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SECOND INTERNATIONAL DECADE FOR THE ERADICATION OF COLONIALISM

Caribbean regional seminar on the implementation of the Second International Decade

# **STATEMENT BY THE F.POLISARIO**

**Seminar -Special Committee of 24**

**Saint Kitts and Nevis**

**MEMORANDUM BY THE FRENTE POLISARIO  
ON WESTERN SAHARA PEACE PROCESS  
May -June 2009**

Western Sahara is still listed as the last African colonial case in the agenda of the Special Committee of 24. In the framework of the historical decolonization process that shaped the structure and dimensions of a new world order the people of Western Sahara should have had the opportunity in the middle of the seventies of becoming an independent state through a

scope and meaning of the right of self-determination in a decolonization case. It is worthy to

recall that this statement came one month after the brutal repression which was carried out by Spanish forces of the popular demonstrations organised in June 17, 1970 in the capital of Western Sahara by the First Saharawi Movement of Liberation

4 - Three months later, his Minister of Foreign Relations, Mr. Butaleb, said to the 25<sup>th</sup> Session of the General Assembly on 12 October 1970:

"Morocco and neighbouring countries, concerned about peace in the area, the development and cooperation among

"The materials and information presented to it do not establish any tie of territorial sovereignty"

the Mauritanian entity. Thus the Court has not found legal ties of such a nature as might affect the application of General Assembly resolution 1514 (XV) in the decolonisation of Western Sahara and, in particular, of the principle of self-determination through the free and genuine expression of the will of the peoples of the Territory".

Extracted from the ICJ's October 14, 1975, first Sahel Minutes at the Court

Morocco accepted the principle of self-determination and proclaimed his will to allow the holding of a referendum in the territory.

The **XIX Summit of the OAU** held in Addis Ababa, in June 1983, adopted by unanimity, including Morocco, resolution 104 (XIX) which established a peace plan by which it requested Morocco and the F. Polisario to enter into "direct negotiations with the aim of reaching a cease fire and agreeing on the modalities of a fair and free referendum on self-determination". The Summit requested the two parties to implement this resolution before the end of December 1983.

10- Morocco reaffirmed its commitment to the resolution adopted by the African summit when King Hassan II stated before the 37<sup>th</sup> Session of the General Assembly in October 1983:

"Morocco tells you that it wants the referendum: Morocco tells you that it is ready to hold that referendum

will abide by it, and will be the first country to have relations of good neighbourhood with the

**IV. Morocco's disrespect for its own commitments and Security Council resolutions.**

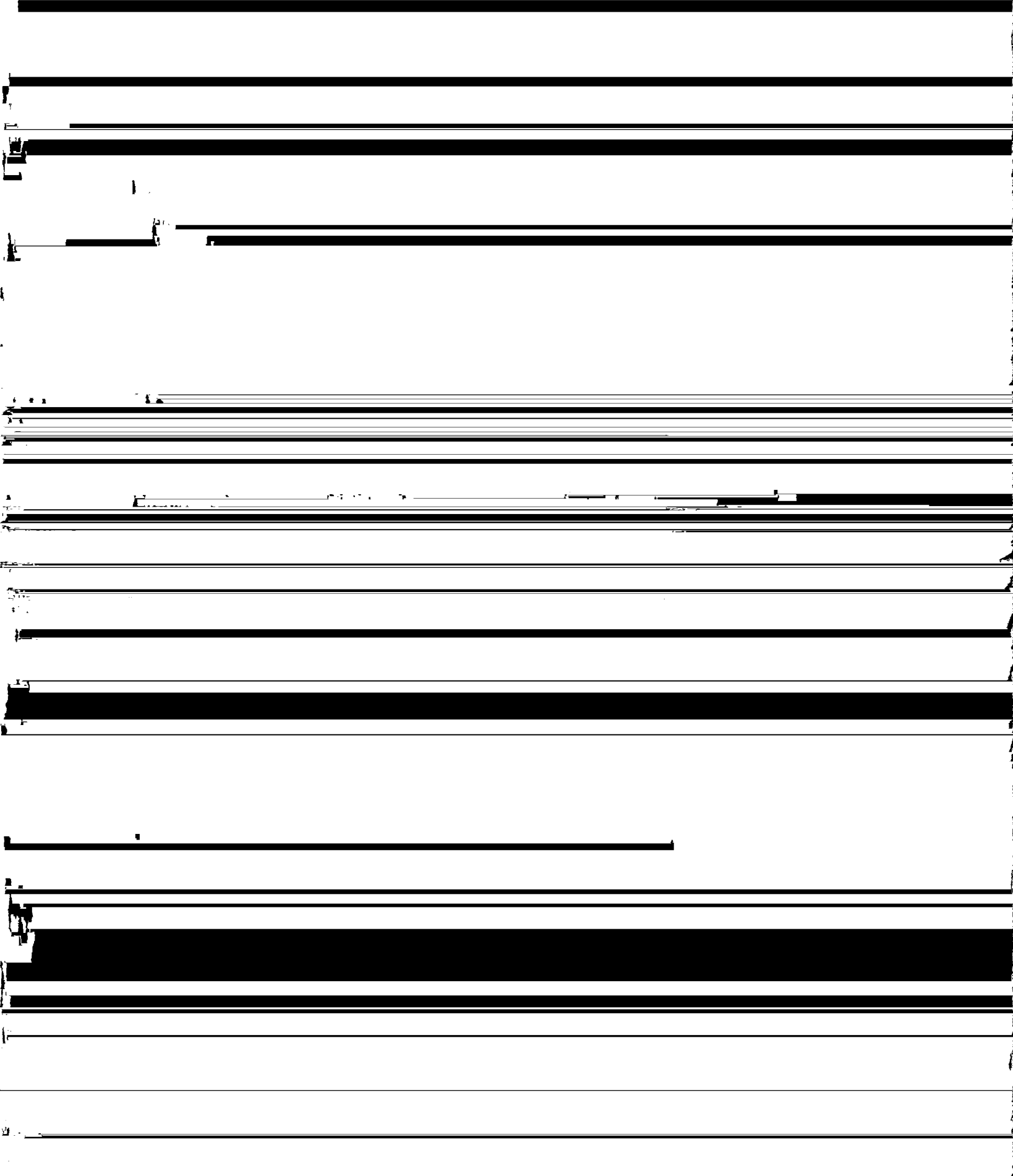
Once again, Morocco obstructed the full and integral implementation of all peace plans that it had signed despite the fact that they were endorsed by the Security Council and supported by the General Assembly.

Plan which he did it in July 2003 ( Peace Plan for the self-determination of the People of Western Sahara), which the UNSC endorsed in resolution 1405 (2002), while requesting the

Security Council and the General Assembly are attached to, will be at great risk.



2 - If the referendum leads to independence, the Sabayud side will be willing to take all



**Annexe1: Natural resources of Western Sahara.**

The Frente POLISARIO wishes to bring to the attention of the General Committee of O.A. the

systematic and ongoing plunder of the natural resources of Western Sahara by the Kingdom of

conducted by EU flagged vessels pursuant to the 2005 Fisheries Partnership Agreement between

the European Communities and the Kingdom of Morocco (*Fisheries Partnership Agreement*)<sup>4</sup>

According to its terms, the Fisheries Partnership Agreement purports to provide EU vessels with fishing opportunities in "the waters falling within the sovereignty and jurisdiction of the Kingdom of

northern part of Western Sahara) to a full Exploration Licence.<sup>7</sup> As made clear by the UN Legal Counsel in 2002, activities pursuant to such a licence would be in direct violation of international law.

As reaffirmed most recently in **General Assembly Resolution 63/102 of 18 December 2008**, the Saharawi people have the exclusive right to the enjoyment of their natural resources and to dispose of those resources in their best interests.

To ensure that the fundamental rights of the Saharawi people are upheld, we call on Member States, consistent with General Assembly Resolution 63/102, to take *"legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in the Non-Self-Governing Territories that are detrimental to the interests of the*

## Annexe 2: Human Rights in Western Sahara

continued pattern of human rights abuses of the Saharawi civilian population inside the occupied Territory of Western Sahara.

MINURSO was established in 1991 for two inseparable purposes: first, to monitor the cease-fire

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[REDACTED]

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