

OPENING STATEMENT OF THE FRENTE POLISARIO

Mr Personal Envoy, Members of the delegation of the Government of the Kingdom of Morocco, Members of the delegations of Algeria and Mauritania

1. The Secretary-General and the Security Council and the entire international community, as per resolution 1754 (2007), call upon us to enter into direct negotiations, in good faith, with a view to achieving a mutually acceptable political solution that will provide for the right of the Saharawi people to self-determination.

2. Today, on this possibly historic occasion, we all should assume our responsibility taking into account the successes and failures, commitments, hopes and disagreements of the past and be able to envisage the common future for all peoples and nations of this part of Africa. The experiences of the past and, above all the reality of today, show us that one should not believe in the viability of unilateral solutions imposed by force and based on the attempt to violently deprive peoples of their right to self-determination. This attempt has already been defined by the international community as an “international crime” in resolution 2625 (XXV).

3. In Western Sahara, the last Non-Self-Governing Territory in our continent, we had hoped for a needed solidarity from all our neighbours, in the same way as they had needed and received it in the past, in order to gain our freedom from the Spanish colonialism and attain our legitimate and full independence through a legal and genuine process of self-determination.

Our hope was based on the presumption of good neighbourhood, on the UN and OAU relevant resolutions and on the public and solemn positions taken by Morocco before deciding to engage in a brutal and bloody war of conquest that has caused destruction and many deaths for both the Saharawi and Moroccan peoples and has mortgaged harmony, stability and cooperation in the region.

Mr. Personal Envoy,

4. In 1975, as a consequence of secret agreements negotiated with Spain, the administering power of Western Sahara, Morocco decided to turn its back on its commitments and march on the Territory while inviting another neighbouring country, Mauritania, which herself used to be subject to Moroccan territorial claims, to join the operation of conquest and partition of our country. This partition and the border treaty that legitimised it were denounced by the Mauritanian Government when it signed a peace treaty with the Frente POLISARIO in August 1979.

5. By accepting the Settlement Plan, endorsed by the Security Council in 1990-91, Morocco, after 16 years of bloody fight, accepted the right of the Saharawi people to independence, as the first option of the referendum that should have been held by MINURSO in 1992. This commitment was further confirmed by Morocco to Mr. James Baker during his first tour in the region in April 1997 (as indicated in the UNSG report of November 1997). Furthermore, by signing the Houston Agreements in September 1997, the Kingdom of Morocco once gain subscribed to the principle of self-determination referendum as well as to the agreed options: independence of Western Sahara or integration of the Territory into Morocco.

Mr Dris Basri, member of the Moroccan delegation in the Houston negotiations under the auspices of Mr Baker, and Moroccan Minister of Interior, said “If a will to independence comes out of the referendum, Morocco will respect this decision and would be the first country to maintain neighbourly relations with the Sahara”(Sahara info-September-December 1997).

These same comments were also made publicly by King Hassan II during his state visit to the United Kingdom in July 1987.

Mr Personal Envoy,

6. We all know the course that history has taken. It is the history of a failure that could have been avoided.

The main line of argument used by Morocco to justify the obstruction of the implementation of the Settlement Plan and the Houston Agreements has centred on the question concerning the elaboration of the electoral body to take part in the referendum on self-determination.

This question has already been resolved in accordance with the Settlement Plan, clarified by Boutros Ghali’s compromise on “the interpretation and application of the criteria for voter eligibility” in 1994, and in a detailed manner by the Houston Agreements and the norms that were agreed regarding the procedure that had to govern the appeals phase in which the persons rejected by the MINURSO Identification Commission had right to appeal to it.

7. However, by rejecting “the peace plan for self-determination of the people of Western Sahara”, or Baker Plan, which has been considered by the Security Council as an “optimum political solution”, Morocco has expressed its opposition to the very principle of self-determination that it had solemnly and formally accepted before when it signed the Settlement Plan and Houston Agreements.

8. The attempt to distort a decolonisation process and to substitute it, regardless of all UN resolutions, with a project called “autonomy” whereby Morocco appropriates unilaterally and unduly the sovereignty over a Non-Self-Governing Territory without consulting its people is at the heart of the impasse of which consequences are worsening day by day.

9. The Moroccan territorial claims to Western Sahara have been rejected by the legal opinions of both the International Court of Justice on 16 October 1975 and the Legal Department of the United Nations on 29 January 2002. The General Assembly resolution 34/37 (1979), among others, describes Morocco’s presence in Western Sahara as “a continued occupation”.

Moreover, neither the United Nations nor any regional or international organisation or a country in the world has recognised Morocco’s claims of sovereignty over Western Sahara. The United Nations has also made it clear on several occasions, through its Secretary-General, that it would not endorse a referendum that would exclude the option of independence. In short, the autonomy option has been taken into consideration by Baker Plan as an option among other options to be offered to the Saharawi people in a

referendum on self-determination, and therefore it is not mentioned in any of the General Assembly resolutions 1514 (XV) and 1541 (XV).

10. If Morocco can argue that it has rejected Baker Plan in spite of the calls made by the Secretary-General and the Security Council in its resolution 1495 (2003), it certainly cannot claim that it has not accepted the Settlement Plan and Houston Agreements whose declared objective, as endorsed by the Security Council, is the holding of a referendum on self-determination for the people of Western Sahara in which they would be able to choose freely between independence and integration into Morocco.

Mr Personal Envoy,

11. The Secretary-General and the Security Council, as per resolution 1754 (2007) as I said in the beginning, call upon us the two parties to enter into direct negotiations, in good faith and without preconditions, with a view to achieving a mutually acceptable political solution that will provide for the right of self-determination of the people of Western Sahara.

The Council and the Secretary-General have also taken note of the fact that there are two proposals on the table that, in spite of being recent elements, should not make us forget that we are dealing with a problem of a specific legal and political nature for which solution valuable efforts have been deployed yielding tangible results, and that those efforts were a joint undertaking by the United Nations and the two parties.

12. Our proposal presented to the UN Secretary-General on 10 April 2007 is based on two pillars:

First, we have reaffirmed our conviction as to the need for the referendum on self-determination that would include the options that have already been agreed on by the two parties and endorsed by the Security Council and backed by the international community.

Second, we wanted to put on the table a vision for the future that would be conducive to the establishment of relations of fraternity and cooperation of strategic nature in all domains and in particular in those that are or could be a cause of real or assumed concern to our big Northern neighbour.

13. By presenting our proposal, we would like, on the one hand, to make clear our attachment to the principles that, in conformity with the UN Charter, are an asset to the international community as a whole, which have given the rationale and legitimacy to all independence processes including Morocco's independence. On the other hand, we would like to extend the sincere hand of peace, a just peace in keeping with international legality, yet a peace that is also advantageous to all, to the Saharawi people, to Morocco and the Maghreb region, whose future hinges on the prospect of these negotiations, and to the United Nations' credibility.

14. We have come encouraged by the same sense of earnestness and good faith and with the same sincerity and the same hopes with which we participated and accompanied the preceding process of negotiations that was initiated by Mr James Baker exactly 10 years ago.

The failure of that process and the subsequent resignation of Mr Baker, which the Moroccan Government interpreted publicly as a success and as a “result of the tenacity of the Moroccan diplomacy”, should not be the destiny reserved or planned for this new process.

We have to see the reality of today which is the consequence of the failure of thirty two years of believing in unilateral solutions imposed by force that ignore the will of the Saharawi people as well as the principles, resolutions and doctrine of the United Nations.

15. The future of Western Sahara, as a Non-Self-Governing Territory in the eyes of the United Nations and subject to an unaccomplished decolonisation process, can be decided only by the Saharawi people in a just and valid way. It is the responsibility and obligation of the two parties and the United Nations to facilitate the taking of this decision that has to be made in a democratic and peaceful way without any military, administrative or psychological coercion.

16. If the Saharawi people want to be an independent nation, this is their right. If they want to be an integral part of Morocco that is also their right, and in both cases we, as parties, are under the obligation to respect this decision. Political courage and farsightedness should accompany and buttress the decision of a responsible leadership.

The positive consequences of a happy and just ending of the conflict are imaginable and we should consider them in depth and make them the solid foundation for a future relation. Hence the relevance of our proposal. As for the painful consequences, real or imagined, we should mitigate them and present appropriate alternatives. Hence also the relevance and value of our proposal.

Many thanks!