



General Assembly

Distr.: General
9 August 2018

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Summary record of the 4th meeting

Held at Headquarters, New York, on Monday, 11 June 2018, at 3 p.m.

Chair: Mr. Webson. (Antigua and Barbuda)

Contents

Question of Western Sahara (*continued*)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent as soon as possible to the Chief of the Documents Management Section (dms@un.org).

Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org/>).

18-09636 (E)



Please recycle



The meeting was called to order at 3.15 p.m.

Question of Western Sahara (*continued*)
(A/AC.109/2018/17)

1. **Mr. Boukadoum** (Observer for Algeria) said that, for more than 40 years, Algeria had sheltered hundreds of thousands of refugees from Western Sahara and it would spare no effort to advance the just cause of the Sahrawi people.

2. The conflict in Western Sahara was a struggle for decolonization, one wherein the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario), the sole legitimate representative of the Territory, was pitted against the Kingdom of Morocco. The dispute should be resolved through the full, fair and free implementation of General Assembly resolution 1514 (XV). The International Court of Justice, the 1975 United Nations visiting mission and numerous Security Council resolutions had all concluded that the Sahrawi people had the right to self-determination, and that conclusion should be published on the Committee's website.

3. The situation in Western Sahara was also an African issue and the African Union was committed to the Territory's decolonization, having brokered the 1991 United Nations settlement plan calling for a self-determination referendum. Algeria welcomed the consultations between the Personal Envoy of the Secretary-General for Western Sahara and African Union officials in January 2018. His delegation called on the Secretary-General to ensure the immediate return of African Union observers to the headquarters of the United Nations Mission for the Referendum in Western Sahara (MINURSO) in Laayoune, the capital of Western Sahara.

4. Since 1973, Western Sahara had fought against foreign occupation. The fact that the Frente Polisario now fought peacefully should not be used as a pretext to alter a decision that had already been made by the Sahrawi people. The international community must not turn a blind eye to the human rights violations being committed in Western Sahara, or to the exploitation of the Territory's natural resources. The Committee should send another visiting mission to Western Sahara as soon as possible, so that Committee members could assess the situation on the ground. His delegation fully supported United Nations efforts to resolve the conflict in Western Sahara, which was vital for the stability, progress and integration of the Maghreb. The Sahrawi people must be able to express their free will in a fair referendum.

5. **Ms. Joseph** (Saint Lucia) said that resolving the long-standing dispute over Western Sahara would

increase the stability and security of the region. Her delegation welcomed the adoption of Security Council resolution 2414 (2018), which emphasized the need to make progress toward a realistic, practicable and enduring political solution to the question of Western Sahara based on compromise. It also welcomed the cooperation of Morocco with the special procedures of the Human Rights Council. Saint Lucia supported the efforts of the Secretary-General and his Personal Envoy to resolve the conflict and welcomed Moroccan efforts to increase the region's development and create jobs.

6. **Mr. Koroma** (Sierra Leone) said that his delegation was committed to the decolonization of all 17 Non-Self-Governing Territories on a case-by-case basis. In the case of Western Sahara, it was important to listen to all stakeholders; the opportunity to hear petitioners at the Pacific Regional Seminar in Grenada had been appreciated in that regard. His delegation welcomed the initiative of the Security Council, which had decided to place the question permanently on its agenda until a solution had been reached, and fully supported the work of the Secretary-General, his Personal Envoy and the Security Council to find a lasting and sustainable political solution to the question of Western Sahara. His delegation encouraged Morocco to continue providing for the progress and economic well-being of the people of Western Sahara.

7. **Ms. Taremba** (Observer for Zimbabwe) said that the Sahrawi people had the right to self-determination. As Security Council resolution 690 (1991) had clearly called for a referendum on self-determination, the settlement plan signed by both parties in 1991 for the holding of the referendum must be implemented unconditionally and without delay. The Security Council and the international community must increase efforts to facilitate a just, lasting and mutually acceptable political solution.

8. Her delegation hoped that the ongoing consultations between the African Union and the United Nations on the question of Western Sahara would pave the way for the resumption of talks between the two parties. In that regard, it supported the efforts of the Personal Envoy of the Secretary-General and the Special Envoy of the African Union for Western Sahara, aimed at reaching a permanent solution consistent with United Nations resolutions.

9. **Ms. Núñez Rivas** (Observer for Uruguay) said that her country remained committed to fighting colonialism in all its forms. It therefore supported the right of the Sahrawi people to self-determination and called for a referendum to be held, which was the just and logical conclusion to the question of Western Sahara

in accordance with the Charter of the United Nations, General Assembly resolution 1514 (XV) and all other relevant United Nations resolutions on the subject.

10. Uruguay supported the efforts of the Secretary-General and his Personal Envoy to achieve a fair, lasting and mutually acceptable solution to the question of Western Sahara, which nonetheless urgently required the cooperation of both parties. Negotiations between Morocco and the Frente Polisario should be resumed without delay. As a champion of human rights and international humanitarian law, Uruguay urged both parties to cooperate with the United Nations to implement measures ensuring that human rights were respected in Western Sahara and the refugee camps.

11. **Ms. Ngyema Ndong** (Observer for Gabon) said that her delegation fully supported the efforts of the Personal Envoy of the Secretary-General and welcomed his recent visits to the region. All stakeholders in the Western Sahara dispute, including neighbouring States, must participate in the political process under the auspices of the United Nations in order to find a political solution that was mutually acceptable to both parties. The Moroccan autonomy initiative proposed in 2007 was an ideal compromise to resolve the dispute and had been described in the relevant Security Council resolutions as a serious and credible proposition.

12. Although Moroccan development efforts in the region were aligned with the 2030 Agenda for Sustainable Development and the Agenda 2063 of the African Union, Morocco must nonetheless improve living conditions for local inhabitants. Her delegation especially welcomed Moroccan efforts in the domain of human rights, as recognized in Security Council resolution [2414 \(2018\)](#).

13. **Mr. Hilale** (Observer for Morocco), recalling the history of the dispute, said that the Sahara was not a decolonization issue, but a question of territorial integrity, and it was irrefutable that the Sahara was Moroccan. Similarly, the Security Council, which was the source of international law and the only entity in charge of global peace and security, did not recognize the question of the Sahara as a decolonization issue, but treated it as a regional dispute to be resolved peacefully through negotiations.

14. Morocco had invested heavily in the region and had built roads, airports, schools and hospitals to improve accessibility in the Sahara and create the potential for economic and sustainable development. The Constitution of Morocco had enshrined the respect for regional specificities; the Moroccan development model for the Sahara was therefore based on a participatory and inclusive methodology that brought

together all stakeholders across sectors and generations. The political impasse and prevarication of other parties should not impede the development of Moroccan Sahara. The inhabitants of the region should be allowed to manage their own affairs, including through the free and fair election of Saharan representatives to local institutions, regional councils and both chambers of the national parliament. The legislative and regional elections held in 2015 and 2016 had demonstrated the indefectible support of the Saharan population for its Moroccan identity, as well as its respect for democratic processes, human rights and the rule of law.

15. The Sahara was the only question that was under discussion by the General Assembly even though the Security Council was actively addressing the matter under Chapter 6 of the Charter of the United Nations. Morocco was resolutely committed to the political process led by the Security Council under the auspices of the Secretary-General and his Personal Envoy. In Security Council resolution [2414 \(2018\)](#), the Council had expressed its support for the Moroccan approach towards reaching a realistic, practicable and enduring political solution based on compromise. It had also reiterated its support for the Moroccan autonomy initiative as a serious and credible approach to ending the regional dispute, and had requested that neighbouring States contribute to the political process.

16. The dispute must be resolved in a manner that respected the sovereignty, territorial integrity and national unity of Morocco. The process must include all stakeholders but be conducted exclusively under the auspices of the United Nations, without intervention from other international or regional organizations, many of which had previously disqualified themselves by revealing biases. Lastly, the populations in the Tindouf refugee camps must be registered with biometric data according to the international standards recognized by the United Nations so that the true number of refugees could be ascertained.

17. **Mr. Soumah** (Observer for Guinea) said that his delegation welcomed the efforts of the Security Council and the Secretary-General to launch a fifth round of official negotiations on the question of Western Sahara. It likewise supported the work of the Personal Envoy of the Secretary-General aimed at finding a solution based on realism and compromise and in accordance with the relevant Security Council resolutions, including resolution [2414 \(2018\)](#), which called on the parties and neighbouring countries to work to achieve a realistic, practicable and enduring political solution to the dispute. Open dialogue would moreover help to restore stability and security in the Sahel region.

18. His delegation welcomed the significant institutional and economic reforms implemented by Morocco, including the country's cooperation with the United Nations High Commissioner for Human Rights and its strengthening of the National Human Rights Council. It also welcomed the ambitious development programme launched by Morocco in 2015, which would benefit the people of the region. It was positive that several indigenous representatives from the Sahara region had been elected in the legislative and regional elections held in 2015 and 2016, following a free and transparent democratic process.

19. Guinea strongly supported solving disputes through political negotiation. It likewise supported the principle of self-determination for all peoples. The Moroccan autonomy initiative submitted to the Security Council in 2007 respected both of those principles and should therefore form the sole basis for resolving the dispute through compromise.

20. **Mr. Dieng** (Observer for Senegal) said that his delegation supported the ongoing political process conducted under the exclusive auspices of the United Nations, aimed at achieving a mutually acceptable solution through peaceful negotiations and based on the relevant Security Council resolutions. In its resolution [2414 \(2018\)](#), the Security Council had stressed the need to make progress toward a realistic, practicable and enduring political solution to the question of Western Sahara based on compromise and had invited all parties including neighbouring countries to cooperate and contribute to that process.

21. A peaceful solution to the dispute held inestimable potential for cooperation and development throughout the Sahel region and beyond. The Moroccan autonomy initiative was a good-faith framework that had been described as serious and credible by the Security Council. His delegation reiterated its support for the efforts of the Secretary-General and his Personal Envoy to find a definitive solution to the dispute based on negotiation and compromise.

Hearing of interested bodies and individuals

22. **The Chair** said that, in accordance with the Committee's usual practice, bodies and individuals granted a hearing would be invited to take a place at the table and all would withdraw after making their statements.

23. **Mr. Omar** (Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario)) said that the Frente Polisario was the sole legitimate representative of the people of Western Sahara. Having been placed on the list of Non-Self-Governing

Territories in 1963, Western Sahara was a clear-cut example of a decolonization issue, but its decolonization had been violently interrupted by the Moroccan invasion and military occupation in 1975, an occupation that had been deplored in General Assembly resolution [34/37](#) and many others since.

24. The blatant attempts by Morocco to gain sovereignty over the Territory through occupation and illegal annexation was in fact the root cause of the lengthy conflict. For 27 years, Morocco had blocked the United Nations-approved referendum on self-determination, as well as United Nations-sponsored negotiations between the parties. The country had repeatedly engaged in policies attempting to alter the status quo on the ground, even though the United Nations did not recognize Moroccan sovereignty or administrative jurisdiction over Western Sahara. Such policies included transferring thousands of Moroccan settlers to change the region's demographic composition, holding illegal elections and plundering the natural resources of the Territory. Morocco, the occupying Power, had tried to undermine the local population's right to self-determination through persistent manipulation, disinformation, intimidation and sabre-rattling.

25. The right to self-determination and independence was not negotiable, nor was it subject to a statute of limitations; it was incompatible with sustained colonial policies of repression and intensified settlement activities. The Committee should take all necessary measures to preserve the territorial integrity of Western Sahara and ensure the right of the people to self-determination and independence, and was requested to send another visiting mission to assess the situation on the ground.

26. The Committee had been established to eradicate colonialism, not to defend it. Morocco was a colonial Power and the Committee was aware of that fact. Morocco should be prevailed upon to end its occupation and illegal annexation of Western Sahara so that the people of the Territory could finally enjoy freedom and independence like all other peoples.

27. **Mr. Abba** said that he was speaking in his personal capacity as an elected Sahrawi representative in Laayoune-Sakia Al Hamra in Western Sahara. He had been democratically elected in in the 2015 elections, where the Sahrawi voter turnout had been 79 per cent of the national participation rate.

28. The powers of democratically elected Sahrawi representatives included the management of domestic affairs and budgets. The new development model that had been launched in the southern provinces in 2015

included projects in agriculture, fishing, tourism, technology, infrastructure, education and the promotion of Hassani culture, among other sectors. Many projects had already been implemented, marking tangible progress and unlocking economic potential in the region. The projects were designed to increase access to health and education services, stimulate private investment, create jobs and exploit natural resources without compromising sustainability.

29. One of the major objectives of the local council to which he had been elected was to double the local gross domestic product through job creation so that Sahrawi people could benefit from their own resources. Representatives like him were legally and democratically mandated to listen to the people and promote their welfare: they were therefore the legitimate representatives of the Sahrawi people in the region.

30. **Ms. Bahiya** said that she was speaking in her personal capacity as a Sahrawi elected member for the region of Dakhla-Oued Eddahab. She had been democratically elected by the local population during the local and regional elections that had taken place in 2015 and 2016 under the supervision of 4,000 observers. Those historic elections had devolved power to the local and regional levels as mandated by the Moroccan constitutional reforms passed in 2011. For the first time, Sahrawi voters had been able to directly elect representatives to local and regional councils, thus achieving greater independence in managing their affairs.

31. In 1975, nearly 50 per cent of the population of Dakhla-Oued Eddahab had been living below the poverty line. Today, the region had been transformed and its human development indicators were among the highest. Literacy, health, and infrastructure had been vastly improved throughout the region. The \$8 billion development plan for 2016 to 2021 included structural projects, such as the construction of a large Atlantic harbour, and attempts were also being made to promote ecotourism and celebrate regional heritage. The impact of such projects went far beyond the mere creation of roads and houses: they were specifically designed to create steady jobs, strengthen economic capacity, promote investment and create a commercial hub that linked the region to sub-Saharan Africa and doubled its gross domestic product over the following decade.

32. **Mr. Sghayer**, speaking in his personal capacity, said that he condemned the elections organized by Morocco and stated that there were no legitimate Sahrawi representatives other than the Frente Polisario. The General Assembly had enshrined the right to self-

determination and independence for Western Sahara since adding it to the list of Non-Self-Governing Territories in 1963. Since its occupation of the Territory in 1975, Morocco had committed countless human rights violations against the Sahrawi people, including the intimidation and forced disappearance of human rights activists, the torture of political prisoners and oppressive Government policies such as those seen during apartheid in South Africa. The razed-earth policy deployed by Morocco was a form of genocide. Attempts had been made by Moroccan authorities to change the demographic composition of the region.

33. The media and human rights observers were regularly denied access to Western Sahara and were therefore unable to accurately report on the situation on the ground. MINURSO was the only peacekeeping mission established since 1978 that did not have a component devoted to human rights; a mechanism to deal with human rights violations in Western Sahara must urgently be set up. The Committee must take the necessary measures to protect the human rights of the Sahrawi and reject the occupation of Western Sahara by Morocco.

34. **Mr. Arkoukou** said that he was speaking on behalf of the Sahrawi Association of the United States. Since 1963, Western Sahara had been recognized as a Non-Self-Governing Territory and a question of decolonization to be addressed through the process of self-determination. The Frente Polisario was the legitimate representative of the people of Western Sahara, as had been recognized by General Assembly resolution [34/37](#) of 1979.

35. As the occupying Power of Western Sahara, Morocco had used a vast arsenal of tricks to maintain the status quo. It had initially tried to use the *terra nullius* argument to legitimize its occupation but no country had recognized its illegal annexation of Western Sahara. It had then shifted to interpreting the United Nations call for a referendum to be a confirmative one; it now proposed an autonomy initiative that clearly reflected its bad-faith efforts to contribute to the peace process.

36. On account of the systematic human rights violations and destructive demographic changes wrought by Morocco, the Sahrawi people had never experienced peace, despite the ceasefire. Morocco had held illegal elections and bragged about its economic investment in the region and its alleged improvement of human rights conditions. In no other cases had international law allowed an occupying Power to hold elections in an occupied Territory. What Morocco called elected Sahrawi representatives were merely simulacra.

Moreover, it was never acceptable to use economic investment to legitimize occupation; such an argument would mean that France was authorized to colonize Morocco because it had developed the country's infrastructure.

37. The grievances of the Sahrawi people were the following: Morocco continued to occupy their country, France continued to defend Morocco, the international community continued to turn its back on what was right in favour of deriving economic benefit, the United Nations had failed to organize a free and fair referendum, and the MINURSO presence in the region only benefited Morocco. The Sahrawi people lived in refugee camps in appalling humanitarian conditions, or they lived under constant threat of violence and oppression in the occupied Territory. As the United Nations continued to allow the conflict to grow, Morocco would continue to devise new tricks. He would not be surprised if soon, Morocco might argue that the Sahrawi were a threat to humanity and must be exterminated.

38. **Mr. Fall**, speaking in his personal capacity as a journalist, said that there was not enough discussion of the buffer zone that separated Western Sahara into two parts and which was the largest minefield in the world, a veritable arsenal of destruction. Since the buffer zone had been established at the end of the 1980s, 7 million anti-personnel landmines had been placed, resulting in numerous deaths and injuries. The minefield represented a huge source of danger for Sahrawi civilians. It moreover impeded trade and economic development: the only reason for its existence was to permit and protect the Moroccan exploitation of Sahrawi natural resources.

39. The wall built in the buffer zone violated international law as well as human and environmental rights. Morocco must be pressured to respect international law and destroy the wall. It was unfathomable that a State like France could disdain human rights to serve its own economic interests: France must likewise respect international law and cease its support of the Moroccan occupation of Western Sahara.

40. **Ms. Abba**, speaking in her personal capacity as a journalist, said that freedom was often taken for granted or exploited as a concept. Freedom of the press was essential to democracy, but the price had gotten too high for journalists in Western Sahara. Morocco had done an incomparable job of violating the right to free expression, by imprisoning and torturing those journalists, both Moroccan and Sahrawi, who dared to write the truth. Morocco routinely endorsed censorship

when it came to international journalists having access to Western Sahara. Dozens of journalists had been detained or prevented from entering the Sahrawi capital because Morocco was afraid of being held accountable for its crimes by the international community. It was vitally important necessary to protect authors, journalists and the freedom of the press all around the world.

41. **Ms. Jeden**, speaking in her personal capacity, said that the legal status of Western Sahara as a Non-Self-Governing Territory awaiting decolonization had been reiterated through countless United Nations resolutions subsequent to General Assembly resolution 1514 (XV). The undisputed fact that Morocco was an occupying Power meant that it had no rights over Western Sahara. There were well-documented reports compiled by both Sahrawi and international organizations detailing the massive exploitation of Sahrawi resources by Morocco and the adverse effects of that exploitation on the Sahrawi people living on both sides of the divided Territory.

42. Morocco misleadingly claimed that it had developed the Territory, without explaining that all its infrastructure and development efforts were meant exclusively for the Moroccan settlers and military personnel stationed in Western Sahara. The aim of exploiting Sahrawi natural resources was to cement the Moroccan presence by building more infrastructures for an increasing number of Moroccan settlers. Such obviously colonial and apartheid-like settlement policies were easy to understand, as they had been implemented by all colonial Powers in Africa. By involving other international actors in its illegal economic activities, conducted in flagrant violation of the relevant United Nations resolutions, including General Assembly resolutions 1803 (XVII) and [71/103](#), Morocco attempted to gain legitimacy for its illegal occupation of Western Sahara. The country's plunder of Sahrawi natural resources must be denounced as harming the interests of the Sahrawi people, as well as representing a major obstacle to the realization of their right to self-determination and independence.

The meeting rose at 4.45 p.m.