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FOURTH COMMITTEE
21st meeting
held on
Friday, 23 November 1984
at 3 p.m.
New York

DEC 17 1984

SUMMARY RECORD OF THE 21ST MEETING

Chairman: Mr. LOHIA (Papua New Guinea)

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AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (continued)

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The meeting was called to order at 3.50 p.m.

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (continued) (A/39/23 (Part VI), 634 and Add.1, 680; A/C.4/39/L.12; A/C.4/39/2 and Add.1-12; A/AC.109/785)

Question of Western Sahara (continued)

Hearing of petitioners

1. The CHAIRMAN announced that the Committee had before it, in documents A/C.4/39/2/Add.3-12, 10 requests for hearing relating to the question of Western Sahara. If there were no objections, he would take it that the Committee had decided to grant those requests.
2. It was so decided.
3. At the invitation of the Chairman, Mr. Leili Mohamed Salem (Association des Parents des Séquestrés de Tindouf Oued-el-dahab) took a place at the petitioners' table.
4. Mr. SALEM (Association des Parents des Séquestrés de Tindouf Oued-el-dahab) said that he was speaking on behalf of the fathers and guardians of persons held at Tindouf in Algeria. During the transitional period following decolonization, entire Saharan families had been deported because of frontier disputes between Morocco and Algeria; it was the duty of his association to defend them and he accordingly appealed to the Fourth Committee for assistance. Algeria had committed a serious aggression and that country's subsequent behaviour had been worse even than that of the former imperialist administrations. His association was not concerned with what Algeria did in its own territory; that was clearly a matter for Algeria itself. Its concern was the worsening situation of families which had been pushed by Algeria into unfamiliar regions to become in effect Saharan refugees and not Saharan people. It was painful for his association to accuse a neighbouring country of acting in a colonialist manner towards another. The fact was, however, that the people held at Tindouf had been exiled as a result of colonialism but the actions of Algeria had led to a perpetuation of exile, with the result that families had been dispersed and driven from their homes in the liberated region, which enjoyed full security and prosperity. The people of Moroccan Sahara had an outstanding history and owed a responsibility to their grandparents who had fought the colonialists until the moment of victory. They were workers and children of the region. Any group which attempted to thwart their mission would fail. Groups which claimed to represent the Sahrawi people in Algeria were dreamers and had become mercenaries. The group of traitors who were being used by Algeria in an attempt to realize its ambitions of total control of the Maghreb, particularly vital areas such as Moroccan Sahara, in no way represented the people of Western Sahara and had been formed illegally. All dealings with that group were an affront to the dignity of the Sahrawi people and their entire cultural and human heritage. The Sahrawi people would always however welcome their children who might decide to return.

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(Mr. Salem)

5. His association would welcome any action which the Fourth Committee might be prepared to take in connection with the troubles caused by Algeria and asked that an international body such as the Office of the United Nations High Commissioner for Refugees or members of the Fourth Committee itself should be allowed to visit the Sahrawi detained at Tindouf in order to establish their identity and their origins. His association was willing to facilitate identification of the Sahrawi among the prisoners. His association would also like the Committee to visit the regained territory of Moroccan Sahara in order to see for itself that the citizens enjoyed full freedom, were devoted to their Moroccan heritage, that they were working hard and had many achievements to their credit and that the region was calm and secure.

6. Mr. Salem withdrew.

7. At the invitation of the Chairman, Mr. Mohamed Maelainine (Assemblée Sahraouie (Jemaa)) took a place at the petitioners' table.

8. Mr. MAELAININE (Assemblée Sahraouie (Jemaa)) said that he was speaking on behalf of Mr. Ahmed El Bachir, who was present, and Mr. Khatiri Ould Said El Joumani, President of the Assemblée Sahraouie, who had not been able to attend the meeting.

9. During the previous session of the General Assembly it had become clear that a number of members of the Fourth Committee had allowed themselves to be deceived by premeditated manoeuvres. He appealed to those delegations to consider the issue impartially and without preconceptions and to report the true facts to their Governments.

10. Before the countries of the African continent had won their independence, the indigenous peoples had rejected colonialism in a number of regions. The colonial Powers had never been able to interfere in the traditions of the tribes, which had their own way of conducting their daily life. The colonial Powers had confined themselves to suppressing freedom, humiliating the peoples and plundering the wealth of those territories. The practices followed by the colonial Powers had varied from one region of Africa to another. In North-West Africa, for example, they had shrewdly used a variety of means to gain the sympathy of the people. They had used the device of protectionism rather than colonialism.

11. For one thousand years before the colonial Powers had come, Morocco had been independent and the tribes had expressed their allegiance to the Moroccan sultans. The tribes living in the Western Sahara had voluntarily accepted the sovereignty of the Moroccan monarchs, as had been demonstrated by the fact that those monarchs had appointed the persons whom the Sahrawi tribes had chosen as chiefs to serve as their representatives in the region. That position had been confirmed in an advisory opinion of the International Court of Justice recognizing that, before colonization, the region of Western Sahara had been linked by a bond of sovereignty to the Sultan of Morocco.

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(Mr. Maelainine)

12. It had been the hope of the Sahrawi people that that opinion would put a legal end to all the manoeuvres aimed at creating instability in the region. The Moroccan identity of the inhabitants of the region had never been in question; they had expressed their identity when the colonialists had entered their land and had resisted them through their appointed leaders. In contravention of the protectorate agreement, Spain had treated the Saharan region as a colonial territory although the advisory opinion of the International Court of Justice had indicated that the territory was clearly Moroccan. The tribes had rejected that attempt and had formed their own group of heads of tribes. When Spain had realized that the Sahrawi people were adhering to their Moroccan status, it had found in Algeria an ally in its attempt to separate them from their homeland. They had kidnapped Mr. El Bachir, the deputy head of the group, had taken him to Algeria and had tried to persuade him to make a declaration favouring a separatist arrangement. Mr. El Bachir had however escaped.

13. It was painful to note that Algeria, which had itself gained its independence from a colonialist régime, had become an ally of the colonialists and, instead of supporting the return of the Western Sahara to Morocco, had formed a border group in collusion with the officers of colonialism. It had then attempted to inveigle the Sahrawi group into the conspiracy and had got in touch with all its members who, however had requested Mr. El Joumani, their head, to go to Morocco and to announce that the inhabitants of the Western Sahara would remain Moroccan and, despite all the manoeuvres of the colonial Power and Algeria, would retain their Moroccan identity. All members of the group had been elected to represent the population in accordance with custom and had declared their renewed allegiance to King Hassan II.

14. In the circumstances, and in view of the earlier advisory opinion of the International Court of Justice, he wondered how any regional organization could be presumed competent to express the wishes of the inhabitants of the Moroccan Sahara. The recent decision of OAU had set a very serious precedent in accepting into membership a group of mercenaries who represented only themselves. The State they had supposedly created existed only in Algiers and not in the Saharan region. If taking up arms in an internal struggle conferred international legality on a body, the Biafran secessionists in Nigeria should have been recognized, as should the separatist movements in Uganda and Ethiopia. Any armed group or organization appearing among the tribes residing in the Algerian Sahara or any similar movement among the tribes in southern Mauritania should also receive recognition. The legality of UNITA in Angola should be recognized, and Angola regarded as having two Governments, since that organization had taken up arms against the system in the capital.

15. The United Nations could be expected to show respect for history and for the advisory opinion of the International Court of Justice. He called on the General Assembly to send a visiting mission to the territory so that it could learn at first hand the wishes of the inhabitants. Manoeuvres and plots had been organized against the proposed referendum by those who were unwilling to let the indigenous inhabitants speak for themselves. A visiting mission would be able to see for

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(Mr. Maelainine)

itself the security and increasing prosperity of the region. The so-called Saharan Arab Democratic Republic had no existence in the 90 per cent of the region that it claimed but only in the hotel in Algiers where it maintained its headquarters. A visiting mission would be able to realize that those who defended the secessionist argument were merely serving the hegemonistic purposes of Algeria and its supporters. The recommendations of any organization that did not recognize the Moroccan identity of the Saharan people were rejected in their entirety.

16. Mr. Maelainine withdrew.

17. At the invitation of the Chairman, Mr. Breika Zerouali took a place at the petitioners' table.

18. Mr. ZEROUALI thanked the Committee for the opportunity given him to address it on behalf of the deputies of the Saguia el Hamra and Rio de Oro provinces, the democratically elected and legitimate representatives of the citizens of the Moroccan Sahara. In order to counter the flood of propaganda from Algeria and Mauritania, he wished to present the General Assembly with the full facts of the situation currently obtaining in the region.

19. The history of the nineteenth and twentieth centuries showed that throughout the conflicts with the colonial Powers the people of southern Morocco had acted on the orders of the Moroccan rulers and shed their blood to establish Moroccan unity. He challenged those who were currently seeking to separate Western Sahara from Morocco to provide any proof that the territory had ever been linked with any country other than Morocco. When colonialism had been overthrown in Morocco in 1956, the people of the southern region had taken part in the country's liberation. They regarded the region as an integral part of Morocco and set great store by their Moroccan nationality.

20. The advisory opinion of the International Court of Justice was clear: the inhabitants of the region were linked by a relationship of allegiance to the King of Morocco, who was undisputed sovereign of the Saharan region. Since they professed total obedience to the King of Morocco, what possible relationship could the Saharan people have with the renegade Abdelaziz, termed by Algeria President of the so-called Saharan Arab Democratic Republic, an entity which existed only in Algeria's imagination?

21. The Western Sahara had never previously been mentioned in history; nor had the Saharan people, because it was one with the Moroccan people. Algeria had taken a position against Morocco despite the fact that Morocco had in the past compromised its own foreign relations in order to support Algerian independence. Algeria had tried to enlist the support of certain States for its efforts to take over a part of Morocco and to that end it had sheltered mercenaries and supported terrorism, thereby threatening peace and security not only in the region but in all of Africa.

22. History showed that there had never been a Saharan State or nation and that no Saharan people had ever existed. There was therefore no need to prove that

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(Mr. Zerouali)

Moroccan Sahara was an integral part of Morocco. Indeed, the International Court of Justice had explicitly confirmed the sovereignty of the Kingdom of Morocco over that territory. The Moroccan allegiance of the inhabitants had remained continuous even under the Spanish mandate. Prayers were held in the name of the King of Morocco and officials were appointed by the King of Morocco. It was therefore the Moroccan Sahara. He therefore wanted to know what had prompted certain countries, especially African ones, to align themselves with the Algerian position, which was doomed to failure.

23. Algeria was a party to the conflict and was permitting terrorists to use its territory as a springboard for unlawful acts, and it defended those terrorists in international forums. Algeria and its allies ignored the wishes expressed by 95 per cent of the inhabitants of the territory who, through their representatives, had appeared before the United Nations from 1967 to 1983 and had explained their position before OAU. Unfortunately, OAU had chosen to adopt the views of a group of mercenaries lacking any popular support, whose only aim was to permit Algeria to gain access to the Atlantic through Moroccan Sahara. The population of the territory had been asked about their views and they had replied that they were Moroccans who were loyal to the King and would not have their rights traded away. The mercenaries were criminals and terrorists who must be fought with all legitimate means.

24. OAU had lent its support to the Algerian and Mauritanian traitors and the inhabitants of the Moroccan Sahara considered that the measures taken by OAU at its twentieth ordinary session in Addis Ababa constituted a flagrant violation of all international norms and an attack on all Saharan Moroccans.

25. On behalf of the Saharan Moroccans he urged the members of the Committee to visit the area and learn for themselves what the inhabitants wanted and how much development had been made possible in the territory through the efforts of the Government of Morocco. Indeed, as a result of those efforts, the area had made more progress in the past 10 years than it had during 70 years as a colony. His people rejected any challenge to its Moroccan identity and was united behind the King of Morocco and opposed to any decision to divide the territory. The Saharan people had always been Moroccans and were determined to remain Moroccan until the end of the world. No decision to the contrary could be made effective in the territory. His people hoped that the Committee would act in a reasonable manner and in accordance with international law.

26. Mr. Zerouali withdrew.

General debate (continued)

27. Mr. ORAMAS OLIVA (Cuba) said that the people of Western Sahara, led by the Frente Popular para la Liberación de Saguia el Hamra y Rio de Oro (Frente POLISARIO), their sole legitimate representative, had already lost many lives in the course of their nine-year struggle for self-determination, independence and territorial integrity against occupying forces which, provided with sophisticated

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(Mr. Oramas Oliva, Cuba)

weaponry by the chief imperialist Power, were seeking to impose their own new colonial domination.

28. The proposals advanced in 1983 by the Assembly of Heads of State and Government of the Organization of African Unity (OAU) in resolution AHG/Res.104 (XIX) - calling for a cease-fire to be arranged by direct negotiations between the parties to the conflict, Morocco and the Frente POLISARIO, and for a subsequent referendum to be held in Western Sahara under OAU and United Nations supervision - had held out hope for a speedy solution. Implementation of those proposals had unfortunately been consistently blocked by the Moroccan authorities, but Cuba, which recognized the part played by the Moroccan people in furthering African independence, hoped that the Moroccan Government would abandon its futile intransigence and accede to the will of the international community. The Assembly of Heads of State and Government of OAU had just admitted the Saharan Arab Democratic Republic as a full member of OAU, thus solemnly sanctioning the legitimacy of the heroic struggle of the Saharan people, represented solely by the Government of that Republic and the Frente POLISARIO.

29. Mr. LUKANGA (Mozambique) said that the situation in Western Sahara, where the people were being prevented from enjoying their right to self-determination and independence by another African State, showed that colonialism had no colour. Only the previous week, the Organization of African Unity had admitted the Saharan Arab Democratic Republic as the fiftieth member State of that organization. Mozambique extended its warm congratulations to the people and Government of Western Sahara and hoped that the Committee would support the OAU position in its own resolution to be adopted on the question.

30. Mr. NDONG BINDANG (Equatorial Guinea) said that his Government had always urged a peaceful solution to the question of Western Sahara by means of a popular referendum, the position adopted consistently by the Assembly of Heads of State and Government of the Organization of African Unity during its eighteenth and nineteenth ordinary sessions, as well as by the King of Morocco who, before the thirty-eighth General Assembly, had solemnly committed his Government to the holding of such a referendum and to abiding by its results.

31. A referendum was the only solution that offered a sure and legal basis for the creation of a State. Other artificial and Machiavellian solutions which did not include that prerequisite, and which the international community would sooner or later come to regret, were unacceptable to Equatorial Guinea. His Government wanted the true people of Western Sahara to exercise self-determination in a free referendum, without pressure from a group of individuals with a dubious title to represent them. His delegation endorsed the position of the Government of Morocco.

32. Mr. LE KIM CHUNG (Viet Nam) said that the Government and people of his country warmly congratulated the Saharan Arab Democratic Republic and the Frente POLISARIO on the admission of the Republic as a new member State of the Organization of African Unity. He recalled that Viet Nam had been one of the first countries to recognize the Saharan Arab Democratic Republic. It had consistently supported the

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(Mr. Le Kim Chung, Viet Nam)

struggle of the Saharan people and their legitimate right to self-determination and independence, and followed their courageous struggle, under the leadership of the Frente POLISARIO, with great sympathy.

33. His delegation was optimistic that the OAU and United Nations resolutions pointing the way to a negotiated political solution to the question would eventually be put into effect. It deplored the fact that it had not been possible to remove the obstacles to negotiations between the Kingdom of Morocco and the Frente POLISARIO with a view to bringing about a cease-fire that would create the necessary conditions for a referendum allowing the people of Western Sahara to express their wishes regarding their political future and the direction their economic and social development was to take. It was time to bring peace and stability to the brave people of Western Sahara and allow the region to play a role in the development of Africa.

34. To that end, his delegation had sponsored draft resolution A/C.4/39/L.13. It earnestly hoped that a constructive dialogue between the parties to the conflict would soon be undertaken and that it would lead in the near future to a cease-fire and to preparations for a referendum. The question of Western Sahara should remain a United Nations priority.

The meeting rose at 5.40 p.m.