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OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

QUESTION OF WESTERN SAHARA

Letter dated 17 October 1979 from the Permanent Representative
of Morocco to the United Nations addressed to the Secretary-
General

A working paper on "Western Sahara" was prepared by the Secretariat and issued as document A/AC.109/L.1331 dated 13 August 1979. This document was annexed to the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (document A/34/23/Add.3 dated 1 October 1979). In view of the omissions and incomplete information which it contains, the document could give rise to misinterpretations.

On instructions from my Government, I wish to draw your attention to the following points:

1. In paragraph 1, in the description of the Territory, no mention is made of the latter's population. The figure usually cited in documents of this type is that obtained in the last known official census. Reference need only be made here to the report of the 1975 United Nations Visiting Mission to the Territory, which appeared in the report of the Special Committee (A/10023/Rev.1): "According to the census carried out by the administering Power in 1974, there were 73,497 Saharans living in the Territory." 1/

2. In paragraphs 5-8 (Background), the document fails to mention that it was at the request of Morocco, at the seventeenth session of the General Assembly, that the question of the "decolonization of Ifni and the Sahara" was included in the agenda of the Committee on Decolonization and that the first resolution on the subject adopted by the General Assembly (resolution 2072 (XX) of 16 December 1965) urgently requested "the Government of Spain, as the administering Power, to take immediately all necessary measures for the liberation of the Territories of Ifni

1/ Official Records of the General Assembly, Thirtieth Session, Supplement No. 23 (A/10023/Rev.1), vol. III, chap. XIII, para. 11 (9).

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".

In addition, the above-mentioned document fails to note that the Madrid Agreement of 14 November 1975 between Morocco, Mauritania and Spain was signed following the adoption of Security Council resolution 377 (1975) of 22 October 1975, which recommended "negotiations that the parties concerned and interested might undertake under Article 33 of the Charter". The Madrid Agreement itself, it should be noted, mentions that it resulted from the negotiations called for by the United Nations between the parties concerned.

While Spain did terminate its presence in the Territory on 26 February 1976, as is mentioned in the document referred to above, it should have been noted for the sake of completeness that the General Assembly had previously taken note of the Madrid Agreement in its resolution 3458 B (XXX) of 10 December 1975 and that, in accordance with the recommendations contained in that resolution, the Jemaa, or Territorial Assembly, met in special session on 26 February 1976.

3. In paragraph 51, it is noted that the Security Council "considered the question of Western Sahara at its 2151st to 2153rd meetings between 20 and 22 June /1979/". It would be more accurate to recall the Council's agenda for the two meetings in question, which was entitled "Letters dated 13 June 1979 and 15 June 1979 from the Permanent Representative of Morocco to the United Nations addressed to the President of the Security Council (S/13394 and S/13397)". These two letters have to do with convening a meeting of the Security Council to consider acts of aggression committed by the Algerian Government against Morocco.

It is also noted in paragraph 51 that a statement was made in the course of the two meetings in question by the Frente POLISARIO; however, the Council merely heard an individual in his private capacity pursuant to rule 39 of its rules of procedure, under which "The Security Council may invite members of the Secretariat or other persons, whom it considers competent for the purpose, to supply it with information or to give other assistance in examining matters within its competence."

4. Finally, in paragraph 42, the above-mentioned document refers to the resolution adopted by the Assembly of Heads of State and Government of OAU at its sixteenth ordinary session, held at Monrovia from 17 to 20 July 1979. 2/ However, it makes no mention of the message addressed to the Secretary-General of the United Nations in this connexion by Mr. M'Hamed Boucetta, Secretary of State for Foreign Affairs and Co-operation of the Kingdom of Morocco. 3/

I should be grateful if you would have the relevant corrections made in the working paper in question and if you would have the text of this communication circulated as a General Assembly document.

(Signed) Abdellatif FILALI
Ambassador
Permanent Representative

2/ A/34/552, annex II, decision AHG/Dec.114 (XVI).

3/ A/34/421, annex.