

**Генеральная Ассамблея**

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**Совет по правам человека****Сорок первая сессия**

24 июня – 12 июля 2019 года

Пункт 2 повестки дня

**Ежегодный доклад Верховного комиссара****Организации Объединенных Наций по правам человека****и доклады Управления Верховного комиссара****и Генерального секретаря**

**Вербальная нота Постоянного представительства Южной Африки  
при Отделении Организации Объединенных Наций в Женеве  
от 13 июня 2019 года в адрес Управления Верховного комиссара  
Организации Объединенных Наций по правам человека**

Постоянное представительство Южно-Африканской Республики при Отделении Организации Объединенных Наций в Женеве и других международных организациях в Швейцарии свидетельствует свое уважение Управлению Верховного комиссара Организации Объединенных Наций по правам человека и имеет честь обратить его внимание на прилагаемую корреспонденцию Фронта Полисарио, касающуюся деятельности Управления Верховного комиссара в самоуправляющейся территории Западной Сахары (см. приложение).

Постоянное представительство Южно-Африканской Республики имеет честь просить издать настоящую вербальную ноту и приложение к ней\* в качестве документа Совета по правам человека по пункту 2 повестки дня и распространить среди всех членов Совета.

\* Воспроизводится в том виде, в каком оно было получено, только на языке оригинала.



**Annex to the note verbale dated 13 June 2019 from the Permanent Mission of South Africa to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights**

**For the attention of the High Commissioner for Human Rights**

The Frente Polisario deeply regrets that in April 2019, the former Personal Envoy of the Secretary-General for Western Sahara, Prof. Horst Köhler, could not gain the consensual support of the members of the UN Security Council in including the monitoring of the human rights situation in MINURSO's mandate due to the opposition of France.

I wish to recall that while the Security Council reiterates its encouragement to the parties to enhance cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR), including through facilitating visits to the region, the Secretary-General noted in his last report (S/2019/282) that gaps in reporting on the situation of human rights in Western Sahara persist owing to the lack of access of OHCHR to the Occupied Territory.

Permit me to underscore here that the Frente Polisario, recognized by the UN General Assembly as the legal representative of the people of Western Sahara (A/RES/34/37), has repeatedly declared its readiness to enhance cooperation with OHCHR, in accordance with the principles and purposes of the UN Charter and the relevant UN General Assembly resolution, adopted annually by consensus, namely the resolution on the "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations" (A/RES/73/105).

It is in this spirit that the Frente Polisario respectfully requests you to urgently resume the Technical Mission initiated by your Office in 2015, at least east of the Berm and in the refugee camps, and deeply regrets the difficulties posed by the Occupying Power for the Mission to regularly visit the Occupied Territory of Western Sahara.

The Frente Polisario takes this opportunity to extend an open invitation to all Special Procedures and interested members of the Treaty Bodies to visit the part of the Non Self-Governing Territory it administers and the Sahrawi refugee camps. At the same time, the Frente Polisario firmly denounces the illegality of the activities deployed by the Moroccan National Human Rights Institution in the part of the Non Self-Governing Territory the Kingdom of Morocco illegally occupies and has annexed.

The Frente Polisario strongly condemns the European Union's political institutions that circumvent and undermine the judgements and rulings of the European Court of Justice and violate the international principles of non-recognition of, and non-cooperation in an Occupied or Annexed Territory, thereby prolonging the illegal military occupation of the Non Self-Governing Territory of Western Sahara by the Kingdom of Morocco.

The Frente Polisario recalls that MINURSO is the only UN Peace Mission entrusted with the mandate to implement a fundamental Human Right: the right to self-determination.

The Frente Polisario also recalls that the members of the OHCHR Mission to Western Sahara and the refugee camps (15–23 May and 19 June 2006) stressed that almost all human rights violations and concerns with regard to the people of Western Sahara stem from the non-implementation of the right to self-determination.

Indeed, Human Rights violations, as well as violations of the Fourth Geneva Convention, in the Occupied Territory of Western Sahara are systematic and directly linked to the illegal military occupation of the Non Self-Governing Territory.

The Frente Polisario looks forward to the implementation and development of independent and credible measures to ensure full respect for human rights in the Non Self-Governing Territory of Western Sahara.

I would be most grateful if you would bring the present letter to the attention of the members of the Human Rights Council.

Geneva, 13 June 2019  
Ms. Omeima Abdeslam  
Representative of the Frente Polisario to the United Nations  
and other international organisations in Geneva

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