not extended by external Powers, not even by the outgoing administering Power. They were extended by the people themselves and their leaders.

39. A point had been made many times by the two Powers which were trying to grab the Territory by force that the people of Spanish Sahara were their people. If they were, why should anyone assume that they would not want to join their brothers after independence. There had been many examples elsewhere where divided peoples had decided voluntarily to join in one State after independence. That could even take place the day after the administering Power had handed over sovereignty to the colonized people. Those who were claiming the Territory should take honest steps and their desires would be met by the people.

40. Invalid points had also been made about the people of Spanish Sahara being so few. That did not need any debating, as it was a hollow point. The Committee ought to take a firm stand on the principle of self-determination and independence of peoples. The Fourth Committee existed for no other purpose and it would be a very backward step for the Committee or the United Nations to compromise its position after so many years of very successful work in leading peoples to self-determination and independence.

41. For those reasons, he urged the Committee to reject draft resolution A/C.4/L.1120/Rev.1 and adopt draft resolution A/C.4/L.1121, which was in keeping with the principles of the Committee and the Charter of the United Nations.

42. He therefore supported the proposal by the representative of Ghana that priority should be given to draft resolution A/C.4/L.1121.

43. Miss HARDEN (United Kingdom) asked if the vote could be postponed until the following meeting since her delegation had not yet received instructions from its Government concerning draft resolutions A/C.4/L.1120/Rev.1 and A/C.4/L.1121. She apologized to the members of the Committee for having to make that request and asked for their understanding and co-operation.

44. Mrs. MARCUS (Denmark) and Ms. MOYLAN (Ireland) supported the proposal made by the United Kingdom delegation.

45. The CHAIRMAN said that, if there were no objections, she would take it that the Committee decided to grant the request of the United Kingdom delegation.

It was so decided.

The meeting rose at 12 noon