

Demokratische Arabische Republik Sahara: Ein nuklearer Rückblick

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Im Abschnitt A.I ihrer Resolution¹ 1252(XIII) vom 4. November 1958 erklärte die Generalversammlung der Vereinten Nationen (UNGA), was folgt:

I

1. *Urges that in the negotiations between States that have tested nuclear weapons the parties make every effort to reach early agreement on the suspension of nuclear weapons tests under effective international control;*

2. *Urges the parties involved in these negotiations not to undertake further testing of nuclear weapons while these negotiations are in progress;*

In einem Vorspann zur Wiedergabe des Textes des Nuklearen Teststoppvertrages² aus 1963, zu dem noch zurückzukommen sein wird, wird auf der Internetseite³ des *US State Department* u. a. ausgeführt, was folgt:

Test-Ban and General Disarmament

The relation of a test ban to other aspects of disarmament was for a time a troubling issue. The initial Soviet proposal of a test ban on May 10, 1955, was part of a comprehensive plan to reduce conventional forces and armaments and to eliminate nuclear weapons. Later that year, in the General Assembly, the Soviet Union advocated a separate test ban. The three Western powers, over the next three years, made discontinuance of tests contingent on progress in other measures of arms control, particularly a cut-off in the production of fissionable materials for weapons and safeguards against surprise attack. They insisted that a test ban could not be enforced "in the absence of more general control agreements."

In January 1959 the United States and the United Kingdom dropped the linkage between a test ban and other arms control agreements; France, however, did not. The French continued to maintain that until there was agreement on nuclear disarmament – including an end to weapons production, reconversion of stocks, and a ban on possession and use – French plans to conduct tests would go forward. The Soviet Union abruptly reversed its position in June 1961, when Premier Khrushchev declared during his meeting with President Kennedy in Vienna that the test-ban question must be linked with general and complete disarmament. The Soviet Union refused to modify this position until November, when it proposed a separate test ban with no controls whatever, pending agreement on general and complete disarmament.

Als *obiter Dictum* ist hier anzumerken, dass die *Safeguards* der nachmaligen IAEA ursprünglich, was den Bau von Kernwaffen angeht, nur zum Schutz vor Überraschungsangriffen gedacht waren.

Im Übrigen erklärte demnach Frankreich 1955, seine Atomtests bis zum Abschluss eines Vertrags über allgemeine Abrüstung fortzusetzen, welcher mit der nuklearen Abrüstung zu junktimieren sei (was einiges für sich hat). Es nahm aber gleichwohl an den Verhandlungen teil, die zunächst in einem nicht UN-offiziellen *Subkomitee der Fünf* (FRA, GB, CAN, UdSSR, USA) geführt wurden, welches mit der Resolution der *UN Disarmament Commission* aus 1959⁴ zum *Ten-Nation Committee on Disarmament* erweitert wurde.

Frankreich war an den somit 1955 beginnenden Verhandlungen betreffs eines Nuklearen Test-Stoppes beteiligt, sollte aber seine Atomwaffentests erst in den Jahren

1960/61 durchführen. Der oben zitierte OP1 der Resolution 1252(XIII) war daher eine Einladung an Frankreich, solche Tests durchzuführen; denn auch in deren OP2 ist die Rede nur von *weiteren* Tests, welche die in diese Verhandlungen involvierten Parteien, darunter auch Frankreich, unterlassen sollten, sodass letzteres erneut nicht gemeint war. Ob solches Verständnis der Resolution legitim ist, oder als winkel-advokatische Spitzfindigkeit ausscheiden müsse, hängt von den kausalen und dafür wesentlichen Umständen ab, auf die hier noch einzugehen sein wird.

Rücksichtlich dieser Resolution 1252(XIII) auffällt ferner deren OP6 im Sub-Abschnitt A.IV; er lautet:

6. *Invites the Secretary-General, in consultation with the Governments concerned, to render whatever advice and assistance may seem appropriate to facilitate current developments or any further initiatives related to problems of disarmament;*

Dass der UNSG hier lediglich *eingeladen*, anstatt, wie sonst in solchen Fällen der Finanzierung und Mittelbereitstellung üblich, *ersucht* wird, könnte im Zusammenhang mit der schwammigen Formulierung in Dunkelgelb einen Hinweis auf illegitime Machenschaften, die zeitlich nicht begrenzt werden sollten, darstellen.

1960 und 1961 schließlich führte Frankreich *in besiedeltem Gebiet, in der algerischen Sahara nahe Reggane, vier oberirdische Atomwaffentests durch. Bis zu 30.000 Menschen erlitten dadurch in der Folgezeit Schäden.*⁵ Laut WIKIPEDIA sollen alle vier Explosionswolken in südwestliche Richtung gezogen sein, sodass ein Umkreis von 300 km *menschenleer* war.⁶

In südwestlicher Richtung von *Reggane*, dem Testort, lag damals und liegt bis heute auch die damals noch *Spanische Sahara* genannte spanische Kolonie, welche Entität seit der Unabhängigkeitserklärung durch die POLISARIO 1976, wie im Titel dieser Arbeit bezeichnet, heißt.

Seit 1980 hat Marokko, welches die Westsahara von Spanien übernommen hat, in mehreren Bauabschnitten einen riesigen, drei Meter hohen Berm in einem Verlauf von Süden nach Norden, und quer durch dieses Land, gebaut und beidseitig vermint. Die Frage, die sich stellt, ist, ob dieser Wall, anders als propagiert, nicht der Abwehr der Polisario, sondern der Abdämmung vor kontaminiertem Sand dienen sollte, welcher durch den ständig wehenden Wind herangezogen wird.

Dem Bericht des *Committee on information from not-self-governing territories*⁷ ist über das Klima in der Sahara das Folgende zu entnehmen:

¹ A/RES/1252(XIII), *Question of disarmament; the discontinuance of atomic and hydrogen weapons tests; the reduction of the military budgets of the Union of Soviet Socialist Republics, the United States of America, the United Kingdom of Great Britain and Northern Ireland and France by 10 to 15 per cent and the use of part of the savings so effected for assistance to the under-developed countries.*

² 480 UNTS 6964.

³ <https://2009-2017.state.gov/t/avc/trty/199116.htm>.

⁴ DC/146; siehe auch DC/144! Beide enthalten in DISARMAMENT COMMISSION, *Official Documents, Supplement for 1959.*

⁵ So <https://de.wikipedia.org/wiki/Kernwaffentest>.

⁶ <https://de.wikipedia.org/wiki/Reggane>.

⁷ A/4785, 40.

173. The climate in the Sahara, as its name suggests, is that of an arid country, the chief features of which are the dryness of the atmosphere and the lack of rainfall: the latter is usually sporadic and in most cases torrential. Towards the coast and the adjacent plains, precipitation may at times take the form of a drizzle like thick damp fog, while in the interior the rains are almost always in the nature of storms and as already indicated are of irregular occurrence. The wind, which nearly always blows with great violence, is another of the characteristic features of the climate. There is little variety in temperature throughout the year. The daily temperature curve is fairly accentuated on account of the great contrast between day and night temperatures; the mean temperature varies from 15.6 degrees in January to 20.8 in August and September; the annual average is 17.9 degrees.

In ihrer Studie, *Radiological Conditions at the Former French Nuclear Test Sites in Algeria: Preliminary Assessment and Recommendations*,⁸ führt die IAEA mehrfach aus, welche Rolle bei der Kontaminierung des Umfeldes der Wind spielt.

Dass Westsahara über der Welt größtes Phosphorvorkommen verfügt, ist bekannt; dass Phosphor hauptsächlich in der Düngemittelherstellung Verwendung findet, auch.

Der Verdacht, dass die Atomversuche allein dem Zweck dienen, die Menschheit zu kontaminieren, um sie zu strahlenden Objekten zu machen, was für bioelektronisch-neuronale Vernetzung genutzt wird, verdichtet sich.

Die Sahraoui, das Volk der Westsahara, scheinen, folgt man den Eindrücken, die man aus einer jüngst im ORF-Ö1-Programm ausgestrahlten Dokumentation über sie gewinnen konnte, ein hochintelligentes, psycho-sozial kaum depriviertes Volk zu sein.

Da war die Rede von Schüler-Besuchs-Programmen, im Rahmen welcher die 7-13-jährigen Sahraoui für ein paar Wochen nach Spanien eingeladen werden, um dortige Kultur zu erfahren, was wohl der Schaffung einer Gelegenheit gleichkommt, deren Intelligenz zu prüfen und Hochintelligente zu markieren, um sie ein Leben lang intellektuell auszubeuten, gepaart womöglich noch mit der zugefügten Traumatisierung durch sexualisierte Gewalt.

Und da war ferner die Rede von Schulkindern, die an Krebs sterben.

Wie auch immer, die im November 1959 von der UNGA angenommene Resolution 1379(XIV)⁹ lautet:

1379 (XIV). Question of French nuclear tests in the Sahara

The General Assembly,

Conscious of the great concern throughout the world repeatedly expressed in the United Nations over the prospect of further nuclear tests and their effects upon mankind,

Noting the declared intention of the Government of France to undertake nuclear tests in the Sahara,

Considering the deep concern felt over the dangers and risks which such tests entail,

Considering that significant progress is being made in the negotiations now proceeding at Geneva concerning the discontinuance of nuclear weapons tests under an international control system,

Considering that the parties to those negotiations have facilitated their progress by voluntarily suspending such tests,

Considering that the purpose of the said negotiations is to bring about a general discontinuance of nuclear weapons tests and that it is to be hoped that, in the same spirit which inspired the present voluntary sus-

pension of tests, no State will initiate or resume tests of this kind,

Recognizing the anxiety caused by the contemplated tests in the Sahara among all peoples, and more particularly those of Africa,

1. *Expresses its grave concern over the intention of the Government of France to conduct nuclear tests;*
2. *Requests France to refrain from such tests.*

*840th plenary meeting,
20 November 1959.*

Zunächst fällt auf, dass die UNGA hier vom Begriff der *suspension* in Resolution 1252(XIII) zum hier verwendeten Begriff der *discontinuance*¹⁰ schwenkt. Man betonte damit also die Kontinuität in den Versuchen, welche aufhören sollte. Die lila markierte Formulierung hätte kürzer auch durch ein schlichtes *such* ersetzt werden können, wenn man damit nicht Besonderes betonen hätte wollen!

Das menschliche Nervensystem zeichnet sich durch elektrische Impulse aus, durch die Informationen zwischen den Synapsen transportiert werden. Dabei entsteht ein Magnetfeld, das nach außen abstrahlt und von Oszillografen, die etwa in, am Netz hängenden, PCs oder Mobiles serienmäßig installiert sind, aufgefangen werden kann. Mein physikalisch wenig fundiertes Verständnis davon sagt mir, dass eine moderate radioaktive Verstrahlung solches Magnetfeld verstärken und sogar begünstigen könnte, in das dahinterstehende elektrische System Informationen zu senden.

Damit wären wir mitten im Gedanken Lesen und Beeinflussen!

Wir erinnern uns, dass der US-Präsident, TRUMP, der Schandfleck internationaler Politik und Diplomatie, kürzlich vermeldete, die Atomwaffentests wiederaufnehmen zu wollen. Dazu war auf Telegram¹¹ eine Stellungnahme des russischen Außenministers, LAVROV, zu lesen, die auszugsweise wie folgt lautet:

Nein, bislang haben wir auf diplomatischem Wege keinerlei Erklärungen darüber erhalten, was Präsident Donald Trump meinte, als er von einer Wiederaufnahme der Atomwaffentests sprach. Es ist unklar, ob er sich dabei auf Tests von Trägersystemen für Kernwaffen oder auf sogenannte unterkritische Tests bezog. Darunter versteht man Versuche, bei denen keine nukleare Kettenreaktion stattfindet. Solche Tests werden von allen Atommächten durchgeführt, um die Sicherheit und Einsatzbereitschaft ihrer Nukleararsenale zu gewährleisten, und sie verstoßen dabei weder gegen die von diesen Staaten freiwillig eingegangenen Verpflichtungen noch gegen den noch nicht in Kraft getretenen umfassenden Atomteststoppvertrag.

Die radioaktive Kontamination von Erdreich hat also nie aufgehört.

Am 16. Dezember 1965 nahm die UNGA ihre Resolution 2072(XX)¹² an, in deren OP1 und 2 es heißt, wie folgt:

1. *Approves the provisions of the resolution concerning Ifni and Spanish Sahara adopted on 16 October 1964 by the Special Committee on the Situation with regard to the Implementation of the Declaration on*

*the Granting of Independence to Colonial Countries and Peoples;*²⁵

2. *Urgently requests the Government of Spain, as the administering Power, to take immediately all necessary measures for the liberation of the Territories of Ifni and Spanish Sahara from colonial domination and, to this end, to enter into negotiations on the problems relating to sovereignty pertaining to these two Territories;*

Dies (OP2) war bereits eine klare Ansage zugunsten des, wenn auch hier nicht *expressis verbis* erwähnten, Selbstbestimmungsrechts der Sahraoui.

Die in OP1 erwähnte Resolution¹³ des *Special Committee* lautet:

⁸ STI/PUB/1215.

⁹ A/RES/1379(XIV).

¹⁰ Vgl. den Eintrag *discontinue* in der Oxford-App of English Dictionary:

cease doing or providing (something), especially something that has been done or provided on a regular basis: the ferry service was discontinued by the proprietors he discontinued his visits.

¹¹ <https://t.me/RusBotschaft/14776>.

¹² A/RES/2072(XX), *Question of Ifni and Spanish Sahara*.

¹³ A/5800/Rev.1, chapter IX, para. 112.

112. The resolution on Ifni and Spanish Sahara (A/AC.109/100) adopted by the Special Committee at its 291st meeting, on 16 October 1964, reads as follows:

"The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

"Having considered the situation in the Territories of Ifni and the Spanish Sahara,

"Recalling the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960,

"Having heard the statement of the administering Power,

"Noting with deep concern that the Government of Spain, as the administering Power, has not yet implemented the provisions of the Declaration in these Territories,

"1. Regrets the delay by the administering Power in implementing the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and in liberating these Territories from colonial rule;

"2. Urges the Government of Spain to take immediate measures towards implementing fully and unconditionally the provisions of the Declaration;

"3. Requests the Secretary-General to transmit the text of this resolution to the administering Power, and to report to the General Assembly in the course of its nineteenth session on the steps taken by the administering Power on the implementation of the present resolution."

Aus der darin genannten Resolution 1514(XV)¹⁴ ist auszugsweise zu zitieren:

Conscious of the need for the creation of conditions of stability and well-being and peaceful and friendly relations based on respect for the principles of equal rights and self-determination of all peoples, and of universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognizing the passionate yearning for freedom in all dependent peoples and the decisive role of such peoples in the attainment of their independence,

Aware of the increasing conflicts resulting from the denial of or impediments in the way of the freedom of such peoples, which constitute a serious threat to world peace,

Considering the important role of the United Nations in assisting the movement for independence in Trust and Non-Self-Governing Territories,

Recognising that the peoples of the world ardently desire the end of colonialism in all its manifestations,

Convinced that the continued existence of colonialism prevents the development of international economic co-operation, impedes the social, cultural and economic development of dependent peoples and militates against the United Nations ideal of universal peace,

[...]

Declares that:

1. The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation.

2. All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

3. Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence.

Deutlicher geht es nicht.

Am 20. Dezember 1966 verabschiedete die UNGA ihre Resolution 2229(XXI)¹⁵, in der sie unter anderem:

Having regard to the decision taken by the Assembly of Heads of State and Government of the Organization of African Unity at its third ordinary session, held at Addis Ababa from 5 to 9 November 1966, concerning the Territories under Spanish administration,

Die genannte Resolution der OAU betraf die Bestätigung einer Resolution¹⁶, die am 4. November 1966, desgleichen in Addis Abeba von ihrem Council verabschiedet worden war, und die vorsieht, was folgt:

CM/Res. 82 (VII)

RESOLUTION ON THE TERRITORIES UNDER SPANISH DOMINATION

The Council of Ministers, meeting in its Seventh Ordinary Session in Addis Ababa, from 31 October to 4 November 1966,

Considering Article 2 of the OAU Charter, which lays down the eradication of all forms of colonialism from our continent as one of our Organization's goals,

LENDS its full support to all efforts aimed at the immediate and unconditional liberation of all African territories under Spanish domination (Ifni, the so-called "Spanish Sahara", Equatorial Guinea and Fernando Po);

APPEALS to Spain to initiate resolutely a process giving freedom and independence to all these regions, and to refrain from all steps which might create in them a situation jeopardizing peace and security in Africa.

Ferner beschloss die UNGA in ihrer oben zitierten Resolution 2229(XXI), was folgt:

Noting the decision of the administering Power to apply in full the provisions of General Assembly resolution 2072 (XX)²⁴,

Noting further the statement of the administering Power on 7 December 1966 relating to Spanish Sahara, in particular with regard to the sending of a special United Nations mission to the Territory, the return of exiles and the free exercise by the indigenous population of its right to self-determination,²⁵

1. Reaffirms the inalienable right of the peoples of Ifni and Spanish Sahara to self-determination in accordance with General Assembly resolution 1514 (XV);

2. Approves 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 Territories of Ifni and Spanish Sahara, and endorses the resolution adopted by the Special Committee on 16 November 1966,²⁶

3. Requests the administering Power to take immediately the necessary steps to accelerate the decolonization of Ifni and to determine with the Government of Morocco, bearing in mind the aspirations of the indigenous population, procedures for the transfer of powers in accordance with the provisions of General Assembly resolution 1514 (XV);

Die im hier ersten zitierten PP genannte Entscheidung¹⁷ der Verwaltungsmacht lautet in einem Brief Spaniens an das betreffende UN-Gremium, wie folgt:

Letter dated 8 September 1966 from the Permanent Representative of Spain to the United Nations addressed to the Chairman of the Special Committee

1. In the letter dated 28 June 1966 which I sent to the Secretary-General with the request that he forward it to the Officer in Charge of the Department of Trusteeship and Non-Self-Governing Territories, I stated, in reply to the letter dated 9 June 1966^a which Mr. M. E. Chacko sent me from Addis Ababa, that the Spanish Government would inform the Special Committee in due course of its attitude and intentions regarding the implementation of General Assembly resolution 2072 (XX) of 16 December 1965 concerning Ifni and Spanish Sahara. I now have the honour of submitting this information to you.

SPANISH SAHARA

2. As the Special Committee knows, the Spanish Government has shown itself to be in favour of applying the principle of self-determination in the territory of Spanish Sahara, as stated in the official letter sent by me on 30 April 1964 to the then Chairman of the Special Committee, Ambassador Sori Coulibaly, Permanent Representative of Mali. We have consequently noted with satisfaction that at the 436th meeting of the Special Committee, held on 7 June 1966 in the capital of Ethiopia, some other countries which had hitherto opposed the application of this principle in the territory of Spanish Sahara stated that they were now in favour of it. It will thus be possible to implement General Assembly resolution 2072 (XX) by means of the free self-determination of the saharawis, as the Spanish Government has proposed in the past.

3. To this end, my Government is in contact with the population of the Sahara and is actively making the necessary preparations for them to express their will without any form of pressure. These preparations have taken some time because of the nomadic nature of the inhabitants of the desert and the special features of the territory.

¹⁴ A/RES/1514(XV).

¹⁵ A/RES/2229(XXI).

¹⁶ CM/Res. 82 (VII).

¹⁷ A/6300/Rev.1, chapter X, Annex.

Die im PP2 darin zitierte Stellungnahme der Verwaltungsmacht vom 7. Dezember 1966 lautet¹⁸ auszugsweise:

4. Spain had nothing to hide in the Sahara. As proof of its sincere intention to apply the principle of self-determination in that Territory, his delegation was ready to begin conversations with the Secretary-General with a view to the appointment of a committee to visit Spanish Sahara. The committee would make a first-hand, objective survey of the situation in the Territory and form its own opinions on the problem. A group of impartial and disinterested persons, who did not represent countries which had shown a direct interest in the Spanish Sahara or which had any territorial ambitions in that regard, would assess the true situation and the characteristics of the Territory. That would make it possible to ascertain what Spain had accomplished so far, to obtain precise information or plans for the future and to determine the real views of the indigenous inhabitants on their future destiny, views which would be given concrete expression in due course through the process of self-determination.

Und die in OP2 der oben zitierten Resolution 2229(XXI) genannte Resolution¹⁹ des *Special Committee* lautet:

243. The text of the resolution (A/AC.109/214) adopted by the Special Committee at its 479th meeting on 16 November 1966 reads as follows:

"The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

"Having considered the item on its agenda relating to Ifni and Spanish Sahara,

"Having heard the statements concerning these two Territories made by the representatives of the administering Power, Mauritania, Morocco and Algeria,

"Having heard the petitioners,

"Recalling the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

"Bearing in mind the provisions of resolution 2072 (XX) adopted by the General Assembly on 16 December 1965,

"Noting the decision of the administering Power to apply the provisions of resolution 2072 (XX) in their entirety,

"1. Invites the administering Power to expedite the process of decolonization of the Territory of Ifni and, in collaboration with the Government of Morocco, to make arrangements for the transfer of powers in accordance with the provisions of General Assembly resolution 1514 (XV);

"2. Requests the administering Power to establish without delay appropriate conditions which will ensure that the indigenous population of Spanish Sahara is able to exercise its rights to self-determination and independence;

"3. Invites the administering Power to make arrangements, in consultation with the population of Sahara, the Governments of Mauritania, Morocco and any other parties concerned, for a referendum which will be held under United Nations auspices to enable the indigenous population of the Territory freely to exercise its right to self-determination, and to report thereon to the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples before the referendum is held;

"4. Requests the Secretary-General to follow the progress of the implementation of this resolution and to report thereon to the Special Committee."

In OP1 dieser zuletzt zitierten Resolution wird Spanien eingeladen, in Kooperation mit Marokko, **Vorkehrungen für den Übergang der Macht** (auf die Sahraoui) zu treffen.

Dass dies zufolge der Bedeutung seines Wortlauts nicht so gemeint war, wie Marokko es in der Folge anwandte, erhellt schon aus OP2, in dem Spanien angehalten wird, die Bedingungen zu schaffen, die sicherstellen, dass die Ausübung des Selbstbestimmungsrechts und der Unabhängigkeit durch die Sahraoui erfolgen kann.

Wozu dabei noch ein Referendum nötig sei, welches in OP3 in Einmischung in das Selbstbestimmungsrecht der Sahraoui angedacht wird, bleibt unerfindlich, wenn es nicht der bestimmten *bullying parties* geschuldeten

Huldigung entsprach; denn auch OP3 der Resolution 2229(XXI) kann dafür nicht herhalten.

OP5 der oben zitierten Resolution der UNGA, 2229(XXI) lautet weiters:

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;

Ganz der Auslegungsregel entsprechend, wonach speziellere Vertragsbestimmungen, die allgemeineren widersprechen, unbeachtlich sind, spricht die UNGA hier von *relevanten* Resolutionen, was betreffs der hier, oben zuvor erörterten Volksabstimmung nur bedeuten kann, dass sie als anderwärts massiver Eingriff in die Rechte der Sahraoui deren ganze und freie Zustimmung bedürfte.

In ihrer Resolution 2354(XXII)²⁰ vom 19. Dezember 1967 führte die UNGA u. a. wie folgt aus:

Noting further the statement made by the administering Power on 7 December 1966 relating to Spanish Sahara,²⁴ in particular with regard to the sending of a special United Nations mission to the Territory, the return of exiles and the free exercise by the indigenous population of its right to self-determination,

Considering the consensus adopted by the Special Committee at its meeting of 14 September 1967,²⁸

Der darin angesprochene Konsensus²¹ lautet auszugsweise:

"With regard to Spanish Sahara, the Special Committee notes with regret that the provisions of resolution 2229 (XXI) have not so far been implemented by the administering Power. In view of the limited time available to the Committee, it has not been possible for the Committee to have a full debate on this question.

"The Special Committee therefore agrees that the question of Ifni and Spanish Sahara be referred to the Fourth Committee for consideration at the twenty-second session of the General Assembly, in order to

envisage the necessary measures for the implementation of the above-mentioned resolution.

Der operative Abschnitt II der zuvor zitierten Resolution 2354(XXII) betrifft Spanisch Sahara und lautet:

II

1. Reaffirms the inalienable right of the people of Spanish Sahara to self-determination in accordance with General Assembly resolution 1514 (XV);

2. Approves 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 and endorses the consensus adopted by the Special Committee on 14 September 1967;

3. Invites the administering Power to determine at the earliest possible date, in conformity with the aspirations of the indigenous people of Spanish Sahara and 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 with a view to enabling the indigenous population of the Territory to exercise freely its right to self-determination, and, to this end:

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

(b) To take all the necessary steps to ensure that only the indigenous people of the Territory participate in the referendum;

(c) To refrain from any action likely to delay the process of the decolonization of Spanish Sahara;

(d) To provide all the necessary facilities to a United Nations mission so that it may be able to participate actively in the organization and holding of the referendum;

4. Requests the Secretary-General, in consultation with the administering Power and the Special Committee, to appoint immediately the special mission provided for in paragraph 5 of General Assembly resolution 2229 (XXI) and to expedite its dispatch to Spanish Sahara for the purpose of recommending prac-

¹⁸ A/C.4/SR.1660, § 4.

¹⁹ Ebd. (FN 17), § 243.

²⁰ A/RES/2354(XXII).

²¹ A/6700/Rev.1, chapter IX, § 38.

tical steps for the full implementation of the relevant General Assembly resolutions, 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;

5. *Requests* the Special Committee to continue its consideration of the situation in the Territory of Spanish Sahara and to report thereon to the General Assembly at its twenty-third session.

*1641st plenary meeting,
19 December 1967.*

Hier, in OP₃ der zitierten Resolution weicht die UNGA vom Wortlaut des OP₃ der oben zitierten Resolution A/AC.109/214 des *Special Committee* beträchtlich ab, indem sie anstatt *make arrangements* dort hier *determines* setzt. Außerdem heißt es hier *with a view to enabling* anstatt dort schlicht *to enable*. Beide Abweichungen sind nur scheinbar gegenläufig: Der Auftrag *zu bestimmen*, stellt gegenüber den, noch dazu in Konsultation mit den anderen dort genannten Parteien vorzunehmenden Vorkehrungen, eine Verschärfung zugunsten der Kompetenz der Verwaltungsmacht Spanien gegenüber Marokko dar, was mit dem *with a view to* noch bestärkt wird; womit der Tunichtgut in diesen Verhältnissen und Abläufen mit Marokko identifiziert ist!

In historischen Verträgen aus dem 18. Jahrhundert hat Marokko gegenüber Spanien mehrmals zugestanden, dass es im Gebiet der heutigen Westsahara keine Souveränität habe.²²

[wird alsbald fortgesetzt.]

²² Siehe dazu LAMBAUER, *Das ISA-Regime der UN-Seerechtskonvention. Ein Kurzkommentar*, Artikel 1 RNN 17-23, S. 5.