

5. Requests the Secretary-General, in consultation with the administering Power and the Special Committee, to appoint immediately a special mission to be sent to Spanish Sahara for the purpose of recommending practical steps for the full implementation of the relevant resolutions of the General Assembly, and in particular for determining the extent of United Nations participation in the preparation and supervision of the referendum and submitting a report to him as soon as possible for transmission to the Special Committee;

6. Requests the Special Committee to continue its consideration of the situation in the Territories of Ifni and Spanish Sahara and to report thereon to the General Assembly at its twenty-second session.

1500th plenary meeting
20 December 1966

ANNEX II

Resolution 2983 (XXVII). Question of Spanish Sahara

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the Territory of Spanish Sahara, a/

Recalling its resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling also the relevant provisions of its resolution 2621 (XXV) of 12 October 1970 containing the programme of action for the full implementation of the Declaration,

Taking into consideration the relevant resolutions adopted by the Ninth Assembly of Heads of State and Government of the Organization of African Unity, held at Rabat, Morocco, from 12 to 15 June 1972, and by the Conference of Foreign Ministers of Non-Aligned Countries, held at Georgetown, Guyana, from 8 to 12 August 1972,

Having regard to the decision of the Heads of State of the countries concerned, adopted at the Conference held at Nouadhibou, Mauritania, on 14 September 1970, to intensify their co-operation in a positive manner in order to hasten the liberation of so-called Spanish Sahara,

Reaffirming its resolutions 2072 (XX) of 16 December 1965, 2229 (XXI) of 20 December 1966, 2354 (XXII) of 19 December 1967, 2428 (XXIII) of 18 December 1968, 2591 (XXIV) of 16 December 1969 and 2711 (XXV) of 14 December 1970,

Deploring that the administering Power has not provided sufficiently clear information on the conditions and time-table it intends to apply in bringing about the complete decolonization of the Territory,

a/ Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 23 (A/8723/Rev.1), chap. XII.

1. Reaffirms the inalienable right of the people of the Sahara to self-determination and independence in accordance with General Assembly resolution 1514 (XV);
2. Reaffirms the legitimacy of the struggle of colonial peoples and its solidarity with, and support for, the people of the Sahara in the struggle they are waging in order to exercise their right to self-determination and independence, and requests all States to give them all necessary moral and material assistance in that struggle;
3. Declares that the continued existence of a colonial situation in the Territory is endangering stability and harmony in north-west Africa;
4. Expresses its support for, and solidarity with, the people of the Sahara, and calls upon the Government of Spain, in conformity with its obligations and its responsibility as the administering Power, to take effective measures to create the necessary conditions for the free exercise of their right to self-determination and independence;
5. Repeats its invitation to the administering Power to determine, in consultation with the Governments of Mauritania and Morocco and any other interested party, the procedures for the holding of a referendum under United Nations auspices to enable the indigenous population of the Sahara to exercise freely its right to self-determination and independence and, to this end, invites the Government of Spain:
 - (a) To create a favourable political climate for the referendum to be conducted on an entirely free, democratic and impartial basis by permitting, inter alia, the return of political exiles to the Territory;
 - (b) To take all the necessary steps to ensure that only the indigenous inhabitants exercise their right to self-determination and independence, with a view to the decolonization of the Territory;
 - (c) To receive a United Nations mission and provide it with all the necessary facilities so that it can participate actively in the implementation of measures making it possible to put an end to the colonial situation in the Territory;
6. Invites all States to comply with the resolutions of the General Assembly on the activities of foreign economic and financial interests and to refrain from helping to perpetuate the colonial situation in the Territory by means of investments;
7. Reaffirms the responsibility of the United Nations in all consultations intended to lead to the free expression of the wishes of the people;

8. Urges the administering Power to respect and to implement scrupulously, under the auspices and guarantee of the United Nations, the provisions of the relevant resolutions of the General Assembly relating to the decolonization of so-called Spanish Sahara.

9. Requests the Secretary-General, in consultation with the administering Power and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, to appoint immediately the special mission provided for in paragraph 5 of General Assembly resolution 2229 (XXI) and to expedite its dispatch to the Sahara in order to recommend practical steps for the full implementation of the relevant resolutions, and, in particular, to confirm United Nations participation in the preparation and supervision of the referendum and to submit a report to the Secretary-General for transmission to the Assembly at its twenty-eighth session;

10. Calls upon the Special Committee to continue its consideration of the situation in the Territory and to report thereon to the General Assembly at its twenty-eighth session.

2110th plenary meeting
14 December 1972

The result of the roll-call vote was as follows:

In favour: Afghanistan, Albania, Algeria, Australia, Bahrain, Bhutan, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, China, Congo, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Denmark, Ethiopia, Finland, Gabon, Ghana, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran, Iraq, Israel, Ivory Coast, Jamaica, Japan, Kenya, Khmer Republic, Kuwait, Lebanon, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Nepal, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire, Zambia.

Against: Costa Rica, Dominican Republic, Guatemala, Honduras, Nicaragua, Panama, Paraguay, Portugal, South Africa, Spain.

Abstaining: Argentina, Austria, Belgium, Bolivia, Brazil, Canada, Chile, Colombia, Ecuador, El Salvador, Fiji, France, Greece, Haiti, Ireland, Italy, Luxembourg, Malta, Morocco, Netherlands, Peru, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

ANNEX III

Resolution 3162 (XXVIII). Question of Spanish Sahara

The General Assembly,

Having examined the chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence To Colonial Countries and Peoples relating to the Territory of the Sahara under Spanish domination, a/

Recalling its resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling also the relevant provisions of its resolution 2621 (XXV) of 12 October 1970 containing the programme of action for the full implementation of the Declaration,

Taking into consideration the relevant resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its tenth ordinary session, held at Addis Ababa from 27 to 29 May 1973, and by the Fourth Conference of Heads of State or Government of Non-Aligned Countries, held at Algiers from 5 to 9 September 1973, b/

Having regard to the decisions of the two summit conferences of Heads of State of the countries concerned relating to the Sahara under Spanish administration,

Noting the statement by the representative of Spain in the Fourth Committee, c/ in which he renewed the commitment of his Government to respect the right of the people of the Sahara to self-determination,

Deploring, however, the fact that the special mission provided for in earlier resolutions on the so-called Spanish Sahara has not yet been able to visit the Territory in order to carry out the task entrusted to it,

Further reaffirming its previous resolutions on the so-called Spanish Sahara,

1. Declares that the continued existence of the colonial situation in the Territory is endangering stability and harmony in north-west Africa;
2. Reaffirms the legitimacy of the struggle of colonial peoples and expresses its full solidarity with the people of the Sahara under Spanish administration;
3. Reaffirms its attachment to the principle of self-determination and its concern to see that principle applied within a framework that will guarantee the inhabitants of the Sahara under Spanish domination free and authentic expression of their wishes, in accordance with the relevant United Nations resolutions on the subject;

a/ Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 23 (A/9023/Rev.1), chaps. IV and XII.

b/ A/9330 and Corr.1, p.44.

c/ Official Records of the General Assembly, Twenty-eighth Session, Fourth Committee, 2066th meeting.

4. Repeats its invitation to the administering Power to determine, in consultation with the Governments of Mauritania and Morocco and any other interested party, the procedures for the holding of a referendum under United Nations auspices to enable the indigenous population of the Sahara to exercise freely its right to self-determination and independence and, to this end, invites the Government of Spain:

(a) To create a favourable political climate for the referendum to be conducted on an entirely free, democratic and impartial basis by permitting, inter alia, the return of political exiles to the Territory;

(b) To take all the necessary steps to ensure that only the indigenous inhabitants exercise their right to self-determination and independence, with a view to the decolonization of the Territory;

(c) To receive a United Nations mission and provide it with all the necessary facilities so that it can participate actively in the implementation of measures making it possible to put an end to the colonial situation in the Territory;

5. Invites all States to comply with the resolutions of the General Assembly on the activities of foreign economic and financial interests and to refrain from helping to perpetuate the colonial situation in the Territory by means of investments;

6. Reaffirms the responsibility of the United Nations in all consultations intended to lead to the free expression of the wishes of the people;

7. Urges the administering Power to respect and to implement scrupulously, under the auspices and guarantee of the United Nations, the provisions of the relevant resolutions of the General Assembly relating to the decolonization of the so-called Spanish Sahara;

8. Requests the Secretary-General, in consultation with the administering Power and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, to appoint the special mission provided for in paragraph 5 of General Assembly resolution 2229 (XXI) of 20 December 1966 and to expedite its dispatch to the Sahara in order to recommend practical steps for the full implementation of the relevant resolutions and, in particular, to confirm United Nations participation in the preparation and supervision of the referendum and to submit a report to the Secretary-General for transmission to the Assembly at its twenty-ninth session;

9. Calls upon the Special Committee to continue its consideration of the situation in the Territory and to report thereon to the General Assembly at its twenty-ninth session.

ANNEX IV

Resolution 3292 (XXIX), Question of Spanish Sahara

The General Assembly,

Recalling its resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling also its resolutions 2072 (XX) of 16 December 1965, 2229 (XXI) of 20 December 1966, 2354 (XXII) of 19 December 1967, 2428 (XXIII) of 18 December 1968, 2591 (XXIV) of 16 December 1969, 2711 (XXV) of 14 December 1970, 2983 (XXVII) of 14 December 1972 and 3162 (XXVIII) of 14 December 1973,

Reaffirming the right of the population of the Spanish Sahara to self-determination in accordance with resolution 1514 (XV),

Considering that the persistence of a colonial situation in Western Sahara jeopardizes stability and harmony in the north-west African region,

Taking into account the statements made in the General Assembly on 30 September and 2 October 1974 by the Ministers for Foreign Affairs of the Kingdom of Morocco a/ and of the Islamic Republic of Mauritania, b/

Taking note of the statements made in the Fourth Committee by the representatives of Morocco c/ and Mauritania, d/ in which the two countries acknowledged that they were both interested in the future of the Territory,

a/ A/PV.2249.

b/ A/PV.2251.

c/ A/C.4/SR.2117, 2125 and 2130.

d/ A/C.4/SR.2117 and 2130.

Having heard the statements by the representative of Algeria, e/

Having heard the statements by the representative of Spain, f/

Noting that during the discussion a legal difficulty arose over the status of the said Territory at the time of its colonization by Spain,

Considering, therefore, that it is highly desirable that the General Assembly, in order to continue the discussion of this question at its thirtieth session, should receive an advisory opinion on some important legal aspects of the problem,

Bearing in mind Article 96 of the Charter of the United Nations and Article 65 of the Statute of the International Court of Justice,

1. Decides to request the International Court of Justice, without prejudice to the application of the principles embodied in General Assembly resolution 1514 (XV), to give an advisory opinion at an early date on the following questions:

"I. Was Western Sahara (Río de Oro and Sakiet El Hamra) at the time of colonization by Spain a territory belonging to no one (terra nullius)?"

If the answer to the first question is in the negative,

"II. What were the legal ties between this territory and the Kingdom of Morocco and the Mauritanian entity?"

2. Calls upon Spain, in its capacity as administering Power in particular, as well as Morocco and Mauritania, in their capacity as interested parties, to submit to the International Court of Justice all such information and documents as may be needed to clarify those questions;

3. Urges the administering Power to postpone the referendum it contemplated holding in Western Sahara until the General Assembly decides on the policy to be followed in order to accelerate the decolonization process in the territory, in accordance with resolution 1514 (XV), in the best possible conditions, in the light of the advisory opinion to be given by the International Court of Justice;

4. Reiterates its invitation to all States to observe the resolutions of the General Assembly regarding the activities of foreign economic and financial interests in the Territory and to abstain from contributing by their investments or immigration policy to the maintenance of a colonial situation in the Territory;

5. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to keep the situation in the Territory under review, including the sending of a visiting mission to the Territory, and to report thereon to the General Assembly at its thirtieth session.

2318th plenary meeting
13 December 1974

e/ A/PV.2265; A/C.4/SR.2125.

f/ A/PV.2253; A/C.4/SR.2117, 2125, 2126 and 2130.

ANNEX V

Resolution 3458 (XXX). Question of Spanish Sahara

A

The General Assembly,

Having considered the question of Spanish (Western) Sahara,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling also its resolutions 2072 (XX) of 16 December 1965, 2229 (XXI) of 20 December 1966, 2354 (XXII) of 19 December 1967, 2428 (XXIII) of 18 December 1968, 2591 (XXIV) of 16 December 1969, 2711 (XXV) of 14 December 1970, 3162 (XXVIII) of 14 December 1973 and 3292 (XXIX) of 13 December 1974 on the question of Spanish Sahara,

Recalling further its resolution 3292 (XXIX) of 13 December 1974, by which it decided to request an advisory opinion from the International Court of Justice and to invite the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to keep the situation in the Territory under review, including the sending of a visiting mission to the Territory,

Noting that, in paragraph 3 of resolution 3292 (XXIX), it urged the administering Power to postpone the referendum which it contemplated holding in Spanish Sahara until the General Assembly decided on the policy to be followed in order to accelerate the decolonization process in the Territory in accordance with resolution 1514 (XV), in the best possible conditions, in the light of the advisory opinion to be given by the International Court of Justice,

Having considered the advisory opinion delivered by the International Court of Justice on 16 October 1975 a/ in response to the request contained in General Assembly resolution 3292 (XXIX),

Having considered the chapter of the report of the Special Committee on the Territory of Spanish Sahara, b/

Having also considered the report of the United Nations Visiting Mission to Spanish Sahara, which in May and June 1975 went successively to Spain, the Territory, Morocco, Algeria and Mauritania, c/

Having heard the statements of the administering Power d/ and of the Governments of Morocco, e/ Mauritania f/ and Algeria, g/

Having also heard the statements of the petitioners, h/

Recalling Security Council resolutions 377 (1975) of 22 October 1975, 379 (1975) of 2 November 1975 and 380 (1975) of 6 November 1975 on the situation concerning Western Sahara,

Considering the reports prepared by the Secretary-General pursuant to Security Council resolutions 377 (1975) and 379 (1975) on the situation concerning Western Sahara, i/

1. Reaffirms the inalienable right of the people of Spanish Sahara to self-determination, in accordance with General Assembly resolution 1514 (XV);
2. Reaffirms its attachment to the principle of self-determination of peoples and its concern to see that principle applied to the inhabitants of the Territory of Spanish Sahara within a framework that guarantees and permits them the free and genuine expression of their will, in accordance with the relevant resolutions of the United Nations;
3. Reaffirms the responsibility of the administering Power and of the United Nations with regard to the decolonization of the Territory and the guaranteeing of the free expression of the wishes of the people of Spanish Sahara;

a/ See A/10300.

b/ A/10023/Add.5, chap. XIII.

c/ Ibid., annex.

d/ See A/C.4/SR.2170, 2171, 2177 and 2178.

e/ See A/C.4/SR.2171, 2177 and 2181.

f/ See A/C.4/SR.2173, 2177 and 2180.

g/ See A/C.4/SR.2170, 2173, 2177 and 2180.

h/ See A/C.4/SR.2170, 2173 and 2178.

i/ S/11863, S/11874, S/11876 and S/11880.

4. Takes note with appreciation of the advisory opinion of the International Court of Justice concerning Western Sahara; j/
5. Takes note with satisfaction of the report of the United Nations Visiting Mission to Spanish Sahara in 1975 k/ and endorses its conclusion that measures should be taken to enable all Saharans originating in the Territory to decide on their future in complete freedom and in an atmosphere of peace and security, in accordance with resolution 1514 (XV);
6. Expresses its thanks to the Government of Spain and the Governments of Morocco, Algeria and Mauritania for the co-operation and assistance which they extended to the Visiting Mission;
7. Requests the Government of Spain, as the administering Power, in accordance with the observations and conclusions of the Visiting Mission and in accordance with the advisory opinion of the International Court of Justice, to take immediately all necessary measures, in consultation with all the parties concerned and interested, so that all Saharans originating in the Territory may exercise fully and freely, under United Nations supervision, their inalienable right to self-determination;
8. Requests the Secretary-General, in consultation with the Government of Spain, as the administering Power, and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, to make the necessary arrangements for the supervision of the act of self-determination referred to in paragraph 7 above;
9. Urges all the parties concerned and interested to exercise restraint and to desist from any unilateral or other action outside the decisions of the General Assembly on the Territory;
10. Requests the Special Committee to follow the implementation of the present resolution and to report on the question to the General Assembly at its thirty-first session.

2435th plenary meeting
10 December 1975

j/ See A/10300.

k/ A/10023/Add.5, chap. XIII, annex.

The result of the roll-call vote was as follows:

In favour: Afghanistan, Algeria, Australia, Austria, Bahamas, Bangladesh, Barbados, Belgium, Benin, Bhutan, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Chad, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Equatorial Guinea, Ethiopia, Fiji, Finland, France, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Japan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritius, Mexico, Mongolia, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Romania, Rwanda, Sierra Leone, Singapore, Somalia, Sri Lanka, Swaziland, Sweden, Thailand, Trinidad and Tobago, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Upper Volta, Yugoslavia, Zambia.

Against: None.

Abstaining: Argentina, Bahrain, Bolivia, Brazil, Canada, Central African Republic, Chile, Colombia, Costa Rica, Dominican Republic, Egypt, El Salvador, Gabon, Gambia, Guatemala, Haiti, Honduras, Iran, Iraq, Israel, Ivory Coast, Jordan, Nicaragua, Oman, Papua New Guinea, Paraguay, Portugal, Qatar, Saudi Arabia, Senegal, Spain, Sudan, Togo, Tunisia, Turkey, United Arab Emirates, United Republic of Cameroon, United States of America, Uruguay, Venezuela, Zaire.

B

The General Assembly,

Reaffirming its resolution 1514 (XV) of 14 December 1960,

Reaffirming its resolutions 1541 (XV) of 15 December 1960 and 2072 (XX) of 16 December 1965 and all other relevant United Nations resolutions, in particular General Assembly resolution 3292 (XXIX) of 13 December 1974,

Taking note of the report of the United Nations Visiting Mission dispatched to the Territory in 1975, 1/

Taking note of the advisory opinion of the International Court of Justice of 16 October 1975 concerning Western Sahara, m/

Considering Security Council resolutions 377 (1975) of 22 October 1975, 379 (1975) of 2 November 1975 and 380 (1975) of 6 November 1975,

1. Takes note of the tripartite agreement concluded at Madrid on 14 November 1975 by the Governments of Mauritania, Morocco and Spain, the text of which was transmitted to the Secretary-General of the United Nations on 18 November 1975; n/
2. Reaffirms the inalienable right to self-determination, in accordance with General Assembly resolution 1514 (XV), of all the Saharan populations originating in the Territory;
3. Requests the parties to the Madrid agreement of 14 November 1975 to ensure respect for the freely expressed aspirations of the Saharan populations;
4. Requests the interim administration to take all necessary steps to ensure that all the Saharan populations originating in the Territory will be able to exercise their inalienable right to self-determination through free consultations organized with the assistance of a representative of the United Nations appointed by the Secretary-General.

2435th plenary meeting
10 December 1975

1/ A/10023/Add.5, chap. XIII, annex.

m/ See A/10300.

n/ S/11880, annex III.

The result of the roll-call vote was as follows:

- In favour: Bahrain, Bangladesh, Belgium, Bolivia, Central African Republic, Chile, Costa Rica, Denmark, Dominican Republic, El Salvador, France, Gabon, Gambia, Germany (Federal Republic of), Guatemala, Haiti, Honduras, Indonesia, Iran, Iraq, Ireland, Italy, Japan, Jordan, Kuwait, Lebanon, Liberia, Luxembourg, Malaysia, Malta, Mauritania, Mauritius, Morocco, Nepal, Netherlands, Nicaragua, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Rwanda, Saudi Arabia, Senegal, Spain, Sudan, Thailand, Togo, Tunisia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Uruguay, Zaire.
- Against: Algeria, Barbados, Benin, Botswana, Bulgaria, Byelorussian Soviet Socialist Republic, Chad, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Equatorial Guinea, Ethiopia, Fiji, German Democratic Republic, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, Jamaica, Kenya, Laos, Lesotho, Madagascar, Malawi, Mongolia, Mozambique, Niger, Poland, Sierra Leone, Sri Lanka, Swaziland, Trinidad and Tobago, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Yugoslavia, Zambia.
- Abstaining: Afghanistan, Argentina, Australia, Austria, Bahamas, Bhutan, Brazil, Burma, Burundi, Canada, Colombia, Ecuador, Egypt, Finland, Greece, Iceland, India, Israel, Ivory Coast, Mali, Mexico, New Zealand, Nigeria, Norway, Papua New Guinea, Peru, Portugal, Singapore, Somalia, Sweden, Turkey, Uganda, Upper Volta, Venezuela.

ANNEX VI

Resolution 34/37. Question of Western Sahara.

The General Assembly,

Having considered in depth the question of Western Sahara,

Recalling the inalienable right of all peoples to self-determination and independence in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Having considered the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, a/

Having heard the statements made on the subject of Western Sahara, including the statement of the representative of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro, b/

Bearing in mind the profound concern of the United Nations, the Organization of African Unity and the non-aligned countries regarding the decolonization of Western Sahara and the right of the people of that Territory to self-determination,

Recalling its resolution 33/27 of 1 December 1978 on co-operation between the United Nations and the Organization of African Unity,

a/ A/34/23/Add.3, chap. X.

b/ A/C.4/34/SR.14, paras. 50-59, and A/C.4/34/SR.15, paras. 3-17. For the full text of the statement, see A/C.4/34/L.4.

Taking note of the decision of the Assembly of Heads of State and Government of the Organization of African Unity at its sixteenth ordinary session, held at Monrovia from 17 to 20 July 1979, c/ by which the Assembly adopted the recommendations of the Ad Hoc Committee of the Organization of African Unity on the question of Western Sahara,

Also taking note of the peace agreement concluded at Algiers on 10 August 1979 between Mauritania and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro d/ and the decision of Mauritania to withdraw its forces from Western Sahara, e/

Aware of the profound concern of the United Nations, the Organization of African Unity and the non-aligned countries at the aggravation of the situation prevailing in Western Sahara because of the continuation and extension of the occupation of that Territory,

Recalling the part of the Political Declaration adopted by the Sixth Conference of Heads of State or Government of Non-Aligned Countries, held at Havana from 3 to 9 September 1979, relating to Western Sahara, f/

1. Reaffirms the inalienable right of the people of Western Sahara to self-determination and independence, in accordance with the Charter of the United Nations, the charter of the Organization of African Unity and the objectives of General Assembly resolution 1514 (XV), and the legitimacy of their struggle to secure the enjoyment of that right, as envisaged in the relevant resolutions of the United Nations and the Organization of African Unity;

2. Takes note with satisfaction of the decision concerning Western Sahara taken by the Assembly of Heads of State and Government of the Organization of African Unity at its sixteenth ordinary session; c/

3. Also takes note with satisfaction of the part of the Political Declaration adopted by the Sixth Conference of Heads of State or Government of Non-Aligned Countries relating to Western Sahara;

4. Welcomes the peace agreement concluded between Mauritania and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro and considers that this agreement constitutes an important contribution to the process of achieving peace and a definitive, just and lasting settlement of the question of Western Sahara;

c/ A/34/552, annex II, decision AHG/Dec.114 (XVI).

d/ A/34/427-S/13503, annex I. For the printed text, see Official Records of the Security Council, Thirty-fourth Year, Supplement for July, August and September 1979.

e/ A/34/427-S/13503, annex II. For the printed text, see Official Records of the Security Council, Thirty-fourth Year, Supplement for July, August and September 1979.

f/ A/34/542, annex, sect. I, paras. 96-98.

5. Deeply deplores the aggravation of the situation resulting from the continued occupation of Western Sahara by Morocco and the extension of that occupation to the territory recently evacuated by Mauritania;

6. Urges Morocco to join in the peace process and to terminate the occupation of the Territory of Western Sahara;

7. Recommends to that end that the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro, the representative of the people of Western Sahara, should participate fully in any search for a just, lasting and definitive political solution of the question of Western Sahara, in accordance with the resolutions and declarations of the United Nations, the Organization of African Unity and the non-aligned countries;

8. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara as a priority question and to report thereon to the General Assembly at its thirty-fifth session;

9. Requests the Administrative Secretary-General of the Organization of African Unity to keep the Secretary-General of the United Nations informed of the progress achieved with regard to the implementation of the decisions of the Organization of African Unity concerning Western Sahara;

10. Invites the Secretary-General to follow closely the situation in Western Sahara and to report thereon to the General Assembly at its thirty-fifth session.

75th plenary meeting
21 November 1979

ANNEX VII

Declaration of Principles on Western Sahara
by Spain, Morocco and Mauritania

On 14 November 1975, the delegations lawfully representing the Governments of Spain, Morocco and Mauritania, meeting in Madrid, stated that they had agreed in order on the following principles:

1. Spain confirms its resolve, repeatedly stated in the United Nations, to decolonize the Territory of Western Sahara by terminating the responsibilities and powers which it possesses over that Territory as administering Power.
2. In conformity with the aforementioned determination and in accordance with the negotiations advocated by the United Nations with the affected parties, Spain will proceed forthwith to institute a temporary administration in the Territory, in which Morocco and Mauritania will participate in collaboration with the Yema'a and to which will be transferred all the responsibilities and powers referred to in the preceding paragraph. It is accordingly agreed that two Deputy Governors nominated by Morocco and Mauritania shall be appointed to assist the Governor-General of the Territory in the performance of his functions. The termination of the Spanish presence in the Territory will be completed by 28 February 1976 at the latest.
3. The views of the Saharan population, expressed through the Yema'a, will be respected.
4. The three countries will inform the Secretary-General of the United Nations of the terms set down in this instrument as a result of the negotiations entered into in accordance with Article 33 of the Charter of the United Nations.
5. The three countries involved declare that they arrived at the foregoing conclusions in the highest spirit of understanding and brotherhood, with due respect for the principles of the Charter of the United Nations, and as the best possible contribution to the maintenance of international peace and security.
6. This instrument shall enter into force on the date of publication in the Boletín Oficial del Estado of the "Sahara Decolonization Act" authorizing the Spanish Government to assume the commitments conditionally set forth in this instrument.

(Signed) Carlos ARIAS
Ahmed OSMAN
Hamdi MOUKNASS

ANNEX VIII

Mauritano-Sahraoui agreement, signed at Algiers
on 10 August 1979

"Considering the commitment of the Mauritanian and Sahraoui parties to scrupulous respect for the inviolable principles of the Charters of the Organization of African Unity (OAU) and the United Nations concerning the rights of peoples to self-determination and the intangibility of frontiers inherited from the colonial era;

"Considering the sincere desire of the two parties, the Islamic Republic of Mauritania and the Frente Polisario, to establish a just and definitive peace in accordance with the principles of peaceful coexistence, mutual respect and neighbourliness;

"Considering the urgent need for the two parties to find a global and definitive solution to the conflict, guaranteeing the Sahraoui people their full national rights and peace and stability for the region;

- A. The Islamic Republic of Mauritania solemnly declares that it does not have and will not have any territorial or other claims on Western Sahara.
- B. The Islamic Republic of Mauritania decides to withdraw definitively from the unjust Western Sahara war according to the modalities determined by common agreement with the representatives of the Sahraoui people, the Frente Polisario;

"The Frente Polisario solemnly declares that it does not have and will not have any territorial claims on Mauritania.

"The Frente Polisario, on behalf of the Sahraoui people, and the Islamic Republic of Mauritania hereby decide to sign an agreement for definitive peace between the two parties.

"The two parties have decided to hold periodic meetings to see that the modalities referred to in paragraph B are followed.

"The two parties shall transmit this agreement immediately after its signature to the current Chairman of the Organization of African Unity (OAU), the members of the Ad Hoc Committee, the Secretary-General of OAU, the Secretary-General of the United Nations and the current President of the non-aligned movement."

ANNEX IX

BASIC UNITED NATIONS DOCUMENTARY REFERENCES

REPORTS OF THE SPECIAL COMMITTEE ON THE
SITUATION WITH REGARD TO THE IMPLEMENTATION
OF THE DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES
(including working papers, conclusions and
recommendations adopted by the Special Committee)

- 1963 Official Records of the General Assembly, Eighteenth Session, Annexes, addendum to agenda item 23 (A/5446/Rev.1), chap. XIII.
- 1964-
1965 Ibid., Nineteenth Session, Annexes, Annex No. 8 (part I), (A/5800/Rev.1), chap. IX.
- 1965 Ibid., Twentieth Session, Annexes, addendum to a.i. 23 (A/6000/Rev.1), chap. X.
- 1966 Ibid., Twenty-first Session, Annexes, addendum to a.i. 23 (A/6300/Rev.1), chap. X.
Annex. Letter dated 8 September 1966 from Spain.
- 1967 Ibid., Twenty-second Session, Annexes, addendum to a.i. 23 (A/6700/Rev.1), part II, chap. IX.
Annex. Report of Secretary-General.
- 1968 Ibid., Twenty-third Session, Annexes, addendum to a.i. 23 (A/7200/Rev.1), chap. XIII.
Annex. Exchange of letters between the Secretary-General of the United Nations and Spain dated 23 January 1968 and 17 October 1968 respectively.
- 1969 Ibid., Twenty-fourth Session, Supplement No. 23 (A/7623/Rev.1), vol. III, chap. X.
Annex. Exchange of letters between Secretary-General of United Nations and Spain dated 10 January 1969 and 17 November 1969 respectively.
- 1970 Ibid., Twenty-fifth Session, Supplement No. 23 (A/8023/Rev.1), vol. III, chap. IX.
Annex. Exchange of letters between the Secretary-General of the United Nations and Spain dated 22 January 1970 and 15 October 1970 respectively.

- 1971 Ibid., Twenty-sixth Session, Supplement No. 23 (A/8423/Rev.1),
vol. III, chap. X.
Annex. Exchange of communications between the Secretary-
General of the United Nations and Spain dated 21
January 1971 and 22 November 1971 respectively.
- 1972 Ibid., Twenty-seventh Session, Supplement No. 23 (A/8723/Rev.1),
vol. IV, chap. XII.
- 1973 Ibid., Twenty-eighth Session, Supplement No. 23 (A/9023/Rev.1),
vol. IV, chap. XII.
Annex. Letter dated 12 July 1973 from Spain.
- 1974 Ibid., Twenty-ninth Session, Supplement No. 23 (A/9623/Rev.1),
vol. III, chap. XII.
- 1975 a/ Ibid., Thirtieth Session, Supplement No. 23 (A/10023/Rev.1),
vol. III, chap. XIII.
Annex. Report of the United Nations Visiting Mission
to Spanish Sahara, 1975.
- 1976 Ibid., Thirty-first Session, Supplement No. 23 (A/31/23/Rev.1),
vol. II, chap. XI.
Annex. Letter dated 17 February 1976 from Algeria.
- 1977 Ibid., Thirty-second Session, Supplement No. 23 (A/32/23/Rev.1),
vol. II, chap. IX.
- 1978 Ibid., Thirty-third Session, Supplement No. 23 (A/33/23/Rev.1),
vol. II, chap. IX.
- 1979 Ibid., Thirty-fourth Session, Supplement No. 23 (A/34/23/Rev.1),
vol. IV, chap. XXXIII.
- 1980 Ibid., Thirty-fifth Session, Supplement No. 23 (A/35/23 (Part V),
chap. IX). Working paper issued under the symbol A/AC.109/621.

a/ See also: Western Sahara: advisory opinion of the International
Court of Justice (A/10300)

RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

<u>Resolution Number</u>	<u>Date of Adoption</u>	<u>Plenary Meeting</u>
2072 (XX)	16 December 1965	1398
2229 (XXI)	20 December 1966	1500
2354 (XXII)	19 December 1967	1641
2428 (XXIII)	18 December 1968	1747
2591 (XXIV)	16 December 1969	1835
2711 (XXV)	14 December 1970	1929
(consideration deferred until Twenty-seventh Session)	20 December 1971	2028
2983 (XXVII)	14 December 1972	2110
3162 (XXVIII)	14 December 1973	2202
3292 (XXIX) and Corr.	13 December 1974	2318
3458 (XXX) A and B	10 December 1975	2435
31/45	1 December 1976	85
32/22	28 November 1977	83
33/31 A and B	13 December 1978	81
34/37	21 November 1979	75

RESOLUTIONS ADOPTED BY THE SECURITY COUNCIL

377 (1975)	22 October 1975	1850
379 (1975)	2 November 1975	1852
380 (1975)	6 November 1975	1854

