



# Security Council

Seventy-sixth year

**8890**<sup>th</sup> meeting

Friday, 29 October 2021, 10.35 a.m.

New York

*Provisional*

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*President:* Mr. Kimani . . . . . (Kenya)

*Members:*

China . . . . .	Mr. Zhang Jun
Estonia . . . . .	Mr. Jürgenson
France . . . . .	Mr. De Rivière
India . . . . .	Mr. Raguttahalli
Ireland . . . . .	Mr. Flynn
Mexico . . . . .	Mr. De la Fuente Ramírez
Niger . . . . .	Mr. Maman Sani
Norway . . . . .	Ms. Juul
Russian Federation . . . . .	Mr. Polyanskiy
Saint Vincent and the Grenadines . . . . .	Ms. King
Tunisia . . . . .	Mr. Ladeb
United Kingdom of Great Britain and Northern Ireland . . . . .	Mr. Kariuki
United States of America . . . . .	Mr. Mills
Viet Nam . . . . .	Mr. Dang

## Agenda

The situation concerning Western Sahara

Report of the Secretary-General on the situation concerning Western Sahara  
(S/2021/843)

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*The meeting was called to order at 10.35 a.m.*

### **Adoption of the agenda**

*The agenda was adopted.*

### **The situation concerning Western Sahara**

#### **Report of the Secretary-General on the situation concerning Western Sahara (S/2021/843)**

**The President:** The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2021/898, which contains the text of a draft resolution submitted by the United States of America.

I wish to draw the attention of the members of the Council to document S/2021/843, which contains the report of the Secretary-General on the situation concerning Western Sahara.

The Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

*A vote was taken by show of hands.*

#### *In favour:*

China, Estonia, France, India, Ireland, Kenya, Mexico, Niger, Norway, Saint Vincent and the Grenadines, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam

#### *Against:*

None

#### *Abstaining:*

Russian Federation, Tunisia

**The President:** The draft resolution received 13 votes in favour, none against and two abstentions. The draft resolution has been adopted as resolution 2602 (2021).

I shall now give the floor to those members of the Council who wish to make statements after the voting.

**Mr. Mills** (United States of America): The United States commends the Security Council for reaffirming its support for the United Nations Mission for the Referendum in Western Sahara (MINURSO) and warmly welcoming the Secretary-General's recent appointment of Staffan de Mistura as his new Personal

Envoy for Western Sahara with the adoption of resolution 2602 (2021).

We regret that not all members of the Council could unite in support of renewing the mandate today. We believe that the Council is stronger when it is united and that such unity greatly enhances the efforts of the United Nations to achieve peace. We look forward to working with all members of the Council to support the parties in finding lasting peace. We call on the parties themselves to demonstrate their commitment to peace by engaging in the political process without preconditions and in good faith and by taking steps to de-escalate tensions and cease hostilities.

The United States intends to do everything in its power to help Mr. De Mistura and the political process he now leads to succeed. We urge the parties, neighbouring States and international partners, including the entire Council, to engage constructively and in good faith with him. The appointment of a new Personal Envoy presents an overdue opportunity to revitalize the United Nations-led political process and for the parties to turn a corner on the path to achieving a just, lasting and mutually acceptable political solution in accordance with relevant United Nations resolutions.

In support of the Personal Envoy, the United States will continue to consult privately about how best to achieve a realistic, practicable, enduring and mutually acceptable solution to the conflict based on compromise. That political solution is vital to promote a peaceful and prosperous future for the people of the region. We continue to view Morocco's autonomy plan as serious, credible and realistic — and one potential approach to satisfy those aspirations.

In renewing MINURSO's mandate, the Council recognizes the daily work of peacekeepers to fulfil the Mission's mandate in monitoring the situation, de-escalating tensions and conducting dangerous mine-clearance operations. We urge the parties to fully cooperate with Special Representative Ivanko and the entire MINURSO Mission. It is essential that MINURSO ground convoys, air assets and personnel enjoy guaranteed freedom of movement throughout the territory.

In conclusion, the United States hopes that today marks a step forward towards a political solution that can deliver concrete results for the people of Western Sahara. Whether that proves to be the case is ultimately up to the parties themselves, but all Council

members have an obligation to encourage active and constructive dialogue, as reflected in resolution 2602 (2021), adopted just now.

**Mr. De la Fuente Ramírez** (Mexico) (*spoke in Spanish*): Mexico welcomes resolution 2602 (2021), on the renewal of the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO), endorses the appointment of Mr. Staffan de Mistura as the new Personal Envoy of the Secretary-General for Western Sahara and calls for a constructive resumption of the political process.

Mexico believes it is important that the Council back the work of the Special Envoy, as he plays a key role in building confidence among the parties and creating new momentum in the pursuit of sustainable peace. Nevertheless, we regret the unwillingness, during the negotiations, to include in the resolution important proposals that had the backing of several delegations. I am referring in particular to proposals for more frequent briefings in the light of the significant deterioration of the situation with regard to human rights violations and the collapse of the ceasefire.

Mexico promotes dialogue and diplomacy in the peaceful resolution of all conflicts, including the situation in the Western Sahara. We once again call on all parties to act responsibly and in good faith in order help reduce tensions and to resume political dialogue, in accordance with all relevant Security Council resolutions.

Mexico reaffirms its support for the negotiation process in order to achieve a just, lasting and mutually acceptable resolution to the issue of Western Sahara — one that leads to the self-determination of the people of Western Sahara, in line with international law. We recognize MINURSO's key role in maintaining stability. To that end, the Security Council must continue to support the Mission so that it can carry out its mandate.

**Mr. De Rivière** (France) (*spoke in French*): France welcomes the adoption of resolution 2602 (2021), which renews the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) and endorses the appointment of the new Personal Envoy of the Secretary-General for Western Sahara.

I reaffirm France's support for the work of MINURSO and its Special Representative. In the light of the collapse of the ceasefire, the Mission's key role

in mitigating the risk of escalation and ensuring the stability of the region is more important than ever. France urges the parties to respect the ceasefire.

I would like to pay tribute to MINURSO teams, whose effective work helps de-escalate the situation on the ground despite their limited access and in the context of current health constraints. I also wish to assure the new Personal Envoy of France's full support. The resolution just adopted reaffirms the Security Council's support for the political process, which must be resumed under the auspices of the United Nations. His taking of office on 1 November will allow us to reach a just, lasting and mutually acceptable solution, in accordance with the relevant Security Council resolutions.

France considers Morocco's 2007 autonomy plan as a serious and credible basis for discussions with a view to resuming dialogue. We encourage all of the parties to pursue peace.

**Mr. Polyanskiy** (Russian Federation) (*spoke in Russian*): The Russian Federation abstained in the voting on resolution 2602 (2021), submitted by the United States, on the extension of the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO).

During the negotiations, our justified comments and compromise proposals were not taken on board. Also overlooked were a number of constructive proposals from other members of the Security Council. It is for that reason that today's resolution does not reflect the objective picture of what has happened on the issue of Western Sahara following the military escalation in November and will probably not be helpful in the efforts of Personal Envoy Staffan de Mistura to resume direct negotiations to reach a mutually acceptable decision that provides for the self-determination of Western Sahara, in line with the Charter of the United Nations.

Furthermore, the main problem remains unsolved. In recent years, Council resolutions to extend MINURSO's mandate has seen wording that replaced the internationally agreed parameters for the settlement of the Western Sahara issue with general wording on the need to abide by the so-called "realistic" approaches or to make some compromises. Such signals lead to ambiguity, undermine trust in the Council's work and make it more difficult to resume a direct dialogue. We regret the fact that our colleagues consistently refuse to notice that.

We would like to reiterate once again that the Russian Federation has been consistent in its balanced stance on the settlement of the Western Sahara dossier. We support direct negotiations between Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente POLISARIO). Ultimately, the agreement needs to satisfy both parties and provide for the self-determination of the West Saharan people on the basis of procedures that are in keeping with the purposes and principles of the Charter of the United Nations.

We will continue to be an impartial player and will support contacts with all parties of the region, including in our capacity as a member of the Group of Friends of Western Sahara. We call on all parties to refrain from unilateral actions and statements, of which we heard several today, that could make it more difficult to resume substantive political dialogue.

I would like to underscore that our position in the voting is based exclusively on our rejection of the resolution's wording and on assessment of the work conducted by the penholders. In that connection, we have consistently supported MINURSO, which plays a key stabilizing role and creates favourable conditions on the ground for the resumption of dialogue between Morocco and the Frente POLISARIO and the advancement of the peace process.

**Mr. Dang** (Viet Nam): The ongoing situation in the Western Sahara has been of great concern. With regard to resolution 2602 (2021), we would like to see a more balanced text that better reflects the situation on the ground. However, we consider that the continuation of the United Nations Mission for the Referendum in Western Sahara (MINURSO) is important in order to help prevent the escalation of tensions and facilitate talks among the parties concerned. We therefore voted in favour of the resolution to renew MINURSO's mandate.

In addition, we would like, first, to call on all parties concerned to comply with their obligations under international human rights law and international humanitarian law in order to protect people's legitimate rights.

Secondly, Viet Nam consider the appointment of the Personal Envoy of the Secretary-General and the Special Representative of the Secretary-General on Western Sahara as welcome new momentum for the political process and pledges its full support.

Thirdly, we reaffirm our principled position to support the settlement of the Western Sahara issue through peace talks among parties directly involved, based on international law and all relevant United Nations resolutions. In that connection, we call for constructive efforts by regional partners to help foster an environment conducive to such a settlement. We also stress the need for a just, lasting and mutually acceptable solution that ensures the right to self-determination of the people of Western Sahara, in accordance with the purposes and principles of the Charter of the United Nations and in the interests of peace, cooperation and development in the region.

Last but not least, we emphasize the primary role of the United Nations is mediation, conflict prevention and the implementation of confidence-building measures in order to resolve the issue.

**Mr. Zhang Jun** (China) (*spoke in Chinese*): The United Nations Mission for the Referendum in Western Sahara (MINURSO) is earnestly fulfilling the mandate it was given by the Security Council and has made positive contributions to the political settlement of the Western Sahara issue and in maintenance of the overall stability of the region.

China thanks MINURSO peacekeepers for their efforts and supports the extension of MINURSO's mandate. Resolution 2602 (2021), adopted by the Security Council just now, decided to extend the mandate of the Mission for 12 months, which shows the Council's determination to adhere to the mandate of the Mission and promote the political settlement of the Western Sahara issue.

China hopes that in future the Security Council will hold more consultations on the resolution on the extension of MINURSO's mandate in an effort to reflect the latest developments as well as the concerns of the various sides so as to form a more balanced text that can contribute to mutual trust and the reaching of consensus.

China welcomes the Secretary-General's appointment of his new Personal Envoy for Western Sahara and hopes that he will actively carry out mediation efforts to continuously push forward the political process in Western Sahara. China will continue to hold an objective and fair position, support the work of the United Nations in promoting a political solution to the Western Sahara issue and encourage all parties concerned to, on the basis of relevant Security Council

resolutions, seek a just, lasting and acceptable solution through negotiations.

**The President:** I shall now make a statement in my capacity as the representative of Kenya.

Kenya voted in favour of resolution 2602 (2021) for two reasons: first, to reaffirm Kenya's support for the work of the United Nations Mission for the Referendum in Western Sahara (MINURSO), and, secondly, and more significantly, to join in expressing full support for Mr. Staffan de Mistura, Personal Envoy of the Secretary-General to Western Sahara, in a bid to reinvigorate the stalled process in the search for a political solution that delivers the long-awaited self-determination of Western Sahara.

Support for the new Personal Envoy is critical if he is to succeed. For Kenya, Mr. De Mistura has been appointed in response to the appeal made by the Peace and Security Council of the African Union (AU) meeting at the level of Heads of State and Government on 9 March 2021 to the Secretary-General to expedite the appointment of a new Personal Envoy. The success of the Personal Envoy is premised on the Security Council ensuring that the parties are incentivized to give him every support necessary. It is also necessary for him to work with the African Union.

Paragraph 5 of the Peace and Security Council communiqué invites the incoming Personal Envoy to work closely with the AU in accordance with the provisions of the United Nations Charter and the AU-United Nations Framework for Enhanced Partnership in Peace and Security. The communiqué further calls on the Secretary-General to request the United Nations Legal Counsel to provide a legal opinion on the opening of consulates in the non-self-governing territory of Western Sahara. We have circulated to Council members a copy of the communiqué from the 9 March meeting of the AU Peace and Security Council chaired by President Uhuru Kenyatta of Kenya. We urge members to take note of the important recommendations it contains.

Our engagements on the text of resolution 2602 (2021) have sought to achieve three results: to make

sure that it was made stronger in its embrace of the goal of self-determination, to have a sharper focus on the reporting of human rights abuses, and to have a strategic assessment of MINURSO operations. We are glad that these issues were included in the resolution, although the language could have been stronger in reflecting previously agreed positions that are clear on the goal being a referendum on self-determination.

Going forward, we call for the Council to build on these three issues by, first, returning to the original language of self-determination through a referendum — we must be honest and admit that this aim is being obscured and frustrated, yet it is a right that every formerly colonized member of the Security Council, and of the United Nations more broadly, understands is inalienable; secondly, being clear that the MINURSO mandate must always include reporting on any human rights abuses of the people of Western Sahara; and thirdly, undertaking a review of the MINURSO mandate based on the assessment report of its operations to make it more fit for purpose in responding to the changing environment and facilitating the political process.

We would like the Security Council to be mindful of the historical role of the African Union as guarantor of the Settlement Plan for the conflict in Western Sahara signed by the two parties in 1991, which led to the deployment of MINURSO to oversee the ceasefire and organize a referendum for self-determination of the people of Western Sahara.

Finally, as a country that won its independence from colonial rule, Kenya firmly upholds Africa's support for Western Sahara's claim to self-determination, which is reflected in its membership in the African Union. We urge all countries to support this just cause for the people of Western Sahara.

I now resume my functions as President of the Council.

There are no more names inscribed on the list of speakers.

*The meeting rose at 10.55 a.m.*