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1850th MEETING: 22 OCTOBER 1975

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NOTE

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1850th MEETING

Held in New York on Wednesday, 22 October 1975, at 8 p.m.

President: Mr. Olof RYDBECK (Sweden).

Present: The representatives of the following States: Byelorussian Soviet Socialist Republic, China, Costa Rica, France, Guyana, Iraq, Italy, Japan, Mauritania, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania and United States of America.

Provisional agenda (S/Agenda/1850)

1. Adoption of the agenda
2. The situation concerning Western Sahara:
Letter dated 18 October 1975 from the Permanent Representative of Spain to the United Nations addressed to the President of the Security Council (S/11851)

The meeting was called to order at 8.40 p.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning Western Sahara:

Letter dated 18 October 1975 from the Permanent Representative of Spain to the United Nations addressed to the President of the Security Council (S/11851)

1. The PRESIDENT: In accordance with the decisions taken [1849th meeting], I propose now, with the consent of the Council, to invite the representatives of Spain and Morocco to participate in the discussion without the right to vote.

At the invitation of the President, Mr. de Piniés (Spain) and Mr. Slaoui (Morocco) took seats at the Council table.

2. The PRESIDENT: In addition, I have also received a letter, dated 20 October, from the representative of Algeria requesting that he be invited to participate in the discussion of the question on the agenda in accordance with Article 31 of the Charter. Pursuant to that Article and rule 37 of the provisional rules of procedure, I propose, if I hear no objection, to invite the representative of Algeria also to participate in the discussion without the right to vote.

At the invitation of the President, Mr. Rahal (Algeria) took a seat at the Council table.

3. The PRESIDENT: The Security Council will now continue its examination of the item on its agenda relating to the situation concerning Western Sahara. Since our last meeting, members of the Council have been engaged in most intensive consultations, as a result of which the text of a draft resolution has been arrived at and is now before the Council in document S/11858.

4. Before we proceed to deal with draft resolution S/11858, I call on the representative of Algeria.

5. Mr. RAHAL (Algeria) (*interpretation from French*): Mr. President, first of all I should like to thank you, as well as all the members of the Council, for having been so good as to agree to my request to participate in your present debate. This meeting of the Council, which is being held on the initiative of Spain, is devoted to the consideration of the situation in Western Sahara and to the dangers which certain initiatives might create for the security of the entire region. I therefore believe that the participation of the delegation of Algeria in such a discussion can come as no surprise to any member of the Council, not only because of the geographical location of my country, which makes it particularly sensitive to any aggravation of tension on its frontiers, but also, and perhaps above all, because of the interest which my Government has constantly shown in the decolonization of the Sahara.

6. The Government of Algeria has already made known, on several occasions and in the most solemn manner, that it makes no territorial claim on Western Sahara. My Government reiterated this position both to the United Nations Visiting Mission and before the International Court of Justice at the time it was preparing an advisory opinion¹ on this question at the request of the General Assembly in its resolution 3292 (XXIX).

7. But the Government of Algeria has also reaffirmed, with the same constancy and with the same conviction, the interest it naturally has in the manner in which the decolonization of that Territory will be carried out, because this development must necessarily affect the peace and security of the entire region, which includes Algeria. Furthermore, we have always believed, and we are certainly not alone in this, that for a party to be concerned with a problem of decolonization it is not necessary for it to have a claim on the Territory to be decolonized.

8. At any rate, this is how it was understood when the three heads of State of Algeria, Morocco and Mauritania met together, the last time being at Agadir in July 1973, in order to decide to join their efforts so as to ensure for the Saharan people the exercise of their right to self-determination. This was also the situation when the General Assembly, in the many resolutions which it has adopted in regard to the Sahara, called on the administering Power to organize a referendum of self-determination in consultation with Morocco, Mauritania and Algeria; Algeria was referred to by the term "interested party", but everyone knew exactly what this expression meant. This was still the case when the United Nations Visiting Mission, on a visit to Spain and to the Sahara under Spanish domination, completed its investigations by going in turn to Morocco, Algeria and Mauritania.

9. Finally, the International Court of Justice, although it was acting within the limits defined by the questions put to it by the General Assembly, could not ignore the special position of Algeria in relation to the problem of the Sahara and the multiple ties which exist between Algeria and that still-dependent Territory, as well as the ties existing between all the countries of that same region.

10. These ties, which were forged throughout a common history in which our destinies were intermingled, are strong enough to survive the temporary vicissitudes which may perturb our coexistence. For more than 10 years, the decolonization of the Sahara has offered our countries an opportunity to strengthen our solidarity by uniting in a common struggle to ensure the liberation of a Territory which belongs so completely to our common region.

11. Algeria associated itself totally with this common effort and, side by side with Morocco and Mauritania, Algeria has year after year claimed for the people of the Sahara their right to choose their own future. The joint position of our three countries was on this point in accord with the attitude of the international community, which makes of the right to self-determination the cardinal principle of decolonization.

12. When last year, for the first time, Morocco proposed that the International Court of Justice give an advisory opinion on certain historical and legal aspects of the problem of the Sahara, Algeria followed Mauritania in supporting this request, first of all so as not to shatter this solidarity, but also—why not say so?—in the hope that the opinion of such a highly competent and universally respected body as the International Court of Justice would be conducive to facilitating the decolonization of the Sahara by making it possible to assess the claims advanced by both Morocco and Mauritania.

13. It was with this same desire for clarity and justice that we agreed to the sending of the United Nations Visiting Mission to Western Sahara, so that

it could make an on-the-spot evaluation of the position of each of the parties concerned or interested and prepare a report which, together with the advisory opinion of the International Court of Justice, would enable the General Assembly to take a final decision on the modalities for decolonization of the Sahara.

14. The report of the United Nations Visiting Mission to Western Sahara has just been issued,² and the advisory opinion of the International Court of Justice was made public a few days ago.¹ In the opinion of the Government of Algeria, these documents represent a most serious study, and bear witness both to the lofty conscience and to the unquestionable probity of their authors. The conclusions contained therein allow no room for any tendentious interpretation or fantasy. They indicate, with all the precision that one could expect from legal language, that the valid settlement of the problem of the Sahara can be achieved only on the basis of the free self-determination of the Saharan people.

15. This is not the time for me to dwell on an analysis of the report of the United Nations Visiting Mission or of the advisory opinion of the International Court of Justice. At any rate, that is not the purpose of this Council meeting. It is clear that these documents themselves do not constitute a decision on the settlement of the problem of the Sahara. Such a decision is obviously up to the General Assembly, which has included this question in its agenda, and which will itself determine what use it will make of the information and judgements communicated to it by both the Visiting Mission and the International Court of Justice; this decision will, of course, be taken in conformity with General Assembly resolution 3292 (XXIX) and on the basis of resolution 1514 (XV), the Declaration on the Granting of Independence to Colonial Countries and Peoples.

16. It is for this reason that we consider it to be extremely dangerous for peace in the region for anyone to take a unilateral initiative intended to forestall a General Assembly decision or to create a *de facto* situation. Furthermore, an initiative of that nature would most obviously be contrary to the commitment undertaken by all Members of the United Nations to respect and comply with the decisions of the Organization. That commitment is all the more binding for those Members which have requested such a decision and solemnly announced in advance that they would abide by it.

17. It is the duty of the Security Council, after having learned of the present developments in the region and the consequences they would inevitably entail, urgently to take all necessary measures to maintain peace and security and to prevent any act of such a nature as to hinder the rule of law and bring about the failure of the authority of the Organization. We are aware of all the efforts made by members of the Council to arrive at a decision which would be

sufficiently balanced to put an end to the dangerous evolution of this situation while ensuring the loyal and effective co-operation of all parties interested and concerned in the work of restoring and atmosphere of détente and peace.

18. We fully appreciate this concern of the Council, but we cannot emphasize too strongly that the crisis which is developing in our region and on our frontiers is growing in intensity and demands an urgent, clear and firm decision from the Council. It goes without saying that Algeria is following the progress of events with the utmost vigilance and so far we have been able to show, as the world is our witness, the utmost moderation in our attitude, despite the manifest hostility and provocation of certain acts which are as inexplicable as they are unexpected. Algeria reaffirms both its devotion to the principles which we have never ceased to proclaim and defend and its profound desire to include the settlement of all the problems of the region within a framework of co-operation, understanding and brotherhood among all the peoples of that part of Africa. It is in that spirit that, calling on the Council to take decisions consonant with its responsibilities in these particularly grave circumstances, Algeria is prepared to offer to the Council, within the framework of Articles 33 and 34 of the Charter, all the assistance necessary for it to fulfil its mission, which is to maintain peace and security in the world.

19. The PRESIDENT: I made reference a moment ago to the intensive consultations that had taken place during the last few days among all members of the Council, the result of which is before the Council in the text of draft resolution S/11858. One of the points of agreement reached in our consultations was that all members of the Council would be prepared to adopt draft resolution S/11858 by consensus. Accordingly, I shall not put it to the vote but, if there are no objections, declare it adopted by consensus.

*The draft resolution was adopted.*³

20. The PRESIDENT: I should like to place it on record that the draft resolution submitted at our last meeting by the representative of Costa Rica and subsequently revised [S/11853/Rev.1] has now been withdrawn.

21. Mr. JACKSON (Guyana): We are meeting here in circumstances which have been described as urgent, and as a result of a letter submitted to the President of the Council by the representative of Spain [S/11851]. My delegation has given the most serious attention to the situation which has developed in Western Sahara and in neighbouring areas, described in the letter and amplified, albeit from somewhat different perspectives, earlier by the representatives of Morocco and Mauritania [1849th meeting] and how by the representative of Algeria. Thus we are not here and now concerned with the substantive aspects of the matter. We are not now dealing with the decolo-

nization of Western Sahara. That question lies squarely within the competence of the General Assembly, which will later be discussing it pursuant to its own resolution 3292 (XXIX). The Assembly will be discussing it in the light of the report of the Visiting Mission² which it despatched this year, taking into account the advisory opinion of the International Court of Justice which it requested and recently received.¹ The question of the decolonization of Western Sahara will therefore be pursued normally and logically in the appropriate organs of the United Nations. Nevertheless, my delegation wishes to reiterate its deeply held view that the process of decolonization of that Territory, like that of all other colonial Territories, must be undertaken in strict compliance with the principle of self-determination for the people of the Territory.

22. The question, which was properly before the Security Council, was and remains the potentially explosive situation in relation to Western Sahara resulting from recent developments in the area. It is a situation which could cause international friction—indeed, some allege that it has already done so; it is a situation which could lead to a breach of international peace and security; and it is a situation which could encourage disregard of the principle of self-determination, which I have already mentioned and to which my delegation resolutely adheres.

23. It is thus a situation with which the Security Council is legitimately concerned, pursuant to its responsibilities under the Charter, in particular Article 34. It will come as no surprise, therefore, that the efforts of my delegation have been directed towards defusing that situation and towards alleviating the causes, both actual and potential of tension in that area. My delegation consequently enjoins each of the parties concerned and interested to comport itself with the utmost restraint and to refrain from taking any action likely to exacerbate an already tense situation.

24. My delegation, which was one intensely involved in the negotiations for an acceptable text, is gratified that the Council was able to reach a measure of consensus. As the word consensus implies, concessions are sometimes necessary. This is one such occasion. My delegation would have preferred some more precision in the terms of the resolution. That notwithstanding, we would hope that acting in accordance with both the letter and the spirit of the resolution which the Council has just adopted, each and every one of the parties concerned and interested will in the future act in a manner which will command the plaudits of the members of the Council and indeed of the international community as a whole.

25. Mr. LAI Ya-li (China) (*translation from Chinese*): The consistent position of the Chinese delegation on the question of Western Sahara is that Spain should terminate its colonial domination over Western

Sahara. At the same time, we hope that the African countries concerned and interested, together with the people of Western Sahara, will find a reasonable solution to the problem existing in this region through friendly consultation, on the basis of unity against colonialism, so as to avoid the aggravation and complication of the matter. Basing ourselves on that position, we supported draft resolution S/11858. Moreover, we would like to point out that the Chinese delegation did not participate in the voting at the twenty-ninth session of the General Assembly on resolution 3292 (XXIX) referred to in the draft resolution. The reason was explained at the time. I shall not repeat it here.

26. Mr. LECOMPT (France) (*interpretation from French*): The intense and long consultations which have taken place over the last two days and which have brought us together at this late hour have made it difficult for my delegation to prepare the very detailed statement that I would have liked to devote to the important subject of Western Sahara.

27. We congratulate ourselves on the results we have arrived at, thanks to the good offices, imagination and sense of conciliation of our five colleagues and friends from the non-aligned group. They have worked very hard and have done a good deal of negotiating. My delegation has given them every support and is grateful that a balanced text has been reached and has won agreement by consensus.

28. I should also like to express my satisfaction at the attitude of the parties to the dispute which we have had to consider, parties which of course include the administering Power of the territory under discussion, the sincerity of whose intentions leaves no room for doubt on our part. In spite of the gravity of the dispute, the parties referred to have set forth their position with clarity and with care. They have shown a desire for mutual understanding which we hope will be confirmed in the next few days and weeks.

29. The corner-stone of the resolution just adopted is the request we addressed to the Secretary-General. By asking him to undertake immediate consultations, we are placing on his shoulders an additional burden. We should almost apologize, since we have so often had recourse to his good offices, his wisdom and his whole-hearted devotion to the cause of peace in the world. We hope that the Secretary-General will accept this assurance of our profound gratitude for the great services which he has again been willing to render in the work of the United Nations. We have no doubt that all the parties will assist the Secretary-General and co-operate with him.

30. The statements which we heard last Monday and this evening from the representatives of Spain, Morocco, Mauritania and Algeria—all four of them so close to France—seemed to us to contain some

positive elements, in spite of everything. However, they have not dispelled the legitimate concern aroused by the severity of the decolonization crisis in Western Sahara. The Secretary-General should—and we should subsequently, when we have seen his report—study the various aspects of this crisis and attempt to find a solution for it. No doubt there will be a great deal to do but we hope to be assisted by the General Assembly, as stated in paragraph 1 of the resolution adopted this evening³—and we are happy that the Assembly is in session at the moment—and also by the parties themselves.

31. My delegation wanted to indicate in the resolution that the path of direct negotiation is open to the parties. I would like to stress the importance of such negotiations because it is clear that, among the means of overcoming the crisis in Western Sahara, personal contacts and the sincere search for a compromise between the interested parties themselves are the best guarantee first of an easing of the crisis, and subsequently of its final solution.

32. The resolution is conservative in character. It is in keeping with the effort we should make to defuse a dangerous dispute. As it appears in the text, which is the result of attentive and intense work, all the words of this resolution count. The central idea is, I repeat, the mission of consultation entrusted to the Secretary-General. But we know that this mission can only succeed if all the parties concerned and interested observe the necessary moderation. My delegation would like to express the ardent wish that satisfactory conditions, based on a spirit of peace, will make it possible for the Secretary-General and the Council to make a contribution to a settlement of this question on the agenda.

33. Mr. RICHARD (United Kingdom): Mr. President, we have had indeed arduous discussions over the last two days, and our thanks go to you first for the way you have patiently and skilfully guided us to a successful conclusion. My thanks and appreciation also go to the non-aligned members of the Security Council who have worked so hard for a result which would not only be consistent with the Council's mandate, but, in addition, would be acceptable to all the parties in so far as was possible.

34. We were happy to associate ourselves with the consensus which we have just reached on the question of the Sahara. The situation in the area is of great concern to my delegation. The Council's primary task is to do all it can to maintain international peace and security, and to defuse threatening situations. In doing so, the Charter provides for a number of ways in which the Security Council can carry out this important task. The consensus we have just adopted, in my delegation's view, faithfully reflects the spirit of the Charter. We hope that this consensus will serve to reduce tension in the area and we hope that the immediate consultations which the Secretary-General

will now undertake with the parties concerned and interested will bear fruit, so that he can report on a successful outcome. We make an urgent appeal to all the parties I have just mentioned to refrain from any action in the meantime which might aggravate the situation. We hope this appeal will not go unheeded.

35. The consensus we have just adopted rightly refers to action which the General Assembly may take in future under the terms of resolution 3292 (XXIX). In the course of our consultation, many speakers referred to the important distinction between the tasks of the Security Council and those of the General Assembly. The Fourth Committee of the Assembly will shortly be considering the question of the Sahara, in the light of the advisory opinion of the International Court of Justice and of the report of the United Nations Visiting Mission to Western Sahara recently sent to the area by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. A number of important questions concerning the future of the Sahara will then have to be decided. My delegation hopes that a spirit of understanding and moderation will likewise prevail in future debates on this subject.

36. Mr. SALAZAR (Costa Rica) (*interpretation from Spanish*): My delegation wishes to state the reasons why we are joining in the consensus on draft resolution S/11858. My delegation, as is known, sponsored another draft resolution [S/11853/Rev.1] which, in a more direct manner, called attention to an act likely to endanger international peace and security. I consulted members of the Security Council about that draft resolution, and some of them persuaded me that in the first stage of dealing with the problem it was preferable to choose the draft resolution we have now adopted, which perhaps has a more cautious approach to some aspects of the problem.

37. Having withdrawn our own draft resolution so as to support the draft resolution which we have adopted, my delegation's concern was that what was as important as the text of the resolution was the promptness, which in this case had been called for urgently, with which the Security Council could adopt appropriate measures in order to prevent the occurrence of events which might later prove very difficult to reverse. My delegation, in this respect, has reiterated its position sufficiently in the past, as well as in the course of the informal consultations of the Council—that is, we maintain that it is essential, when the Council considers an event which may affect international peace and security, that its actions should be as speedy as circumstances permit. My delegation was seriously worried because the Council had not been able to find a formula of general acceptance likely to prevent a deterioration of the situation in Western Sahara as a result of the proposed march which had been announced by His Majesty King Hassan of Morocco.

38. It is obvious that this action, made known to us by the representative of the administering Power of Western Sahara, is a violation of a Territory which, on the authority of the General Assembly, is going through a process of decolonization which we all hope will soon be completed. In view of such a danger, which could even have led to an armed confrontation, what really matters is for the Security Council to act as quickly as the situation reported by Spain demands. We must be pleased that, after such delicate and intense consultations, we have been able to adopt a resolution which represents a response by the Security Council to the problem of Western Sahara. In the course of the negotiations, my delegation insistently pointed out the need to reach an agreement before the events under way rendered the problem more difficult.

39. By virtue of this resolution, the Security Council has taken the first step in associating itself with the delicate situation before it and, as the text of the resolution indicates, we shall have to deal further with this matter when we receive the report of the Secretary-General. In the meantime, it is to be hoped that the consultations of the Secretary-General, under the mandate conferred on him by the Council, will meet with a positive response among the countries that he will consult.

40. Mr. SAITO (Japan): After overcoming many difficulties during intensive consultations, the Council has produced the text of a resolution on the question of Western Sahara. My delegation is gratified that the Council unanimously adopted draft resolution S/11858. On this occasion I wish to express my delegation's sincere thanks and appreciation in particular to the representatives of the non-aligned members of the Council, who greatly contributed to the satisfactory result.

41. By adopting the resolution, the Council decided to request the Secretary-General to enter immediately into consultations with the parties concerned and interested. I hope that the Secretary-General will perform his mission successfully so that the Council will be able to take appropriate measures to deal with the situation. The Council also decided to appeal to the parties concerned and interested to exercise restraint and moderation. My delegation sincerely hopes and believes that they will heed the appeal of the Council and will avoid any action which might aggravate the current situation.

42. The delegation of Japan will follow the situation closely and will be prepared to support any action by the Council which will contribute to peace and stability in the region. In conclusion, I should like to express my delegation's hope that the question of the decolonization of Western Sahara will be solved in a spirit of understanding and conciliation.

43. Mr. MALIK (Union of Soviet Socialist Republics) (*interpretation from Russian*): The Soviet delegation

has listened with attention to the statements of the representatives of Spain, Morocco, Mauritania and Algeria on the question of Western Sahara. The facts they have adduced clearly demonstrate that the situation with regard to the question of Western Sahara has recently become considerably more complicated. The Soviet delegation is compelled to express its regret at such a course of events. There can be no doubt that the situation which has arisen is a result of the fact that the colonial system continues to be maintained in Western Sahara—a system which has led precisely to an exacerbation of the situation in this area.

44. The process of decolonization of Western Sahara has been inordinately protracted. The talks between the interested parties on the question of Western Sahara have so far not led to an agreed view on ways of solving this important problem, which is being discussed at almost all levels. The decisions of the General Assembly on this question have not been complied with. In the consideration of this item, and in determining its position, the Security Council should of course take into account the fact that the United Nations has been dealing with this problem for a considerable period of time now. Resolutions of the General Assembly have already set forth a number of principles, which may be summarized as follows. In accordance with those principles, the process of the decolonization of Western Sahara should be accelerated and the colonial domination of Spain over this Territory should be ended. The population of Western Sahara has the right to self-determination in accordance with the decisions of the General Assembly.

45. The Soviet delegation at sessions of the General Assembly has repeatedly set forth its position on this question. Our position of principle is that the question of the future of Western Sahara should be decided by the people of that Territory themselves.

46. In the African continent the process of decolonization is reaching a point of culmination. One Territory after another is freeing itself from colonial slavery. This process is irreversible and cannot be halted by any manoeuvres on the part of the opponents of decolonization. In a speech at the solemn meeting at Berlin on the occasion of the twenty-fifth anniversary of the German Democratic Republic in June last year, the General Secretary of the Central Committee of the Communist Party of the Soviet Union, Mr. Brezhnev, stated:

“The collapse of Portuguese colonialism is a major turning point in the struggle for the full and final liquidation of colonial slavery on the African continent. We are convinced that the day is near when the whole of Africa, from the Cape of Good Hope to Western Sahara, will be free.”

47. Of course, we cannot permit a situation in which anyone might attempt to derive for himself a one-

sided advantage from the situation which has arisen in the matter of Western Sahara. The Security Council acted correctly in taking a decision to prevent any of the parties undertaking any action which might lead to a deterioration of the situation in this matter and which would prevent the Secretary-General from carrying out the mission entrusted to him by the Council with regard to Western Sahara.

48. The United Nations should give assistance in the search for a peaceful solution to this problem so that the people of Western Sahara, who are the lawful masters of their own country, can solve the problem of their future in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples. It is precisely on the basis of the above-mentioned considerations that the Soviet delegation supported the resolution adopted by consensus by the Council.

49. Mr. SALIM (United Republic of Tanzania): A very serious problem is now before the Security Council. In the consideration of the problem before us, my delegation has listened with the utmost attention and seriousness to the important statements made by the representatives of Spain, Morocco, Mauritania and Algeria.

50. It is our evaluation that the recent developments with regard to the so-called Spanish Sahara, or Western Sahara, if allowed to continue, may on the one hand affect the peace and security of the region as well as international peace and security and, on the other hand, affect the principle of the right of peoples to self-determination so persistently defended and championed by the United Nations.

51. The Security Council, which is the main organ of the United Nations for the maintenance of peace and security, has a clear responsibility to act, and act decisively, to prevent the escalation of the current tension, create conditions for moderation and restraint, and thus make it possible for the General Assembly, whose responsibility it clearly is, to deal with the substance of the problem.

52. The United Republic of Tanzania, consistent with its foreign policy and loyal to the position of the Organization of African Unity (OAU), has steadfastly stood for the liberation of the African continent. In this connexion, jointly with our African brothers members of OAU, we have spared no effort in the struggle for the total decolonization of our continent. Here we speak of the entire African continent, making no exceptions or distinctions. Thus the issue of the decolonization of Western Sahara is very much an African issue and has been dealt with as such in the various councils of OAU. It is at the same time a United Nations issue, since the United Nations is equally involved in the problem as it affects the rights of the people to self-determination, in accordance with General Assembly resolution 1514

(XV). Nothing that has happened in the recent past or in the last few days has changed these basic facts.

53. As a member of both OAU and the United Nations, the United Republic of Tanzania is committed now, as it was committed then, to the principle of the decolonization of the Territory, and it is from this perspective that we evaluate the issue before the Council. In this connexion, we should like to make a few observations.

54. We see the problem in two different ways, though not in totally unrelated dimensions. First, it is a question of defusing the current crisis which, as I have already stated, has all the potential of escalating to a serious breach of the peace and security of the area. Secondly, there is the issue of the decolonization of the Territory as recognized, accepted and defended by the United Nations.

55. It is our understanding that the first issue is what legitimately preoccupies the Council. Here the Council must exercise its responsibility and prevent the escalation of tension, and indeed strive for the normalization of the situation. We view the decision which the Council has just taken by consensus as a step in this direction. In this respect, we earnestly appeal to all the parties concerned and interested to exercise a statesmanlike approach and moderation, so as to avoid a further deterioration of the situation.

56. This then brings us to the second problem. This is the issue of the decolonization of Western Sahara. Here we must first of all stress that it is imperative that the current crisis should not be allowed to develop to the point where it would threaten the application of the principle of decolonization with regard to the Territory. It is therefore obvious that the Council must guard against the creation of situations which might complicate the task of the General Assembly in regard to the implementation of the process of decolonization of Western Sahara.

57. Last year the General Assembly, with the concurrence of all the parties concerned and interested, through its resolution 3292 (XXIX) of 13 December 1974 requested the International Court of Justice to deliver an advisory opinion. At the same time, it authorized the Special Committee, over which I have had the honour to preside, to send a Visiting Mission to the Territory. The Mission, ably led by the representative of the Ivory Coast, Mr Aké, has concluded its work and submitted its report.² It was not an easy Mission. The Special Committee and the General Assembly have yet to consider this report. At the same time, the International Court of Justice, on 16 October, handed down its advisory opinion.¹ Is it not only proper, fair and logical that the Assembly, which requested both the Visiting Mission and the advisory opinion, should be given the opportunity to consider the question in the light of the report and of

the opinion? By any standard, and under whatever circumstances, the answer is patently obvious. The General Assembly has a clear responsibility to pronounce on its position in the light of these developments and taking into account the express wishes of the people of the Territory.

58. Since the Security Council is not the forum for considering the substance of the question of decolonization of the Territory, I shall confine my remarks accordingly. It remains for me to express our confidence that the Secretary-General will be given all the co-operation and assistance necessary as he undertakes the delicate and urgent mission that has been entrusted to him by the Council.

59. I should like to conclude by paying a tribute to you, Mr. President, for your wise leadership and patience, as well as to all our colleagues in the Council with whom we have collectively worked in order to arrive at the consensus which we have just adopted.

60. Mr. VINCI (Italy): The resolution on Western Sahara which we have just adopted by consensus is the result of long, arduous, intense and elaborate consultations which reflected faithfully the intricacies and complexities of a situation in which so many interests and principles are involved. The statements that we have heard up to now confirm this assessment.

61. We feel indebted first of all to you, Mr. President, for having guided these consultations with skill, energy and foresight. My delegation feels equally indebted to the five non-aligned States members of the Security Council for having taken up the main burden and carried their task to a successful outcome. It was certainly not easy, and we feel all the more grateful to them for their relentless efforts. I believe that we are all aware that at this stage it was the most we could achieve.

62. At this moment when the Secretary-General is entrusted with another important and delicate mission, I wish to express again to him our full support, confidence and human solidarity. We sincerely hope that the Secretary-General will receive from each party a response and find a spirit of co-operation in keeping with the unconditional dedication to the main purpose of the Charter which he has shown in rendering his high services to the Organization.

63. Mr. OYONO (United Republic of Cameroon) (*interpretation from French*): The delegation of the United Republic of Cameroon is very pleased at the Council's adoption by consensus of draft resolution S/11858 on the present situation concerning Western Sahara. The Council has thus fortunately made an important contribution to the cause for a peaceful settlement designed to defuse the tension which prevails in that part of Africa.

64. We sincerely hope that, in connexion with the mandate entrusted to him in this delicate matter, the

Secretary-General, who has our complete confidence and support, will have the co-operation of all the parties concerned and interested so that he may undertake his mission and complete it in satisfactory conditions. The spirit of co-operation which was shown by all the parties concerned and interested in the course of intense negotiations which led to the draft resolution adopted by the Council prompts us to be optimistic in regard to the outcome of the Secretary-General's mission.

65. Of course, the delegation of the United Republic of Cameroon reserves its right to make a contribution on the substance of the matter when it comes up for consideration before the General Assembly, particularly in the light of the advisory opinion of the International Court of Justice and the conclusions of the United Nations Visiting Mission which some months ago went to Western Sahara.

66. Mr. BENNETT (United States of America): My delegation is gratified that the Council has reached a consensus with respect to the resolution on the situation in Western Sahara. We are grateful to you, Mr. President, in view of the particularly heavy schedule of activities you have had during this week of your Council presidency, for your patience and perseverance in encouraging such a timely result of our endeavours as the resolution which we have just adopted. We should also like to commend in particular our non-aligned colleagues on the Council for their tireless persistence in developing this resolution. We believe that the Council has acted in accordance with its responsibilities under the Charter. We fully associate ourselves with the appeal for restraint and moderation on the part of all the parties concerned.

67. My delegation hopes that the parties will give the Secretary-General every assistance in pursuing his consultations. Clearly, they must have a scope which looks beyond the immediate situation towards a satisfactory solution of the problem if they are to achieve the desired result.

68. Mr. TCHERNOUCHTENKO (Byelorussian Soviet Socialist Republic) (*interpretation from Russian*): The delegation of the Byelorussian SSR supported draft resolution S/11858, and in this regard I should like to make the following statement. In supporting the draft resolution, our delegation took into account the fact that the situation with regard to Western Sahara has recently been exacerbated, as was reflected in the statements of the representatives of Spain, Morocco, Mauritania and Algeria in the Security Council. Our delegation also believes that the exacerbation of the situation with regard to Western Sahara affects above all the interests of the countries of the African continent, which have expressed their serious concern about that situation.

69. Our delegation shares the view that the fundamental source of tension in this area is the

maintenance of a colonial system in Western Sahara. History has often witnessed attempts of colonial Powers to preserve domination over their subject Territories which have produced complicated situations, and this shows that it is extremely necessary to eliminate as soon as possible the remnants of the colonial system both in Africa and in other parts of the world.

70. The question of Western Sahara has long been considered in the United Nations, which has repeatedly confirmed in its resolutions, particularly General Assembly resolution 3162 (XXVIII), the right of the population of that Territory to self-determination and independence. The demand to free the African Territories has been repeatedly addressed to Spain by OAU. The Special Committee is constantly dealing with this question, and this year, in accordance with General Assembly resolution 3292 (XXIX), it sent a Visiting Mission to Western Sahara, which submitted a thorough report on this question. That report expresses the view that the General Assembly should take steps to permit the people of Western Sahara to determine their own future in circumstances of total freedom and in an atmosphere of peace and security on the basis of the provisions of resolution 1514 (XV) and in accordance with other relevant resolutions of the Assembly. Our delegation also believes that the Assembly should speed up the consideration of the question of Western Sahara at its current session.

71. Against the background of considerable successes on the part of the peoples of colonial Territories in Africa in the struggle for freedom and independence, it is quite clear that the process of decolonization of Western Sahara is unjustifiably slow. Therefore our delegation associates itself with the views of those delegations which consider that the General Assembly at its thirtieth session should take measures to bring about a culmination of the process of the decolonization of that Territory by establishing stability and peace in the area. We must ensure all the necessary conditions to permit the people of Western Sahara to implement unimpeded their lawful right to self-determination.

72. The delegation of the Byelorussian SSR considers that the steps taken by the Security Council will promote a peaceful settlement of the problem and a situation in which the people of Western Sahara itself can resolve the question of its future in accordance with one of the most important instruments of the United Nations, that is, the Declaration on the Granting of Independence to Colonial Countries and Peoples. These steps by the Security Council will also promote the strengthening of peace and security in that part of Africa.

73. The PRESIDENT: I should like to speak now as the representative of SWEDEN. Although speaking in that capacity, I cannot refrain from expressing also my deep satisfaction as President of the Council

for this month that it has been possible for members of the Council to reach a consensus on an initial step with regard to the question of Western Sahara in so far as it falls within the competence of the Council. The difficulties in reaching a consensus have been considerable. However, throughout the negotiations members worked in a constructive spirit, and I believe that we have secured a result which to a large degree meets the needs of the moment as regards this question.

74. In particular, I want to express my thanks to the non-aligned States members of the Council, who have spared no efforts, and their efforts have given the Council a solid basis for taking a decision which we hope will achieve the ends that we all have in mind. My delegation wants to stress strongly the seriousness of the Council's appeal to the parties concerned and interested to exercise restraint and moderation. The Council has again entrusted to the Secretary-General an arduous and important task, and we want to assure him of our full support. He can count on our delegation, as I know he can count on the other delegations, at every stage of his efforts. It is our sincere hope that the Secretary-General will soon be able to report back to us and that his report will give the Council the necessary foundation for evaluating the situation and considering what possible further steps may be asked of the Council.

75. We have listened with great attention to the representatives of Spain, Morocco, Mauritania and Algeria. We could not fail to notice deep differences in the views of the parties concerned and interested. However, we earnestly hope that it will be possible to work out a settlement of the current crisis based on the principles of the Charter of the United Nations. We appeal to all parties concerned and interested to co-operate whole-heartedly with the Secretary-General and to do everything to defuse a potentially very dangerous situation.

76. Mr. EL HASSEN (Mauritania) (*interpretation from French*): I know that the hour is late and that it would be discourteous to the members of the Council to prolong the debate. But I am also certain that the members of the Council will understand that it is difficult for the delegation of Mauritania to speak on the problem of the Sahara without going into some detail on one of the aspects of this problem.

77. I have already had the opportunity in the course of the 1849th meeting of the Security Council of stating the point of view of my Government on the advisory opinion of the International Court of Justice and on the peaceful action envisaged by the Moroccan Government. I need not revert to that matter. Therefore my statement will be devoted essentially to another aspect of the problem, that of self-determination. And, if my statement will be devoted essentially to that aspect of the problem, it is because it has been mentioned both in contacts with many representatives here in the United Nations and in some statements made in the Council.

78. The considerations that I intend to present will lead me naturally to speak of what some consider to be a contradiction in the Mauritanian position. It is believed, in fact, that acceptance by Mauritania of the principle of self-determination is an irreversible fact even though the conditions in which we subscribed to that principle have changed fundamentally. But when one takes the trouble to consider more carefully the circumstances and the spirit in which we accepted that principle, and when one analyses the present situation, one cannot, I believe, justly reproach Mauritania for giving priority to its territorial integrity and the unity of its people.

79. Self-determination for the populations of the Sahara was proclaimed in 1966 and Mauritania associated itself with this at the time without any hesitation, but without thereby renouncing its fundamental position or claims. Are the two contradictory? The reply is assuredly negative in so far as any free and genuine choice can lead to a multitude of solutions, including the most likely one, the one that respects the national unity and territorial integrity of our countries.

80. However, those positions do become irreconcilable when the choice can in fact lead to only one solution, one prepared very carefully by the administering Power. But then it is out of place to speak of a free and genuine choice as a means of ascertaining the will of the population and the manner in which it wishes to decide its own destiny. In our opinion, our claims are in no contradiction with the organization of a referendum, and we have emphasized this constantly.

81. I shall simply recall what our position has been since 1966, when we accepted the principle of self-determination for the populations of the Sahara. Already in 1966 the representative of our country declared, in the Special Committee, that Mauritania accepted the principle of self-determination because we were certain of the choice which would be made by that population of the north-western part of the nation's territory.

82. In 1967 the representative of Mauritania stated in the Fourth Committee⁴ that the fact that Sahara belonged to Mauritania was not in contradiction with the loyal—I insist on the word "loyal"—application of the principle of self-determination with regard to the peoples of that region. In 1968 a similar statement was made before the Fourth Committee,⁵ and it was repeated in different ways in 1969, 1970, 1971, 1972 and 1973. This means that since we accepted the principle of self-determination from the outset, it was because we were certain that, if our brothers had to choose objectively in an atmosphere of calm, their only choice would be integration with our countries.

83. Nine years have elapsed since then, during which time Spain has been regularly requested by the General

Assembly to receive a visiting mission in the Territory so as to prepare that referendum and determine the practical ways and means for it. Spain has consistently refused to receive this visiting mission, on the pretext either that it was conducting a census of the populations or that it was still advancing the economic and political development of the Territory.

84. It is certainly not our intention, and we have no reason, to doubt the good will of Spain or to underrate the work accomplished by that country. But we are compelled to note that those nine years have also been used to influence the populations politically so that the referendum will lead to only one result, an outcome which is contrary to the interests of the peoples and countries concerned. Patiently and carefully, political arrangements have been made and a certain frame of mind has been created so as to facilitate the attainment of this objective and prevent real self-determination.

85. The logical outcome of this activity was that Mauritania and Morocco should be the losers of the game while the administering Power would be able to give a good account of itself without any real decolonization. What is more, this operation would have been accomplished with the, albeit involuntary, blessing of the United Nations. When we discovered this state of affairs, whose seriousness cannot be overestimated, we realized that it went beyond the Territory concerned and threatened the very existence of our own countries. Ideas of independence were disseminated in areas where tribal sentiments are still very much alive and preponderate over national feeling. It is regrettable to have to point this out in the middle of the twentieth century, but there are very few newly independent societies, particularly in Africa, which have not been torn apart in this way.

86. If the tribes concerned had been confined to the territories administered by Spain, the danger of fragmentation would have been more limited because Saharan independence would have meant the independence of an area relatively distinct from its surroundings. Such is not the case, as I think the advisory opinion of the International Court of Justice proves, for it is the movement of the nomadic populations alone that gives the problem its peculiar character. In other words, those who are in favour of the independence of Sahara do not constitute—and I say this in all sincerity—a political movement in the usual sense of the word, but an essentially tribal movement which ignores frontiers, particularly the frontiers between the Sahara and the States of the subregion. It is very clear that this situation entails grave dangers for our countries, particularly when it is exploited for political purposes.

87. In these conditions, it can readily be understood that our countries cannot subscribe to self-determination as now envisaged. To ask us to subscribe to it is quite simply to ask us to subscribe to the dis-

memberment of our country, thereby really creating a threat to peace and stability in the region. However, a general principle is involved to which my country has given its support and which it has sworn to observe faithfully. Side by side with that principle, however, are other no less solemn principles which are the essence and the very foundation of the Organization; in particular, there is the principle of respect for the territorial integrity of States and of their national unity.

88. Does not that principle, too, deserve the most scrupulous respect? We believe—indeed we are convinced—that the reply can only be yes. If the United Nations therefore wishes to be objective and consistent, it should not attach more importance to one principle than to another, particularly since the United Nations has always envisaged the implementation of these principles in terms of the political circumstances of each particular case. For the decolonization of the Sahara, the United Nations has at its disposal data that the International Court of Justice has judged relevant and that unquestionably place the Islamic Republic of Mauritania and the Kingdom of Morocco in a more favourable position than ever. The United Nations will certainly not contribute to peace if all the objective data which I have indicated are not taken into account.

89. This decolonization can, of course, be carried out in accordance with the process envisaged by the United Nations. But in that case the conditions required to bring that process into conformity with the spirit of United Nations resolutions must be duly fulfilled. In particular, we must proceed to what I may call the disindoctrination of the population so as to be able to return to a situation which does not threaten the very existence of our countries even if that situation were to produce the result aimed at by the administering Power.

90. In any case, our countries will do everything in their power so that the decolonization of the Sahara does not become a synonym for the disintegration of our lands. We remain open to any solution which takes account of these fundamental facts. Among the courses that can lead to such a solution, of course, we must include negotiations between Spain, the Kingdom of Morocco and the Islamic Republic of Mauritania. These negotiations cannot of course, be excluded, particularly now that the Security Council, by the resolution it has adopted, has expressed its wish that negotiations be undertaken. Our countries are more than ever ready to start these negotiations at once. For its part, Spain would not be true to itself or to the past and present friendship which unites our countries were it to reject this opportunity.

91. In conclusion, I should like to assure the Secretary-General, who has just been charged by the Security Council with a new responsibility, of the loyal and sincere co-operation of my country. I am sure that, thanks to his statesmanlike qualities, his valuable

experience as a diplomat and his keen awareness of the mission of the United Nations and the interests of peace, he will assist the Council to find the solution dictated by justice and right.

92. The PRESIDENT: I call on the representative of Morocco.

93. Mr. SLAOUI (Morocco) (*interpretation from French*): Mr. President, on behalf of my delegation I should like to present to you and to all the members of the Council my warm thanks for the patience, wisdom and skill you have shown in considering the case before you.

94. The reference in this resolution to Article 33 of the Charter implies, in our view, two conclusions. The first is the need for recourse to all means of peaceful settlement, particularly prior negotiations. The second is that these negotiations must obviously be between the parties which demand the integrity of their territory and the administering Power.

95. As the Spanish press reported this morning following the visit of the special envoy of the Spanish Government, Mr. José Solís, to Morocco, the path of negotiation with the parties concerned remains the most objective and the most effective. In this, I personally support the leader-writer of a great Madrid daily newspaper, who this morning confirmed that:

“Morocco and Spain are, above all, neighbouring countries united by many ties of history and blood. It would be a serious mistake to take these differences concerning the fate of the Sahara to a field of conflict instead of resolving them calmly by means of negotiations.”

96. With regard to the reference to resolution 1514 (XV), it seems to me to be useful to recall here the principles therein that are applicable to this particular case. Paragraph 2 of resolution 1514 (XV) states “All peoples have the right to self-determination”. This is a general principle laid down within the framework of a realistic and generous concept of human rights, which is thus enunciated as a rule which must be applied in all cases in which it is a question of freeing an oppressed people from the yoke of foreign occupation.

97. This principle is in line with a position unambiguously enunciated in paragraph 1 of that resolution, according to which “the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights”. The principle of self-determination thus flows from the assertion of the right of every individual to respect of his freedom and dignity and reflects the will of the international community to preserve the freedom of choice of every community with regard to its own destiny.

98. However, such a principle applied literally in all cases might lead to a result different from or even contrary to that expected. Resolution 1514 (XV) also

provides in its paragraph 6 that “any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations”. In other words, freedom of choice with regard to the future is seriously reduced by the limits imposed on it, particularly by the need to safeguard the national unity or territorial integrity of a people or nation.

99. Called upon to apply the two principles, the General Assembly, confronted by geographical, ethnic, political and historical facts, gave priority to the one or the other. But each time that both principles had to be applied together the General Assembly gave priority to the principle of unity and territorial integrity. And this is precisely the case as regards the problem of the Sahara, it being understood, of course, that the territorial integrity we have to consider is that of Morocco and Mauritania.

100. It is really not possible, in order to comply with international law on decolonization, to permit the dismemberment of an independent State. If it were otherwise, Morocco, for example, would have been doubly penalized, first by European colonization at the end of the nineteenth and beginning of the twentieth centuries, and then by the adoption of a solution which would only perpetuate the dismantling of Morocco and the domination of the administering Power by new means. The process of decolonization would be incomplete and distorted if there were a refusal to recognize the principle of unity and territorial integrity as providing the necessary equilibrium.

101. The General Assembly has always taken decisions in the light of the particular circumstances of the problems being examined. It has never considered itself bound by previous practices, each individual case being dealt with in the light of specific local features. Recourse to self-determination has never constituted, in the view of the General Assembly, a prerequisite for the application of the principle of territorial integrity. And when, on the contrary, there is a conflict between the two principles, the United Nations has always been very scrupulous as regards the principle of unity and territorial integrity. Moreover, the two principles apply in different cases. The principle of territorial integrity applies when it is a question of reconstituting a State that has been dismantled by colonialism and that of freedom of choice when it is a question of a territory's having had no connexion with another State at the time of its colonization.

102. In summary, the United Nations applies the two principles differently, but gives definite priority to that relating to territorial integrity, particularly when taking a decision in the case of a region that formed part of a State before it was colonized. That was the position in particular in the case of West Iran.

103. The same concern is reflected when the United Nations defines the arrangements for applying and the means of implementing the two principles. Indeed, principle VI of General Assembly resolution 1541 (XV) states:

“A Non-Self-Governing Territory can be said to have reached a full measure of self-government by:

(a) Emergence as a sovereign independent State;

(b) Free association with an independent State;
or

(c) Integration with an independent State.”

104. Those three rules cover all the possibilities which could be contemplated. They also meet the principal concern of the United Nations, which, while accepting the principle of the right of each people to self-determination, understands that that principle must not be a pretext for diminishing the unity of nations or the integrity of their territory.

105. Thanks to principle VI of resolution 1541 (XV), the United Nations makes clear the proper ways and means of permitting the harmonious combination of the principles in resolution 1514 (XV). Colonization, in imposing its presence, has not always respected the integrity of the countries it has attacked and, obviously, has not always defended their unity. Depending on the results of certain negotiations, the need to concede partitions or to accept certain limitations to their appetites or boundaries to their claims, they have naturally had to distort realities and what history had so patiently and harmoniously constructed. Hence decolonization must redress the injustices committed by colonialism. The cases of Morocco and Mauritania are very illuminating in this respect.

106. The strict application of the principle of self-determination would lead to separate consultation of all the entities emerging from the dismemberment of Morocco in 1912, and it was through respect for the principle of territorial integrity that, little by little, Morocco partially recovered its territory—Tarfaya in 1958 and Ifni in 1969. It is by virtue of the same principle that it is entitled to claim the restoration of the Sahara, with which it has been established by the International Court of Justice that it had ties of allegiance at the time of its colonization by Spain.

107. The PRESIDENT: I call now on the representative of Spain.

108. Mr. de PINIÉS (Spain) (*interpretation from Spanish*): The Security Council has just adopted a resolution on the situation created in the Sahara by the march to invade that Territory which the Government of Morocco intends to carry out. The situation, as I have already had an opportunity to explain in my letter of 18 October 1975 [S/11851], in which I

requested an urgent meeting of the Council, has created international tension which is a threat to international peace and security. In that context, in the opinion of my delegation, the paragraphs which confirm our position are particularly relevant in regard to the review of this item in the statement I made in the Council on 20 October. In this connexion, I should like briefly to recall our position. I said:

“My delegation would like to point out to the Council that the Sahara is a Non-Self-Governing Territory under Spanish administration, the decolonization of which was to be concluded this year, in accordance with the statement made by my Government in my letter of 20 August 1974 to the Secretary-General, when it accepted the provisions of General Assembly resolution 3162 (XXVIII). This aspect of the decolonization of the Territory will follow the normal course in the Fourth Committee and in the plenary meetings of the General Assembly, the competent body in which all the interests involved can be harmonized.” [1849th meeting, para. 8.]

109. Accordingly, we believe that reaffirmation of resolution 1514 (XV) and of all other relevant resolutions of the General Assembly on the decolonization of the Territory will be an element of great usefulness in accelerating consideration of this question in the Fourth Committee and in due course in the General Assembly, in the light of the opinion of the International Court of Justice and the conclusions of the Visiting Mission, which clearly establish the right to self-determination of the people of the Sahara.

110. There are, nevertheless, in paragraph 1 of the resolution just adopted, some concepts which should be clarified so that the mission entrusted to the Secretary-General under Article 34 of the Charter may be carried out with the greatest guarantees of success. In our opinion, we must clearly distinguish between the concept of “parties concerned and interested” for the purposes of resolution 3292 (XXIX) and other relevant resolutions on the Sahara and that same concept as applied to the negotiations the possibility of which is anticipated in accordance with the provisions of Article 33 of the Charter.

111. In the first case there can be no doubt that the concept of “parties concerned and interested” has been clearly delimited and defined in the relevant resolutions, as has the scope of these terms. This obviously means the neighbouring countries. They are interested parties for the purposes of determining the modalities of the referendum, the organization of which was requested of the administering Power by the General Assembly in resolution 3162 (XXVIII), and which was to be carried out in the early months of 1975 in accordance with the statement by the Spanish Government contained in our letter to the Secretary-General of 20 August 1974.⁶ In this context Spain, the administering Power of Western Sahara,

does not consider that any new situation has been created which would make it possible to alter the assumptions on which the question is to be debated in the Fourth Committee of the General Assembly in the coming days.

112. Regarding the negotiations provided for in Article 33 of the Charter, in relation to the international tension created by the Government of Morocco with the announcement of a march on the Sahara, my delegation considers that any action which would contribute to eliminating the cause of the international tension which has been created must be accepted in accordance with the commitment which all Members of the United Nations have undertaken in accepting the Charter of the United Nations.

113. These clarifications appear important at this time not only to facilitate the task entrusted to the Secretary-General, which is in itself extraordinarily delicate, but also to contribute as far as possible to clarifying the mandate in the resolution just adopted. If we interpret the request addressed to the Secretary-General in paragraph 1 of the resolution in connexion with the purpose of the meeting of the Security Council as contained in my letter of 18 October 1975 and the provisions of paragraph 2, which appeals to the parties interested—and here we consider those to be the neighbouring countries of the Sahara—to adopt an attitude of restraint and moderation and to facilitate the mission of the Secretary-General, there can be no doubt, in our opinion as to the fundamental purpose of the mission now being entrusted to the Secretary-General: to eliminate a cause which provoked international tension and which is now likely to be a threat to the maintenance of international peace and security.

114. If, by means of the resolution which has been adopted and the steps that the Secretary-General may be able to take pursuant to the mandate entrusted to him, it proves possible to restore the normal situation that existed in the area before the meetings of the Security Council were convened, we will have fully attained our goal. If we do not manage to dissipate tension, the consequences of the situation can in no way be blamed on the administering Power. It will then be necessary for the Council to assume the functions which States Members of the United Nations have entrusted to it under the Charter. At this time when peace and security in the region are seriously in danger, we hope that all the interested parties will assume the responsibilities incumbent upon them as Members of the Organization and will comply with the recommendations of the Security Council and the resolutions of the General Assembly on the decolonization of the Territory.

115. I do not wish to enter into further considerations. The observations made by the representatives of Morocco and Mauritania do not correspond, in our opinion, with either the results of the Visiting

Mission or the advisory opinion of the International Court of Justice. But the hour is late and this matter is beyond the competence of the Council, and I believe that before appetites are further aroused we should end here, as I personally intend to do.

116. I thank you all for the trouble you have taken to make your contribution. Let us hope that there will be a relaxation of tension and that peace and tranquillity will be restored so that the process of self-determination of the Territory may be completed as soon as soon as possible and that by the competent organ which, in our opinion, is the General Assembly.

117. The PRESIDENT: I now call on the representative of Algeria.

118. Mr. RAHAL (Algeria) (*interpretation from French*): Mr. President, I would like to thank you and all the members of the Security Council for your patience because, albeit very unwillingly, I feel compelled to speak a second time at this meeting. But I feel it is my duty to do so; first, in order to convey to you my gratitude and that of the Algerian delegation. I would also like to extend my gratitude to all the members of the Council for the efforts they have made and for the trouble they have taken to reach a decision the effect of which we all hope will be that of very rapidly reducing the tension which has prevailed in a region to which my own country belongs.

119. In the view of my delegation, this resolution does not leave much room for interpretation. In spite of the measured terms in which it is couched, in spite of the obvious balance which was sought in the course of its preparation, I still feel that its objectives are extremely clear. The first is to relate the reason why the Security Council met, and since it is the task of the Council to be the guardian of peace and security throughout the world, particularly in our own area, I think this resolution means, in the minds of members, that the cause of the present tension should disappear immediately.

120. The second comment which I feel obliged to make on this resolution is that the Council for the aforementioned purpose addresses all the parties concerned and interested. I think that expression, which has permeated the language of the United Nations, has in everyone's mind a very precise connotation.

121. This resolution also entrusts an additional task to the Secretary-General and we, better than anyone, understand what a burdensome and delicate task it is. On behalf of my Government, I should like to assure him that from Algeria and from its leaders he will receive all the co-operation he will need to facilitate his task.

122. An interpretation has just been given of the reference in this resolution to Article 33 of the Charter.

I would like to say right now that I consider this interpretation to be restrictive and contrary, first of all, to the letter of the resolution, because the reference to Article 33 of the Charter is to be found in the part of the resolution which I shall read out:

“without prejudice to any action which the General Assembly might take under the terms of its resolution 3292 (XXIX)”—and this is the phrase which is of interest to us—“and to negotiations that the parties concerned and interested might undertake under Article 33 of the Charter”.

This is quite apart from the fact, as I said in my earlier statement, that we do not think that for a party to be concerned or interested in a problem of decolonization, it has to make claims on the Territory which is to be decolonized.

123. I am provided, very felicitously, with the reply by my friend, the representative of Morocco, who just said that true decolonization is that which should play the balancing role which is inherent in it. And it is in this sense that Algeria is a concerned or interested party, as you like, in the problem of the decolonization of Western Sahara, because this decolonization should be brought about within the balance of the region, and to eliminate Algeria from the region seems to me to be rather a difficult exercise. In any case, it would certainly not be in keeping with geography, which puts Algeria in the region.

124. The Council has met solely to try to find a remedy for a situation which, as you pointed out, Mr. President, presents a very serious danger in the region. It has been said—and I say so myself—that the settlement of the problem of Sahara is not the object of this meeting, and that the General Assembly, which has included this problem as an item on its agenda, is responsible for discussing the problem and taking decisions on it.

125. That is why I did not want to develop the position of Algeria in my statement, and I would reassure all the members of the Council who have been kept here so late that I certainly do not intend to do so now. But since certain ideas have been developed here, perhaps I could indicate those elements in the comments made that do not entirely coincide with my own viewpoint. For example, when we talk of the principle of self-determination, this principle is connected, in our view, with the freedom of the people seeking self-determination. To say that one supports the principle of self-determination only when there is advance assurance of the decision to be taken by the self-determining people is, in my view, to give to the principle of self-determination a meaning entirely different from its true one. It was also said that United

Nations resolutions dealing with problems of decolonization did not provide that the only end of decolonization would be the independence of a colonized territory. It is true that some resolutions, at least, dealing with this problem do contemplate for a Territory which is in the process of decolonization that it will become an independent State, that it will associate itself freely with another independent State, or that it may become part of an independent State. But I would merely point out, that there is an additional provision in all the resolutions which refer to this choice, stating that it is the people of the Territory which should choose freely one of these three solutions. Now, I do not want to make a very long statement here because I shall have an opportunity to expatiate on these ideas when we debate this question in the General Assembly or in the Fourth Committee.

126. But the position of Algeria is not one of opposition to the Territory of Spanish Sahara tomorrow becoming either Moroccan territory, or Mauritanian territory, or both at the same time. The position of Algeria is simply this, that what happens should not be the result of claims which the claimants themselves consider valid, but that it should result from the choice—the free and genuine choice—of the people of the Sahara under Spanish domination. But to take territorial claims as a first step, and then to decide yourself that you are right, that your claims are justified, even when the International Court of Justice, after having studied all the documents presented to it, has decided differently—it will suffice to refer members of the Security Council to the advisory opinion of the International Court of Justice which they will certainly have studied, for them to understand that I am not exaggerating.

127. So I say that to undertake to meet your own claims, to decide yourself that since you consider these claims valid you will attempt to satisfy these claims yourself—and then to say “Now I must defend the principle of my own territorial integrity”—is to follow a course based on the kind of logic which I can neither support nor share.

The meeting rose at 10.50 p.m.

Notes

¹ *Western Sahara, Advisory Opinion, I.C.J. Reports 1975, p. 12.*

² *Official Records of the General Assembly, Thirtieth Session, Supplement No. 23, vol. III, chap. XIII, annex.*

³ See resolution 377 (1975).

⁴ *Official Records of the General Assembly, Twenty-second Session, Fourth Committee, 1746th meeting, paras. 10-17.*

⁵ *Ibid., Twenty-third Session, Fourth Committee, 1803rd meeting, para. 44.*

⁶ See document A/9714 of 21 August 1974.