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**Special Political and Decolonization Committee
(Fourth Committee)****Summary record of the 5th meeting**

Held at Headquarters, New York, on Friday, 11 October 2019, at 10 a.m.

Chair: Mr. Bahr Aluloom (Iraq)
later: Ms. Bacher (Vice-Chair) (Austria)

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The meeting was called to order at 10 a.m.

Agenda item 59: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (continued)

Hearing of petitioners (continued)

1. **The Chair** said that, in accordance 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.4/74/6)

2. **Mr. Rodríguez Martínez** (International Students' Committee) said that, despite possessing land, a population and a political system, the people of Western Sahara had continually been hindered from exercising its right to self-determination in a United Nations-mandated referendum. Regrettably, the Organization was being used as a bureaucratic means of keeping countries from taking action to reclaim their rights.

3. The International Students' Committee had resolved to offer academic assistance to the youth of Western Sahara. Morocco should tear down the berm and clear the active landmines that remained if it truly wished to help the camp population. If justice was not forthcoming, his generation would pursue it actively and see to it that the resolutions adopted by the Organization were finally implemented.

4. **Mr. Nguyen Manh Hung** (Ho Chi Minh National Academy of Politics) said that the Sahara had been transformed from an unstable, deserted land into a peaceful and prosperous region, thanks to Moroccan regional development strategies that had fostered integrated, inclusive economic growth. As part of its new development model for the Sahara, Morocco had allocated \$8 billion for a total of 200 projects, 60 per cent of which had been completed to date. Roads, parks, schools and hospitals had been built and access to water and electricity had been expanded. Furthermore, human development indicators for the Sahara related to health, education and housing exceeded the national and regional average and were presently the highest in Morocco.

5. The fact that the Moroccan Government had invested seven dollars for every dollar collected from the Sahara disproved the charge that Morocco was exploiting the region. Saharan populations were able to benefit from integrated, human-centred socioeconomic development policies, with major Moroccan corporations increasing their investment in corporate social responsibility and environmental protection, in

line with Moroccan Government policy. Lastly, the rapid democratization process in the region had afforded Saharan populations greater rights, as evidenced by their high electoral participation rates, in addition to expanded access to medical care and broader employment and educational opportunities. The establishment of the National Council for Human Rights and the regional human-rights commissions attested to the commitment of Morocco to protect the rights and freedoms of the population of the Southern Provinces. The overall picture was one of a concerted effort by Morocco to promote the region's socioeconomic and political development.

6. **Ms. Martins Almeida** (European Conference of Support and Solidarity with the Saharawi People) said that Morocco had been plundering Western Sahara's natural resources for decades. Moreover, by concluding an association agreement aimed at liberalizing trade relations with Morocco, the European Union was effectively supporting said plunder.

7. In response to the 2018 ruling by the Court of Justice of the European Union, which had found that the Territory of Western Sahara and the waters adjacent to the Territory did not fall within the respective territorial scope of the agreement, the European Commission was negotiating with Morocco to amend the bilateral agreements and had organized a consultative survey, in an attempt to justify the inclusion of Western Sahara in the agreements. Both the negotiations and the survey had excluded Frente POLISARIO, which the United Nations had recognized since 1979 as the representative of the Territory's people.

8. The ruling by the Court of Justice of the European Union had recalled that Western Sahara had a distinct status from the Kingdom of Morocco. By extending the association agreements without the consent of the Sahrawi people, the European Union supported the occupation of the Territory, hindered the resolution of the conflict and maintained the status quo in terms of human-rights violations. The European Parliament had responded in a similar fashion, conducting the European External Action Service survey, which had not considered the will of the Sahrawi people. Such responses by the European Union amounted to institutional failure and non-compliance with the human-rights regime, with the continued colonization of the Territory highlighting the gap between theory and practice.

9. Attempts to uphold the Sahrawi people's right to self-determination were opposed by powerful, systemic forces, including the lobbying efforts of a number of Governments. Disappointingly, the same European

Union that exported a robust human-rights regime also concluded treaties with occupying powers. After three decades of promises by the United Nations Mission for the Referendum in Western Sahara (MINURSO) that a referendum on self-determination would be held, the patience of the Sahrawi people was wearing thin. Echoing hundreds of Sahrawi voices in Tindouf and beyond, she clamoured for action to be taken in order to change the status quo and make decolonization a reality.

10. **Ms. Njapau-Efrati** (Women Investment Network of Zambia) said that her recent visit to Western Sahara had given her an accurate, propaganda-free picture of the Territory's situation, affording her a first-hand glimpse of the thriving economy that made development, prosperity and greatly improved living standards possible. Water systems had been extended to reach the entire population, and schools and medical facilities were in excellent condition, attesting to the significant investments Morocco had made throughout the region.

11. Morocco had been cooperating fully with the United Nations to achieve progress towards a political solution, consistently advocating for a durable peace. Ordinary Sahrawis, who knew full well the influence exerted by outside forces with a political agenda foreign to local concerns, had pleaded with her organization to convey to the outside world their hope of continuing to flourish as a result of the Moroccan effort. Strikingly, the Territory was self-sufficient in terms of water and food supply in spite of its desert location, thanks to the Moroccan Government's strong support for the agricultural sector.

12. **Mr. Etheridge**, speaking in his personal capacity as a former Member of the European Parliament, said that, during his visit to Dakhla in the southern Sahara, he had witnessed the excitement of the local population as it embraced the great strides being made as a result of direct Sahrawi involvement in the impressive economic development of the region; indeed, the Moroccan Government had realized that financial investment alone would not suffice to energize a region and that people were any region's greatest resource. Citizens managed their own social, political and economic development, and the resulting sense of ownership had accelerated progress. Government initiatives were bringing about both greater wealth and greater freedom. Access to education, training and employment opportunities was changing lives for the better. He commended the Moroccan Government on its dynamic plan to develop the region for the betterment of its citizens and promote environmental conservation.

13. When people felt valued and were given the freedom to grow as individuals, the potential for conflict and division was dramatically reduced. Moreover, the development of the Saharan region, as a valuable trading partner whose citizens' involvement in all areas of life was encouraged, could be of benefit to the international community. He therefore urged the Committee to give its blessing to the autonomy proposal as the most viable, credible option for achieving a politically workable resolution.

14. **Mr. Brothwood** (Adviser on foreign and economic affairs, Anglo-European Trade Consultancy) said that, over the course of multiple visits to various associations in Dakhla, he had found the community to be very active, especially in the area of elderly care. Even more remarkable was the dynamic youth engagement in raising funds for medical care for and providing voluntary assistance to the elderly. The projects managed by Sahrawi youth indicated their ambition and eagerness to pursue a promising future alongside Morocco.

15. Women were revered in Sahrawi culture and participated fully in Sahrawi society. The young Sahrawi women he had met had been actively acquiring skills for their future careers. Sahrawi youth had benefited from the financial and technical support provided by Morocco under the auspices of its human development programme, which was redefining orthodox approaches to large-scale development. Dakhla itself was becoming a beacon of industrial advancement, reshaping development and investment models in Africa and beyond.

16. Investment in Sahrawi youth was paying dividends in the form of many new businesses springing up across the region. The expansive Moroccan autonomy plan, with its focus on growth and investment, was the right road map for economic prosperity and the only credible solution to the protracted conflict. Development brought about with carefully managed investment was the single most effective tool for peace.

17. **Mr. Lippiatt** (WE International) said that the Sahrawi people hoped for a peaceful resolution of the situation in Western Sahara that would enable it to return to its homeland, and it needed protection from the occupying Moroccan Government. Highlighting the broad-based international recognition of the right of self-determination of the Territory's people, he urged the Committee to allow MINURSO to report on human-rights violations in occupied Western Sahara by granting the mission a human-rights monitoring mandate and to carry out the long-promised referendum on self-determination.

18. The former Secretary-General's call for sustained, independent and impartial monitoring of human rights in Western Sahara had gone unheeded. Meanwhile, the Moroccan State's human-rights mechanisms, being neither independent nor impartial, had consistently failed the Sahrawi people. Since the 1991 peace agreement, Morocco had continually demonstrated its unwillingness to hold a referendum in Western Sahara, violently suppressing any expression of sentiment in favour of self-determination or deemed hostile towards that country's contested rule of the Territory. Furthermore, systematic arrest, torture and detainment by the Moroccan authorities also served the purpose of forcing persons protected under the Geneva Conventions to pledge their allegiance to Morocco, the occupying Power.

19. Morocco behaved as if it were not bound by the international legal obligations it had undertaken as a Member State, proclaiming a belief in human rights while denying the Sahrawi people its rights. A United Nations human-rights monitoring component was therefore vital, hence the need for MINURSO to be given the capacity to monitor, protect and report on human-rights situations.

20. **Mr. Aljabari** (Palestinian-Moroccan Friendship Society) said that the Polisario Front seized every opportunity at regional and international meetings to promote its separatist agenda, actively seeking the sympathy of left-wing currents, protest movements, international non-governmental organizations and media by playing the victim.

21. By organizing the Green March in 1975, Morocco had recovered the Sahara and sent the message that the region was an integral and non-negotiable part of its territory. The so-called Polisario had subsequently been planted to sabotage the construction and development of a democratic Morocco. The movement had sought to appropriate the just Palestinian struggle by likening it to the Saharan question. The Polisario had insisted on conflating the two causes at numerous forums, stealing the Palestinian flag and adding a star and a crescent to it as part of its bid to establish an equivalency between the Palestine Liberation Organization as the legitimate representative of the Palestinian people and the Polisario Front as the representative of the so-called Sahrawi people. As the national, historical and ideological foundations of the two causes were fundamentally different, there could be no such equivalency. Furthermore, the Polisario Front had appropriated the term "intifada" to liken ordinary demonstrations in Moroccan Sahara to the act of Palestinian resistance for which the term had originally been coined.

22. Such brazen attempts to appropriate the legitimate Palestinian struggle against occupation would not stand. On an official visit to Morocco, the Minister for Foreign Affairs of the State of Palestine had expressed support for United Nations efforts to resolve the artificial conflict in Moroccan Sahara, categorically rejecting parallels between the Palestinian question and the so-called Sahrawi question; the former concerned a struggle against the 1967 Israeli occupation of Palestinian territories, while the latter pertained to the rightful restoration by Morocco of its territorial and national unity.

23. **Ms. Lusuardi** (Associazione Jaima Sahrawi per una Soluzione Giusta e Nonviolenta nel Sahara Occidentale) said that various forms of violence were being perpetrated against Sahrawis by the Moroccan authorities in occupied Western Sahara. Women, men, children and older persons were regularly beaten during peaceful demonstrations, attacked in their homes and arbitrarily arrested, tortured and detained in secret prisons. Less recognizable forms of violence included the cultural violence inflicted upon Sahrawis forbidden from displaying their national symbols, commemorating traditional holidays or openly expressing nationalist sentiment. Economic violence was perpetrated against the Sahrawi people, as only Sahrawis collaborating with the Moroccan authorities obtained employment and the Territory's natural resources were disposed of by Moroccan and European multinational companies. Moreover, structural violence took the form of systematic Moroccan surveillance of Sahrawis and any foreign nationals, who were monitored by police and special forces; political and civil society representatives were prohibited from entering the Territory, and she herself had been expelled and denied recourse to the competent bodies. Lastly, there was the historical violence of the so-called Green March of 1975, which Sahrawi women had dubbed the Black March because its aim had been to annex the Territory without the consent of those who had inhabited it for centuries. In closing, she called for the referendum on self-determination to be carried out in order to bring the decolonization process to a close as soon as possible.

24. **Mr. Sahel** (National Association for Youth Exchanges) said that of all components of Sahrawi society, the youth had been most adversely affected by the Moroccan occupation, hence the need to highlight their concerns, resolve the conflict and address the repercussions of Moroccan colonization. After the hopes born of the 1991 ceasefire went up in smoke, Sahrawi youth had resumed the struggle by participating in demonstrations that had been brutally repressed despite being peaceful. Numerous human-rights violations had

been committed in the process, including against Sahrawi human-rights defenders, who had been sentenced harshly, while others were subjected to torture, enforced disappearance and even assassination.

25. Sahrawi youth in the camps faced dire socioeconomic conditions and very limited employment opportunities, leaving the many young professionals educated with the support of the Sahrawi Government unable to work in their fields. Consequently, many were driven into exile, further hindering the development process. The repercussions of Spanish colonialism and Moroccan occupation had left Sahrawi youth to grapple with a tragic reality and negatively influenced their worldview and aspirations. Most Sahrawi youth feared an uncertain future, facing staggering unemployment rates and declining educational levels, a situation exacerbated by the daily pressures and grave violations inflicted by the Moroccan authorities.

26. **Mr. Sassi** (SKC) said that the Sahrawi people was the victim of both the military occupation by Morocco and of the colonialism perpetuated by certain European powers. On multiple occasions, the Court of Justice of the European Union had issued rulings confirming that Western Sahara was a separate Territory from Morocco and a Non-Self-Governing Territory on the United Nations list since 1963. In its ruling of 27 February 2018, the Court had reaffirmed its prior rulings and that of the International Court of Justice in 1975, dismissing any claims of sovereignty by Morocco over Western Sahara, rejected the opinion of the European Union that Morocco exercised de facto control over the Territory, and made the validity of all agreements on the use of the natural resources of the Territory dependent on the consent of the people of Western Sahara.

27. In an attempt to dilute the power of those rulings, however, the European Commission had held pseudo-consultations with the local population, in which mainly Moroccan settlers had participated. Local non-governmental organizations had refused to take part, citing the lack of transparency and credibility. The only consultation that the Sahrawi people had any interest in participating in was one that would allow it to exercise its right to self-determination.

28. The Organization must fulfil its mandate by categorically dismissing claims of sovereignty by Morocco over Western Sahara and affirming that Morocco must respect the sovereignty of the Sahrawi people over its territory and natural resources. It was necessary to reinvigorate the process of direct negotiations between Morocco and Frente POLISARIO in order to pave the way for a solution leading to the self-determination of the people of Western Sahara. It

was high time to put an end to the illegal occupation and, in so doing, to end the suffering of a people whose only crime was to desire to live freely in its own land.

29. **Ms. Dubord-Gagnon** (Gagnon Forlag) said that support for the Moroccan autonomy initiative, first advanced in 2007 in response to the Security Council's repeated calls for a mutually acceptable political solution, would contribute to regional stability. Internationalist jurists deemed autonomy the most modern, democratic form of self-determination; autonomy had proven effective in resolving comparable political disputes, striking a balance between the respect for the sovereignty and territorial integrity of States and the right of local populations to administer their affairs democratically.

30. The Moroccan initiative had been conceived within the context of the strategic process of democratic reforms undertaken by the King of Morocco, based on the rule of law, individual and collective freedoms and socioeconomic development, taking into account the local characteristics of each region. The autonomy plan had gained widespread support, complied with international standards and addressed the concerns of reconciliation, peace and development of a region exposed to instability, insecurity and terrorism. She therefore called on the Committee to adopt a recommendation in firm, unanimous support of the Moroccan autonomy initiative.

31. **Mr. Gonzalez Vega** (University of Oviedo, Spain) said that the persistent violation of the Sahrawi people's right to self-determination had gone hand in hand with that of its sovereignty over its natural resources. International law recognized the right of peoples to freely dispose of their natural resources, a right enshrined in General Assembly resolution [1803 \(XVII\)](#) and one that safeguarded their right to development. However, Morocco, the occupying Power, had been illegally exploiting the natural wealth of Western Sahara, and had concluded agreements with foreign companies to exploit hydrocarbon resources located in the Territory's continental shelf.

32. The fisheries agreement concluded by the occupying Power with the European Union blatantly violated the principle of the permanent sovereignty of Western Sahara over its natural resources, as well as the obligations established under international law, as it had failed to take into account the wishes of the legitimate representatives of the Sahrawi people or ensure that any activity under the agreement would be conducted for their benefit. For its part, the European Union had disregarded its own obligations under international law

and the Charter of the United Nations by signing the agreement.

33. **Ms. Aba Hamida**, speaking in her personal capacity, said that Sahrawis took pride in the fact that women were cherished and had vital roles in Sahrawi society, both within and outside the family. Domestic violence against women was unheard of in the refugee camps in Algeria, as it was a phenomenon utterly foreign to Sahrawi culture. Meanwhile, on the other side of the military berm, Moroccan settlers, police, military and secret service officials beat and raped Sahrawi women as punishment for exercising their right to peaceful protest in their homeland, where they were treated as second-class citizens.

34. The United Nations must not allow violence against women to be perpetrated with impunity. She condemned the abuses her fellow Sahrawi women were enduring at the hands of the brutal Moroccan regime. The Organization and the international community must take a stand by equipping MINURSO with a mechanism to monitor and report human-rights violations against women, children and the population of Western Sahara as a whole. In closing, she called for an immediate end to such abuse, which Morocco had no right to inflict on her Sahrawi brethren.

35. **Mr. Sanchez-Serra** (Consejo Peruano de Solidaridad con el Pueblo Saharaí) said that, six years earlier, he had addressed to the Committee an earnest plea to alleviate the Sahrawi people's plight, relying on arguments that he had since realized were erroneous. On his visit to the Tindouf refugee camps in Algeria, he had met Sahrawis first-hand, their warm, hospitable demeanour belying the desperation of an existence eked out in the harsh desert under the totalitarian rule of the Polisario. Committee members should travel to the camps to witness the living conditions there for themselves; deprived of fundamental freedoms, the impoverished and largely unemployed camp population depended on steadily dwindling international aid, at the mercy of natural disasters. Sahrawi families were torn apart, with some members enduring scarcity in Algeria while others were invited home to the Moroccan motherland, where they would reap the benefits of the Moroccan autonomy proposal. Heralded as serious and credible by the Security Council for over a decade, the autonomy option was the key to peace and integration in the Maghreb, and as such, should be endorsed by the Committee. The proposal provided for Sahrawis to manage their own affairs.

36. The world was looking to the Committee to end the Sahrawi people's suffering and honour its trust by adopting firm resolutions opposing the intransigence of

the Frente Polisario. By taking decisive action, the Committee had an opportunity to make history.

37. **Ms. Cani** (Comune di Fabbrico) said that, for over 30 years, Italian associations had been showing their solidarity with the Sahrawi cause by, inter alia, extending political and material support to refugee camp inhabitants in Algeria and Sahrawi human-rights defenders; concluding friendship pacts; hosting Sahrawi peace ambassadors visiting Italy; and travelling to Sahrawi refugee camps and the occupied Territory of Western Sahara in order to bear witness to the situation on the ground. The Sahrawi people's peaceful approach to activism was courageous and prescient.

38. Noting with concern the deteriorating living conditions of the Sahrawi people, brought about by the decline in aid, she called on the General Assembly to do everything in its power to mobilize increased assistance. The constant human-rights violations perpetrated by Morocco in the Territory were equally alarming. The recently abandoned negotiation process must be relaunched, and measures must be taken to ensure Moroccan compliance with international law and human-rights standards. For its part, the international community should work to resolve the decolonization issue between Frente POLISARIO and Morocco, thus enabling the Sahrawi people to exercise its right to self-determination. After 40 years of unmitigated Sahrawi suffering, it was up to the Organization to act decisively and thereby to endorse the path of peaceful dialogue favoured by Frente POLISARIO as the only way forward.

39. **Mr. Gonzales Posada** (Alianza Popular Revolucionaria Americana) said that after being colonized by Spain and France over several decades, Morocco had undergone a sequential decolonization process that had culminated in the withdrawal of Spain from the Sahara, pursuant to the 1975 Madrid Agreement. Spain had restored to Morocco the area it had occupied, not a Sahrawi republic; such a republic had never existed, been represented in the United Nations or enjoyed observer status therein. Morocco had consistently sought a resolution to the Saharan conflict, in accordance with international law, which underpinned peaceful coexistence among peoples in a broader community.

40. The so-called Popular Front for the Liberation of Saguia el-Hamra and Río de Oro, initially a Moroccan liberation movement formed to recover the Sahara from Spanish control, had subsequently been used by enemies of Morocco to create an artificial conflict that had lasted over four decades. In response to the unconscionable crimes being perpetrated against Sahrawis in the camps

where they resided, the United Nations must designate a specialized monitoring commission to conduct a comprehensive census in the camps and ascertain how the funds provided by the Organization and other stakeholders to improve living conditions were actually being spent.

41. **Mr. Gil Garre** (International Security Observatory) said that the Polisario was widely regarded as a threat to regional stability given the increasingly apparent involvement of current and former Polisario members in terrorism and organized crime in the turmoil-ridden Sahel region. The population in areas under Polisario control, subjected to human-rights violations and dictatorial rule, faced a grim reality that was increasingly indistinguishable from that of the criminal underworld of the region.

42. There was a pressing need to address the Western Sahara dispute politically and in a realistic manner, avoiding outmoded ideological debates. The potentially volatile mix of illicit trafficking and jihadist terrorism, compounded by the belligerent stance of the Frente Polisario, gave rise to evolving, emerging threats. Were the Frente Polisario to resume hostilities, jihadist groups might infiltrate and seize control of the conflict, further destabilizing the region. The United Nations had a momentous opportunity to contain the dangers at hand and help to resolve the conflict once and for all by supporting the Moroccan autonomy proposal, which the Security Council had already endorsed.

43. **Mr. Peñas Roldán** (Ilustre Colegio de Abogados de Murcia) said that he wished to denounce the situation of Sahrawi citizens deprived of liberty in the Tindouf camps and raise the question of whether that population enjoyed sufficient legal or due process guarantees, in the light of the Organization's current inaction on that situation. The self-proclaimed Sahrawi Arab Democratic Republic was a farce, and the fictitious sovereignty dispute merely served to subject a defenceless population to the whims of a minority. Since its establishment, Frente POLISARIO had appointed its own to government positions that should be filled by elected officials, and its Supreme Judicial Council applied a legal system that combined elements of Islamic sharia and customary law. In addition, the separation of powers proclaimed in the Constitution was non-existent, as was any semblance of a penitentiary system or legislative or regulatory framework; in its stead, legislation was enforced only to the extent that it served the interests of the few at the expense of a segment of the Sahrawi population. The Moroccan autonomy plan provided the best way forward to resolve the humanitarian crisis and the impasse that had long hindered social and economic development in the

region. Only under a legitimate framework grounded in the rule of law would such a solution be possible.

44. **Ms. Dih** (New York University) said that the United Nations had played a decisive role at the start of the decolonization process, granting independence to over 80 colonies. However, 17 Non-Self-Governing Territories were still deprived of the right to self-determination 74 years after the establishment of the Organization. It was concerning that the United Nations had forgotten its founding principles; she asked when membership and economic growth had become more important than the people of the Territories that the Organization had once worked to defend and protect.

45. In the case of Western Sahara, the Sahrawi people had not only suffered the trauma of European colonization, but were also currently struggling for independence from the even more abusive and damaging occupation of Morocco. MINURSO had been established back in 1991 and entrusted with mandates which included monitoring the ceasefire; ensuring a free and fair referendum; reducing the threat of unexploded ordnance and mines; and taking steps to ensure the release of all Western Saharan political prisoners and detainees. The Mission had only successfully managed to negotiate the ceasefire which, while of utmost importance, was not enough. Sahrawi political prisoners remained imprisoned in dreadful conditions, while other Sahrawi people remained in the Algerian refugee camps. Unexploded mines remained a threat to Sahrawi civilians. Moreover, there had been neither a free nor a fair referendum on self-determination for the Sahrawi people. If the eradication of colonialism remained a priority for the United Nations, she asked when the Organization would fulfil its words in that regard.

46. **Mr. Seillan** (Member of the Paris Bar) said that he was a lawyer working to defend the rights of Mr. Khalil Ahmed, who had disappeared ten years previously. Following the arrest of Mr. Ahmed, no family member had seen him or knew whether he was alive or in prison. He had received no response to the criminal complaint he had submitted, nor to his efforts to bring the matter before the International Criminal Court, non-governmental organizations or the International Red Cross. Consequently, he had been led to bring the matter before the current Assembly.

47. A sit-in had been staged by the wife and children of Mr. Ahmed in Tindouf, with many related demonstrations in Algeria and around the world. Frente POLISARIO was aware of the increasing severity of the situation and had recently arrested three journalists investigating the case of Mr. Ahmed, which constituted a serious human rights situation. While an arrangement

had been proposed by the military leader of Frente POLISARIO to the family, that proposal remained unfulfilled. Recalling the import of human rights, he asked once again whether Mr. Ahmed was alive or in prison.

48. **Ms. Chavez Cossio**, speaking in her personal capacity, said that Frente POLISARIO did not represent the Sahrawis and was a fraudulent entity in the Tindouf region of Algeria. Meanwhile, the Sahrawis living in Morocco enjoyed all their rights and participated democratically in national, regional and local elections. The authorities in Moroccan Sahara were the only truly legitimate representatives of the Sahrawi people, as they were subject to the votes of citizens through a legitimate, democratic election process. There was no General Assembly or Security Council resolution, nor any mention in the reports of the Secretary-General that recognized Frente POLISARIO as an exclusive representative.

49. The elected authorities of Moroccan Sahara had been recognized by the Special Committee, which had invited them to participate in its 2019 Regional Seminar, as well as by the European Union, which had consulted with them as a basis for its official agreements relating to the natural resources of the region, thereby ensuring that the Sahrawi people benefited from such resources. Meanwhile, Frente POLISARIO and its fictitious Sahrawi Arab Democratic Republic in no way constituted a legitimate representative. Rather, it was an organization that used its armed militia to keep hundreds of people under its control in subhuman conditions in the Tindouf camps. The United Nations and 86 per cent of its Member States did not recognize the pseudo Sahrawi Arab Democratic Republic. The people held in the Tindouf camps did not lead democratic lives, given that they resided in sites of detention, where any entry or exit was controlled by the intelligence services of Algeria.

50. **Ms. Doria** (TIRIS, Associazione di solidarietà con il popolo Sahrawi) said that the Sahrawi people had been waiting for over 44 years for self-determination and was engaged in a non-violent struggle for the recognition and implementation of that right, which was a fundamental rule of international law. However, the impediments to the observance of such an imperative right were alarming.

51. Sahrawi people were still living in the refugee camps in Tindouf, awaiting their rights while residing in the desert with only humanitarian aid. Such circumstances were inhuman. Moreover, the 1991 ceasefire had not ended the human rights violations perpetrated in those Territories. It was therefore crucial

that MINURSO monitor and protect human rights in the occupied Territories as an extension of its mandate, given that the United Nations itself had asked the Sahrawi people to sign the ceasefire. More practical action should be taken in finalizing the decolonization process. In order to ensure that people did not starve and that they benefited from the resources of their Territory, they must also be guaranteed freedom of movement and the protection of their dignity.

52. *Ms. Bacher (Austria), Vice-Chair, took the Chair.*

53. **Ms. Incerti** (House of Representatives, Italy) said that the struggle of the Sahrawi people had begun with the invasion of Morocco and the resistance of Frente POLISARIO, leading to the 1991 ceasefire under the aegis of the United Nations, which had included the agreement to hold a referendum on self-determination. However, that agreement had still not been implemented and the last colony of Africa was still awaiting its independence.

54. While Sahrawis had acted in a peaceful and non-violent way, they continued to live in exile in the Algerian desert and in the Territories occupied by Morocco, where they were deprived of their most basic rights including the rights to association, expression and demonstration. The reduction of aid to Sahrawi refugees was having devastating effects in the Tindouf camps. Moreover, two judgements by the European Court of Justice in 2016 and 2018 clearly excluded the resources in Western Sahara from the free commercial agreement between the European Union and Morocco, in consideration of the separate and distinct status of Western Sahara. Nonetheless, Morocco continued to use those resources.

55. The resumption of negotiations between Morocco and Frente POLISARIO in 2019 and the United Nations decision to extend the mandate of MINURSO had been welcome. However, those negotiations had stalled following the resignation of the Personal Envoy of the Secretary-General, Horst Köhler. It was therefore time for the international community to make every effort to restart those negotiations.

56. **Ms. García** (Asociación Canaria de Juristas por la Paz y los Derechos Humanos) said that her association had conducted the observation of a trial in the Territory of Western Sahara, during which it had witnessed the violation of the rights of the Sahrawi people and of international law by Morocco. Morocco was instrumentalizing the courts as another means of repression against the Sahrawi people, in direct contravention of the Geneva Convention relative to the Protection of Civilian Persons in Time of War.

57. In 2019, despite its lack of jurisdiction in occupied Western Sahara, Morocco had initiated trial proceedings against several Sahrawi human rights activists, including a group of peaceful protesters who had been arrested and sentenced to up to two and a half years in prison as part of a Moroccan police intervention that had also led to the killing of a young Sahrawi student. Those events had not been subject to investigation or trial.

58. The conditions of isolation and the lack of access to legal assistance for Sahrawi prisoners were unacceptable. Morocco had systematically vetoed meetings between prisoners and international jurists, who had themselves been subject to arrest and expulsion. The obstruction of entry into the occupied Territories not only confirmed the disrespect for international legality and the defiance of Morocco, but it also showed the impunity of that country's actions. In the face of such barbarism, it was crucial to act with justice and avoid being complicit through silence due to interests that ran counter to those of individuals and peoples. Morocco must abide by the law and the international community must ensure legality and peace.

59. **Ms. Michez** (Brussels Bar) said that she condemned the violations of European and international law that were being perpetrated against those living in the Tindouf camps. In 2014, a group of young Sahrawi refugees had been shot and killed in cold blood while practising a trade in order to cover their basic needs, which had not been met due to the diversion of humanitarian aid intended for refugees. That diversion remained unpunished at the international level, despite its condemnation in numerous reports. As conditions in the camps continued to worsen, young people were left with no choice but to try everything within their means to circumvent the embargo and meet the needs of their families. The families of those killed had tried to initiate legal proceedings, but had found it impossible to obtain legal representation or assistance from the competent authorities in Algeria.

60. The case had been brought before the European Commission and the Office of the United Nations High Commissioner for Human Rights, taking account of the fact that the host country had ratified the Convention relating to the Status of Refugees and was therefore responsible for ensuring their protection. Unfortunately, there had been no reaction from either international body. Furthermore, no investigation had been opened and no trial initiated for the families of the assassinated Sahrawis.

61. **Ms. Riveros** (CPLATAM Observatory) said that the tribes of the Sahara had historically maintained ties with the sultans and kings of Morocco in recognition of

their sovereign authority, in a relationship that extended to religious, political, social, cultural and economic matters. However, the colonial powers had ignored all such ties when they had established borders in line with their own vision.

62. During the decolonization process, the only claim of sovereignty over the Sahara Territory had been made by Morocco, which had spared no effort to recover its territorial integrity and national unity. That claim by Morocco was the reason the Sahara had been registered before the Fourth Committee as a Non-Self-Governing Territory. Frente POLISARIO had not existed until 1973, when Algeria had fostered its creation and permanent settlement on its Territory, establishing the so-called Sahrawi Arab Democratic Republic, an entity devoid of the attributes that define a State. Furthermore, the full decolonization of the Sahara by Spain had taken place in 1976. She therefore asked why the Territory of Western Sahara remained on the list, when its decolonization had taken place four decades previously, in accordance with General Assembly and Security Council resolutions and with the Charter of the United Nations. The issue in the Sahara was not one of decolonization, but rather of territorial integrity.

63. The only solution to the dispute would be political, realistic, pragmatic and based on compromise. The Moroccan autonomy initiative was in line with the parameters established by the Security Council and its seriousness and credibility had been recognized by the international community.

64. **Ms. Martinez Cruz** (Empoderando a Latinoamérica) said that, during almost 44 years of Moroccan occupation of Western Sahara, serious human rights violations had been committed by Moroccan security forces and thousands of Sahrawis had been tortured and imprisoned or had disappeared. Fear had become part of the daily lives of Sahrawis. Public expression was a crime; journalists had been routinely blocked from entry into Western Sahara; and Sahrawi activists were arbitrarily arrested and beaten, some held in clandestine detention centres for days, months or even years.

65. Over the past 28 years, the United Nations had done nothing beyond promising a referendum that had never taken place, failing to deliver on three of the key purposes of the Organization: preventing of conflict, helping parties in conflict towards peace and protecting human rights. That silence and inaction in protecting Sahrawi human rights translated into choosing neutrality in a situation of injustice. Political agendas must no longer be prioritized over human rights; the

United Nations and international community must take urgent measures to ensure such rights were respected.

66. **Mr. Blanco** (Guillermo Brown National University, Buenos Aires) said that the Moroccan autonomy initiative was a comprehensive political proposal for a peaceful solution to the dispute that respected peace, democracy and sustainable development in the region. The initiative laid the groundwork for overcoming the current challenges in the conflict and realizing a democracy based on law, liberty and development, in order to facilitate peaceful integration without discrimination or exclusions.

67. The autonomy proposal would ensure that the Sahrawi people managed their affairs through the democratic election of authorities. The proposal ensured self-determination in terms of public policy for economic development, the promotion of investment, industry and trade and the management of infrastructure, energy and transport. It also guaranteed the enjoyment of natural and fiscal resources, assured autonomy in policies related to housing, health, education and social security and promoted the safeguarding of Hassani culture. It was informed by and even surpassed the autonomy standards of many other democratic States with regions that enjoyed autonomy.

68. Morocco offered a constitutional guarantee of the full exercise of autonomy while defending the safeguarding of its unity, sovereignty and territorial integrity. Negotiations on the autonomy initiative must take place within the United Nations, which considered the initiative to be a solid foundation for negotiation and dialogue. The proposal was generous, realistic and viable and could contribute to a solution based on the principles of reconciliation, in favour of peace.

69. **Ms. Boukhemis** (National Union of Algerian Women) said that, for over 40 years, the Sahrawi people had been denied their fundamental rights, including the right to self-determination. In 1991, that people had placed its trust in the United Nations by accepting the proposed ceasefire. However, there was a growing risk that a third generation of Sahrawis would be sacrificed in the name of realpolitik. The current situation benefited Morocco, which exploited the natural resources of the land and sea in violation both of international resources and the sovereignty of Western Sahara.

70. In light of the chronic injustice of the situation and the deplorable living conditions in the refugee camps, the United Nations must act as a matter of urgency, to ensure freedom and equality for all. Sustainable stability and peace depended on respect for law, democracy and the restoration of the rights of the Sahrawi people. The

United Nations must assume its responsibilities by ending the last case of decolonization in Africa and taking a firm stand against Morocco in its confiscation of the rights of Sahrawis and its disregard for international conventions. No one could deny that the Sahrawi people was represented by Frente POLISARIO and the Sahrawi Arab Democratic Republic or that it was living in a Territory occupied by Morocco, fighting for its independence.

71. **Mr. Cameron** (World Action for Refugees) said that substantive progress had been made through the convening of two round tables between Algeria, Morocco, Mauritania and Frente POLISARIO with a view to seeking a lasting solution to the question of Western Sahara. A united, collective ambition was needed in order to enable those talks to culminate in a definitive solution.

72. The population of the Tindouf camps had been denied their right to live freely and peacefully by an organization that would not hesitate to embezzle international aid intended for them, as reported by the European Anti-Fraud Office. In contrast to the lavish lifestyle of Frente POLISARIO, the camp population was left to survive on the little that reached them. Such disparities regularly fuelled unrest in the camps. Furthermore, there was a lack of respect for human rights and dignity, and dissent was always met with repression. The population in the camps was even denied the basic right to be registered by the Office of the United Nations High Commissioner for Refugees; the absence of reliable census data enabled Frente POLISARIO to continue embezzling aid.

73. Living conditions in the camps were in striking contrast to those of the population in Moroccan Sahara, which was undergoing the transformations of a striking and dynamic development model. Improvements were being made in infrastructure, education, human rights security, youth employment and health care. The population of the camps should enjoy the same rights to freedom and opportunities, which could only occur through reaching a definitive solution. The responsibilities of the parties were clear: they must sustain their engagement with the United Nations political process in order to reach a political solution that was realistic, practicable, enduring and based on compromise, as embodied by the Moroccan autonomy proposal.

74. **Mr. Ballagh**, speaking in his personal capacity, said that a few years previously, he had visited the camps in southern Algeria with his family. While they had been greeted with tremendous warmth, they had also noticed sadness among the Sahrawi people, as they felt

they had been forgotten and abandoned in the Sahara desert for over 40 years. In his personal experience in the camps, living with a Sahrawi family under the authority of Frente POLISARIO, he had felt safe. If Frente POLISARIO were corrupt, evil and engaged in criminal behaviour, he would not have taken his family to the camps, nor be undertaking plans to move there the following year.

75. The people of Western Sahara had been left without a homeland for far too long. The Committee had the authority to act and it was disheartening that it still had not shown itself in favour of the decolonization of Western Sahara by Morocco, despite so many years of petitions to that effect. It was therefore time for the Committee to take action, in honour of both justice and mercy.

76. **Ms. Ballagh**, speaking in her personal capacity, said that she had travelled to the Sahrawi refugee resettlement camps in the Sahara desert earlier that year as a humanitarian aid worker. During that time, she had been impressed by the strength, integrity and hospitality of the Sahrawi people. Furthermore, Frente POLISARIO had demonstrated both care and commitment to the safety and security of her family during their stay in the camps. Even when faced with the lies and broken promises of other nations, the Sahrawi people remained united and lived honourable lives in spite of seemingly insurmountable odds.

77. The Sahrawi people and Frente POLISARIO were a moral people living with integrity. Their right to control and govern their own land was founded on the fact that the land belonged to them. For too long, the people of Western Sahara had been ignored by the world and the contingency of the ceasefire between Frente POLISARIO and Morocco had been disregarded, namely, the organization of a referendum for self-determination. The resolutions adopted in 1965 and 1991 must be upheld.

78. **Mr. Grimblatt** (Sorbonne University, Paris) said that while some believed that the phosphate deposits in Moroccan Sahara formed the basis of claims by Morocco over those Territories, there were historical reasons why that region was an integral part of Morocco, as any informed observer knew. Nonetheless, it was undeniable that those natural resources played a key role in the ongoing conflict that caused so many problems for the segment of the population held prisoner by separatists and prevented by force from enjoying the economic growth of the region.

79. The industrial activities in Moroccan Sahara offered employment opportunities to thousands of Sahrawis. Morocco made significant investments each

year in infrastructure, as well as in economic and social activities that generated wealth for the inhabitants of the southern provinces. The positive economic, social and cultural state of the towns in the Sahara was clear and there was no doubt over the legality of the investment contracts signed between Morocco and its international economic partners, nor was its use of natural resources detrimental to local populations. Morocco made enormous financial efforts towards the development of activities relating to the phosphates and fishing industries. Any argument to the contrary was the unsubstantiated effort of those wishing to separate Moroccan Sahara from its natural historical belonging to Morocco.

80. **Ms. Tsukerman** (Mapkana) said that she had interviewed several former prisoners of Frente POLISARIO and had learnt of the extreme duress and torture they had undergone during their sentences, as well as the security issues presented by the cooperation between Frente POLISARIO and major international terrorist organizations. Their testimonies included descriptions of tunnels used by one terrorist group for transporting weapons and contraband, as well as bringing in terrorist operatives to train Frente POLISARIO fighters. Furthermore, there was extensive evidence of meetings between Frente POLISARIO and Hizbullah. The type of weapons transported into Frente POLISARIO camps suggested support by a major international militant group and a State backer.

81. Research by major international security think tanks had shown extensive links between Frente POLISARIO and Al-Qaida- and Islamic State in Iraq and the Levant-affiliated groups. Furthermore, close cooperation with global terrorist organizations indicated that Frente POLISARIO was not providing for basic human rights and dignity, but rather misusing international goodwill and humanitarian aid. The presence of terrorists in the host country, facilitated by Frente POLISARIO, was primarily a threat to the citizens of that country. The potential State backing of such links was also highly disturbing, as it could exacerbate tensions and conflicts and potentially destabilize the region. The Maghreb was an important nexus between Africa, the Middle East and Europe; creating havens for terrorists and organized crime would facilitate the flow of such militants to all the regions.

82. **Mr. Moraga Duque** (Derechos Humanos sin Fronteras) said that the autonomy initiative presented by Morocco to the United Nations reflected that country's commitment to resolve the conflict in the Sahara. The collaborative nature of the proposal was evident, as it had been based on consultations at the local and regional levels, reflecting the will to find a fair solution while

respecting the relevant international norms and ensuring that the Sahrawi people could democratically manage its own affairs through legislative, executive and judicial bodies, within the framework of the United Nations.

83. The proposal was considered to be serious, fair and viable and avoided the extreme nature of positions fostered by separatism. Such extremism could be seen in the case of Frente POLISARIO which, as a so-called republic without its own Territory, ran prison camps where dissidence was not tolerated and human rights were gravely violated. For those who had suffered torture as political prisoners, hearing ideological arguments against the proposal by Morocco was painful. The divergent opinions were not dictated by political divides between the left and right, but rather between those who sought a peaceful solution and those who benefited from the conflict, which had led to the suffering of thousands of individuals who could not even express their opinions. Nonetheless, those individuals wished for the regional autonomy proposal for the Sahrawi people to become a reality. In light of the seriousness of the events, he requested the sharing of information from the Spanish courts that handled cases of crimes against humanity perpetrated by the leaders of Frente POLISARIO.

84. **Ms. Zamora** (Centro de Estudios del Magreb para las Américas) said that Morocco fostered economic, political and social development in the southern provinces in order to benefit the population living in Moroccan Sahara. That development was visible in hospitals, schools and housing, as well as through granting the families that had been persecuted in Frente POLISARIO prison camps with a piece of land and the means to rebuild their lives. The implementation of economic measures by Morocco had generated jobs and created a sense of progress benefiting the whole population. However, that development was in stark contrast to the situation on the other side of the border, where Frente POLISARIO ran the repressive Tindouf camps and committed humanitarian fraud by diverting the aid destined for the refugees in Western Sahara.

85. The evident progress in Moroccan Sahara contrasted starkly with the criminal, separatist discourse of Frente POLISARIO and the poverty and abandonment of the inhabitants of the Sahara Morocco sought to ensure a just and human solution for those suffering abuses in the Tindouf camps.

86. **Mr. Kinzounza** (Marien Ngouabi University, Brazzaville) said that the regional dispute in Western Sahara remained a blight on the agenda of the United Nations and the African continent. At the political level, the challenge of achieving unity on the continent

remained a priority and a shared strategic objective. In the absence of a referendum on self-determination in the Sahara, the Security Council had repeatedly called for a political, realistic and sustainable solution to be reached and had recognized the autonomy initiative presented by Morocco in response. That initiative was the appropriate solution to resolve the issue currently impeding regional integration on the African continent.

87. The proliferation of terrorism alongside transnational organized crime and lawless separatist movements in the Sahelo-Saharan region exacerbated instability in the region, which also affected security in the Mediterranean and Europe. The failure of the Arab Maghreb Union was largely due to the regional dispute in the Sahara, which challenged the relevance of the African Continental Free Trade Area and negatively impacted the emergence of an integrated and resilient Africa.

88. **Ms. del Pilar Ordenes Cordoba** (Federación Regional Funcionarios Municipales, Chile) said that, in accordance with the rule of law, Morocco must provide for the personal and national safety and protection of all its inhabitants. The Moroccan autonomy initiative involved the creation of regional bodies that were able to administrate executive, legislative and judicial tasks, offering true autonomy based on democratic election, with a view to promoting equitable and sustainable development in the region. It represented real progress towards self-determination and demonstrated the sincere commitment of Morocco to create a climate of trust and fraternity. Together with the United Nations, progress could be made in the region, based on international legality and the objectives and principles contained in the Charter of the United Nations.

89. Autonomy would be advantageous to every inhabitant of the region, allowing the democratic exercise of personal rights without discrimination, as well as the safe and dignified reintegration of returnees. Such developments would undoubtedly improve the well-being of all. Morocco had allocated the necessary funds to ensure regional development, including improvements to infrastructure, electricity, housing, education and health. Morocco invited all parties, in a spirit of openness, to move forward through positive and inclusive dialogue, to allow a definitive solution for the region and its people to be reached.

90. **Mr. Sævarr Ólafsson** (Sævarr slf) said that the natural resources in the Sahara region were managed by Morocco through institutions in the region that had elected representatives at the regional and national levels and as part of socioeconomic policies that were in line with international law.

91. Natural resources were one of many levers for development of the southern provinces in the Sahara region. Through a sustained public investment policy, the Sahara region was growing into one of the most prosperous economic regions in Morocco. The new development model was based on inclusive and sustainable human development; the participation of representatives of the local population at all stages of regional development programmes; the consolidation of the role of the State as guarantor of the application of law; and respect for the fundamental human rights of citizens.

92. Morocco had engaged in a number of regional development projects, putting people at the heart of economic and social programmes, including projects for the liquid sanitation and desalination of seawater to ensure a sustainable supply of drinking water. There would also be significant sources of renewable solar and wind energy in the Sahara region, as part of the global effort to combat climate change. Furthermore, it should be recalled that phosphate reserves of the Sahara region represented only 1.6 per cent of the national phosphate reserves in Morocco. Attempts to hinder the right to development in the Sahara represented a threat to the full enjoyment of rights by the local population.

The meeting rose at 1 p.m.