



Security Council

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Letter dated 8 September 2020 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council

I should be grateful to have the present letter and its annex, a letter from Brahim Ghali, Secretary-General of Frente POLISARIO, to the Secretary-General of the United Nations concerning recent developments relating to Western Sahara, issued as a document of the Security Council.

(Signed) Jerry Matthews **Matjila**
Ambassador
Permanent Representative



Annex to the letter dated 8 September 2020 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council

Twenty-nine years have passed since the establishment of the United Nations Mission for the Referendum in Western Sahara (MINURSO) by Security Council resolution 690 (1991) to implement the United Nations-Organization of African Unity (OAU) Settlement Plan that was accepted by both parties, Frente POLISARIO and Morocco, in August 1988 and approved by the Security Council in its resolutions 658 (1990) and 690 (1991).

As you are aware, the essential aim of the United Nations-OAU Settlement Plan consists in achieving “a just and definitive solution of the question of Western Sahara in conformity with General Assembly resolution 1514 (XV) by means of a ceasefire and the holding of a referendum without military or administrative constraints to enable the people of Western Sahara, in the exercise of their right to self-determination, to choose between independence and integration with Morocco” (S/21360, para. 1). In line with the Settlement Plan, the Observer Group to be established by the United Nations to monitor the implementation of the peace plan “will function in accordance with the general principles applicable to United Nations peacekeeping operations” (ibid., para. 20).

The United Nations, however, has so far failed in implementing the mandate for which MINURSO was created, and thus in successfully completing the decolonization of Western Sahara, the last colony in Africa. What is even worse is that both the United Nations and MINURSO have all along maintained a deafening silence in the face of Morocco’s continued annexationist actions, whose aim is to impose a fait accompli by force in the occupied Western Sahara and to undermine the legal status of the Territory as a Non-Self-Governing Territory, pending decolonization.

Moreover, the United Nations has chosen to turn a blind eye as Morocco persists in its actions aimed at undermining the exclusive international nature of MINURSO and at handicapping the operational capacity of the Mission to implement its mandate. Morocco continues to impose the use of Moroccan vehicle number plates on MINURSO vehicles and it insists on affixing Moroccan stamps on the passports of MINURSO personnel upon their entry to and exit from Western Sahara. Morocco also refuses to allow MINURSO access to any local interlocutors in occupied Western Sahara, which handicaps the Mission in the implementation of its mandate, as highlighted in numerous reports of the Secretary-General of the United Nations.

When Frente POLISARIO decided to accept the ceasefire in 1991, it was – and is still – predicated on the full implementation of the United Nations-OAU Settlement Plan for which MINURSO was exclusively established. For Frente POLISARIO, the ongoing ceasefire is an integral part of an integrated package deal, namely the Settlement Plan, which was accepted officially by both parties, Frente POLISARIO and Morocco, and approved by the Security Council in its relevant resolutions. The ceasefire, therefore, can never be considered as a separate arrangement from the Settlement Plan or an end in itself, but only as a means to create the necessary conditions for implementing the peace plan whose ultimate goal is the holding of the self-determination referendum for the people of Western Sahara in line with the terms of the Settlement Plan.

The failure of the United Nations Secretariat and the Security Council to act robustly to end Morocco’s deliberate attempts to torpedo the mandate of MINURSO and to forcibly entrench and “normalize” its illegal occupation of parts of our country has severely undermined the credibility of the United Nations and deepened the loss of faith amid the Sahrawi people in the already fragile United Nations peace process.

In this context, following the adoption of Security Council resolution [2494 \(2019\)](#) on 30 October 2019, Frente POLISARIO announced that it was left with no option but to reconsider its engagement in the United Nations peace process that has been drastically deviated from its agreed course. In our letter dated 28 December 2019 ([S/2020/66](#), annex), we outlined a series of urgent actions that both the Secretariat and the Security Council, acting within the scope of their respective responsibilities, should adopt to restore the confidence of the Sahrawi people in the United Nations peace process.

In our letter, we also emphasized the need to ensure the independence and impartiality of MINURSO, which entails that the Mission should treat both parties equally. It is utterly unacceptable that, because of Morocco's policy of blackmail, the Special Representative of the Secretary-General and Head of MINURSO and other senior officials of the Mission cannot meet with Frente POLISARIO in the Liberated Territories of Western Sahara, despite the existence of documented evidence that former Special Representatives had held meetings with Frente POLISARIO in those areas. We regret that neither the Secretariat nor the Security Council has taken any action in this regard.

In concluding, after 29 years since the entry into force of the United Nations-OAU Settlement Plan and the ceasefire, the Sahrawi people are determined to take the necessary measures to defend their legitimate rights and to ensure that MINURSO fulfils its mandate and functions in line with the general principles applicable to United Nations peacekeeping operations. What we expect from the United Nations, therefore, is to see concrete and serious actions taken towards the full and rigorous implementation of the peace plan by enabling our people to exercise their inalienable right to self-determination and independence, thus bringing to a successful conclusion the decolonization of the last colony in Africa.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(Signed) **Brahim Ghali**
President of the Sahrawi Arab Democratic Republic
Secretary-General of Frente POLISARIO