

**Security Council**

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Letter dated 23 October 2020 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council

I would like to share with you a letter sent by Brahim Ghali, the President of the Sahrawi Arab Democratic Republic and Secretary-General of the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente POLISARIO), to the Secretary-General of the United Nations, concerning recent developments relating to Western Sahara (see annex).

I should be grateful to have the present letter and its annex could be issued as a document of the Security Council.

(Signed) Jerry Matthews **Matjila**
Ambassador and Permanent Representative



Annex to the letter dated 23 October 2020 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council

Frente POLISARIO has taken note of the content of the daily press briefing by the Office of the Spokesperson for the Secretary-General on 21 October 2020, in which reference was made to “regular civilian and commercial traffic” in view of the ongoing spontaneous and peaceful demonstrations by Sahrawi civilians at the illegal breach opened by the Moroccan army through its illegal military wall in Guerguerat, in south-western Western Sahara.

Frente POLISARIO recalls that the United Nations Mission for the Referendum in Western Sahara (MINURSO) was established by the Security Council in its resolution [690 \(1991\)](#) of 29 April 1991 whereby the Council decided “to establish, under its authority, a United Nations Mission for the Referendum in Western Sahara in accordance with the report of 19 April 1991” (operative paragraph 4).

In his report dated 19 April 1991 ([S/22464](#)), in accordance with which the Security Council established MINURSO, the Secretary-General made it clear that the Mission would be deployed to assist the Special Representative in all aspects of the organization and conduct of the referendum for self-determination of the people of Western Sahara. In particular, the military observer group would be deployed in the Territory to monitor the ceasefire and the confinement of each side’s troops to designated locations. Based on the consent of both parties, Frente POLISARIO and Morocco, MINURSO was therefore deployed in Western Sahara in 1991 to conduct a free and fair referendum for self-determination of the people of Western Sahara and to implement, to that end, all other related tasks including the ceasefire monitoring.

The Office of the Spokesperson for the Secretary-General also reported that “the Mission deployed additional staff this morning to the area to help defuse any tension and unblock the traffic”. Frente POLISARIO underscores once again that MINURSO was never deployed to facilitate any civilian traffic or other activities throughout the Territory, not least across an illegal breach of which existence constitutes a permanent violation of military agreement No. 1 and the spirit of the peace plan.

The presence of Sahrawi civilians in the buffer strip in Guerguerat is not a violation of any military agreement. The United Nations has also made it clear that it has no issue with people demonstrating peacefully. MINURSO therefore has no mandate to prevent Sahrawi civilians from protesting peacefully against the Moroccan occupation of their country and the plunder of their natural resources. It is utterly unacceptable to see MINURSO acting as a “traffic police” in the south-western tip of the Territory, while the Mission itself has repeatedly failed to provide protection to Sahrawi civilians when repressed violently by Moroccan security forces a few meters away from its headquarters in the city of El Aaiún in occupied Western Sahara.

Frente POLISARIO further underscores that the root cause of the growing tension in Guerguerat is the existence of the illegal breach resulting from a continued, unilateral change of the status quo by the Moroccan occupying state in that area, which the United Nations Secretariat and the Security Council should have dealt with in a robust and decisive manner. It is to be recalled that when the Moroccan military authorities announced their intention to construct a paved road at the south-western corner of Western Sahara across the buffer strip towards the borders between Western Sahara and Mauritania in March 2001, the United Nations was firm in its opposition to that unilateral change of the status quo in the area.

In his report of 24 April 2001 ([S/2001/398](#)), the Secretary-General pointed out that “My Special Representative, Mr William Eagleton and the Force Commander,

General Claude Buze warned their Moroccan civil and military contacts that the proposed road building raised sensitive issues and involved activities that could be in violation of the ceasefire agreement” (para. 5). The Secretary-General at that point did not raise any issue concerning the alleged “commercial and civilian traffic”, a phrase that began to appear in the Secretary-General’s reports only since April 2017.

In this regard, Frente POLISARIO recalls that the purported “commercial and civilian traffic” raised in the Secretary-General’s statements and recent reports passes through a Territory under the control and administration of Frente POLISARIO and on which the United Nations does not recognize any Moroccan sovereignty or administering jurisdiction. Therefore, the Moroccan illegal breach must be closed without further delay because it is endangering not only the situation in the Buffer Strip but also the ceasefire itself.

Frente POLISARIO remains committed to its obligations under the ceasefire agreement and related military agreements as an integral part of the implementation of the United Nations-Organization of African Unity (OAU) Settlement Plan, and for which MINURSO was established by the Security Council in 1991. Despite the growing and legitimate feelings of anger and discontent among the Sahrawi people with the failure by MINURSO to implement its mandate after 29 years of its deployment in the Territory, Frente POLISARIO is doing its utmost to calm things down. However, no one should expect Frente POLISARIO to prevent Sahrawi citizens from exercising their legitimate rights to demonstrate peacefully and to oppose the Moroccan occupation, be it in occupied Western Sahara or anywhere else in the Territory.

I would be grateful if you could bring this letter to the attention of the members of the Security Council.

(Signed) Brahim **Ghali**
President of the Sahrawi Arab Democratic Republic,
Secretary-General of Frente POLISARIO