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LETTER DATED 16 JUNE 1979 FROM THE DEPUTY PERMANENT REPRESENTATIVE  
OF ALGERIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE  
SECURITY COUNCIL

The representative of Morocco has addressed to you a letter reporting certain acts of war within Moroccan territory, the responsibility for which he wrongly attributes to my country. Such accusations are entirely groundless and are designed solely to divert the attention of the international community from the basic facts of the question of Western Sahara, which in reality is entirely a matter of decolonization.

I

Algeria categorically refutes the presentation and interpretation of the acts of war in question and expresses its indignation at this attempt by Morocco to shift onto it the responsibility for the tragic consequences of Morocco's mistaken policy of expansionism and annexation. In any event, Morocco, which knows fully well that no Algerian armed forces have crossed the Moroccan frontier, has not produced and could not produce any proof of the allegations which it has so frivolously made. It resorts to an astonishing syllogism in order to "prove" the existence of something which does not exist. Being well aware it could not maintain, without losing all credibility, that "Algerian forces" had actually crossed the Moroccan frontier, Morocco simply referred to "forces", taking care not to identify them further but nevertheless concluding, by a syllogism of dubious consistency, that Algeria was therefore an aggressor because it had somehow used "force" against the territorial integrity of the Moroccan State, 400 kilometres from its frontier.

These "forces" which Morocco, in an attempt to maintain confusion and abuse the good faith of the members of the Security Council, does not identify are constituted by the armed organization of the Saharan people, the Polisario Front, which is fighting for self-determination and independence.

Actually, if the Saharan fighters of the Polisario Front, in their national liberation struggle, are striking such heavy blows at the troops illegally occupying their territory and putting them on the defensive even inside Moroccan territory, with the aim of destroying the military bases from which their adversaries come, this is proof of the fact that they are largely in control of Western Sahara, part of which they have effectively liberated and where they have set up their own bases to support their fight for national liberation and to drive out the occupying forces.

How could anyone think that the Saharan troops could attack their adversary in its own territory, across an almost impassable desert, and at places more than 400 kilometres from Algeria's western frontier, if they were not in control of the land in Western Sahara that they have partly liberated from its illegal occupiers?

This is the reality, cruel as it may be to the Moroccan Government bogged down in a war of conquest. This reality entirely demolishes Morocco's argument concerning an alleged act of aggression by Algeria that is logically, geographically and physically impossible.

## II

It is clear from the foregoing that Morocco, which pays no heed to proving the materiality of the acts which it wrongly imputes to Algeria, is deliberately confusing the issue. Its purpose is also clear. By invoking a supposed right of self-defence without first proving the existence of an attack by Algeria, Morocco is justifying in advance an act of aggression which it is preparing against my country. Taking refuge behind Article 51 of the Charter, which manifestly does not apply in this case, Morocco is preparing to commit armed aggression against Algeria, thus violating the sovereignty and territorial integrity of my country, adding to the aggression committed against the Saharan people since 1975 a further aggression against a neighbouring State, and assuming the historical responsibility for unleashing a conflict with incalculable consequences for the security and stability of a large part of the African continent.

Invoking Article 51 of the Charter, which permits the exercise of the right of self-defence, is as inappropriate and unjustified as the so-called "right of hot pursuit" with which Morocco is threatening Algeria. The right of hot pursuit, which cannot be dissociated from colonialism, is directly linked in its manifestations to the pouncings of occupying forces in reaction to national liberation struggles. It is one of the intolerable semblances of legality which colonialism tries to impose by conferring legal validity on all forms of violence in opposition to the emancipation movement of peoples. Having been rejected along with other errors of the past, the right of hot pursuit is now resurrected and therefore rejuvenated, thanks to Morocco. A favourite weapon of the colonial forces of the past, and now a preferred instrument of violence for Israel and the racist Pretoria and Salisbury régimes against the peoples of Lebanon, Zambia, Botswana, Mozambique and Angola, the right of hot pursuit is a prime example of an act of "deliberate and premeditated armed aggression", in the words of the representative of Tunisia, Mr. Mongi Slim, to the Security Council on 2 June 1958. The right of hot pursuit, a dusty argument of the colonial Powers which Morocco pulls out of the imperialist legal scrap-heap to invoke against Algeria, recalls to us the horrors of the massacre of thousands of innocent civilians in southern Africa, victims of haughty white racist power.

In any event, to argue that the right of hot pursuit is a variation of the right of self-defence provided for in Article 51 of the Charter certainly requires a high degree of frivolity combined with blatant ignorance of the conditions for self-defence.

In these circumstances, Algeria casts back upon the Moroccan authorities full responsibility for the consequences which would inevitably follow from the violation of its frontiers, as stated by the President of Algeria in a message of 9 June to the President of the Sudan, the current Chairman of OAU. It is also in these circumstances that, on the same date, the Minister for Foreign Affairs of Algeria addressed a message to the same effect to the Secretary-General of the United Nations. In addition to the order given by the King of Morocco to his armed forces to exercise a so-called right of hot pursuit, there is now the letter of 14 June in which Morocco brought before the Security Council a complaint concerning alleged aggression, thus exposing the Moroccan plan, which constitutes an extremely serious threat to Algeria and the region. Pursuing its policy of confusing the issue, Morocco is asking the Security Council to regard as aggression coming from a third State any armed action by a national liberation movement against forces of occupation. It is thus asking the Security Council to provide a cloak of legality in order to conduct its armed actions against a neighbouring State, while at the same time creating a legal precedent which would justify in the eyes of the United Nations Israel's attacks on Lebanon and those of the racist countries of southern Africa on the front-line States.

### III

By persisting in imputing to my country the responsibility for the failure of their policy of occupation and expansion, the Moroccan leaders are distorting the facts, using diversionary tactics and, being prisoners of that policy, are now reckless enough to want to create vis-à-vis Algeria a conflict situation that endangers peace and security in the region. Being incapable of putting an end to the resistance of the Saharan people, Morocco is attempting to create the impression that the question of Western Sahara is a dispute between the States of the region. This distortion of the issue reveals both the strength of the national liberation struggle being waged by the Saharan people and Morocco's inability to cope, otherwise than by pressing blindly forward, with the consequences of its policy of annexation, occupation and aggression.

No one could be deceived by these new Moroccan manoeuvres, both ridiculously futile and extremely dangerous, the aim of which is to create a diversion and reduce a decolonization issue to a supposed dispute between two States of the region.

Morocco persists, once again by bringing the matter before the Security Council, in shifting onto Algeria, in the face of all the evidence, responsibility for the misfortunes afflicting our entire region as a result of the military occupation and partitioning of the national territory of the Saharan people.

The situation is clear. If the region is at present in a tragic impasse, it requires a curious kind of logic to say that this is the fault of Algeria and not of the unbridled expansionism of its neighbour.

The fact is that the situation created by Morocco in Western Sahara, with its explosive repercussions throughout the region, is unquestionably the result of its

obstinacy in denying the existence of the people of that territory and their fundamental right to self-determination and independence, even though that right was solemnly reaffirmed by the General Assembly at its thirty-third session.

At a time when many convergent efforts are being made to create a climate conducive to the search for a just and lasting political settlement of the question of Western Sahara, and no doubt precisely of that trend, Morocco is taking action at the international level to justify further escalations in aggression. This policy of diversion and threats, in addition to constituting a violation of international law, of the basic principles of the Charter, of resolution 2625 (XXV) on "principles of international law concerning friendly relations and co-operation among States" and of resolution 3314 (XXIX) containing the Definition of Aggression, can neither intimidate Algeria nor mislead Maghreb, African and international opinion concerning the true nature of the conflict which is casting a shadow over our region. Nor can it outwit the Security Council, which is fully aware that the problem of Western Sahara belongs in the context of the historical process of decolonization.

#### IV

There is a conflict. But it is only between the Saharan people struggling for its independence and the two occupying States which have usurped its territory. No exercise in confusing the issue, no wrongful accusation of a neighbouring State, can mask the reality of an attempt to silence the voice of a people once again subjugated by the policy of conquest, partition and war of extermination. No futile attempt to travesty the facts, no expedient agitation before the Security Council, can turn the international community from its sacred duty or divert it from the course of helping the Saharan people to forge their own destiny.

Morocco is not only practising a policy of expansionism for which it has tried in vain to obtain endorsement, but is posing as a victim of aggression, while obstinately opposing the right of the Saharan people to an independent existence. Since the day on which it assumed the grave responsibility of invading the territory of the Saharan people, Morocco can only be regarded as an aggressor State, with all the legal consequences that such a description entails, in accordance with the relevant provisions of the Charter, with resolution 2625 (XXV) of 1970 and with resolution 3314 (XXIX) of 14 December 1974, containing the Definition of Aggression. In particular, the latter resolution describes as an act of deliberate aggression the use of armed force to deprive peoples of their right to self-determination and independence. The same resolution consequently affirms the legitimacy of the support given to peoples which, like the Saharan people, are struggling in such circumstances to obtain their right to self-determination against armies of invasion.

One of the two occupying States, Mauritania, which, like Morocco today, had brought a complaint before the Security Council in October 1977 concerning the attack on Zouérate by the Polisario, now recognizes that the real problem at the root of the serious situation in the region is the fact that the people of Western Sahara has been deprived of its rights through occupation and partition. As a

result of that recognition, it has now obtained the agreement of Polisario to maintain the cease-fire and to seek the admittedly still difficult road to peace. This example, which had the threefold merit of showing that the Western Sahara affair is not a dispute between two States, that it is a problem of decolonization and that it was futile to try to mislead the Security Council, should serve as an example to Morocco.

Any action which the Security Council might decide to take could only be within the framework laid down by our Organization for expediting the solution of the question of Western Sahara, which in any event is on the agenda of the thirty-fourth session of the General Assembly, through the implementation of the decisions concerning the effective exercise by the people of Western Sahara of their inalienable right to self-determination and independence.

I would request you to have this text circulated as a Security Council document.

(Signed) Fathih BOUAYAD-AGHA  
Deputy Permanent Representative  
Chargé d'Affaires a.i.

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