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WESTERN SAHARA

Working paper prepared by the Secretariat

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## WESTERN SAHARA

### 1. GENERAL

1. Western Sahara is situated on the Atlantic coast of north-west Africa opposite the Canary Islands, bounded on the north and north-east by Morocco and Algeria and on the south and east by Mauritania. It has a total area of about 266,000 square kilometres and its seaboard measures 1,062 kilometres. Its land frontiers extend for a total length of 2,045 kilometres, the frontier with Mauritania being 1,570 kilometres long and that with Morocco and Algeria 475 kilometres. The Territory consists of two regions, Saguia el Hamra and Río de Oro, which form an integral part of the great Saharan Desert.

2. The climate of Western Sahara is very dry with enormous differences between nocturnal and diurnal temperatures. There is very little cultivation, except in some low-lying areas in the south which are watered by occasional rainfall.

3. The physical characteristics of this desert region have determined the traditional way of life of the indigenous inhabitants, who are for the most part nomadic and pastoral, moving continuously over extensive areas which transcend international frontiers. Since 1968, however, following the drought which affected the whole Saharan region, a substantial part of the population has settled in and around urban and trading centres.

4. The principal tribes in the Territory are the Erguibat, Ait Lahsen and Ulađ Delim, who are to be found also in Mauritania, Morocco and Algeria.

### 2. BACKGROUND

5. It will be recalled that on 14 November 1975, the Governments of Spain, Morocco and Mauritania agreed upon a Declaration of Principles, also known as the Madrid Agreement, 1/ with respect to the Territory of Western Sahara. In accordance with the Declaration, Spain transferred its powers to a temporary administration, comprising the Spanish Governor-General at that time and two Deputy Governors, one nominated by Morocco and the other by Mauritania. Also in accordance with the terms of the agreement, Spain terminated its presence in the Territory on 26 February 1976. With the withdrawal of the Spanish troops, Moroccan forces moved into the northern and eastern areas of the Territory and Mauritanian forces into parts of the southern area. The forces met with armed confrontation by the forces of the Frente Popular para la Liberación de Saguia el Hamra y Río de Oro (Frente POLISARIO), which had announced that it intended to continue the guerrilla war which had begun under the Spanish administration.

6. On 14 April 1976, Morocco and Mauritania signed an agreement whereby the frontier between Mauritania and Morocco was defined by the straight line linking the point of intersection of the 24th parallel north and the 13th meridian west. With the frontier thus defined, the northern part of Western Sahara was integrated into Moroccan territory and the southern part into Mauritanian territory. The

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

Algerian Government, which had opposed the Madrid Declaration, accused the Spanish Government of repudiating its obligations with respect to the decolonization of the Territory and of handing over the Territory to Morocco and Mauritania.

7. The Frente POLISARIO declared that the Saharan people considered "the agreement concluded between Spain, Morocco and Mauritania as null and void and as an act of aggression and banditry" and reaffirmed the inalienable right of the Saharan people to self-determination and independence.

8. On 27 February 1976, representatives of the Frente POLISARIO declared the creation of the "Saharan Arab Democratic Republic". By 1 January 1981, the "Republic" had reportedly been recognized by 44 countries: Afghanistan, Algeria, Angola, Benin, Botswana, Burundi, Cape Verde, Chad, Congo, Cuba, Democratic Kampuchea, Democratic People's Republic of Korea, Democratic Yemen, Dominica, Ethiopia, Ghana, Grenada, Guinea-Bissau, Guyana, Iran, Jamaica, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mali, Mexico, Mozambique, Nicaragua, Panama, Republic of Vanuatu, Rwanda, St. Lucia, Sao Tome and Principe, Seychelles, Sierra Leone, Swaziland, Syrian Arab Republic, Togo, Uganda, United Republic of Tanzania, Viet Nam, Zambia and Zimbabwe.

9. On 10 August 1979, following a change of government in Mauritania and various attempts to find a solution to the question of Western Sahara, the Mauritanian Government signed a peace agreement 2/ at Algiers with representatives of the Frente POLISARIO, by which Mauritania renounced all territorial and other claims on Western Sahara and stated that it was withdrawing definitively from the Western Sahara war.

10. On 12 August 1979, Moroccan troops which had been stationed at Dakhla (formerly Villa Cisneros) since 1976 took over the administration of the city as the rest of the Mauritanian sector of Western Sahara. Morocco subsequently moved to consolidate its position in the Territory. Among other measures, the Moroccan Parliament unanimously approved special legislation establishing three seats in Parliament for representatives of what was termed Morocco's thirty-seventh province.

11. In a declaration on 14 August 1979, 3/ Lieutenant Colonel Mohammed Khouna Ould Haidala, the Prime Minister of Mauritania, protested the "occupation by force of Dakhla", stating that that action represented an act of aggression against Mauritania's provisional administration, and requested Morocco to "withdraw its troops immediately from Mauritanian territory". The Prime Minister further stated that his Government had decided to withdraw from Tiris El Gharbia as from 15 August 1979, appealed to the international community to help Mauritania defend its independence and territorial integrity, and called on the United Nations and the Organization of African Unity (OAU) to assume their responsibilities.

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2/ A/34/427-S/13503, annex I. For the printed text, see Official Records of the Security Council, Thirty-fourth Year, Supplement for July, August and September 1979.

3/ Ibid., annex II.

12. The reaction of the Frente POLISARIO to the Moroccan action was expressed in a statement by Mr. Hakim Ibrahim, "Foreign Minister" of the "Saharan Arab Democratic Republic". Mr. Ibrahim reportedly said that the Frente POLISARIO would "push its attacks inside Morocco as far and as hard as possible" and proclaimed his movement's determination to fight for "complete sovereignty and territorial integrity".

13. Algeria's position was expressed in a letter dated 16 August 1979 from Mr. Mohamed Seddik Benyahia, Minister for Foreign Affairs of Algeria, addressed to the Secretary-General (A/34/120, annex). Mr. Benyahia drew attention to the "serious repercussions" which would arise from Morocco's action. He urged the international community to condemn Morocco's policy and to call for respect for the will of peoples to live in freedom and peace. Algeria appealed to the United Nations to "assume its full responsibility in this matter" and to "demand the immediate and complete withdrawal of all Moroccan occupation forces from the entire territory of Western Sahara".

### 3. POLITICAL DEVELOPMENTS

#### A. Recognition by Spain of the Frente POLISARIO

14. In December 1980 it was reported that Spain had for the first time given official recognition to the Frente POLISARIO and had made a strong declaration in support of self-determination for the people of Western Sahara, in which it had stressed the need for a just and global political solution for the entire Territory. This recognition, which reportedly did not include recognition of the "Saharan Arab Democratic Republic", came in the form of a document signed at Algiers on 17 December by Mr. Jose Cuenca, Director of the Cabinet at the Spanish Ministry of External Affairs and Mr. Emilio Casiniello Aubán, then Spain's Ambassador to Angola, and Mr. Ahmedou Souilem of the Frente POLISARIO.

15. In exchange for this recognition, Spain obtained the release of 36 Spanish fishermen who had been captured by the Frente POLISARIO off the coast of Western Sahara during the preceding six months (see para. 33 below). Reports indicate that, in confirming signature of the agreement, Mr. Joaquín Ortega, Under-Secretary of State at the Spanish Ministry of External Affairs, stated that the Frente POLISARIO had "implicitly" agreed to carry out no further attacks on Spanish fishing vessels off the coast of Western Sahara.

#### B. Statements regarding the situation in Western Sahara

16. In his speech from the throne on 3 March 1981, King Hassan II of Morocco reportedly said that the issue of Western Sahara was "closed", that the Territory belonged to Morocco and that his country was not prepared to relinquish it. Morocco favoured putting an end to the conflict in the Territory but would never accept a solution which would be to the "detriment of an integral part of national territory". The King emphasized that Morocco continued to extend a hand of

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friendship to Algeria in order to re-establish peace in the area. The King also paid homage to the Moroccan armed forces stationed in Western Sahara for their "courage in preserving the territorial integrity" of the country.

17. Previously, at a press conference held on 29 January 1981, Mr. Bachir Moustafa Sayed, Deputy Secretary-General of the Frente POLISARIO, reportedly stated that his organization was ready to help Morocco resolve the problem of Western Sahara by favourably receiving any initiative from the United States of America or Europe aimed at finding a solution to the question. Mr. Sayed reiterated that the Frente POLISARIO was ready to negotiate at "any time and any place" and called on Morocco's "friends" to persuade the Moroccan Government to recognize the inalienable rights of the people of Western Sahara.

C. Letters addressed by Mauritania and Morocco to the Secretary-General

18. In a letter dated 17 March 1981, 4/ the Permanent Representative of Mauritania to the United Nations informed the Secretary-General that on 16 March Mauritania's armed forces had prevented an attempted coup d'état led by former officers of the Mauritanian army who had been convicted of desertion and treason. The officers had intended to assassinate leading Mauritanian public figures and then broadcast an appeal to Morocco requesting the intervention of the Moroccan army and air force. Confessions made by commando leaders indicated that the coup had been staged by "the most prominent Moroccan authorities". Mauritania's determination to maintain strict neutrality in the war between Morocco and the Saharan people's liberation forces was seen as the cause for Morocco's action. Mauritania had decided to sever diplomatic relations with Morocco and reserved the right to take future action at the United Nations level.

19. Morocco, for its part, reportedly rejected all accusations that it was involved in the coup attempt and broke diplomatic relations with Mauritania.

20. On 26 March 1981, the Permanent Representative of Morocco to the United Nations addressed a letter to the Secretary-General 5/ in which he made "clarifications" of the events of 16 March. He stated that the letter of 17 March from the Permanent Representative of Mauritania contained "a number of groundless and gratuitous accusations against the Kingdom of Morocco, in support of which the Mauritanian Government has not provided the slightest proof". He also stressed the "sincerity, depth and scope of the very friendly relations which Morocco and Mauritania enjoyed for many years" and described the events of 16 March as "purely Mauritanian".

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4/ A/36/133-S/14410. For the printed text, see Official Records of the Security Council, Thirty-sixth Year, Supplement for January, February and March 1981.

5/ A/36/151-S/14419. For the printed text, see Official Records of the Security Council, Thirty-sixth Year, Supplement for January, February and March 1981.



21. In June 1981 however, the official Saudi Arabian press agency announced that Saudi Arabia had succeeded in persuading Morocco and Mauritania to restore diplomatic relations after a meeting between King Khalid of Saudi Arabia, King Hassan II of Morocco and President Mohammed Khouna Ould Haidala of Mauritania at Taif, Saudi Arabia. Subsequently, the Moroccan press reported that Morocco and Mauritania had each agreed: (a) to refuse to allow any force which might be hostile to the other country to pass through or to stop on its territory; and (b) to forbid all hostile political or military action towards the other country and to refuse to give aid or shelter to any national of either country who might engage in such activities.

4. CONSIDERATION BY THE ORGANIZATION  
OF AFRICAN UNITY

A. Meetings held during 1980

22. At its seventeenth ordinary session, held at Freetown from 1 to 4 July 1980, the Assembly of Heads of State and Government of OAU adopted decision AHG/Dec.118 (XVII) (A/35/529, annex), by which it took note of the report of the third session of the Ad Hoc Committee of Heads of State on Western Sahara, held at Monrovia from 4 to 6 December 1979; agreed that the Ad Hoc Committee, under the chairmanship of Mr. Siaka Stevens, should continue its work with a view to reconciling the parties involved and seeking a solution to the conflict; welcomed Morocco's willingness to engage in discussions with all interested parties and to participate freely in the work of the Ad Hoc Committee; and decided that the Committee should convene within the next three months at Freetown.

23. The Ad Hoc Committee subsequently met from 9 to 12 September 1980. According to press reports, President Chadli Bendjedid of Algeria, President Haidala of Mauritania and Prime Minister Maati Bouabid of Morocco attended the meetings of the Committee. In addition, Mr. Mohammed Abdelaziz, Secretary-General of the Frente POLISARIO and representatives of 10 Western Saharan groups favouring integration with Morocco appeared before the Committee to present their views. The 10 groups were: Parti de l'Union nationale Sahraoui; Front de libération du Sahara; Front de libération et de l'unité; Mouvement de Résistance des Hommes Bleus (MOREHOB); Mouvement des originaires de la Sakiat el-Hamra et du Rio de Oro (AOSARIO); Association of Former Members of the Moroccan Liberation Army in the Saharan Provinces; "Parents and members of families sequestered in Tindouf", "Local and professional elected members", the Jema'a (Saharan Assembly) and deputies of the Saharan Provinces in the Chamber of Representatives, Rabat.

24. At the conclusion of the meetings, the Ad Hoc Committee is said to have unanimously adopted a six-point plan recommending application of the resolution on the question of Western Sahara adopted at the sixteenth ordinary session of the Assembly of Heads of State and Government of OAU, in which the Assembly had, inter alia, called for the preparation of a proper atmosphere for peace in the area through a general and immediate cease-fire (see A/AC.109/621, para. 30). According to press reports, 6/ the six-point plan contained the following recommendations: (a) that a fair and general referendum be held in Western Sahara; (b) that a cease-fire go into effect by December 1980; (c) that the parties involved be asked to leave their forces at their bases during the cease-fire; (d) that United Nations peace-keeping troops be entrusted with ensuring the effectiveness of the cease-fire; (e) that OAU, with the assistance of the United Nations, organize the referendum; and (f) that the Secretary-General of OAU inform the parties of the decisions taken by the Committee.

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6/ The official communiqué has not been received.

B. Meetings held during 1981

25. During the eighteenth ordinary session of the Assembly of Heads of State and Government of OAU, held at Nairobi from 24 to 27 June 1981, King Hassan II reportedly announced that he was prepared to agree to a cease-fire in Western Sahara and to a referendum under international supervision. According to press reports the King stated that "we have decided to prepare a controlled referendum procedure, the terms of which will comply with the recommendations made by the OAU committee on Western Sahara and Morocco's conviction of its legitimate rights". The King is said to have declared that his decision had been influenced by appeals from leaders of 14 countries, including Spain.

26. The Assembly of Heads of State and Government subsequently adopted a resolution (AHG/Res.103 (XVIII)) by which it, inter alia, adopted the reports of the fifth and sixth sessions of the Ad Hoc Committee of Heads of State on Western Sahara and endorsed the recommendations contained therein; welcomed the solemn commitment made by King Hassan II to accept the organization of a referendum in Western Sahara; decided to set up an Implementation Committee composed of Guinea, Kenya, Mali, Nigeria, Sierra Leone, Sudan and the United Republic of Tanzania to ensure, with the co-operation of the concerned parties, the implementation of the recommendations of the Ad Hoc Committee; urged the parties to the conflict to observe an immediate cease-fire and called on the Implementation Committee to ensure observance of the cease-fire without delay; directed the Implementation Committee to meet before the end of August 1981 and, in collaboration with the parties in conflict, to work out modalities relevant to the implementation of the cease-fire and the conduct and administration of the referendum; requested the United Nations, in conjunction with OAU, to provide peace-keeping forces to be stationed in Western Sahara to ensure peace and security during the organization and conduct of the referendum and subsequent elections; and mandated the Implementation Committee, with the participation of the United Nations, to take all necessary measures to guarantee the exercise by the people of Western Sahara of self-determination through a general and free referendum.

27. Reaction to King Hassan's announcement included a statement in which President Bendjedid of Algeria reportedly welcomed the announcement and said that the King had taken "the first step in the search for peace". At the same time President Bendjedid is said to have called for the immediate withdrawal of all Moroccan troops from the Territory.

28. Mr. Ibrahim, of the Frente POLISARIO, is reported to have said that this was "another pernicious attempt by Morocco to legitimize its military occupation of Western Sahara".

29. At a press conference in Rabat on 2 July 1981, King Hassan II reportedly stated that "Morocco would ask for the co-operation of the United Nations and OAU and the good-will of Algeria and Mauritania in the holding of a referendum" which would be conducted on the basis of a census carried out by Spain in 1974.

30. Regarding the participation of Saharans living outside the Territory, King Hassan is said to have stated that their identity would have to be confirmed



against the records of the Spanish census. He added that in three or four months Morocco would be ready to hold the referendum and would reach agreement with United Nations and OAU observers regarding technical arrangements such as the number of voters, the number of polling booths, etc. King Hassan is said to have declared that the electoral campaign would be free but that no one would be allowed to advocate secession. Regarding the withdrawal of forces, the King reportedly said that Moroccan forces would not be withdrawn from Western Sahara during the referendum.

#### 5. CONSIDERATION BY THE GENERAL ASSEMBLY

31. In its consideration of the item in October 1980, the Fourth Committee had before it two draft resolutions (A/C.4/35/L.2/Rev.1 and A/C.4/35/L.7). By a recorded vote of 88 to 6, with 44 abstentions, the Committee, at its 21st meeting on 30 October, recommended to the General Assembly adoption of the first draft resolution, sponsored by 42 countries including Algeria. At its 22nd meeting on 31 October, following a lengthy procedural discussion, the Committee rejected by a recorded vote of 41 to 40, with 58 abstentions, the second draft resolution, sponsored by Comoros, Equatorial Guinea, Gabon, Guinea, Morocco, Oman, Saudi Arabia, Senegal and Zaire.

32. On 11 November 1980, the General Assembly adopted resolution 35/19 on the question of Western Sahara. By this resolution the Assembly, inter alia, reaffirmed the inalienable right of the people of Western Sahara to self-determination and independence; deeply deplored the fact that its resolution 34/37 of 21 November 1979 had not been implemented; again declared its deep concern at the aggravation of the situation deriving from the continued occupation of Western Sahara by Morocco and from the extension of that occupation to the part of the Territory which had been the subject of a peace agreement between Mauritania and the Frente POLISARIO (see para. 9 above); reaffirmed that a solution to the question lay in the exercise by the people of the Territory of their inalienable rights; took note of the decision on the question adopted by the OAU Assembly of Heads of State and Government (see para. 22 above); also took note of the conclusions of the fourth session of the OAU Ad Hoc Committee of Heads of State (see para. 24 above); welcomed the efforts made by OAU and its Ad Hoc Committee, as well as the availability of the parties concerned and interested, with a view to promoting a just and definitive solution to the question; reaffirmed the determination of the United Nations to co-operate fully with OAU with a view to enabling the people of Western Sahara to exercise their right to self-determination and independence; reiterated the appeal contained in its resolution 34/37 whereby it had urged Morocco to join the peace process and to terminate the occupation of the Territory; urged Morocco and the Frente POLISARIO to enter into direct negotiations; requested the Special Committee to consider the situation in the Territory as a matter of priority and to report thereon to the General Assembly at its thirty-sixth session; requested the Secretary-General of OAU to keep the Secretary-General of the United Nations informed of the progress made in the implementation of the relevant OAU decisions; and invited the Secretary-General to follow the situation closely and to submit a report on the question of Western Sahara to the General Assembly at its thirty-sixth session.

## 6. MILITARY SITUATION

### A. Seizure of foreign fishing vessels

33. In early June 1980, the Frente POLISARIO reportedly indicated that it would take prisoner and punish all those who violated the "territorial waters of the Saharan Arab Democratic Republic". At the same time, the Frente POLISARIO confirmed that it was holding 15 crew members of a Spanish fishing boat, the Garmo Mar, and that it had destroyed a Portuguese fishing boat, the Rio Vouga, and detained its crew members. Subsequently, in October, the Frente POLISARIO captured two more Spanish fishing vessels, the Costa de Terranova and the Sarita, as well as a Portuguese vessel, the Enebe, whose crew was briefly detained.

34. In order to free its nationals, the Portuguese Government undertook negotiations with the Frente POLISARIO in July 1980. These negotiations reportedly resulted in a joint communiqué signed on 24 July in Algiers by which Portugal expressed its "support for the right of the people of Western Sahara to self-determination, independence, sovereignty and territorial integrity under the leadership of the Frente POLISARIO". In return the Frente POLISARIO agreed to free the Portuguese fishermen. Both sides are reported to have urged Morocco to begin negotiations on a settlement in the disputed Territory.

35. The agreement reached with Spain is discussed in paragraphs 14-15 above.

### B. Armed clashes

36. On 17 September 1980 it was reported that King Hassan II had informed members of Morocco's National Security Council that the Moroccan army was in "complete control of the entire Saharan provinces" following "clean-up" operations in the area.

37. Subsequent reports indicated that, following an attack by forces of the Frente POLISARIO on the town of M'Hamid in southern Morocco in October 1980, King Hassan had decided to arm the civilian population of the three provinces bordering Algeria. Sources reported that King Hassan had distributed weapons to members of delegations from the provinces of Guelmim, Taza and Ouarzazate at a palace ceremony and had told the delegations to explain to the people in those frontier areas that the weapons were for self-defence.

38. At the opening session of Parliament, King Hassan II reportedly said that he believed that the attack on M'Hamid had been carried out as a result of a conspiracy against both Morocco and Algeria and suggested that outside forces were seeking to destabilize the area by provoking war between the two countries.

39. On 25 November 1980 it was reported that Morocco was concentrating its attention on defending a "strategic triangle" in Western Sahara by building a defensive line beginning at Ouarkziz in southern Morocco and ending 300 kilometres to the south on the Atlantic coast south of Boujdour. The area to be encompassed was said to include Smara, Bu Craa, El Ayoun and Boujdour. The line, which was

begun in August 1980 and completed in the summer of 1981, consists of an earthen wall two or three metres high protected by barbed wire and mine fields.

40. Conflicting reports continue to emanate from the two sides regarding attacks, numbers of casualties and the damage inflicted by either side. During the period under review, the Frente POLISARIO claimed that its forces had attacked Moroccan positions in Western Sahara (Boujdour, Smara, Eguereyir, Daoura and Lemzeiriga) as well as within Morocco (Zaak, Abattih, Rous Lekhyelate, Ras el Khanfra, Bouguerba, Sidi-Amara and Tata).

### C. Military aid

41. On 26 January 1981, the United States Government reported that it had decided to sell 108 M60 tanks to Morocco. The tanks had reportedly been requested in July 1980 for delivery in 1983. In addition, the United States is said to have delivered two of the six Rockwell OV-10A Bronco reconnaissance aircraft sold to Morocco in March 1980.

42. Subsequently, on 25 March, the United States Administration was said to have decided that it would no longer link arms sales to Morocco with progress by the Moroccans in achieving a negotiated settlement of the question of Western Sahara.

43. Testifying before two foreign affairs sub-committees of the House of Representatives, Mr. Morris Draple, Deputy Assistant Secretary of State for Near Eastern and South Asian Affairs, said that arms sales to Morocco would be based on the same criteria as "for other friends" and that "America's allies and close associates should expect understanding and reliable support".

44. Mr. Draple also stated, however, that the United States would encourage Morocco to seek a peaceful negotiated settlement to the conflict over Western Sahara.

## 7. ECONOMIC SITUATION

45. On 19 December 1980 it was reported that the Moroccan Chamber of Representatives had adopted legislation creating an "exclusive economic zone" extending 200 nautical miles off its Atlantic and Mediterranean coasts, including the waters off Western Sahara. Previously, Morocco's territorial waters had extended 12 nautical miles with an "exclusive fishing zone" of 70 nautical miles. The new legislation gave Morocco exclusive rights to all mineral as well as fishing resources in the sea and on and beneath the sea-bed, and stipulated that the zone could not be explored or exploited economically without Morocco's authorization.

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