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Held at Headquarters, New York, on Tuesday, 13 October 2015, at 10 a.m.

Chair: Mr. AlJarallah (Vice-Chair)..... (Kuwait)

Contents

Agenda item 63: Implementation of the Declaration on the Granting of
Independence to Colonial Countries and Peoples (*Territories not covered under
other agenda items*) (*continued*)

Hearing of petitioners (continued)

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In the absence of the Mr. Bowler (Malawi), Mr. AlJarallah (Kuwait), Vice-Chair, took the Chair.

The meeting was called to order at 10.10 a.m.

Agenda item 63: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other agenda items*) (continued)

Hearing of petitioners (continued)

1. **The Chair** said that, in line with the Committee's usual practice, petitioners would be invited to take a place at the petitioners' table, and all would withdraw after making their statements.

Question of Western Sahara (continued) (A/C.4/70/7)

2. **Mr. Couso Permuy** (European Parliament Intergroup on Western Sahara) said that frequent debates in the European Parliament reflected concern over the continuous human rights violations in Western Sahara, the demand for the release of Sahrawi political prisoners and a desire for a just and lasting settlement to the self-determination dispute. A delegation of members of the European Parliament was currently visiting the refugee camps. Regrettably, Morocco had, on a number of occasions and sometimes violently, expelled such delegations attempting to visit the Territory it occupied. That was intolerable in view of the close bilateral ties between the European Union and that country.

3. The question of Western Sahara was a decolonization issue and the Madrid Accords of 1975 had been clearly illegal because an administering Power could not transfer a Non-Self-Governing Territory to another Power, but must conclude the decolonization process. Morocco, therefore, was an occupying Power according to General Assembly resolutions 34/37 and 35/19; at least seven other resolutions confirmed that, legally speaking, Spain was still responsible for the administration of Western Sahara. However, Spain systematically undermined international law with respect to the Territory not only by not assuming its decolonization responsibilities, but also by its cooperation and trading ties with Morocco. In that respect, he condemned also the trade agreements between the European Union and Morocco, such as the one on fisheries in the Territory, since Morocco had no jurisdiction in the matter.

4. Twenty-four years after the establishment of the United Nations Mission for the Referendum in Western Sahara (MINURSO), its main objective was yet to be fulfilled and, unlike most other missions of the sort, it had no human rights mandate. The Sahrawis had been enduring suffering and repression for 40 years, both in the camps and in the occupied Territory, the latter evidenced by such cases as the recent military trial and illegal sentencing of the Gdim Izik political prisoners, among them Hassan Aalia, sentenced in absentia to life imprisonment; to whom, it should be noted, Spain was denying both asylum and protection.

5. The conflict, a result of unfinished decolonization, had lasted far too long and must be resolved through the legitimate process of self-determination under the auspices of the United Nations, with European Union support. One could not equate the occupying Power with the occupied or expect persecutor and victim to come to a just agreement without pressure from the international community.

6. **Mr. Hmayen**, speaking in his personal capacity as a former judge in the Tindouf camps, said that he had been forced to hand down judgments dictated to him by the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente Polisario) for fear of retribution against himself and his family. At times, he would rather have been in the defendant's cage than on the bench. It eventually became clear to him that the host country was deliberately prolonging the conflict as a thorn in Morocco's side. Now that he had fled to the safety of Morocco, he felt obligated to clear his conscience by giving his testimony to the Committee. If the Saharans themselves rather than the host country were put in charge of the camps, the conflict would already have been resolved.

7. **Mr. Cameron** (World Action for Refugees) said that the Frente Polisario and its allies were saddling the refugees in the Tindouf camps with a heavy burden, denying them their basic rights, including the right to voluntary repatriation, guaranteed by international humanitarian and human rights law. Camp administrators were not fighting for the well-being of the downtrodden refugee population but, instead, exploiting those who, throughout their history, had endured systematic mistreatment. The recently published report by the European Anti-Fraud Office (OLAF) had concluded that a substantial portion of the humanitarian aid sent to the Tindouf camps had been

embezzled, as funds were skimmed for the personal enrichment of leaders and food and other supplies that were supposed to be distributed freely to the population were sold. The key factor in that scam was the tight control exercised over the camps by the Frente Polisario. No one had access to the area without its permission; not even the United Nations High Commissioner for Refugees had been allowed to conduct a census — the exact number of refugees being a closely guarded secret.

8. The Committee had heard how Morocco mistreated the Saharan population and it was true that there had been unfortunate events which could not be looked back on with pride. However, the decisive factor that should not be buried in rhetorical fog was that Morocco was systematically working towards creating a fabric of democracy and respect for human rights within its territory. The country's foremost human rights activist and Chairman of the National Human Rights Council had announced the launch of a government programme in the Sahara region to educate public servants at all levels on human rights and their observance. Furthermore, free and fair democratic elections had been held throughout the country, including the Sahara region, and had been deemed to be in line with international standards by objective observers.

9. The stark contrast between that reality and the situation in the Tindouf region was saddening. The international community had a responsibility to help the refugees out of their inhumane living conditions and should take steps based on its judgment of who had the population's well-being highest on their agenda. The answer seemed evident: Morocco was the only Power in the region that had earned the right to guarantee a sound future for the Saharan population.

10. **Mr. Urizar Alfaro**, speaking in his personal capacity as a professor of international law at a Chilean university, said that, despite the persistence of the Saharan conflict and the growing terrorist threat from the Sahel region, Morocco was one of the most stable countries in North Africa. That stability was the fruit of the Government's continuous political and socioeconomic reform and its implementation of an intelligent security strategy that included steps to prevent all risks of terrorist attacks against the Sahara region. However, the conflict with the Frente Polisario continued to pose a threat to all Saharans, to Morocco and to the wider region, because of the radicalization

of the population held captive in the Tindouf camps and the complete failure of the Frente Polisario to control the area to the east of the buffer zone. Several reports by international research centres had explicitly described those camps as breeding grounds for small jihadist groups operating in the Sahel and as offering an environment that was conducive to all forms of illicit trafficking. The security threat associated with the Saharan conflict was therefore very real. He called on the United Nations and the entire international community to support unreservedly the Moroccan autonomy proposal — the only just, peaceful and lasting solution to the conflict and a guarantor of regional stability. In so doing, the international community would also be helping to end violence in the Sahel.

11. **Mr. Gookin** (Western Sahara Human Rights Watch), recalling that Western Sahara was a colony whose administering Power, Spain, had yet to comply with the requests of the United Nations to the decolonize the Territory, subsequently occupied by Morocco, said that the solution to the conflict was through self-determination, in line with the advisory opinion of the International Court of Justice concerning Western Sahara. A 2006 mission report by the Office of the United Nations High Commissioner for Human Rights (OHCHR) clearly stated that the right to self-determination for the people of Western Sahara must be ensured and implemented without any further delay and that almost all human rights violations and concerns with regard to the Sahrawi people stemmed from the non-implementation of that fundamental human right.

12. Year after year, the facts substantiated that report, as Morocco systematically violated civil and political rights, economic rights and social and cultural rights in Western Sahara. The rising death toll of political prisoners in Moroccan jails and the continued imprisonment of Gdim Izik political prisoners, tried without due process before military courts; the failure of Moroccan authorities to investigate and convict the murderers of the Sahrawi victims of the violent events of November 2010; the continued extraction of phosphate from the deposit-rich Bu Kraa mine and plundering of the fish stocks in Western Saharan waters, with the complicity of the European Union; and the prohibition of religious and cultural symbols and traditions were but some of the violations.

13. The excessive duration of the conflict should not be an excuse for the United Nations to shirk the responsibilities outlined in Article 73 of the Charter of the United Nations and relevant resolutions. The resolution on the question of Western Sahara to be adopted at the current session of the General Assembly should request the Secretary-General and the Security Council to establish a road map to end colonization and guarantee the right to self-determination and other human rights. The road map should start with the destruction of the mined berm dividing the Territory, and the establishment of a standing United Nations presence with a human rights mandate. It should also call for the immediate holding of a self-determination referendum on a set date and establish specific provisions should Morocco fail to comply with its international obligations.

14. **Ms. Hemeida**, speaking in her personal capacity as a writer and journalist, said that Sahrawi women prided themselves on their strength and their roles in the family and in society. There were no cases of domestic violence in the camps in Algeria because it was against Sahrawi culture. However, across the berm, in the Moroccan-occupied part of Western Sahara, women were unjustly treated like second-class citizens and abused by Moroccan armed forces. Images abounded of women being dragged by the hair and beaten for simply demonstrating peacefully for their fundamental human rights. Violence against women in any form must never be tolerated and the United Nations and other international organizations should not stand idly by, but condemn the brutality suffered by all Sahrawis at the hands of the Moroccan regime. It was time for the international community to take a stand and implement proposals for the monitoring and reporting of human rights violations in the occupied Territory so that the Sahrawi people, who lived in constant fear, could live in peace and dignity.

15. **Ms. Porter** (Leadership Council for Human Rights) said that the situation in Western Sahara was the most egregious ongoing human rights situation in the world, driven and perpetuated by greed and corruption. On her many visits with the families of those still in the Tindouf refugee camps, she had heard first-hand horror stories of malnutrition, secret prisons, denial of basic rights, and of mothers whose children had been ripped from their arms and sent abroad to be indoctrinated as Frente Polisario supporters. However, the acceptance of Morocco's autonomy proposal,

which since 2007 had been the sole credible option for resolving the issue of Western Sahara, could provide hope for the Sahrawis still stranded in Tindouf. Morocco had invested billions of dollars to make Western Sahara a prosperous region where current residents and Sahrawis wishing to return to their families could build a future for their children.

16. She had promised the families she had met to get justice for their captive relatives, the nameless and faceless victims of the thugs who stole their humanitarian aid. However, it was for the international community and the Fourth Committee to take action. She had witnessed distortions of the truth, even in the United Nations. The price of inaction would be seen in the faces of the women and children who continued to languish in tents while Frente Polisario leaders lived in mansions and bribed government officials. The United Nations was a forum for truth and freedom, not a forum to placate the Algerian regime, which sought to dictate the statements before the Committee and had been violating international refugee law by holding Sahrawi refugees hostage for over 40 years. It was time to set them free.

17. **Mr. Matsumoto**, speaking in his personal capacity as a Japanese university professor and expert in international law, said that the officially confirmed diversion of food and medicine destined for the Tindouf camps by Frente Polisario members and others had legal implications under the Rome Statute of the International Criminal Court. The Statute defined extermination, which included the intentional infliction of conditions of life, inter alia the deprivation of access to food and medicine, calculated to bring about the destruction of part of a population, as a crime against humanity. Therefore, the failure to take effective measures to prevent the proven deprivation of access to food and medicine, with knowledge of the circumstances, might likewise be deemed calculated to bring about destruction. The individuals responsible for the distribution of food and medicine would thus be punishable under the Court's universal jurisdiction, in line with article 25 of the Statute.

18. Furthermore, pursuant to the Draft Articles on the Responsibility of States for Internationally Wrongful Acts drawn up by the International Law Commission, a State assumed responsibility for any internationally wrongful action or omission committed within its territory, even by private persons, and for any such act committed by State organs within or without its

territory. A State which aided or assisted another State in its commission of a wrongful act was also responsible if done with knowledge of the circumstances. Consequently, even a third State would be entitled to call upon another State to act on behalf of a population such as those in the Tindouf camps in order to ensure cessation of the breach of their interests.

19. An unjustified surplus of humanitarian aid might be conducive to its diversion. That was why the holding of a census was a precondition for proportionate humanitarian assistance. Furthermore, if humanitarian assistance was provided according to the principles of humanity, neutrality and impartiality, in line with General Assembly resolution 46/182, that alone could help advance a just, lasting and mutually acceptable solution to the Western Sahara conflict.

20. **Mr. Agozino**, speaking in his personal capacity as an Argentinian university professor and expert in international conflicts, said that over the last 40 years, the separatist Frente Polisario movement and its Algerian allies had been a permanent obstacle to stability and development in the region, inciting violence, threatening a return to arms and detaining, through trickery and force, part of the Saharan population in subhuman conditions in camps within Algerian territory. The only realistic proposal for a solution to the conflict had been put forward by Morocco. Its autonomy initiative, which had been widely supported by the international community, would guarantee stability and development for the region and the continent as a whole. In contrast, both the Frente Polisario and Algeria had systematically refused to discuss the initiative or provide any realistic alternative and merely called on Morocco to accept their unreasonable separatist demands. The Committee must urge the Frente Polisario and its ally to abandon such thoughtless and criminal attitudes and to embrace, once and for all, frank diplomatic negotiations based on the Moroccan autonomy proposal.

21. The initiative, which offered true regional integration — particularly advantageous in view of the unsustainable economic and security costs of the current situation — was also a rampart against the Balkanization of the region and the emergence of pockets of insecurity such as the rise of the terrorist threat in the Sahel region. All parties to the conflict should accept the proposal and, in that context, Algeria must seriously help to promote peace and prosperity in

the region by ending its financial, diplomatic and military support for the Frente Polisario. Failure to accept the autonomy proposal would further increase the suffering of the population in Tindouf, allow the Frente Polisario and other local mafia groups to expand their illicit activities, and open the door to religious extremism that would destabilize the entire Maghreb. The United Nations and the international community had to urge Algeria and the Frente Polisario to allow those held captive in the camps to return to their homeland, Morocco, to live in dignity with their families.

22. **Ms. Onodera** (Sapporo Institute for International Solidarity) said that the issue of the exploitation of the resources in the Sahara region was gravely misunderstood. Morocco had always taken into consideration the importance of balancing intelligent exploitation of natural resources with using such resources to benefit the population and develop the region. Contrary to the claims of critics, the infrastructural investments in the Sahara region surpassed the revenue gained from current exploitation. Since 2000, Morocco had allocated between US\$ 1.5 and \$2 billion to the Sahara region, invested in 120,000 housing projects and 900 km of roads and spent more than US\$ 300 million in water production. To upgrade and protect local fishing resources, it had invested in the onshore facility in Laayoune, which accounted for 40 per cent of domestic fish production and currently employed over 25,000 people, and had signed fishing agreements that were completely in line with international law. Furthermore, assertions that the Sahara region had one of the richest global reserves of phosphate were false: those reserves accounted only for 8 per cent of Morocco's total phosphate production and 2 per cent of national reserves, and the national phosphate company was maintaining operations there primarily to safeguard jobs and the livelihood of 1000 families. Morocco had invested in desalination plants and dams, resulting in a water connection rate that was close to 100 per cent. It had also switched to green energy, implementing a five-year programme to introduce solar and wind power stations as alternatives to fossil fuel in the region. Clearly, Morocco was not exploiting resources for its own use but was using national economic assets to benefit the region's population.

23. Moreover, it had launched a new model of equitable and sustainable growth which aimed to

generate wealth and to promote job creation in the region. In that regard, she urged the United Nations and the international community to support the Moroccan autonomy proposal, an equitable solution that would ensure the socioeconomic and political well-being of the population of the region.

24. **Mr. Lygeros**, speaking in his personal capacity as a professor and strategic analyst, said that the lack of representativity of the Frente Polisario was fundamental to the question of Western Sahara. While the only international claim concerning the former Spanish colony had been made by Morocco beginning in 1956, the Frente Polisario had come to prominence in 1976 when it had assumed the role of a government in exile. Furthermore, led autocratically by a Secretary General for life and his inner circle — allegedly re-elected for four decades — the very structure of the movement raised questions as to how representative it truly was. That was also evidenced by the emergence in 2004 of the dissident Khat al-Shahid faction within the Frente Polisario, which opposed the Secretary General's nepotism and lack of geopolitical strategy. The legitimacy of the Frente Polisario had been damaged, as had that of the Saharan Arab Democratic Republic, which was no longer recognized by a number of countries since they now believed that went against the very principle of holding a self-determination referendum in Western Sahara.

25. The Sahrawi population living in the contested Territory, who accounted for the majority of Sahrawis, voted regularly in Moroccan elections and had turned out in number during the recent municipal and regional elections. By contrast — and particularly problematic with regard to representativity and legitimacy — no elections that met internationally accepted democratic standards were organized in the Tindouf camps. As for the Frente Polisario, the difference between separatist and liberation movement was not very clear owing to the lack of a long-term strategy in a conflict that had gone from a stalemate to an impasse. It was also for that reason that the European Union and most of the international community did not recognize the Saharan Arab Democratic Republic; which amounted to a diplomatic disavowal of the Frente Polisario's actions. The Moroccan autonomy proposal therefore appeared increasingly to be the only viable and realistic solution to the regional conflict.

26. The Frente Polisario's credibility could also be questioned because of its refusal to conduct a census in

the Tindouf camps as requested by the United Nations High Commissioner for Refugees. The resulting overestimation of the number of refugees and the siphoning of international aid had been clearly illustrated in the OLAF investigation. One could therefore reasonably ask how many Saharan refugees actually were in Tindouf and whether they believed that the Frente Polisario leadership were their true representatives, particularly since the majority of the movement's founders had accepted the invitation to return to Morocco to contribute to the democratic revival and development in the Sahara region. In the light of the foregoing, it was also reasonable to question whether that movement had any role to play in the resolution of the conflict.

27. **Mr. Debeche**, speaking in his personal capacity as a professor of political science at an Algerian university and member of the Algerian National Committee for Solidarity with the Western Sahara people, said that ending colonialism in Western Sahara, so long overdue, would be a great achievement for the United Nations and a major contribution to regional peace, integrity and security. The people of Western Sahara had waited too long. It was hard to believe that the international community was still discussing decolonization, the very basis of the Charter of the United Nations, instead of devoting its efforts to pressing social issues. The Secretary-General's statement in his previous year's report on the situation concerning Western Sahara ([S/2014/258](#)) that 2015 should be the year of finding new means by which the people of Western Sahara would exercise self-determination and that the Security Council would assume a substantial role in a definitive political solution by implementing the legal mechanism for decolonization, was nowhere near fulfilled.

28. The major factor behind the failure to preserve the Arab Maghreb Union had been the denial of self-determination to the people of Western Sahara. An independent Western Sahara that was well situated on the Atlantic Ocean and served as a strategic door to the Sahel through Mauritania would greatly enhance regional peace and security. It had already been serving that function under the leadership of the Frente Polisario despite Moroccan colonial occupation and containment, and would do so much more as an independent State.

29. **Mr. Rodrigues**, speaking in his personal capacity, said that in 2014 the results of an

investigation conducted by the European Anti-Fraud Office (OLAF) had shed light on large-scale diversions of humanitarian aid destined for the Sahrawi refugees in the Tindouf camps, which had taken place since the late 1990s. That annual aid was valued at approximately 10 million euros. Investigators had been particularly concerned that the Frente Polisario leadership had not given free access to the camps to representatives of humanitarian organizations or allowed the inspection of logistical and distribution channels. Above all, they deplored the Algerian authorities' refusal to allow an official census of the population living in the camps.

30. At the twenty-eighth session of the Human Rights Council in 2015, European Union representatives had publicly announced that the European Commission had taken the recommendations of the OLAF report very seriously, taking steps to revise downward the registered number of refugees, improve monitoring mechanisms and eliminate incriminated persons from the aid distribution process. Despite the efforts by the European Union and the United Nations to strengthen monitoring, secure aid delivery and empower those assisting the refugees, it was still impossible to know the exact number of persons who truly needed humanitarian aid. In resolution 2218 (2015), the Security Council had reiterated its request for an official census of the Tindouf camps, which was more urgent than ever; and in a 2015 budget report, the European Parliament had also underscored the need for a census, recalling that already in a 2005 inquiry report, UNHCR had declared the non-registration of a refugee population for such an extended period of time to be abnormal.

31. Only a census conducted in accordance with international law could re-establish donors' and humanitarian organizations' trust, a prerequisite for dispelling the many doubts about the way aid was being distributed to the persons who needed it the most. Not to proceed with a census would clearly be detrimental to the population concerned and violate their most basic rights under international and European law.

32. **Ms. It**, speaking in her personal capacity and observing that the granting of autonomy had commonly been used to resolve disputes involving Non-Self-Governing Territories, said that a broad autonomy arrangement had been agreed to by the Indonesian Government to resolve the bloody 30-year conflict in

her own Aceh region in 2015. The successful example of Aceh could inspire the international community and give impetus to the Moroccan autonomy proposal for ending the Western Sahara conflict. That proposal would give the Territory's population a new opportunity to live peacefully at last and regain their dignity, by satisfying the claims of both self-determination and State sovereignty; and would at the same time end the frustration of the young people living in the Tindouf camps over their uncertain future.

33. Autonomy, however, offered a sustainable solution only if some sense of conciliation and urgency existed among all the parties, which the Frente Polisario and Algeria had not clearly demonstrated.

34. **Mr. Ndembet**, speaking in his personal capacity, said that he welcomed the Moroccan autonomy proposal, which the Security Council had described as serious and credible on several occasions. The Western Sahara dispute, which affected all of Africa as well as the Maghreb, was a destabilizing factor in a region already shaken by the many conflicts that were rife in the Sahel. Aware of this, the United Nations had not ceased to sound the alarm about the risks of collusion between the Frente Polisario and terrorist and jihadist groups operating in the Sahelo-Saharan region.

35. Numerous attempts at mediation had been carried out in the last few decades, but had not borne concrete results. Having come to the conclusion that its settlement plan for Western Sahara on the basis of a referendum was essentially inapplicable, the United Nations and the Security Council in particular had launched repeated calls to the two parties to reach a political, negotiated and mutually acceptable solution. The Moroccan initiative of 2007 in response, proposing autonomy for the Saharan region within the framework of its sovereignty and national unity, took a responsible and innovative approach that complied with international law and accepted autonomy standards, and had been the result of very broad nationwide and local consultations. The Saharans would manage their affairs democratically through legislative, executive and judicial bodies vested with exclusive powers in all sectors except defence and foreign relations.

36. Unfortunately, the other concerned parties had not seized the historic opportunity of accepting such a bold compromise, which would, moreover, counter the regional instability stemming from the close presence

of increasingly powerful fundamentalist and terrorist movements. Instead of joining in writing a new page in the region's history, the insistence by Algeria and the Frente Polisario on a referendum deemed impracticable by the United Nations only delayed a political solution to the Western Saharan conflict and perpetuated the suffering of the population confined to the Tindouf camps. They did not seem particularly concerned with the incongruity of calling for a referendum while creating the Saharan Arab Democratic Republic, a completely factitious entity devoid of any of the characteristics of a State. Their lack of political will was obvious.

37. **Ms. Dorigny**, speaking in her personal capacity as a legal scholar, said that she was concerned strictly with the legal aspects of the decolonization of Western Sahara. Morocco's invasion of the Non-Self-Governing Territory 40 years earlier on the pretext of territorial sovereignty — a claim denied by the International Court of Justice — had initially been condemned by Spain as an act of war, although it had later abdicated as administering Power; and Security Council resolution 380 (1975) had called on Morocco to withdraw. It was rare to see such a clear-cut legal case of aggression. And it was rare to see such impotence from the United Nations and such cowardice and dishonesty from its Member States, which had no right to acquire or relinquish authority over a Territory and its people without a process of self-determination.

38. The Sahrawis must vote in a self-determination referendum and defend the Territory's borders. In order for justice to be carried out, Spain must assume its responsibility as the administering Power, Morocco must withdraw its troops and the United Nations must take over. MINURSO troops must control Western Sahara and, responding solely to United Nations leadership, must come to a final count of the legitimate Sahrawis who would vote in the referendum, which the United Nations must hold. None of that had happened because France, a permanent member of the Security Council, had been stonewalling the process and putting its relationship with Morocco above its commitment to human rights.

39. **Ms. El Kassimi**, speaking in her personal capacity as a British woman of Sahrawi descent, said that if the Committee was serious about the security of North Africa, the human rights of its people and the elimination of enslavement, the only solution would be to ensure that independent official observers were

given unhindered access to the hellish refugee camps in Algeria in order to assess the appalling human rights violations. As vividly described in a recent Human Rights Watch report on the Tindouf refugee camps and in testimony before the fourteenth session of the Human Rights Council in 2014, current abuses included the imprisonment of unmarried pregnant females after forced reproduction, and the inhumane treatment of children, who were denied their basic rights, including the right to education. It was time to end 40 long years of suffering and the degradation of women in that appalling part of the world.

40. The fact that Algeria had repeatedly denied international observers access to the Tindouf area also threatened international security. According to the latest study from the Carnegie Endowment, the area was becoming well-known for its terrorist groups and had increasingly become a breeding ground for terrorist cell recruiters and traffickers. Given the dire lack of employment, an increasing number of young Sahrawi refugees were being indoctrinated with terrorist ideals. According to the International Federation of Red Cross and Red Crescent Societies, there was increasing evidence that food and supplies donated to support refugees were either sold within the camps or diverted and sold for profit in neighbouring countries. Immediate action was needed to ascertain the scale of abuse and corruption in the Tindouf camps.

41. The international community must seriously consider the Moroccan autonomy proposal, for which both independent observers and Western Sahrawis had declared their support because it was sound and just and offered a chance of lasting peace.

42. **Ms. Vásquez**, speaking in her personal capacity, said that, in the six weeks she had spent in the occupied city of Laayoune, she had witnessed checkpoints set up between the city centre and the beaches to keep track of the Sahrawis' movements, highly militarized security along the city's main streets and inexplicable levels of violence used to prevent the freedom of political expression and disperse peaceful demonstrations.

43. While the Moroccan Government and its representatives claimed that Western Sahara was part and parcel of their greater State and that its residents were treated with the same dignity and respect as Moroccans, the reality on the ground was quite different. During a 2014 demonstration commemorating

Sahrawi lives lost as a result of unlawful jailings during the 1980s war, riot police had lined the entirety of the main street, prevented large groups from congregating, and met the several dozen Sahrawis protesting with completely unprovoked aggression. That would be unimaginable in Morocco proper. Several participants had sustained wounds and bore scars from other peaceful protests, reminiscent of survivors of the war and those who had been illegally detained for years, accused of aiding the resistance movement and supplying the Frente Polisario with intelligence.

44. No progress had been made towards achieving Sahrawi self-determination through a referendum or improving security and the observance of human rights. That was largely due to the international community's lack of political will to fully implement General Assembly resolution 1514 (XV) and rid the world of colonialism in all its forms.

45. **Mr. Khairallah**, speaking in his personal capacity as a journalist who had worked for a number of well-known Arabic newspapers, said the reason that the question of Western Sahara had remained unresolved for over 40 years was that the United Nations was unwilling to adopt new approaches. Morocco's autonomy proposal took into account the political dynamics and offered hope of overcoming the stalemate. The recent September 2015 elections had demonstrated yet again Morocco's commitment to democratic reform and human rights. However, Algeria had failed to match Morocco's flexibility, and repeatedly conspired to defame Morocco in international forums as part of its efforts to obstruct any resolution of the dispute.

46. **Mr. Bessedik** (Algeria), speaking on a point of order, said that Algeria was not the issue at hand, and insisted that the petitioner stick to the agenda item.

47. **Mr. Laassel** (Morocco) said that it was impossible to discuss Western Sahara without mentioning Algeria. Although his delegation did not believe that issues relating to his country's southern provinces fell legitimately under the heading of decolonization, it had no problem joining in the discussion and presenting its positions. His colleague from Algeria evidently did not share the same willingness to engage in open dialogue.

48. **The Chair** reminded all speakers to restrict their remarks to the agenda item.

49. **Mr. Khairallah**, resuming his statement, said that as a former judge in the Tindouf camps, he could vouch for the fact that the issue was indeed a problem between Morocco and Algeria. The only reason the United Nations could not address it as such was that Algeria had created the Frente Polisario as a front organization in order to disguise its responsibility. If the United Nations did not support the Moroccan proposal, the Sahrawis would remain mired in despair, and would be vulnerable to exploitation by terrorist groups in North Africa and the Sahel region.

50. **Mr. Bessedik** (Algeria) said that the second paragraph of General Assembly resolution 38/40 on the question of Western Sahara clearly stated that the parties to the conflict were the Kingdom of Morocco and the Frente Polisario, and the petitioner should not have dragged Algeria into the discussion.

51. **Ms. Riveros**, speaking in her personal capacity as a Colombian political scientist and analyst, said that the proposed autonomy initiative for the Sahara region was a serious, realistic and credible solution that provided the best hope, as it was based on the rule of law and guaranteed the entire population full integration, without discrimination, within a unified nation. Despite a complex regional context and an imminent terrorist threat, Morocco was able to ensure the safety of its citizens through its commitment to international peace and security and its indisputable role at the forefront of regional peace efforts. Above all, the moderate Islam practised in Morocco was encouraged by the State in hopes of avoiding radicalization.

52. Morocco had never turned its back on dialogue and wished to put an end to the status quo and the humanitarian tragedy that had been imposed and sustained by Algerian cunning. The Moroccan proposal was in line with the path laid out by the Security Council and offered many possible benefits to the Saharan region. In political terms, Saharans would be able to elect an autonomous government and parliament that would operate within an autonomous institutional and democratic framework with all the financial resources necessary. It would be possible for the autonomous Sahara region to establish and maintain relations with regions in other countries with a view to promoting dialogue and interregional cooperation. In economic terms, there would be complete autonomy with regard to all development policy, regional planning, investment promotion, trade, industrial

development, tourism and budgeting and financial matters. The social benefits would include, inter alia, housing, education, health care and social security and protection, while the cultural benefits would include promotion of the Hassani heritage. The solution to the conflict must not be reduced to a strategy of winners and losers; it must be based on mutual trust and sincerity and respect for human life and dignity.

53. **Mr. Arroyo Laguna**, speaking in his personal capacity as a Peruvian sociologist, political scientist and expert in North African history, said that all in the room shared the desire for unity in the Maghreb within the parameters for peace recognized by the United Nations and autonomy for the Sahara region; they only differed in how that should be achieved. From the times of the ancient Sahrawi tribes who paid tribute to the Sultan of Morocco and the many Moroccan dynasties whose roots were in the Sahara region, there had been strong historical, social, geographical, economic and geopolitical ties. It would therefore be impossible to separate the Sahara region from a country of which it had always been a part and which was one of the oldest States in North Africa. A secessionist policy was also dangerous because it would upset the relative peace in the region, particularly when one considered current events in neighbouring States. Separation would be against nature: Morocco, without the Sahara region, was inconceivable; the Sahara region, without Morocco, would revert to its pre-1975 condition under colonialism. It would be recalled that the former United Nations Secretary-General, Javier Perez de Cuellar, had maintained that the only solution to the question of Western Sahara remained integration into Morocco within the autonomy framework.

54. In the recent municipal and regional elections in Morocco, close to 70 per cent of the Saharan population had voted in favour of remaining under Moroccan rule and against separation. That vote was tantamount to a referendum and the democratic opinion of the people must be taken into account.

55. **Mr. Bessedik** (Algeria), speaking on a point of order, said that General Assembly resolution 34/37, paragraph 7, recommended that the Frente Polisario — the representatives of the people of Western Sahara — should participate fully in any search for a just and lasting solution of the question of Western Sahara in accordance with the resolutions and declarations of the United Nations, the African Union and the Non-Aligned Movement.

56. **The Chair** reminded Committee members to raise only points related to petitioners' statements.

57. **Mr. Laassel** (Morocco) said that the resolution the Algerian representative referred to had been adopted 40 years earlier. Since then, no resolution issued by either the General Assembly or the Security Council had employed that terminology. The Algerian representative remained entrenched in his country's doctrine while Morocco had evolved. The autonomy plan had been discussed by the Security Council for seven years already.

58. **Mr. Bessedik** (Algeria) said that he wondered about all the United Nations resolutions adopted 40 years earlier which were still effective.

59. **The Chair** reiterated that the Committee was listening to petitioners and not engaged in debate.

60. **Mr. Oublal**, speaking in his personal capacity on behalf of Sahrawi workers and refugees in Belgium, said that at a time when all the world was seeing media images of what Syrian refugees were undergoing, he wished to draw attention to the suffering of the Sahrawis, which was often overlooked. One part of the Sahrawi people had found security on Algerian territory, but the other part continued to endure oppression by Morocco. While Syrian refugees were receiving a humanitarian welcome in Europe, Sahrawi refugees were being deported from Europe to Morocco. He urged the Committee to call on the European Union to extend humanitarian treatment to Sahrawi refugees, and also to include language in its annual resolution on Western Sahara that excluded the Territory from trade agreements signed by Morocco, expedited the self-determination referendum, stemmed the drain of Western Sahara's natural resources, called for the release of Sahrawi political prisoners, and expanded the MINURSO mandate to include human rights monitoring.

61. **Mr. Brown** (Western Sahara Resource Watch) said that he would tell the story of a young man who had been insulted for being Sahrawi and assaulted by four men while walking down the street in Laayoune, Western Sahara. After several days of staggering neglect by local authorities, he had died. His death could have been avoided if such wanton violence had higher costs. If it was not for the work of the Robert F. Kennedy Human Rights Center, the United Nations would not even have known about his murder.

62. The United Nations could not be blamed for his death, but it could do something about such incidents. MINURSO was the only peacekeeping mission in the world without a human rights monitoring mechanism. The Secretary-General himself had called for an independent and impartial assessment of the human rights situation in Western Sahara. Mark Williams, a member of the British Parliament and of a parliamentary group on Western Sahara which had visited Laayoune also advocated adding a human rights mechanism to the mandate of MINURSO.

63. According to Western Sahara Resource Watch, the Western Saharan resources under occupation had been further depleted in the past year. The export of phosphate mineral rock had continued in clear violation of General Assembly resolution 1803 (XVII). Resource development activities in the Territory were a pretext to normalize the Moroccan occupation, allow the employment of illegal settlers and present a facade of ordinary economic activity. In late 2014, the first illegal drilling for oil had taken place on the Western Saharan seabed — a subject that had been addressed more than a decade earlier by former United Nations Legal Counsel Hans Corell. His own organization had welcomed the March 2015 communiqué on the subject by the African Union Peace and Security Council as a positive development. The international community as well had more frequently expressed concern over the plunder of Sahrawi resources.

64. With the fortieth anniversary of Morocco's occupation fast approaching, it was up to the Sahrawis to decide their own future in accordance with international law and the Charter of the United Nations.

65. **Ms. Bachir**, speaking in her personal capacity as a Sahrawi student at a United States college, told the story of Hassan Aalia, an innocent Sahrawi activist who, because of his participation in peaceful demonstrations against Morocco's brutal repression of the Sahrawi population, was sentenced to life in prison by a Moroccan military court. In 2012, Aalia had fled for his life and sought political asylum in Spain. Although he had met the requirements, his asylum request had been denied and he had been given a compulsory order to leave the country. Aalia was the perfect candidate for refugee status under the Universal Declaration of Human Rights. It was not surprising that Spain would prefer not to compromise its profitable relationship with Morocco even as the latter violated

human rights. If Hassan Aalia was deported or returned to the occupied Territory of Western Sahara, he would face life in prison at only 27. The Spanish Government must stand up for justice, grant Aalia his right of asylum and not put its economic interests before the rights of Sahrawis.

66. Denying the Sahrawi people their right to self-determination undermined the credibility of the United Nations in the hearts and minds of both the people of Western Sahara and the international community at large.

67. **Ms. Marino**, speaking in her personal capacity, said that, over the years, the question of Western Sahara had been pushed aside as other regional conflicts took centre stage. The international community needed to give priority to the situation, which was in violation of Article 73 of the Charter, in order to get closer to a solution and to avoid being held responsible for negligence. International law could be effective only when countries agreed to uphold it. There was not a single established international mechanism to police its application, which depended on State sanctions and diplomatic measures, including internal and external pressures.

68. The Sahrawi refugees living in the camps should be of utmost concern to the Committee. The Sahrawi people needed a Government that could provide them with stability, security, structure and room to grow. They were human beings with dreams and aspirations like anyone else. Further negotiations between the parties to the dispute were absolutely necessary. She appreciated the Moroccan initiative for negotiations on an autonomy statute for the Sahara region within Morocco. Not negotiating would exacerbate the stalemate until either party decided to violate the ceasefire and hopes for a change would once again be dashed. The international community could not and should not wait until conflict resumed.

69. **Ms. Thomas**, speaking in her personal capacity as a former legal affairs official for the MINURSO Identification Committee, said that if the Fourth Committee did its job correctly, the Western Saharan people would be able to decide for themselves who their leaders should be and what kind of government they desired. The Committee's mission was and always had been attaining self-determination for the world's Non-Self-Governing Territories, a mission at which it had failed miserably in the case of Western Sahara.

70. There was no reason a referendum could not be held to allow the people to decide their future. One would have been held 15 years ago had the United Nations fulfilled its obligations to those people and abided by international law. Although she had heard the excuse that it was impossible to conduct a referendum because there had been no agreement on voting eligibility criteria at that time, she assured the Committee that it was false. The eligibility criteria, which Morocco had proposed in the first place, had been agreed by all concerned parties by the time the provisional voters' list had been published. However, Morocco disagreed with how those criteria had been applied by the MINURSO Identification Committee when it had rejected over 100,000 of its candidates. Morocco refused to proceed with the referendum for the simple reason that it knew it would lose any referendum that was conducted in a fair and impartial manner among true Sahrawis.

71. Meanwhile, Morocco had run rampant in Western Sahara, using the Territory's resources without restraint and without regard to the requirements set down by the United Nations Legal Counsel, inundating the Territory with settlers contrary to its obligations under international law, and brazenly proclaiming that the Territory was its southern province. The Committee members must either begin fulfilling the role they had been assigned or resign and let others take their place. If the Fourth Committee was no longer capable of carrying out its mandate, the United Nations must disband it and admit that it could no longer support the right of self-determination for the Non-Self-Governing-Territories.

72. **Mr. Boukhari** (Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro), recalling the Moroccan invasion of Western Sahara and its subsequent disregard for the many General Assembly and Security Council resolutions demanding an end to the military occupation, said that 23 years after the establishment of MINURSO, its mandate to conduct a referendum remained unfulfilled because the occupying Power had decided to sabotage the process. The King of Morocco had even gone so far as to say that Morocco would stay in the Sahara region until the end of time. Indeed, it was still there occupying a large part of his country, humiliating the United Nations and MINURSO, and brutally violating human rights to the verge of committing genocide. It was still pillaging his country's natural resources and deliberately inundating

the region with drugs confiscated from the many terrorist groups in the Sahel.

73. The United Nations was therefore faced with a Shakespearean dilemma: to be or not to be coherent in the pursuit of peace, in line with the principles and resolutions that had categorized the conflict as a decolonization issue. The occupying Power had repeatedly shown that it was a threat to regional peace and must therefore be persuaded to cooperate with MINURSO and allow it to carry out its assigned task before it was too late. One must ask why Morocco was afraid of the referendum, when it had originally agreed to it. The Sahrawi people believed that the Organization had the wherewithal to prevent the horrors seen daily in North Africa and the Middle East from spreading to their region. Both parties to a conflict that had lasted too long must with international help join efforts to work for peace within the confines of international law and in a civilized manner, under the auspices of the United Nations. That was his message to Morocco and to the Organization.

74. **Mr. Mugimba** (Uganda) asked the petitioner to provide more information on the reasons behind the failure to hold a referendum and on the extent of human rights violations, to help give Committee a better grasp of the situation.

75. **Mr. Mgobozi** (South Africa) said that there had been several allegations from petitioners pertaining to the siphoning off of humanitarian aid and terrorism within the camps and asked whether the petitioner could shed light on those matters.

76. **Mr. Proaño** (Ecuador) said that he too would like further clarification with regard to the humanitarian aid situation in the refugee camps.

77. **Mr. Boukhari** (Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro) said with regard to the human rights situation, that a 2006 report by the Office of the United Nations High Commissioner for Human Rights (OHCHR) had detailed the human rights violations in Western Sahara and the failure to respect the right to self-determination. The situation had since worsened and many respectable international human rights organizations had reiterated that MINURSO should have a human rights mandate until a just and lasting solution to the conflict had been found; efforts to that end, even on the part of some permanent members of the Security Council, had come to nothing. The Frente Polisario had suggested that MINURSO

and OHCHR should open up permanent offices in the camps. As to the referendum, it had not taken place simply because Morocco did not want to lose the vote and wanted to sabotage the process.

78. **Mr. Laassel** (Morocco), speaking on a point of order, said that the petitioner should not be allowed more than one minute to reply. He also noted that the report cited by the petitioner did not exist.

79. **The Chair** said that the secretariat informed him there was no time limit for petitioners replying to questions raised by members of the Committee and he would therefore allow the petitioner four minutes to speak.

80. **Mr. Laassel** (Morocco), speaking on a point of order, said that the petitioner's comments were defamatory and he requested that his statement should be curtailed. The Chair should intervene to stop the games that were being played in the Committee and allow the petitioner one minute only.

81. **Mr. Bessedik** (Algeria) said that the Moroccan representative's statements were clearly calling into question the intentions and credibility of the petitioner. The Chair had ruled that there was no limit and should apply the rules, giving the petitioner sufficient time to answer each question.

82. **The Chair** said that several representatives had raised questions and he was giving the petitioner time to reply to them. He noted, however, that the repeated points of order were delaying the work of the Committee and he asked members to respect his decision.

83. **Mr. Boukhari** (Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro) said that he welcomed the interest of delegations but that the allegations of diversion of humanitarian aid were false and unjust. The aid distributed in Western Sahara was strictly controlled by humanitarian workers. Since the investigations in 2003, the European Commission had taken all necessary preventive measures and had established strict follow-up of aid received and its logistical distribution. The containers could not be opened until arrival at the camps. On the issue of terrorism, he said that the Frente Polisario was also concerned because it had itself been affected by terrorist acts. It was working with its fellow African Union member States to combat terrorism, but the

main problem was the flow of drugs that originated in Morocco.

84. **Ms. Chajai** (Femme et jeunesse sahraouie en Belgique) said that, as a Sahrawi woman now living in Belgium, she had been forced to seek another Government's protection because her own had failed her. Her Territory was ruled by corrupt, money-hungry individuals who did not care about what the Sahrawis wanted and would kill their own people for their own benefit. She preferred to live freely in another land than be a prisoner in her own. Sahrawi women should not be beaten, assaulted and sexually harassed every time they protested peacefully; the young people of Western Sahara should be looking confidently to the future and not be oppressed, imprisoned and tortured and made to feel as if their lives did not matter.

85. The Sahrawi people deserved freedom and needed the international community more than ever. Too many people had been killed and too many rights violated. She knew that now that she had come to speak before the Committee, the Moroccan Government would make it impossible for her to see her family. Yet her new Belgian identity had given her enough strength finally to fight for who she was and become the voice of the voiceless, who wanted peace, justice and equal rights and would continue to resist corruption and repression and stand up for the truth. The Sahrawi people, the rightful occupants of Western Sahara, must be given the right to self-determination so that their fate could be put back into their hands.

86. **Ms. Scholte** (Defense Forum Foundation) said that the decades-long failure of the United Nations to act on self-determination for Western Sahara had led to the ongoing human rights violations against the Sahrawis in their illegally occupied homeland and had forced the majority of them to continue living as refugees in harsh desert camps.

87. Those who supported self-determination for Western Sahara were invariably the people of integrity, the ones who believed in the Universal Declaration of Human Rights. Morocco's supporters were either ignorant of the facts, were being coerced or bribed or simply did not believe in the foundational doctrine of the United Nations.

88. The Organization's failure to hold the referendum and make human rights monitoring part of the mandate of MINURSO had meant continued gross human rights violations against Sahrawis in Moroccan-occupied

Western Sahara in contravention of numerous international conventions to which Morocco was a signatory. It had meant that close to 200,000 Sahrawis still lived in refugee camps, and that the Sahrawis had seen their homeland's natural resources plundered by the aggressor in the conflict. The Organization sent a terrible message by its inaction when it allowed the invasion, aggression and violence to continue to be rewarded rather than punished. She urged the Committee to act to end that injustice.

89. **Mr. Sid Ahmed** (Sahrawi Students Collective Abroad) said it was unfortunate that, since the last time he had spoken before the Committee, as a Tindouf refugee studying at a United States college, nothing had been done to resolve the neglected dispute over Western Sahara. Meanwhile, more than 200,000 Sahrawi refugees still lived in the Algerian desert in heart-rending conditions, relying on international humanitarian aid. In occupied Western Sahara, the human rights violations committed by the Moroccan regime had only worsened. The frustrated and angry Sahrawi young people were the segment of the population most disappointed by United Nations inaction. After 40 years of illegal occupation and limited global attention and action, it was clear that, until Western Sahara became a crisis, either by chance or by choice, endless mediation would be a waste of time, because it served mainly to preserve the status quo.

90. Much of the current international system was based on the premise that achieving peace and discouraging war was the ultimate goal. The Western Saharan people, too, believed in those objectives. While they had been forced to defend themselves by bearing arms in the past, they had chosen a path of non-violence in their dealings with Morocco and the world at large. Yet there were those who suggested that that course had been counterproductive, and non-violence might eventually give way to anger.

91. **Mr. Morera**, speaking in his personal capacity as a Costa Rican graduate student at a United States university, said that, coming from a nation which stood for peace, he understood that peace had no meaning if it was not shared with other peoples, like the Sahrawis. Among individuals as among nations, respect for the rights of neighbours was peace. The Moroccan regime was clearly violating the peace and rights of the Sahrawi people, in ways that it had concealed from the world for many years.

92. It was a shame to see a former colony treat its neighbour so inhumanely in the twenty-first century. The Moroccan regime had displaced, persecuted, incarcerated, massacred and buried alive Sahrawis. He would continue to speak up for Western Sahara until it had achieved self-determination. The United Nations had defended human rights from tyranny many times and should not treat the people of Western Sahara any differently.

93. **Mr. Ollé Sesé** (Asociación Pro Derechos Humanos de España) said that he was appearing once again before the Committee to demand human rights for the Sahrawi people, including the right to justice and to self-determination and independence. In 2005, legal proceedings had been brought before Spanish courts concerning the grave violations of international law that the Sahrawis had suffered since Morocco had invaded Western Sahara. Despite the many attempts by Morocco to impede the legal investigation, the Spanish High Court had, after rigorous due process over a period of nine years, issued a criminal indictment on 9 April 2015 against Morocco for its actions in Western Sahara.

94. The writ of indictment recounted the history leading up to the classification of Western Sahara as a Non-Self-Governing Territory in 1963 and the recognition of its right to self-determination and decolonization in line with General Assembly resolution 1514 (XV); the subsequent 1975 advisory opinion of the International Court of Justice which had found that Morocco had no legal ties of sovereignty over the Territory, followed in that same year by the "Green March" by which Morocco had invaded the Territory, Spain's complete abandonment of Western Sahara since 1976, and the ensuing Moroccan occupation of Western Sahara by force that had led to the conflict with Frente Polisario. The writ, recalling the long-standing interest and successive resolutions of the Committee on the question, also reviewed various General Assembly and Security Council resolutions that had called for the withdrawal of Moroccan forces, an end to the conflict and a referendum on self-determination.

95. Moreover, the writ established as judicially determined facts that Morocco had committed a number of crimes against the Sahrawi people since 1975, classifying them as genocide because the objective of the alleged instances of assassination, forced disappearance and other crimes committed by Moroccan military and police forces had been the

extermination of that population. Consequently, the writ indicted 12 Moroccan citizens and issued international arrest warrants for eight of them with a view to their extradition. Those warrants had been ignored by Morocco. Nevertheless, there was enough evidence that Morocco had committed genocide against the Sahrawis, a people that had the right to self-determination. It was time to abide by international law.

96. **Mr. Romanini** (Italian Parliament Intergroup of Friendship with the Sahrawi People) said that the situation of the Sahrawi refugees in the Algerian camps had deteriorated; their lives had become more precarious and the dangers they faced more acute. It was urgent to set a date for a self-determination referendum of the Sahrawi people. In the occupied Territory, human rights violations were systematic, and had been denounced repeatedly by international NGOs such as Amnesty International and Human Rights Watch and in reports issued as part of United Nations activities. The public knew little about what was happening in that part of the Sahara because of competing priorities and headline news that took precedence. However, action must be taken immediately to ensure respect for the human rights and safety of the Sahrawis. The social and economic decline in the refugee camps had served only to foster discontent and frustration, particularly among the young, who could be easily tempted by Boko Haram and Islamic State in Iraq and the Levant, which were already active in the region.

97. The international community must honour its commitment to a just, equitable and negotiated solution to the Western Sahara conflict. The Italian people were assisting the Sahrawis through numerous cooperation projects, solidarity initiatives and aid provided by civil organizations and local, provincial and regional authorities. The Italian Parliament had consistently endorsed the many different United Nations resolutions on Western Sahara; and in April 2015, the Senate had, in a unanimous cross-party vote, undertaken to promote a negotiated solution that respected the Sahrawi people's right to self-determination and allowed MINURSO to fulfil its mandate.

98. **Mr. Nafaâ** (Association citoyenneté et développement humain de Dakhla) said that voter participation in the recent elections had been higher in the Saharan region than in the rest of Morocco. That demonstrated that the Moroccan proposal for resolving

the Sahara issue was a sound one. The big losers were the Algerian Government and the Frente Polisario, whose media campaign to get Sahrawis to boycott the elections had elicited no response. Saharans looked forward to the greater control over their future offered by the Moroccan Government's new strategy of expanded regionalism, and only regretted that the same opportunities were not available to their brethren in the Tindouf camps. For 40 years, Frente Polisario leader Mohamed Abdelaziz had presided over his imaginary republic with a dictatorship of patronage, tribal favouritism and corruption. Furthermore, the diversion by the Frente Polisario of humanitarian aid intended for the residents of the Tindouf camps had been amply documented by the European Anti-Fraud Office.

99. **Mr. Bouad**, speaking in his personal capacity as a Sahrawi student at an American university and a lifelong resident of the Tindouf camps, said that he had witnessed human rights abuses and violations perpetrated by the Moroccan regime in Western Sahara. The human rights situation there was shocking. The Security Council's failure to implement a human rights monitoring mechanism in the Non-Self-Governing Territory had allowed those violations to happen. In addition, the illegal exploitation of natural resources in the occupied Territory and their export would have serious consequences for peace in the Territory and across the region.

100. It was shameful that the international community had yet to complete decolonization and realize self-determination for every human being, as had been set forth in the Charter of the United Nations and the Universal Declaration of Human Rights. The United Nations must take the necessary steps to provide an independent, impartial, comprehensive and sustained human rights monitoring mechanism in both Western Sahara and the refugee camps, and assume a role in monitoring and controlling the resources of the Territory until self-determination was achieved.

The meeting rose at 1 p.m.