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THIRD INTERNATIONAL DECADE FOR THE ERADICATION OF COLONIALISM

**Caribbean regional seminar on the implementation of the Third International
Decade for the Eradication of Colonialism: the United Nations at 70: taking
stock of the decolonization agenda**

**Managua, Nicaragua
19 to 21 May 2015**

STATEMENT BY

THE REPRESENTATIVE OF MOROCCO

**Royaume du Maroc
Ministère des Affaires Étrangères
et de la Coopération**

**Direction des Nations Unies
et des Organisations Internationales
Division des Organisations
Internationales**



**المملكة المغربية
وزارة الشؤون الخارجية والتعاون
مديرية الأمم المتحدة و المنظمات الدولية
قسم المنظمات الدولية**

**Caribbean REGIONAL SEMINAR OF
THE COMMITTEE 24**

**STATEMENT BY THE REPRESENTATIVE
OF THE KINGDOM OF MOROCCO**

MANAGUA, 19-21 MAY 2015

Mr. Chairman

At the outset, allow me to extend my delegation's gratitude to the Government of Nicaragua for hosting this seminar and for its warm welcome and hospitality. I would also like to congratulate you, Mr. Chairman for your election as chair of this Special Committee as well as the members of the Bureau and to assure you of our support and readiness to work closely with other delegations for the success of this seminar.

The Kingdom of Morocco is pleased to take part to this seminar and make its position regarding the regional dispute over the Moroccan Sahara known to all members of the Committee and provide them with the latest developments related to this issue in the framework of the United Nations.

Mr. Chairman

In the history of colonization as well as in the decolonization process, the Kingdom of Morocco holds a unique and specific experience which deviates from the usual model. Indeed, in 1912, the Moroccan territory was effectively split up into several zones of occupation. Forty years later, through international agreements negotiated with the various colonial powers, the Kingdom of Morocco started to gradually recover its territorial integrity.

In this context, the Kingdom of Morocco, after its independence in 1956, entered into negotiations with Spain that concluded to the progressive recovery of certain areas located in the South of the Kingdom, namely Tarfaya in 1958, Sidi Ifni in 1969 and the Saquiat Al Hamra and Oued Eddahab in 1975, known since then as the Sahara, following the Madrid Agreements which were acknowledged by the United Nations General Assembly.

It must be stressed that it was Morocco that in 1963, put the Sahara issue, then under Spanish occupation, on the agenda of the United Nations. This is why successive resolutions of the General Assembly called for negotiations between Morocco and Spain (the so-called "polisario" did not even exist). It is in response to these resolutions that the decolonization of the Moroccan Sahara was completed and sealed in 1975 through the above-mentioned Madrid Agreement.

With this historical background in mind, it should be obvious to understand that for the Moroccan people, from Tangiers to Lagouira, the Sahara issue is a question of territorial integrity and national sovereignty.

Despite all these facts, the dispute over this part of the Moroccan territory was maintained on the Agenda of the United Nations bodies, mainly the Security Council which has exerted tremendous efforts to find a solution to this artificial dispute created, maintained and sustained by Algeria.

For almost four decades, this regional dispute has been maintained due to the hostile attitude of Algeria, and its persistence on countering the inalienable right of Morocco in preserving its territorial integrity and national unity.

Moreover, the persistence of Algeria in this posture impacts the whole region and puts the whole Maghreb and the Sahel regions at a great risk emanating from the real threats posed by the proliferation of terrorist and criminal groups and activities. Indeed, this attitude runs against the history of the Maghreb region and jeopardizes the wishes and aspirations of the population of the five Maghreb Arab Union countries for unity, prosperity and economic and social development.

Unless Algeria, the main party in this dispute, is held accountable, there will be no solution. Moreover, without a responsible approach to the tense security situation in the region, there will be no stability.

Mr. Chairman,

Over almost four decades, there has been progress, but, unfortunately, delays and deadlock in the treatment of this regional dispute. In order for the Committee to have a clear understanding of this situation, allow me to highlight some facts.

Following the United Nations conclusion as to the inapplicability of the settlement Plan, confirmed in a number of Secretary General's reports, in particular S/2000/131 dated 23/02/2000 and the lack of agreement among the parties regarding the implementation of the Baker Plans I (2001) and II (2003), the Security Council has, since 2004, abandoned all previous unfruitful plans and called upon the parties to "*put an end to the impasse and to make progress towards a negotiated and mutually acceptable political solution*".

It is worth recalling that, on 2 November 2001, in Houston, Algeria submitted to the then Personnel Envoy, Mr. James Baker, a proposal for the partition of the territory and its population, which was immediately rejected by Morocco. This clearly shows that Algeria, which pretends to dearly defend the right to self-determination, uses it only as a pretext for geopolitical maneuvers aiming at threatening Morocco's legitimate and historical rights over its Sahara.

Based on the mandate of the Security Council, the United Nations Secretary General and his Personal Envoys continued to pursue their good offices and help the parties to this regional dispute over the Moroccan Sahara, to make progress towards a negotiated political solution.

A breakthrough has been realized, in 2007. Indeed, in response to the calls made by the Security Council, the Kingdom of Morocco has undertaken an important effort which is participatory nationally and consultative internationally, that enabled my country to submit to the United Nations in April 2007, an Autonomy Initiative, as the basis of a political, negotiated and final solution.

It should be recalled that the former personal Envoy Mr. Peter Van Walsum, stated, before the Security Council, on April 21, 2008, that "an independent western Sahara is not a realistic option" and that "the independence of the Sahara is not an attainable objective". After this statement, Mr. Van Walsum was boycotted and attacked by the other parties. Thus precipitating his departure.

Based on compromise, the Autonomy Initiative is in accordance with the international legality as well as with the most advanced and democratic principles and standards for the devolution of authority. In fact, the Sahara region's autonomy statute will be subject to negotiations and submitted to the populations for a free and fair consultations. It satisfies the principle of self-determination.

This initiative is the result of a large consultation process at national and local levels, bringing together political parties, people and politicians of the region, through the Royal Advisory Council for Saharan Affairs, to gather their views on the draft implementation of autonomy to the Sahara region.

This internal consultation process has also been supplemented by a consulting and advisory interaction at regional and international levels in order to collect the views of the countries concerned and interested in this regional dispute.

This submission by Morocco of this Autonomy Initiative has been received favorably by the International Community mainly the major powers, which considered it as serious and credible.

Furthermore, this proposal triggered a dynamic and was a turning point in the search for a political solution, since it is the sole basis of the current political process, held under the auspices of the Secretary General and his Personal Envoy.

Indeed, building on the dynamic generated by this Initiative, the UN Security Council has adopted 10 resolutions which abandoned all previous unfruitful plans and called upon all the concerned parties to enter into negotiations with a view to achieving a lasting and mutually acceptable political solution. These resolutions clearly and unambiguously defined the parameters for a final political settlement by:

- Confirming the pre-eminence of the Autonomy Initiative presented by Morocco;
- Welcoming the efforts made by Morocco since 2006 considered as serious and credible;
- Calling upon neighboring States to invest, in a constructive manner, in the quest of a political solution to this regional dispute, in order to end the present deadlock and move forward to a final political solution;
- Underlining the importance of the realism and spirit of compromise as prerequisites for the success of the negotiations;
- Recognizing the negotiation as the only mean to progress towards the resolution of this regional dispute;
- Confirming the regional nature of this dispute by recognizing explicitly that the settlement of the Sahara issue, combined with cooperation between the UMA member-States, will contribute to stability and security in the Sahel region.

Mr. Chairman

Unfortunately, in contrast to the positive momentum generated by the Moroccan Initiative for negotiating an Autonomous Statute for the Sahara, Algeria and Polisario engaged in a delictuous strategy of manipulation making of human rights their hobby horse so as to deflect the International Community's attention from the strategic goal which is finding a realistic and final political solution.

Surprisingly, these attempts take place while Morocco embarked on a far-reaching reforms process aiming at consolidating its multi-cultural identity and preserving human dignity. The Sahara region, on the same level as the other regions of the country, has benefited from a large scale structural reforms ranging from planning, human development, consolidation of the rule of law and governance, to strengthening democracy and the expansion of the space of individual and collective freedoms. Morocco has also devoted enormous financial means for the development of the Sahara region. The infrastructure and the socio-economic projects that are flourishing in the Sahara bear witness to Morocco's efforts for the promotion of the economic and social rights of the population of the region.

Furthermore, the new Constitution adopted overwhelmingly, in July 2011, consolidated those meaningful reforms and initiated a new one by devoting a whole Chapter to human rights as internationally recognized, and ensuring, inter alia, increased rights for women and youth, reforms of political and judicial institutions and socio-economic development and the far reaching policy on advanced regionalization.

The population of the Sahara fully participate as full Moroccan citizens, in public and political life, in economic and cultural development of the region and through their elected representatives in the Parliament and in local and regional bodies. The fundamental freedoms and human rights in the Sahara, as well as in the rest of the country, are guaranteed by the Moroccan Constitution.

This delectious strategy of using human rights issue, takes place while, in Tindouf Camps, controlled by Algeria, populations bear the brunt of the blockade implemented on camp populations, forced to live a refugee's situation without any freedom of movement, while Algeria persists in disregarding the recent calls made by the UN Secretary General and the Security Council for the necessity of conducting a census of the population in Tindouf Camps, as a prerequisite condition to facilitate proper humanitarian actions towards the concerned population. The latest resolution of the UN Security Council has been clear enough in this regard.

The Kingdom of Morocco, has for four decades, consistently called for the conduct of a reliable census operation for the people living in Tindouf camps. This recurring demand has become, today, more than ever, and in light of proven facts, an imperative, which no longer tolerate being postponed indefinitely, following the publication of the European Anti-Fraud Office (OLAF) investigation report on the diversion of humanitarian aid dedicated to Tindouf refugee Camps in Algeria.

The report, shows, obviously, the scale and extremely serious fraudulent and scandalous nature of the diversion of food aid intended to vulnerable population in southern Algeria, which was used for "personal enrichment" of those involved in this operation.

This inquiry, as well as those of UNHCR and WFP, confirms, with supporting evidence, the organized, fraudulent, systemic and large-scale embezzlement of the humanitarian aid destined to the Tindouf camps, and the proven responsibility of Algeria and the "polisario" in this regard. The OLAF report concluded that "the number of facts of reported diversions, the similarity of witness testimonies with respect to the names of the persons who benefited from such violations, the different operational modes utilized, and lastly, the duration of the diversions, leave no doubt concerning the fact that the fraudulent maneuvers took place over the course of a lengthy period". Moreover, the fact that the "polisario" have not given free access to the members of the humanitarian Organizations present on-site, and also have not allowed for checks to be performed on logistical and distribution chains, as well as the reported existence of secret warehouses, constitutes an element which corroborates the conclusions to be drawn as to fraudulent intent.

On 29 April 2015, the European Parliament adopted a resolution taking note of the OLAF report and "calling on the European Union Commission to clarify the measures taken in response to the findings of this report". In addition, this resolution drew attention to the fact that "according to the UNHCR inquiry report, the non-registration of a refugee population for such a prolonged period (i.e almost 30 years after their arrival) constituted an abnormal and unique situation in the UNHCR's history. The resolution also "urged the Commission of the European Union to ensure that Algerian and Sahrawi individuals incriminated by the OLAF report no longer have access to aid funded by the European taxpayers" and "called on the Commission to reevaluate and adapt Union aid to the actual needs of the population concerned and to ensure that the interests and needs of the refugees will not be harmed because they are most vulnerable to any possible irregularity".

The conduct of a census by the host country, in addition to being an international protection measure, will clarify the legal uncertainty kept by the Algerian Government on the situation in the Tindouf Camps. This humanitarian imperative is more than ever a safety measure, due to the unstable and fragile situation in the Sahel-Saharan region, which is experiencing a new and dangerous proliferation of terrorists and illicit activities, threatening the physical and moral integrity of the populations in Tindouf camps, and making them permeable to infiltration of the terrorist networks.

Mr. Chairman

The Kingdom of Morocco remains committed with seriousness and good faith to the efforts of the UN to reach a realistic, definitive and mutually acceptable political solution on the basis of the Moroccan Autonomy Initiative and in total respect of the sovereignty and territorial integrity of the Kingdom.

The recent attempts by the African Union to interfere in this process are totally rejected by Morocco for a number of legitimate reasons, including:

- The political negotiation process on the issue of the Moroccan Sahara is held under the sole auspices of the United Nations.
- The AU is not neutral on the Moroccan Sahara issue since it openly took position in favor of the other parties and launched an aggressive and permanent campaign against Morocco.
- The African Union has prejudged, in a biased manner, the outcome of the political negotiations process under the auspices of the UN, by admitting within its membership, an entity that has no attributes of sovereignty.
- The credibility of the AU on the Moroccan Sahara issue is compromised given its positions which contradict the fundamental of the UN process towards a negotiated and mutually acceptable political solution.
- The AU seeks, visibly, to impair the UN process, through attempts to revive obsolete proposals and plans deemed inapplicable by the United Nations.

For the Kingdom of Morocco, the settlement of this regional dispute falls within the sole and unique responsibility of the United Nations. The recent attempts by the African Union to interfere in this process are totally rejected by Morocco because the position of the African Union is in contradiction with the political process conducted by the United Nations.

In this context, the Kingdom of Morocco welcomes, with satisfaction, the adoption, by the UN Security Council of its latest resolution (S/RES/2218) on the Moroccan Sahara which has reaffirmed the framework adopted since 2007, for the settlement of this issue, under the exclusive auspices of the United Nations Secretary General and the facilitation of his Personal Envoy, thus, opposing unambiguously any interference attempts by the African Union in the Moroccan Sahara issue.

Besides, the Security Council resolution 2218 reiterates its appreciation of Morocco's "serious and credible efforts", thanks to the Moroccan Autonomy Initiative, to move towards a political solution to the regional dispute over the Moroccan Sahara and also reaffirms its call for negotiations based on "realism and spirit of compromise".

Resolution 2218 of the UN Security Council emphasized the dispute's regional dimension by calling on neighboring countries, including Algeria to "cooperate more fully with the United Nations" and to "be more committed to end the current deadlock and to achieve progress towards a political solution". It recognizes that "the political solution of this longstanding dispute, as well as the strengthening of cooperation between the Arab Maghreb Union's Member States would contribute to stability and security in the Sahel region".

As for the humanitarian dimension it calls upon Algeria, for the fifth consecutive year, to facilitate the identification and registration of populations in Tindouf camps, in accordance with its international obligations, while it validates Morocco's approach to strengthen the national human

rights Institutions' role throughout the national territory, including the Sahara, supplemented by constructive interaction with the OHCHR and the United Nations Human Rights Council special procedures.

Mr. Chairman

Taking into account the security threats prevailing in the Sahara and the Sahel region, Morocco holds a strong belief that it is high time, for the benefit of all, to find a political solution to this regional dispute allowing the return, among their relatives, of the Tindouf camps population, thereby contributing to the efforts of building modern Morocco as well as the promotion of prosperity for the Sahara region and to enable the integration, the stability and the prosperity of the five Maghreb States.

Morocco reiterates its readiness to continue its cooperation with the UN to achieve a political, final and negotiated solution, within the framework set by the Security Council since 2007.

The Kingdom of Morocco calls upon the other parties to be animated by the same desire to end this dispute in order to build a prosperous and democratic Maghreb - an active actor of the African solidarity and a credible negotiator of the various Partners of the Region-.

I thank you