

Statement of the Frente POLISARIO on Western Sahara

Ambassador Sidi M. Omar

C-24 Substantive Session

New York, 17 June 2019

Madame Chair,

Thank you for giving me the opportunity to address the Special Committee on behalf of the Frente POLISARIO, the legitimate representative of the people of the Non-Self-Governing Territory of Western Sahara in line with relevant UN resolutions.

Madame Chair,

Distinguished Representatives and Delegates of Member States,

Western Sahara has been on the agenda of this Special Committee since 1963 as a Non-Self-Governing Territory whose people have an inalienable right to self-determination and independence in line with relevant General Assembly resolutions. The process whereby the decolonisation of Western Sahara was violently interrupted is well-known, and therefore I will not dwell on it.

Madame Chair,

We have heard and will probably hear more of the same statements that all aim to present a completely distorted and misleading account of the legal and political nature of the question of Western Sahara. It is therefore pertinent to set the record straight based on facts drawn from no one other than the United Nations and its resolutions on the matter at hand. I will underline three facts only, and I would invite anybody who has any evidence to the contrary to put it forth.

First, the United Nations does not recognise any sovereignty for Morocco over the occupied part of Western Sahara. Second, Morocco is not listed by the United Nations as an administering power of the Territory.

So, if Morocco does not have any internationally recognised sovereignty or administering power over Western Sahara, what is then the status of Morocco's presence in the Territory?

The answer is very clear, and those who do not know it should look for it the United Nations resolutions on the matter, particularly General Assembly resolutions 34/37 of 21 November 1979 and 35/19 of 11 November 1980, whereby the General Assembly deeply deplored "*the aggravation of the situation resulting from the continued occupation of Western Sahara by Morocco*". Morocco, then, is an occupying power of

Western Sahara, and this is the third fact reaffirmed by no one other than the UN resolutions that I have just cited.

The deplorable Moroccan occupation and annexation of parts of our land continues to date, and it has had dire consequences on our people in terms of well-documented gross human rights violations in the occupied Territories and massive plunder of our natural resources.

As part of the misleading account repeatedly propagated by Morocco here and elsewhere is that the decolonisation of Western Sahara was carried out through an agreement with Spain, the former colonial power of the Territory, in 1975. Their strong piece of evidence is that the agreement has been “taken note of” by the United Nations!

Let us now recall what the UN legal authority really says on this matter. In paragraph 6 of his legal opinion, issued on 12 February 2002, the UN Under-Secretary-General for Legal Affairs, the Legal Counsel, underlined the following:

“The Madrid Agreement did not transfer sovereignty over the territory, nor did it confer upon any of the signatories the status of an administering Power - a status which Spain alone could not have unilaterally transferred. The transfer of administrative authority over the territory to Morocco and Mauritania in 1975, did not affect the international status of Western Sahara as Non-Self-Governing Territory”.

The continuous consideration by the Special Committee of the question of Western Sahara, at the request of the General Assembly, is a testament to the unfinished decolonisation of the Territory. It also testifies to the fact that the inalienable right of the people of Western Sahara to self-determination and independence is non-negotiable, and that it cannot be outdated by the current colonial realities created by the Moroccan occupying power in the Territory through its prolonged occupation and intensified settlement and repressive policies.

In view of all these facts, what exactly does Morocco want you and everybody else to recognise and accept once and for all? Apart from the unfounded claims and fairy tales that we are used to hear from Moroccan diplomats regarding this matter, what Morocco is simply trying to tell you and the whole world is that, when it comes to Western Sahara, “might makes right”, period! In other words, Morocco wants the United Nations to simply accept its claims of sovereignty over Western Sahara, which the United Nations itself has never recognised, and to acquiesce in its occupation and forcible and illegal annexation of the parts of the Territory, an occupation that the United Nations itself has also deeply deplored.

Now, the question before this Special Committee is very simple. Do we allow the rule of “might makes right” to prevail in the case of Western Sahara, or do we uphold the principles of international legality and the General Assembly resolutions on this question?

Obviously, if the “might makes right” had been the rule, many countries members of this Special Committee and the United Nations itself would not have been free today from colonial domination and foreign occupation. So, the only option is to uphold the principles of international legality and the General Assembly resolutions on the question of Western Sahara.

Madame Chair,

In conclusion, Morocco is an occupying power in Western Sahara, and the international community should send Morocco a strong message that its continued occupation of the Territory and its gross abuses of the human rights of the Sahrawi people must come to an end. The international community should also put in place all necessary measures to allow the people of Western Sahara the chance to exercise freely and democratically their inalienable right to self-determination and independence. I do not think that this is too much to ask from a Committee that was established by the United Nations to eradicate colonialism in all its forms and manifestations.

Thank you for your attention!