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IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

QUESTION OF WESTERN SAHARA

Statement made by the representative of Morocco at the 23rd meeting
of the Fourth Committee on 2 November 1979 1/

1. This Committee of the General Assembly has always defended the right of all peoples to self-determination; it has without any doubt helped to accelerate the process of decolonization. Many peoples have thus been able to accede to independence and become full Members of our Organization.
2. We wish to welcome the recent proclamation of the independence of a new State, St. Vincent.
3. Morocco has always affirmed its faith in the inalienable right of all peoples to self-determination proclaimed in the Charter of the United Nations and reaffirmed in subsequent texts of positive law, in particular, the International Covenants on Human Rights, to which we have fully subscribed.
4. Morocco was one of the sponsors of the Declaration contained in General Assembly resolution 1514 (XV) and had the honour of being the initiator of the first steps taken by the United Nations to condemn colonial domination in all its forms. Our country has fiercely defended the right to self-determination of all peoples under colonial domination and has constantly striven to ensure the realization of that right through assistance to the authentic national liberation movements. It was in Casablanca that the first African conference of solidarity with the peoples struggling for their liberation was held in 1960. That event contributed to the implementation of the Declaration in Africa and in other continents, so that we can be proud to number among the Members of our Organization a majority of newly decolonized States.

1/ Text circulated in accordance with a decision taken by the Fourth Committee at its 23rd meeting on 2 November 1979.

5. Morocco always expresses a natural solidarity with the peoples which are still suffering from colonial oppression and all the humiliations and suffering which it involves. Since 1960, however, my country, together with other third world delegations, has striven to ensure that the implementation of the principle of self-determination should not bring new injustices in its wake or lead to the breaking up of nations that have suffered from the ambitions of the colonial Powers, which fragmented them to satisfy their short-term economic and strategic interests.

6. The text leaves no doubt as to the intention of its drafters. It is clear that the liberation of peoples under colonial domination should in no case imperil the territorial integrity and national unity of States. Thus, in the implementation of the Declaration, the particular situation of each Territory should be taken into account, as the debates in the Special Committee and our Committee clearly show.

7. For our part, whenever it has proved necessary, we have urged the Organization to take into account particular situations which affect the established national unity of Member States. Indeed, our Organization shall not by its actions provoke new situations of conflict or justify the artificial division of nations and the creation of support of puppet entities lacking any true nationhood.

8. Almost 20 years after the proclamation of the Declaration, it was intolerable that situations of a colonial character should persist, particularly in southern Africa. We should direct all our efforts and all our energies towards putting an end to colonialism and racism in southern Africa and extending adequate assistance of every kind to the authentic national liberation movements in South Africa, Namibia and Zimbabwe.

9. At a time when solidarity is essential in order to accelerate the liberation of peoples, it is regrettable to note that there are some who do not hesitate to keep questions which give rise to division and tension artificially alive and to request their continued inclusion, against all logic, in the agenda of our Committee.

10. With regard to the question of the so-called "Western Sahara", Morocco has already stated before the General Assembly that its inclusion in the agenda of the Fourth Committee of the General Assembly is no longer justified since the decolonization of the Territory has been completed in conformity with international law.

11. This is the only just position which would permit us to return to the sane reality and to prevent the Organization becoming embroiled in an enterprise of mystification, already familiar to many States, aimed at disguising a policy of regional hegemony by invoking the sacred principles of the United Nations. Such a situation should be brought to an end purely and simply by striking the question of the so-called "Western Sahara" from the agenda of our Committee.

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12. The decolonization of the provinces of Sakiet El Hamra and Oued Eddahab has been completed in accordance with the relevant resolutions of the United Nations and the wishes of the populations concerned. The provinces have been reintegrated into the homeland from which they were separated by European expansionism in the late nineteenth and early twentieth centuries. As everyone knows, Morocco was divided between the European Powers, France and Spain, after a sordid international deal which the European chancelleries called the Moroccan question.

13. The precolonial existence of the Moroccan State has been clearly established and has been recognized in these terms by the International Court of Justice: "That the Sherifian State at the time of the Spanish colonization of Western Sahara was a State of a special character is certain. Its special character consisted in the fact that it was founded on the common religious bond of Islam ... and on the allegiance of various tribes to the Sultan, through their caids or sheikhs, rather than on the notion of territory" (Western Sahara, Advisory Opinion, ... I. C. J. Reports 1975, p. 44). This precolonial national existence has, moreover, been attested to by the many international conventions which Morocco has concluded with the European Powers since the eleventh century.

14. Morocco, fragmented, a victim of colonial partition, could not accept the application to it of the concept of uti possidetis juris, which was conceived with a view to consolidating frontiers artificially created by the colonial Power where neither State nor nation had existed before. It was natural, in the circumstances, that, as soon as it regained its independence in part of its national territory in 1956, Morocco should have mobilized all its energies to recover its territorial integrity.

15. The special situation of Morocco has been recognized naturally by the international community, since our country, through negotiation, recovered the Saharan province of Tarfaya in 1958 and the Ifni enclave in 1969, after the General Assembly had requested Spain, in 1966, "to take ... the necessary steps to accelerate the decolonization of Ifni and to determine with the Government of Morocco, bearing in mind the aspirations of the indigenous population, procedures for the transfer of powers in accordance with the provisions of General Assembly resolution 1514 (XV)".

16. It has thus been by peaceful means and by means of negotiation that Morocco has constantly endeavoured, since regaining its partial independence in 1956, to achieve national unity and territorial integrity and to realize fully the right of the Moroccan people to self-determination. It has not been possible to apply the process followed in the decolonization of Ifni to Western Sahara, despite the fact that, as early as 16 December 1965, the General Assembly requested the Government of Spain "to take immediately all necessary measures for the liberation of the Territories of Ifni and Spanish Sahara from colonial domination and, to this end, to enter into negotiations on the problems relating to sovereignty presented by these two Territories" (resolution 2072 (XX)). The General Assembly did not hesitate to treat the questions of Ifni and Western Sahara on the same basis since they were two Territories which formed an integral part of Morocco and their decolonization was to be carried out by means of negotiations between Morocco and Spain. But the refusal of the administering Power to negotiate and the presentation of concurrent claims delayed the decolonization of the Territory of Western Sahara.

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17. It was Morocco which first brought up the question of Western Sahara in the United Nations and it is Morocco which has fought relentlessly for the decolonization of that Territory in accordance with the principles of the Charter. It was, moreover, Morocco which in 1974 took the initiative of asking the General Assembly to seek an advisory opinion from the International Court of Justice on the legal dispute between Morocco and Spain.

18. Since that time, Morocco has endeavoured to implement the resolutions of our Organization, by concluding the Madrid Agreement of 14 November 1975, following the request by the Security Council (resolution 377 (1975)), and by proceeding to the final decolonization of the Territory in implementation of General Assembly resolution 3458 B (XXX). In this context we also entered into frank and loyal co-operation with our Mauritanian brothers which is reflected in the conclusion of a whole series of economic, social and cultural agreements.

19. If it were not for the hegemonistic caprices of a neighbouring State, the co-operation between Morocco and Mauritania might have been extended to the whole of the Maghreb and to the States bordering on the Sahara. Once decolonization had been achieved, the challenge of underdevelopment had to be faced. We have not been able, however, to attain those peaceful goals or to respond to the aspirations of our people because some have elected to follow the path of subversion and destabilization in order to satisfy their thirst for power. The alleged agreement that Mauritania was forced to sign in Algiers on 10 August 1979 cannot have any legal value at the international level because the co-signatory has no legal personality and no representational standing in the eyes of the international community. In any event, in his arguments before this Committee, the representative of Algeria, in a similar manoeuvre, brazenly falsified official documents, in particular, the recommendations of the Ad Hoc Committee of the Organization of African Unity and the decision adopted at the latest summit meeting held at Monrovia from 17 to 20 July 1979, a decision for which, moreover, Algeria voted. The representative of Algeria brazenly stated that the agreement signed at Algiers on 10 August 1979, ceding a Territory to the so-called POLISARIO, was a direct consequence of the Monrovia summit meeting. Interestingly enough however, the representative of Algeria was very careful not to quote the decision taken at Monrovia for which Algeria and several of the sponsors of a draft resolution submitted to this Committee voted. The Algiers agreement of 10 August, like the draft resolution in question, directly and flagrantly contradicts the Monrovia decision, for which Algeria and the sponsors voted; that decision calls for a referendum on self-determination offering a choice between "total independence" and the "maintenance of the status quo".

20. In the light of the aforementioned facts, therefore, Algeria's proclamations of support for the principles of self-determination can be seen at their true value. Algeria's real motives are well known and were expressed here in the Committee itself in December 1974 by the representative of Algeria, who stated, as the summary records of the Fourth Committee show, that "his Government had at all times clearly indicated that it could not fail to take an interest in the future development of a Territory which adjoined its frontiers; its interest, which was based on obvious geopolitical considerations and on the need for regional unity, did not go beyond its legitimate national concerns, but it should not be disregarded in the search for a solution to the problem of the Sahara" (A/C.4/SR.2125).

21. Is it not surprising, to say the least, to hear the representative of that same country saying today that it has no interests at stake in the Sahara matter? Was it not Algeria that insisted, throughout the years that the United Nations has been considering the question, on being mentioned in resolutions as an interested party? Instead of fighting for the liberation of the Territory from Spanish colonization, Algeria chose agreement and co-operation with the Franco régime in order to serve what it terms its legitimate national concerns.

22. The head of the Algerian State, moreover, reaffirmed to the fact-finding mission dispatched by the United Nations how little regard was paid to the principles of the Organization: "In conclusion, he (President Boumédiénne) said that he felt particularly at ease in talking to the Mission because his country had no territorial claim on Sahara. If it did have such a claim, it would recover what belonged to it without waiting for the arrival of a United Nations Mission, despite the great respect it had for the Organization" (A/10023/Rev.1).

23. Those 1974 statements place the question under consideration in its true context, that of a dispute between Algeria and Morocco. The dispute exists and cannot be denied; it is artificially created and nurtured by the Algerian leaders through acts of violence, the seizing of hostages and the recruitment of mercenaries, in order to increase tension, even at the risk of plunging the whole region into conflict and chaos. Morocco has up to now maintained a responsible attitude, constantly mindful of the need to safeguard the future of the peoples of the Maghreb. My country has resisted provocation but it is wholehearted in its determination to defend its sovereignty; moreover, through its most authoritative spokesman, His Majesty King Hassan II, it has repeatedly proposed conciliation and dialogue with a view to achieving definitive peace and laying the foundations for fruitful economic co-operation in the region. This is the framework within which His Majesty King Hassan II, in a letter dated 28 August 1979 to the then Chairman of the Organization of African Unity, made his practical and constructive proposal on the holding of a summit conference of Heads of State or Government of all the countries bordering on the Sahara with the object of implementing a programme of balanced economic development for the benefit of all the peoples of the region.

24. Morocco has also repeatedly expressed, through His Majesty King Hassan II, its willingness, as a coastal country, to facilitate the transit of persons and goods from land-locked Saharan countries and to give them the opportunity to participate in the exploitation of marine resources on an equal footing.

25. These, Mr. Chairman, are practical, constructive proposals that my country will in future strive to foster so that they may become a reality as soon as possible and their benefits may be enjoyed by all the peoples of our region.

26. The scope of our proposal, Mr. Chairman, is broad in that it holds the promise of a better future for the children of this region; it aims therefore to go beyond narrow self-interest and hidebound approaches.

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27. Despite those facts, certain propagandists are striving, with the help of substantial resources, to distort the facts of the situation in the region and misrepresent it in order more easily to assume a dominant position. Ideological speeches, no matter how frequent, cannot conceal indisputable facts that can be checked by anyone in official public documents.

28. It is no secret that my country is at present engaged in a struggle of self-defence to preserve its sacred achievements, its cultural identity and its existence as a nation. The people of Morocco have unanimously demonstrated to the world their determination to make supreme sacrifices to repel the invader.

29. Given the fact that the Saharan population extends from the Atlantic to the Red Sea, Algeria has had no difficulty in forming mercenary bands and disguising them as a so-called national liberation movement of Western Sahara.

30. Can the representative of Algeria tell us where the so-called POLISARIO was during the period of Spanish colonization? Is it not really strange that it was not formed until 1973, just when the Spanish colonizing Power was announcing its intention to withdraw from the territory? Does the history of national liberation struggles offer any precedent for a movement that was not formed and did not decide to become active until the moment when the colonizing Power was leaving?

31. Did this Committee ever hear anything about the so-called POLISARIO throughout the period of almost ten years when the question of Western Sahara was before it prior to the departure of the Spanish colonial Power?

32. If POLISARIO claims to be the conscience of the Saharan people, how is it that it chose to remain silent throughout the 90 years of Spanish colonization? Historical truth cannot be falsified by such means as are now being employed to distort the principles and rules of law.

33. Where was POLISARIO in 1957, when an authentic Saharan national liberation movement pushed the Spaniards back towards the coast and sought the reincorporation of the Sahara into the Moroccan motherland? It took a joint French-Spanish "mopping-up" operation to crush the resistance then.

34. Can the representative of Algeria deny that, with the departure of the Spanish, his country set up a logistic base in the heart of the Territory of Western Sahara, at Amgala, 350 kilometres from Tindouf? Can he deny the battle of Amgala on 27 and 28 January 1976, when the Moroccan armed forces forced the Algeria battalion at Amgala to retreat to Tindouf leaving behind a considerable quantity of heavy weapons?

35. It is certainly difficult to disprove facts to which hundreds of Algerian soldiers held in Morocco can still testify. It is because of the failure of its original plan to occupy the Territory that Algeria has decided to resort to a different strategy, that of launching large-scale operations from its retrenchment position at Tindouf. The Saharan population rejected the Algerian graft, it expelled the foreign body and exercised its right to self-determination freely by participating, within the national democratic framework, in local, provincial and legislative consultations of various kinds.

36. Morocco cannot, in the United Nations or elsewhere, allow adventurers who change their nationality to suit their personal ambitions to present themselves as legitimate representatives of the Moroccan population of the provinces of Sakiet El Hamra and Oued Eddahab. That population has expressed itself freely in the Moroccan national framework and is in direct charge of its own affairs; it has elected its representatives who live, not in Algerian territory but in their native villages and towns. The Algerian Government, of course, never fails to draw attention to the question of the Saharan refugees at Tindouf and has caused it to be taken up by the Office of the United Nations High Commissioner for Refugees. Why, then are the Algerian authorities refusing to allow an accurate census of those refugees to be carried out under the auspices of the High Commissioner for Refugees? In 1976 Morocco proposed the organization of a census in order to determine the number of refugees of Saharan origin. The Secretary-General of the United Nations accepted that proposal in principle and so informed the Algerian Government in a note dated 18 May 1977, but since then he has been faced with that Government's repeated refusals. Similarly, since 1976 His Majesty King Hassan II has officially requested the voluntary repatriation of the Saharan refugees to their homes and the reuniting of families. The text of his appeal was sent to the Office of the High Commissioner for Refugees and, through it, to the Algerian Government, but the country of asylum has taken no steps to transmit it to the people concerned or to give them the opportunity to return to their homeland.

37. A genuine human tragedy is being played out at Tindouf, inasmuch as a population is being isolated there and kept in a state of physical and moral misery in order to create at that very place a fixation abscess and artificially to build up tension in the North African region. If humanitarian concerns were really predominant, would the Algerian authorities have calmly decided to expel almost 40,000 Moroccan nationals who had lived in Algeria for many years, some of whom participated in Algeria's war of national liberation and whose children were born in Algerian territory? Those thousands of people were brought to the Moroccan-Algerian frontier, near Oudja with no baggage and no resources.

38. The last official census of the Saharan population was carried out by the Spanish authorities in 1974. At that time that population numbered exactly 73,497. It is well known that the overwhelming majority of that population lives in the province of Sakiet El Hamra and Oued Eddahab. These facts demonstrate that claims that there are hundreds of thousands of people in the refugee camps at Tindouf are baseless, unless one believes in the phenomenon of spontaneous generation.

39. With the aim of bringing pressure to bear on the United Nations, Algeria has in recent months initiated large-scale operations against my country at Lebouirate and in the Smara region. The invaders were completely routed, but what is quite clear is that they cannot possibly have been Saharans. How can the so-called POLISARIO muster an army of 5,000 to 6,000 men for battle when the total number of refugees, including women, children and old people, does not exceed that figure?

40. Morocco wishes categorically to deny the allegations concerning the occupation of Smara made in this Committee by the representative of Algeria.

41. The mercenaries from Algiers who ventured into the Smara region never came close to the holy city from which Maa El Ainine led the Moroccan resistance to the French and Spanish colonizers. We can only deplore the frivolity and cynical enthusiasm which the Algerian representative saw fit to display in referring to the recent clashes in the region, which caused heavy loss of life and bereaved many families.

42. Unfortunately for the peoples of the Maghreb, direct aggression can no longer be anonymous and masquerade as assistance to an alleged movement. A real full-scale war is being imposed on Morocco by a neighbouring country using the most sophisticated weapons and all the resources available to it. Morocco, secure in its natural right to self-defence - a right recognized by the United Nations - and bolstered by the unanimity of its people, is determined to make every sacrifice necessary to defend its territorial integrity and its national unity.

43. Morocco has the right to defend itself by every means available to it and will not yield one inch of its national territory. Algeria has over-armed itself and has mobilized its full potential to embark on a war against my country. On the basis of what principle and what international ethic does the representative of Algeria now reproach us for wishing to restore the balance of military resources to defend ourselves? Morocco solemnly declares that it will cope with all contingencies and will take up Algeria's challenge and repulse the aggressor.

44. Our decision to defend our territorial integrity is as firm as is our desire to maintain peace and security in our region and to avoid a worsening of the situation and a generalization of the conflict between Algeria and Morocco, with its unforeseeable repercussions. Aware of his responsibility as a true Maghrebi, His Majesty King Hassan II has been ceaselessly calling for moderation, consultations and the initiation of negotiations between Morocco and Algeria, without any prerequisite or condition. Alas, the controversy is not new, but we are convinced that there is still time to prevent the irreparable from happening and to initiate a new process of restoring peace in the region and settling all outstanding questions.

45. The history of missed opportunities of meetings and negotiations is well known, but, in the interests of the peoples of the Maghreb, new ways must be explored in order to get beyond the false logic of confrontation and resolutely initiate co-operation to accelerate economic development and improve the well-being of those peoples.

46. We therefore welcome the initiative taken by the current Chairman of the Organization of African Unity, the President of the fraternal country of Liberia, in visiting the region to encourage the process of establishing peace on solid foundations. My country, which will receive President Tolbert on 3 November, wishes to assure him here and now of its sincere co-operation in the efforts he is making to preserve and strengthen African solidarity and to give substance to Africa's message of peace and brotherhood.

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47. Any responsible approach would lead the States Members of our Organization, particularly the African States, to encourage the initiative of the Chairman of the Organization of African Unity and avoid any further escalation that might jeopardize his mission. Morocco is confident that a sense of reality and brotherhood will prevail in the end and that this thirty-fourth session will not be a session of rupture and confrontation. We are confident also that the General Assembly can in no case allow itself to be misled into fuelling the flames by accepting any proposal designed to legitimize the most cold-blooded and premeditated use of armed force or openly declared recourse to what would be purely and simply subversive violence under the cloak of the noblest principles.

48. Finally, the so-called question of "Western Sahara" has been raised, frivolously and with guile by a State greedy for hegemonism.

49. The misuse of the sacrosanct character of the principle of self-determination and the cynical manipulation of that principle have always been rejected by the United Nations. The right of peoples to decide their own destiny cannot be used as a pretext for separatism or secession, which are incompatible with the principles of our Charter. The right of peoples to determine their own destiny has been and still is an essential instrument for decolonization. But it was never meant to be used for the dismemberment of a State. Imagine the grave dangers that would threaten the world in general, and Africa in particular, if that right was invoked in all disputes and differences in order to accede to international status.

50. Morocco was a victim of one of the most notorious cases of colonialism and great-Power rivalry in the whole African continent. The spirit of resistance of the Moroccan people and their persistent rejection of foreign domination have for centuries symbolized - and still do symbolize now, in the twentieth century - the desire of Africa to be free and independent, and have therefore become legendary. Therefore, in order to bolster its conviction of the justice of its national cause, it need only draw on its indelible national memory and its unswerving faith in the pursuit of its national destiny.

51. This is a grave moment in time; it demands reflection and a responsible decision. Let us overcome our passions and our rancour and avoid anything that might jeopardize the future. I am convinced that this is the feeling of all delegates present here. I am sure that no one wants a generalized confrontation between Algeria and Morocco. Such a confrontation would be disastrous for both countries, and the consequences would be incalculable. Let us work together for dialogue and reconciliation, for it is, after all, a dispute between two fraternal countries. I do not believe that anyone can change geography.

52. Morocco and Algeria are neighbouring countries; they have to live together. The Algerian and Moroccan peoples have established many links throughout history, spiritual links forged in a common struggle and an awareness of a shared future. The Moroccan delegation, for its part, considers that these links are

stronger than the forces that now divide us. Let us not scorn this shared future. After all, it is through understanding and fruitful co-operation, for which we hope with all our hearts, that the existing problems will be solved within the framework of respect for the sovereignty, territorial integrity and clearly understood interests of each of us.

53. We hope that reason and a sense of responsibility will ultimately prevail
