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Chair: Mr. García González (El Salvador)

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The meeting was called to order at 3.05 p.m.

Election of officers (*continued*)

1. **The Chair** informed the Committee that Mr. Michal Komada (Slovakia) had been nominated by the Group of Eastern European States for the office of Rapporteur. He took it that the Committee wished to dispense with nomination and elect Mr. Komada Rapporteur by acclamation.

2. *It was so decided.*

Agenda item 60: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other agenda items*) (*continued*)

Hearing of representatives of Non-Self-Governing Territories and petitioners

3. **The Chair** said that, in accordance with the Committee's usual practice, representatives of Non-Self-Governing Territories would be invited to address the Committee and petitioners would be invited to take a place at the petitioners' table and all would withdraw after making their statements.

Question of French Polynesia (A/C.4/68/2)

4. **Mr. Temaru** (Member of the Assembly of French Polynesia) said that the adoption by consensus the previous May of General Assembly resolution 67/265 had corrected a 60-year-old injustice by which French Polynesia had been unilaterally omitted, without Assembly approval, from the list of Non-Self-Governing Territories. The consequent isolation from the international decolonization processes and scrutiny had rendered French Polynesia vulnerable to the activities of the administering Power, in particular 30 years of nuclear testing, with catastrophic health and other consequences. Recalling the 2012 report of the Special Rapporteur of the Human Rights Council on human rights and toxic waste regarding the effects of nuclear testing in the Marshall Islands, he said that a similar mission to his Territory — as called for in the draft resolution before the Committee on the question of French Polynesia — would be highly useful. He also urged the United Nations Scientific Committee on the Effects of Atomic Radiation to extend to French Polynesia its work on the effects of radiation exposure on children. Nuclear testing was not an issue between a Territory and its administering Power alone, but

required the involvement of international institutions if appropriate reparation was to be made to victims and families.

5. Further, the administering Power was still manoeuvring to claim the strategic minerals in French Polynesia's seabed, and the many General Assembly resolutions confirming the inalienable rights of the peoples of dependent Territories to their natural resources were key to any credible process leading to complete decolonization.

6. The status quo of dependency needed remediation: French Polynesia must now progress as rapidly as possible towards an effective act of self-determination. That required the people to be made aware of the full range of political options during a reasonable period of political education. Any proposal for an immediate referendum on independence would be an attempt to circumvent a genuine choice by the people.

7. **Mr. Tuheiava** (Member of the Assembly of French Polynesia) said that the text of the draft resolution on the question of French Polynesia supported a genuine self-determination process in the Territory whereby the people would decide their future political status following a thorough programme of political education on the self-government options available to them. Instead, a proposal had recently been made by the administering Power that an immediate referendum should be held with only one choice — independence or not — without regard for voter eligibility criteria or the need for adequate social, political and economic reforms beforehand to reshape the Territory's drastically unbalanced and undemocratic colonial arrangements and its development model. Any referendum conducted by an administering Power would be a classic conflict of interest and inconsistent with the transfer of powers doctrine referred to in resolution 1514 (XV). The true intention of the proposal was to retain the current colonial arrangements and banish legitimate aspirations to independence. The draft resolution laid out the proper course.

8. Because of its dependency status, the Territory had been denied relevant data on the full impact of atomic radiation and on appropriate reparation for the survivors. That issue required international oversight, which had thus far been sorely lacking. In addition, ownership and control of the Territory's abundant natural resources, including marine resources, were

critical to the sustainable future of French Polynesia, which expected that its re-listing as a Non-Self-Governing Territory would ensure its ownership and control, consistent with relevant General Assembly resolutions.

Question of Guam (A/C.4/68/4)

9. **Ms. Na'puti**, speaking in her personal capacity as a Chamorro activist in the diaspora, recalled an ongoing lawsuit by a non-Chamorro resident of Guåhan (Guam) challenging, on spurious grounds of racial discrimination, the established voter eligibility rules for the Territory's self-determination plebiscite. In reality, the suit was an attempt to invoke United States law in order to deny the long-colonized peoples of Guåhan the opportunity to exercise their inherent right of self-determination, and had already resulted in the postponement of the plebiscite. It was thus imperative that the Committee act to help the people to move forward on the promise of self-rule.

10. In preparation for the plebiscite, the people of the island were working, without much success, to secure funding for an educational campaign to make voters aware of the internationally recognized political status options. Such assistance should be coming from both the administering Power and the United Nations as a way of hastening decolonization. Another obstacle was the resumed attempt by the United States to relocate military personnel from Futenma to Guåhan, without consultation with the islanders. Now more than ever was the time for concerted action by the United Nations in support of Guåhan. Unless the United Nations acted promptly to implement its resolutions on the eradication of colonialism throughout the world, some people would question its relevance to the decolonization process.

Question of Western Sahara (A/C.4/68/6/Rev.1)

11. **Ms. Teuwen** (Comité belge de soutien au peuple sahraoui) recalled that Morocco had built a huge militarized wall, currently 2,720 kilometres in length, dividing Western Sahara and its people, encircling the main cities of the Territory, permanently dividing the families already separated by Morocco's 1976 invasion, and depriving those cut off by the berm of major natural resources, including coastal fishing areas, phosphate mines and the most fertile land. Each year, the wall claimed more victims: individuals

desperately trying to rejoin their families, nomads wandering accidentally into the minefields.

12. Neither the peace plan proposed by the United Nations and the Organization of African Unity, nor the efforts of the Personal Envoys of the Secretary-General, had been able to advance the organization of a referendum. Over 60 years since the adoption of resolution 1514 (XV), Western Sahara remained a Spanish colony, in addition to being illegally occupied by Morocco, whose refusal to engage in a referendum was, like the wall, a clear sign of its long-term intention to continue the occupation. She therefore called upon the Committee to exert its influence to bring about the referendum of self-determination in Western Sahara, uphold the human rights of the Sahrawi people and ensure that the States involved respected international law.

13. **Ms. Van Regenmortel** (Forum Nord-Sud) said that Morocco's exploitation of all natural resources in Western Sahara, which was at the same time financing its occupation, presented a major obstacle to the decolonization and self-determination of the Sahrawi people. In violation of international law protecting Non-Self-Governing Territories, the soil was being emptied of its minerals, Western Saharan produce, labelled as Moroccan, was being sold worldwide, and its fisheries were being plundered. The principles of international law applicable to natural resource activities in Non-Self-Governing Territories were clearly being violated.

14. It was a matter of great concern that the European Union baldly ignored international law when continuing to conclude regular trade agreements with Morocco that did not exclude goods from an occupied Territory. It should be understood that the Sahrawi authorities, who had never been consulted or given consent to such trade, were perfectly entitled to launch legal proceedings against States, enterprises or individuals involved in illegal exploitation of the Territory's resources.

15. The Committee surely had the power to take constructive steps to promote real consultation of the Sahrawi people with respect to any exploitation of natural resources, or to halt any such economic activity until they had exercised the right to self-determination. Such steps might include an expansion of the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) to observe all economic

activity in the region and make appropriate reports; a warning to the European Union on the legal implications of concluding free trade agreements with Morocco; or providing information to the global business community about the legal risks of engaging with Moroccan partners in Western Sahara.

16. **Ms. Verhees** (Zain Atfaak), speaking as a member of a Belgian group in solidarity with the Sahrawi people, drew attention to one of most shocking consequences of the Moroccan occupation of the Territory: the forced disappearance of at least 400 Sahrawi civilians, with the fate of the majority remaining unknown. In one instance, the recent discovery of a mass grave by Spanish forensic experts indicated the extrajudicial execution of innocent civilians with no political or military connections. In the report of its Human Rights Advisory Council, Morocco had provided fragmented information on about half of the cases of forced disappearance, stating without further details that most had died owing to “prevailing conditions” or “in custody”, and had provided no data at all to permit the identification of the rest of the victims.

17. While the Sahrawi people still waited to enjoy their right to self-determination, the human rights of the population must be fully protected, and MINURSO should be given a mandate also to monitor the human rights situation in Western Sahara, including the investigation of mass graves, widely reported by relatives or survivors. The right to the truth and the right to mourn the loss of family members were of fundamental importance to the Sahrawi people as a whole, and ensuring those rights would contribute significantly to the search for a political solution to the conflict.

18. **Ms. Lenz** (Not Forgotten International), speaking for hundreds of other United States members of her organization who had served the Sahrawi people in the refugee camps in Algeria for the past 14 years, said that the refugees had experienced far too much suffering ever to stop calling on the United Nations for help. She told the story of a young woman she had met in one of the camps, who as a child had fled Western Sahara with her family, retaining only a memory of the bright-red door of her home. Two decades ago, the United Nations had made a promise to that young woman and to tens of thousands of her fellow Sahrawis that it would assist them in their God-given right to determine their own future; it had not yet kept that

promise. The homes of the displaced Sahrawis were now occupied by Moroccans, who had also taken their jobs. In the meantime, those who had remained in their homeland suffered horrendous oppression and abuse by a King who was not theirs.

19. Tens of thousands of young Sahrawis were determined to return and rejoin their people in their rightful homeland. It remained in the hands of the United Nations to ensure an honourable ending to the tragic story. Otherwise, its silence and inaction would force the Sahrawis to take matters violently into their own hands. Her organization called on the United Nations to institute human rights monitoring in the Territory until it had kept its promise of a referendum, or until it had acknowledged its failure and withdrawn.

20. **Ms. Bounab** (Groupe parlementaire de fraternité et amitié Algérie-République arabe sahraouie démocratique), speaking as a member also of the Algerian Parliament, said that the Sahrawi population living in the lands occupied by Morocco since 1975 suffered massive human rights violations daily. Torture, arbitrary arrest, rape, forced disappearances and more had been observed and reported by international NGOs such as the Robert F. Kennedy Center for Justice and Human Rights and by the European Parliament. Sahrawi women paid a particularly heavy price when they demonstrated peacefully for the right to self-determination or for their most elementary rights. With fathers, husbands and sons arrested, families were broken up by the Moroccan occupation and the determined Sahrawi women had to face that dangerous situation alone.

21. The Committee must call for protection of the Sahrawi population from the many extreme human rights violations committed by Morocco in the occupied Territory. Expansion of the mandate of MINURSO might be a step towards a just and lasting solution to the conflict there. The United Nations should move quickly to organize a referendum allowing the people of Western Sahara to choose their future freely.

22. **Mr. Abdelhakim** (President of the Algiers City Council) said that the city of Algiers was twinned with Laayoune in the Sahrawi Arab Democratic Republic, as an embodiment of his city’s respect for the Sahrawi people’s struggle to exercise their legitimate right to self-determination, and its conviction that Western Sahara must be decolonized.

23. The Sahrawi people had gone through very difficult times during their long history of colonization. Morocco's armed aggression and the serious crimes it had perpetrated in the Territory had created the crisis conditions in which the Sahrawis were now living. In the light of Morocco's obstinate and defiant disregard for international law and the resolutions of the Security Council upholding the legitimate demand of the Sahrawi people to express their wishes through a free referendum, it was essential to recall the principle of the right of peoples to self-determination as set out in General Assembly resolution 1514 (XV). That resolution had laid the foundations of the right to development as well and had inspired other resolutions establishing the principle of the permanent sovereignty of peoples over their natural resources, and the economic rights and duties of States. In that connection, Morocco's rapacity in occupied Western Sahara was greatly to be condemned.

24. The peace-loving peoples of the world must mobilize to apply pressure on the Moroccan authorities to comply with international law and immediately release the Sahrawi political prisoners it was arbitrarily detaining without due process. The Security Council should broaden the mandate of MINURSO to include the protection of human rights in the Territory of Western Sahara, and should speed up the organization of an unrestricted referendum allowing the Sahrawi people full exercise of their right to self-determination.

25. **Mr. Abdelouahab** (Algerian National Advisory Commission for the Promotion and Protection of Human Rights) said that the existence of Sahrawi refugee camps in Algeria had moved his Commission to react to the sufferings of a fraternal people who had been groaning under the yoke of servitude for more than 30 years, and to become their advocates. The Moroccan colonialist argument had not withstood the scrutiny of the international community. Having invaded Sahrawi lands, the Kingdom of Morocco had then attempted to share the Territory with a neighbouring country. With the failure of that plan, Morocco had resorted to the untrue assertion that the Territory had belonged to it in any case.

26. Morocco applied the blind colonialist logic of its intransigent policy together with indiscriminate repressive action against an unarmed people, as attested to by governmental and non-governmental human rights organizations, as well as by the Office of the United Nations High Commissioner for Refugees,

the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, and the European Parliament. The savage destruction in 2010 of the Gdim Izik camp had given rise to worldwide condemnation, but had been followed by further bloody episodes against peaceful demonstrators, without any adequate response on the part of the international community. In conjunction with those ongoing violations of human rights, Morocco was plundering Western Sahara's natural resources, with international complicity in disregard of international law.

27. His Commission therefore called on the United Nations to undertake immediate and firm action to protect human rights in Western Sahara, especially by broadening the mandate of MINURSO to include their monitoring and protection and making arrangements for international observers to be given free access to the occupied Territory to assess the human rights situation there; and to restore to the Sahrawi people their legitimate right to choose their own future.

28. **Mr. Mahreze** (Comité national de soutien au peuple sahraoui) said that, historically, the fundamental principle of the inalienable right of peoples to self-determination had led to a just solution for many ex-colonial countries in Africa, allowing them dignity, and development on their own terms. Western Sahara was the last colonial country on the continent of Africa. For 40 years the peace-loving Sahrawis had been struggling for their inalienable and recognized right to choose their own future, a milestone having been the proclamation of the Sahrawi Arab Democratic Republic in 1976. No solution must be imposed upon them, least of all a solution in fundamental contradiction with the United Nations settlement plan.

29. Unfortunately Morocco, ignoring the voices of the international community, continued to pursue its policy of occupation, illegal exploitation, savage repression and systematic violation of human rights in the occupied Territory. Urgent action was called for, in particular the establishment of a United Nations human rights monitoring mechanism. Silence and inaction would encourage injustice and impunity and damage the credibility of the United Nations.

30. The blindness of the Moroccan authorities towards an established reality; their wilful determination to circumvent the clearly-expressed will of the United Nations; the agreements officially signed

by Morocco with the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario) and then shamefully repudiated; all clearly demonstrated the panic, inconsistency and irresponsibility of the Moroccan Government, determined to use any means necessary to maintain the colonial status quo. The entire Algerian public would continue to stand up for the Sahrawi people.

31. **Mr. Ayachi** (Fondation nationale algérienne des études stratégiques et sécuritaires) said that his organization was very concerned about human rights violations committed by Morocco in the occupied Territory of Western Sahara, where a reign of terror by its army and police sought to intimidate and silence the Sahrawi population. Every day there were unjustified arrests, rapes and forced disappearances — as evidenced by the recent discovery of mass graves — together with acts of torture, extrajudicial executions and unfair trials, as well as a complete media blackout in the occupied Territory. Such human rights violations had been observed and denounced in reports of many bodies, including the European Parliament, the United States State Department, the Kennedy Center and major international NGOs, by numerous missions of international jurists and by the Special Rapporteur on torture.

32. It was time to protect the Sahrawi people from the multiple assaults perpetrated by Morocco, and to bring the conflict in Western Sahara to a just end. To accomplish those two objectives, it was imperative to expand the mandate of MINURSO to include, as did that of all other such United Nations missions, the monitoring of human rights; and to organize as rapidly as possible the long-awaited referendum of self-determination sponsored by the United Nations.

33. **Mr. Lacy** (Saharawi Voice) said that, in order to give a human face to the travesty occurring in Western Sahara, he would convey the words of two young Sahrawis living in the refugee camps in Algeria. The first, born in the Smara camp, said that children had to grow up without water, electricity or healthy food, but that he had realized on his recent first family visit to his own country, occupied Western Sahara, that the situation was even worse for the families on the other side of the wall. There, Sahrawis lived with a heavy police presence, saw the good jobs given to Moroccans, faced dangerous repression, and had no prospects for independence.

34. The second young refugee had recounted how he could still remember the climate of hope and optimism that had reigned in the refugee camps in 1995, when Sahrawis had been eagerly preparing for the promised United Nations referendum to decide their country's fate after 20 years of occupation, war, exile and family division, confident that their rightful self-determination would lead to independence. The United Nations, however, had not honoured its commitment, and had shamelessly allowed Morocco to sabotage the referendum, betraying not only the trust of the Sahrawis but also the Organization's own principles. Now was the time to honour those principles, giving the Sahrawis the full right to make their own decisions on their country's future.

35. **Ms. Huff** (Teach the Children International) said that it was well known that since the formation of the Tindouf camps in 1975, the Frente Polisario had broken up Sahrawi families, ostensibly in the name of education. Rather than increasing the number of schools in the camps, the Frente Polisario had been shipping thousands of young people to Cuba, Libya, Algeria and the former Soviet countries for education, and that process was still going on. Meanwhile, the number of schools in the camps was actually shrinking. Many Saharan women who had grown up in the camps were now illiterate, having had no opportunity to attend school.

36. Taking children as young as seven away from their families to be educated abroad undermined the family's cultural and tribal structure, doing profound psychological damage to children and parents alike. Yet the Frente Polisario persisted, in order, first, to re-educate selected children to make them conform to its left-leaning ideology and secondly, to ensure that the parents remained in the Tindouf camps, awaiting the return of their children.

37. The Frente Polisario would find out that it had created a mutant generation that did not fit in anywhere in the world, and was unable to play its part in developing a strong civil society that would benefit the Sahrawis and the world as a whole. She drew a parallel with the practice of the United States Government, which from the 1600s to 1950 had taken Native American children away from their families with the aim of making them fit into the general way of life, but instead had bred resentment and social ills that had begun to heal only when autonomy and cultural freedom had been restored.

38. **Mr. Saadi**, speaking in his personal capacity as a member of the Algerian Parliament, said that Algeria had always unconditionally supported the oppressed Sahrawi people and their right to self-determination, as it had done with all African and Asia-Pacific peoples in their struggle to reclaim their freedom. The Sahrawis would never be deprived of their independence, despite Morocco's attempts to involve Algeria in the conflict. The situation must be resolved by a free and open referendum offering a just and lasting solution that upheld the Sahrawi cause.

39. The United Nations had a responsibility to help the Sahrawi people and to encourage dialogue between the Morocco and the Frente Polisario with the assistance of the Special Envoy of the Secretary-General. Algeria fully supported that United Nations endeavour, which would guarantee the stability and prosperity of all the countries in the region. The obstacles placed by the Moroccan authorities in the way of a settlement by the United Nations were a violation of international law and a desperate stratagem to deny freedom and democracy to the Sahrawi people, as could be seen by any visitor to the occupied Territory.

40. **Ms. Sherrill** (The Landing Community Church), speaking on behalf of the Sahrawi refugees encamped in the Algerian desert since 1975, said that since many well-informed observers, at the United Nations and elsewhere, had been saying in recent decades that an independent Sahrawi State was not a realistic objective, she hoped that the parties would at last concede that the only realistic option was to let the refugees return to their homeland and be reintegrated into Moroccan society. The millions of dollars that the United Nations had spent on maintaining the camps could be redirected to overseeing such a transition, and observers could work, along with Moroccans, to repatriate one of the oldest refugee groups in the world, taking them away from living conditions that were absurd in the twenty-first century. Such an undertaking would reflect well on the United Nations, but would require a concerted effort to reunite long-separated families.

41. **Mr. Al-Jabari** (Palestinian-Moroccan Friendship Society) said that his organization had been following with extreme concern the situation of the southern provinces of Morocco, which had been in crisis for over 30 years. Its representatives had visited the Saharan areas and studied the situation there, and felt a

responsibility to convey what they had seen. They had observed the urbanization and human development projects that confirmed Morocco's interest in the welfare and advancement of the Saharan people in conjunction with advances that the entire country was undergoing. Outside forces should not obstruct Morocco's efforts to enhance prosperity in the Saharan region in order to prevent it from becoming a hotbed of terrorism, as had happened elsewhere, in the Sahel.

42. Morocco had in 2007 put forward an initiative to negotiate expanded self-rule for the Saharan region, suggesting a compromise that was in line with international law, Security Council resolutions and the principle of self-determination — a proposal that had immediately been characterized by the Security Council as serious and genuine.

43. The United Nations, which advocated dialogue and negotiation as a means of resolving international disputes, as well as respect for human rights, equality and justice, must make those principles a reality rather than having them as mere slogans. A greater effort must be made to arrive at a realistic final resolution for the Saharan issue in line with United Nations resolutions, while encouraging outside parties that had been involved to desist. Algeria, for example, had been intervening between the Moroccan Government and the Saharan people by giving shelter to the Frente Polisario in a way that did not serve the interests of the Saharans. All parties must now set aside personal and narrow objectives in favour of public and more general ones, in the interests of all the people of Morocco.

44. **Ms. Navarro** (Consejo General de la Abogacía Española) said that her Council had sent legal observers at the behest of the International Bar Association to all the trials of Sahrawi human rights activists held by the Moroccan administration over the previous 12 years. In particular, after Morocco's violent dismantlement in 2010 of the peaceful Gdim Izik encampment of 20,000 Sahrawis protesting the denial of their economic and social rights and its arrest of hundreds, a Moroccan military tribunal had in 2013 prosecuted 25 of the civilian activists and condemned them to sentences ranging from 20 years to life. It was, however, an extraterritorial tribunal of special jurisdiction, with no competence to try Sahrawi civilians under either the Moroccan Constitution or the Geneva Convention Relative to the Protection of Civilian Persons in Time of War (the Fourth Geneva Convention).

45. Moreover, the environment surrounding the trial had been hostile, owing to incitement by the official media, statements of government ministries and pressures on the defence lawyers. In addition, all phases of the proceedings revealed defects nullifying the outcome, such as: detention of the accused in secret detention centres and the systematic use of torture to obtain incriminating statements; failure to provide legal counsel to the detainees; generic charges against all the accused, unsubstantiated by any evidence linking them to the events; total infringement of the chain of custody of evidence; failure to produce presumed victims; infringement of the principle of equality of the parties in criminal proceedings by denying the right of defence; and denial of the right of the accused to have a translator rendering the proceedings into their native Sahrawi dialect. The trial — which seemed designed to impugn the Sahrawis as a people and their right to self-determination — had violated article 10 of the International Declaration of Human Rights and had dealt a serious blow to the international justice system. The international community must demand that Morocco respect guarantees of due process and the human rights of the Sahrawi population under its occupation.

46. Morocco's occupation of the Non-Self-Governing Territory of Western Sahara was illegal, because of the application to the Territory and its population of international humanitarian law, and because of Morocco's violation of the Fourth Geneva Convention and the international human rights treaties.

47. **Ms. Padrón** (Asociación Canaria de Solidaridad con el Pueblo Saharaui) said that the Sahrawi people had responded to the violent invasion of Western Sahara by Morocco 38 years earlier and to its ongoing violation of their fundamental rights by peacefully demonstrating for the right to live in peace, the holding of the referendum on self-determination, and an end to the occupation. Morocco, instead, had reacted with indiscriminate use of violence by its police and army, who were arresting without charge, torturing, raping and even killing Sahrawis, among them several teenagers murdered in 2010 and 2011.

48. Sahrawis who had been defending their identity as a people and their right to self-determination, without using or promoting violence, had been detained arbitrarily, their whereabouts kept from their families and torture used to obtain incriminating

statements. The situation of the Sahrawi detainees was serious, as they were being denied the status of prisoners of conscience and any right to medical assistance, and sent to distant prisons. Particular mention should be made of the harsh sentences of life imprisonment pronounced by the military tribunal of Rabat against the Gdim Izik group in a trial vitiated by illegalities and irregularities, which had been criticized by the Special Rapporteur on torture and by the international community as a whole.

49. Consequently, it was essential to expand the mandate of MINURSO to include the monitoring of human rights in the Territory. The United Nations must do its utmost to hasten the self-determination of the Sahrawi people and ensure the immediate cessation of human rights violations in Western Sahara.

50. **Ms. Darias** (Asociación Canaria de Juristas por la Paz y los Derechos Humanos), referring to Morocco's domestic strategy which was tragically undermining the human rights of thousands of Sahrawis under its occupation, said that for over ten years, international legal observers had been witness to planned, methodical acts of repression against the Sahrawi people, involving the systematic violation of human rights in a permanent reign of terror. Through interviews with the population and on-the-spot observation, it had to be concluded that Morocco was contravening the Fourth Geneva Convention, the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights, by, for example, a systematic policy of eradicating Sahrawi culture and persecuting those who defended it; violent repression of Sahrawis calling for compliance with international law and the right to peace and self-determination; impeding the search for missing people by deliberate concealment of the truth, as revealed by the recent discovery of mass graves and the exhumation of human remains; restricting Sahrawi economic, social and cultural rights, including denial of access to the labour market, medical care, or the right to education; refusal to allow the Sahrawi people to exploit their natural resources; and the systematic modification of the population of the occupied Territory by fostering Moroccan settlements there and forcibly transferring Sahrawis beyond its borders.

51. Yet another violation was the continued existence of a wall built by Morocco along the length of the Western Sahara border, incorporating a substantial military arsenal, with mines laid across a wide stretch

of land alongside it, thus constituting a serious threat to people and livestock on either side, and an impediment to self-determination and independence.

52. All those things were happening under the eyes of an impassive international community, which, however, had a moral obligation to take action and protect the human rights of the people of Western Sahara living under Moroccan occupation, as well as their legitimate entitlement to decide their own future.

53. **Mr. Zeghidi** (Association algérienne de la sauvegarde du patrimoine et de l'environnement et du développement des zones sahraouies), reviewing the history of the colonization of Western Sahara, said that the Sahrawi cause was the cause of a free people who had never before known servitude, and who had the right to demand self-determination and independence. It was their democratic, human and historic right.

54. Morocco, however, continued to claim its rights to occupy the territory of the Sahrawi people, and the world was confronted with a fait accompli.

55. His organization commended the historic position taken by the Committee when, urged on by Algeria, it had recommended by consensus the adoption of General Assembly resolution 31/45 stating clearly that resolution 1514 (XV) and the principle of self-determination applied to Western Sahara. The Committee should continue to establish principles and objectives with respect to decolonization, and work for the self-determination of the Sahrawi people.

56. **Mr. Gil Garre**, speaking in his personal capacity as a Spanish journalist and security analyst, said that the lack of foresight by the United Nations had been a determining factor in the extension of international jihadism to the Sahel and the Sahara, and any optimism now would be misplaced.

57. When he had come to warn the Committee four years earlier that elements of the Frente Polisario were involved in terrorist activities that would threaten even the Tindouf camps, Frente Polisario representatives had managed to take legal action in Spain against him. However, he had been subsequently proven right when a jihadist group had kidnapped three aid workers from the Rabuni camp, an action possible only with some internal Frente Polisario cooperation.

58. Insecurity in the region was growing. Weapons from the conflicts in Libya and elsewhere could well have reached the Frente Polisario camps; and the

MINURSO patrols had been obliged to have Frente Polisario escorts, ensuring that they had not seen anything or had had their gaze directed elsewhere, seriously violating the conditions of the ceasefire agreed some time before. The situation of which he had warned five years previously had taken a turn for the worse and the United Nations was still absent. Once more, as so many times in the past, it would arrive on the scene too late.

59. Furthermore, it should be noted that the Spanish legislature had officially recognized that scores of simple Spaniards living in the area who had been captured, tortured or killed over the years by Frente Polisario militias had been victims of terrorism. Was the United Nations simply going to maintain its current relationship with a group some of whose members had been charged in a Spanish court with crimes against humanity?

60. In the case of the Arab Spring the United Nations had immediately called for democratization of rebel movements as a condition for support, yet it was still hypocritically endorsing a completely dictatorial movement like the Frente Polisario, granting it the role of sole representative of the thousands of Saharans living under its heel without political liberty, free expression or freedom of information. Meanwhile, the leadership of the Frente Polisario was living so richly while thousands of Saharans were condemned to misery and isolation in Tindouf. Continued United Nations recognition could lead only to worse instability and violence. Opening the door to the existence of a failed State such as the one the Frente Polisario promoted was to open the door to a new war in Africa.

61. **Mr. Lippiatt** (WE International) recalled that the international community, the International Court of Justice, the African Union and over 70 sovereign nations had recognized the Sahrawis' right to self-determination, looking to the United Nations to free Africa's last colony.

62. The recent renewal of the mandate of MINURSO had not included the addition of a human rights monitoring component despite recommendations from the United Nations Human Rights Council, the Secretary-General, and several civil society organizations. In the absence of such a human rights mandate, the Moroccan Government was continuing its systematic violations and its oppression of the Sahrawis, notably by intimidating, beating and imprisoning,

without due process and in inhumane conditions, those protesting — however peacefully — for their right to self-determination or for their basic rights. About a third of those in detention were Sahrawi human rights defenders.

63. Although Morocco had binding obligations under the Charter of the United Nations, the Universal Declaration of Human Rights, and several international human rights treaties, it appeared to think that it did not have to fulfil them. Only by means of an independent human rights mechanism would it be possible to protect the rights of the Sahrawi people and hold Morocco to account.

64. **Mr. López Ortiz** (Federación Estatal de Instituciones Solidarias con el Pueblo Saharaui) said that once again his organization wanted to condemn Morocco's brutal repression and violation of the most elementary of human rights of the population of the occupied Territory of Western Sahara. He drew attention to the recent revelation of mass graves in Smara, containing the remains of Sahrawis who had disappeared in 1976, two of them minors, executed by Moroccan forces. The latest victim had been an 18-year-old Sahrawi boy shot in September 2013 by Moroccan forces while taking part in a peaceful demonstration.

65. The United Nations could do more than it was currently doing to avoid such outrages. The powers of MINURSO should be extended to include monitoring and defending the human rights of the Sahrawi population of the Territory. It was impossible to understand why that had not already been done, given the wide-ranging consensus on the subject. Western Sahara was clearly a case of unresolved colonialism as defined in General Assembly resolution 1514 (XV). The Kingdom of Morocco continued to demonstrate no political will to respect United Nations agreements or international law or to allow a referendum to be held on self-determination with guarantees of democracy and transparency. The Kingdom would accept only a referendum that would guarantee that the Sahara was Moroccan territory.

66. What was truly alarming was the Security Council's lack of determination in the face of Morocco's ongoing blackmail, a weakness that had caused the two previous Special Envoys of the Secretary-General to resign their positions. The new Special Envoy would need all the Organization's

support to achieve a successful outcome to the negotiations that so far had given no fruits at all. The United Nations had demonstrated in other situations that it had sufficient resources to enforce compliance with its resolutions and agreements, and it was incomprehensible why it did not do the same in Western Sahara. The alternative was to acknowledge failure and withdraw from the dispute, with a consequent loss of trust on the part of the international community, and the obvious risk of a return to armed conflict.

67. **Ms. Thomas**, speaking in her personal capacity as former Commissioner of MINURSO responsible for legal affairs, recalled that in 1995 she had helped to negotiate the voter eligibility criteria for a referendum in which the Sahrawis would decide whether Western Sahara should be integrated into Morocco or should be an independent State. There had been no reason, practical or otherwise, for the failure to hold the referendum in 2000 or since, other than the decision of Morocco to withdraw from the process. The list of eligible voters had been established according to the criteria that Morocco itself had proposed, but Morocco had then withdrawn once it determined that the persons deemed eligible to vote might choose independence. Any assertions to the contrary were obfuscations of the truth by United Nations officials, designed to avoid offending Morocco and causing it to expel MINURSO. She offered to provide documentary evidence of her assertions.

68. Western Sahara was no different from other territories historically inhabited by tribes that crossed borders established by colonial rulers, but such issues had not prevented their indigenous peoples from exercising their right to self-determination. There was no reason, other than the obstructionism of Morocco, why the people of Western Sahara could not do likewise. Forcing its inhabitants to accept a future that they did not want would not resolve the conflict, but would only make it fester underground and eventually erupt into violence once more. She urged the Committee to permit the Sahrawis to have the referendum to which they were entitled under international law.

69. **Ms. Saadani** (OCAPROCE International) drew attention to the alarming situation in which thousands of women and children were living in the Tindouf camps, in the most inhospitable territory in the world, deprived of their most elementary rights. Such difficult

conditions were causing grave health problems, especially in maternal and infant health, resulting in high rates of mortality and morbidity within that vulnerable sector of the population. Another serious problem was malnutrition, leading to serious disorders like chronic anaemia. That was due entirely to the embezzlement of international humanitarian aid, which was diverted for the personal enrichment of the leaders of the Frente Polisario rather than used for the benefit of the people they claimed to defend. Other hardships faced by the refugees included the indoctrination and forcible separation of children from their families from a very early age for political purposes, thus depriving them of a normal childhood.

70. Her organization wished to alert the Committee to the systematic propaganda directed towards the international community that capitalized on the suffering of those women and children, using the noble cause of human rights for perverse objectives and promoting intolerance and discrimination against those who wished only to protect them so that they could live in peace and return to their country.

71. Her organization considered that the autonomy proposal made by Morocco was the only viable option for the Territory and was the one that had the most supporters in the world, who had hailed it as a serious, credible and realistic initiative. It was time for the international community to put an end to the injustice long inflicted on thousands of Sahrawis by the Frente Polisario. The only option for the future was autonomy that guaranteed the population its full political, economic and social rights.

72. **Ms. Warburg** (Freedom for All), drawing attention to the deprivations experienced by the more than 65,000 Sahrawi refugees confined in the Tindouf camps for 38 years and to the precarious conditions in the region, said that her organization once again called for a census of the inhabitants of the camps to determine their number, composition and medical needs. Algeria and its proxy, the Frente Polisario, should provide free access for the Office of the United Nations High Commissioner for Refugees (UNHCR), as repeatedly urged by the Secretary-General over the past four years and as obligated by conventions ratified by Algeria, the host State.

73. Basic human rights did not exist in Tindouf: freedom of expression, movement and assembly was denied, the right of return was unknown, and

opposition to the Frente Polisario brutally crushed. The previous month, an official visit to Tindouf had revealed severe malnutrition in children under five and a lack of medical supplies, due to the endemic misappropriation of humanitarian aid.

74. Criminal networks involved in drugs, weapons and human trafficking were proliferating in North Africa and the Sahel, and had links to extremist groups throughout the region. Frente Polisario members had fought alongside terrorist groups, and strong links were reported with Al-Qaida. In February, the Malian Foreign Minister had estimated that 500 Frente Polisario fighters, well-trained and paid by the Algerian Army, had joined terrorists in Northern Mali. There were reliable reports that many of the combatants had returned to the Tindouf camps, and that young Sahrawis in Tindouf were serving as guides for criminal and terrorist organizations, which raised serious concerns about the safety and welfare of Sahrawi refugees. Even MINURSO had suspended its night patrols east of the berm, and was now joined by Frente Polisario forces when patrolling near the Mauritanian border, possibly compromising its neutrality.

75. Meanwhile, by contrast with Tindouf, Morocco's political, economic and social reforms had continued apace, with the Secretary-General and the Special Rapporteur on torture both praising Morocco's commitment to what they had termed a culture of human rights. Freedom for All supported the United Nations confidence-building measures and believed that Morocco's plan for autonomy provided the best means of enabling the Tindouf refugees to determine their own future and bringing economic prosperity and stability to the people of the Maghreb.

76. **Mr. Doha** (Development Agency for the Southern Provinces, Morocco) recalled that a mere three weeks previously the broad outlines of the new development model proposed by the Moroccan Economic, Social and Environmental Council on instructions from the King had been publicized in the main towns of the Moroccan Sahara. The model had been widely discussed by all those active publicly and privately in the development of the region, and would be submitted for final approval and implementation. All public agencies in Morocco were deeply concerned about the utilization and protection of the natural resources of the Sahara, in line with the principles of sustainable development.

77. Water was scarce in the arid provinces of the Sahara. It was true that the region was situated above an immense expanse of groundwater, but that was a non-renewable resource that needed to be conserved. Consequently, Morocco had turned to extensive desalination of seawater. As a result of those costly efforts, the rate of connection to drinking water in urban centres in the Saharan provinces was close to 100 per cent. In order to meet the energy needs of its water supply efforts, Morocco had also undertaken a strategy of developing renewable energy.

78. The phosphates in the Saharan provinces amounted to less than 2 per cent of Morocco's total reserves, and phosphate mining in the Sahara accounted for only 8 per cent of all national production, although it did create thousands of jobs that benefited the inhabitants of the region. As for the Atlantic coast and its fish stocks, fish were by definition a renewable resource. An ambitious project had been established to make proper use of that natural wealth, taking into account the social impact on the local population. The intention of the programme was to ensure the sustainability of fish resources for future generations while using them appropriately for the benefit of the entire region.

79. **Mr. Cherkaoui** (Laayoune Es-Smara Regional Commission of the Moroccan National Human Rights Council) said that in recent years he had several times warned the Committee about the huge political danger posed in the Sahel-Sahara region by the deadly combination of separatism and religious extremism. Seeking to increase their influence and weaken those of their neighbours that were playing a stabilizing role, such as Morocco and Mali, other large States of the region had promoted the separatist movement, with the predictable consequence that instability in the region had grown, leaving a power vacuum that had unleashed fundamentalist forces. One such catastrophic case had been the recent attempt by fundamentalists to destabilize Mali. The speed with which separatism yielded to fanaticism and fundamentalism, as evidenced also in Kenya, was a reason to reflect on the situation of Western Sahara. The obvious lesson was that the weakening of the major nations of the region by the game of separatism was paving the way for extremism and terrorism.

80. Algeria, for example, was compelled to deploy 20,000 men along its frontiers to protect itself from the dangers of fundamentalism, while the separatism it

itself had artificially spawned would ultimately bring chaos back to Algerian territory. Now that the Saharan populations were being manipulated by fundamentalist forces, the region required justice and pragmatism: justice in the form of recognition of the specific characteristics of all the various groups, arguing for self-rule; pragmatism in the consolidation of national sovereignty. Morocco had led the way in recent years in establishing the conditions for a genuine autonomy for the Sahara region, within the context of Moroccan sovereignty. That fair, balanced and pragmatic solution, guaranteeing the stability of the subregion, was the formula of the future.

81. **Mr. Mayara** (Ligue des défenseurs des droits de l'homme au Sahara) said that he was himself a former political detainee. It had been a miserable experience but he and his fellow-victims were now reaping the fruits of their struggle. Morocco had fundamentally changed, embarking upon the road of transparency and democracy, despite desperate attempts by some to derail the country into chaos. There would always be threats to democracy, but it was the duty of civil society to protect it. Morocco had a wide network of NGOs and civil society organizations operating in different spheres and building a society in which human rights would be respected and the notion of citizenship entrenched. Precisely because of their long struggle, those organizations were succeeding in putting their stamp on Moroccan society.

82. He warned of misconceptions being promoted by certain bodies reporting on the situation of human rights in Morocco. Since they could not deny the democratic gains that had been achieved by the country, they tried to convince the international community that Morocco respected standards of human rights in the north and infringed them in the south. Such falsification by those bodies, which represented only a small fraction of the population, dishonoured the past sufferings of the victims.

83. He appealed to foreign organizations to be realistic about the situation of Morocco, suspending their prejudices and keeping an open mind when visiting the country, and being aware that the Moroccan NGOs had arisen from their own sufferings and those of the Moroccan people, a fact that deserved to be respected.

84. **Ms. Stame Cervone** (Christian Democratic Women International), referring to some realities and

historical facts which unfortunately tended to be forgotten in discussions of the conflict over the Moroccan Sahara, recalled that it was often said that the Frente Polisario was a liberation movement that had been fighting against the Spanish colonizer and then against its invading neighbours, and that as a result the Saharan territory had been included in the list of Non-Self-Governing Territories in 1963. In fact, however, the Frente Polisario had been created in 1973, shortly before Spain's withdrawal from the Sahara, and had never fired a single shot against the Spanish army. It was also well known that it was the Francoist, Libyan and Algerian secret services that had supported the creation of the Frente Polisario, with the aim of depriving Morocco of its Saharan region and creating a servile satellite State.

85. Furthermore, it had been the leaders of Morocco who had taken the initiative to have the territory added to the list of Non-Self-Governing Territories, although Morocco had never renounced the recovery of its Saharan territory. Even during its own colonial period, the Moroccan authorities and the nationalist movement had always advocated the independence of Morocco within a context of territorial integrity.

86. Much earlier, in 1958, the Moroccan Army of Liberation, composed to a large extent of Saharan fighters, had liberated virtually all of the Sahara, losing only because of the joint intervention of the Spanish and French armies. After that battle, owing to fear of reprisals by the Spanish colonial authorities, the resistance fighters, as well as thousands of patriots of Saharan origin, had been obliged to leave the conquered Sahara with their families and to move to the northern part of the region, the part that their country, Morocco, had liberated. Those thousands of displaced families had subsequently been denied participation in a possible future referendum by the other parties involved in the Saharan conflict. The patriots who had taken Morocco's side had always continued to defend the country's territorial integrity while living peacefully in Morocco, and they included most of the parents or relatives of the current leaders of the Frente Polisario.

87. She challenged the Frente Polisario to produce a single document written before 1974 by a Saharan separatist calling for the independence of the Sahara. There was no such document, because the Frente Polisario had begun to demand the establishment of an independent State in the Sahara only after it had

become a pawn of Algeria. The Saharan conflict was a fabricated conflict, intended to weaken Morocco. The long and needless confrontation between the two major States in North Africa, who had every reason to join together in mutual economic prosperity, was absurd and was hurting the entire Maghreb.

88. **Mr. Laghzal** (Laayoune Regional Office of the Moroccan National Human Rights Council) said that he too was a former political detainee, a survivor of the grim period that Moroccans called the Years of Lead. He had undergone torture and oppression, but was now a member of the National Council responsible for overseeing the full and sound application of human rights law in Morocco. He spoke as an eyewitness to two major stages in contemporary Moroccan history, the stage of oppression and violations and the stage of restoration and coming to terms with the past. As part of the reconciliation process he had been able to regain his full rights and compensation for the harm he had suffered.

89. Along with former prisoners and others living in the Saharan provinces, he had worked on the Equity and Reconciliation Commission, set up in 2004 — an experiment that was the first of its kind in the Islamic Arab world, and a unique Moroccan experience in human rights — and had found the strength to deal with the past. The Commission had vigorously tackled some 20,000 cases covering the period from 1956 to 1999. The initiative had been well received in the Saharan provinces, where there had been a great desire to know the truth of what had happened and the fate of those who had disappeared, as an important step to making a fresh start and embarking on the path of democracy and reconciliation. It had taken courage to undertake such a genuine process of transformation, bringing in all actors without any discrimination or marginalization, including all victims from the Saharan provinces and also some people who currently waved the banner of secession from Morocco, or who were ideologically opposed to the trend towards unity. Rather than concentrating on digging up the atrocities of the past and making reparations to victims, the Commission had sought to ensure that such events could not be repeated, by issuing several legal and practical recommendations concerning transitional justice and democracy, all of which had recently been incorporated into Morocco's new Constitution and become part of all the reforms that had been initiated over the past few years.

90. **Mr. Dkhil** (Legislative and Human Rights Commission of the Moroccan Chamber of Councillors), speaking as a Moroccan citizen from the Saharan provinces, a member of the largest Saharan tribe and the elected representative of the city of Smara to the Moroccan Parliament, said that Morocco's recent elections had been internationally commended as democratic and transparent. As a Saharan, he was fully aware of the background to the conflict over Western Sahara as well as the designs of others on his region, and deplored the dangerous positions taken by some. By their enthusiastic participation in every election, Saharan citizens wished to send a simple, strong message to the world: that their large electoral turnout was for them a form of referendum, by which they had chosen to remain Moroccans and would not allow anyone to question their identity or to jeopardize it.

91. Morocco had once again given cause for hope by expanding democratic governance and organizing major reform workshops in all areas, especially in the legal and political fields. The main issue at the moment was the drafting of a plan for the overhaul of the judicial sector, with the participation of all official and non-governmental bodies in the field and in cooperation with several international experts. The outcome would have a positive impact on all Moroccan citizens and would entrench the atmosphere of sovereignty, democracy and stability in the region.

92. That was the touchstone for all his Government's initiatives, including the proposal to settle the matter of territorial integrity once and for all by according the Saharan provinces wide-ranging autonomy. It was a solution supported by the vast majority of the residents of that region, who favoured remaining in Morocco under Moroccan sovereignty and affirmed that their elected representatives at all levels were correctly transmitting their desire for unity and solidarity and their absolute rejection of all forms of blackmail, fragmentation and separatism. It was the most basic of democratic principles that the popular demands of the Saharan masses must be heard, because they clearly showed that the Frente Polisario did not represent all Saharans.

93. It was unacceptable for the Saharans living in the Tindouf refugee camps to remain hostage to the will of their neighbours, as they had for the past 40 years. Morocco hoped to break the stalemate, and that could be done only through a political solution that was just to all concerned and in which there would be no victors

and no losers. Such a solution enjoyed the support of the United Nations.

94. **Mr. Rosemarine**, speaking in his personal capacity as an international lawyer, said that political reform in Morocco over the past two years had enabled its people to remain unscathed by the tempests raging elsewhere in the Middle East and North Africa. All Saharans could benefit from the resulting stability, provided all interested parties permitted it.

95. As the Arab Spring had turned to winter, Morocco had taken to heart the calls for change. It had enacted a progressive Constitution and organized open and free elections, as a result of which an opposition party had peacefully taken over the reins of government. Under its new Constitution, Morocco had strengthened the powers of the country's regions, enhancing the proposals in its 2007 autonomy initiative for the Sahara with regard to local elections, self-rule, financial control and popular participation. A striking feature of Morocco's new Constitution was its pride in all the various ethnic groups in the Kingdom, a paradigm of pluralism for North Africa and the entire Middle East. Calling for the formal reintegration of the Sahara into Morocco, the Kingdom had long prized the citizens of the South, and saw them as full members of the nation, with rights equal to those of all others.

96. A country's recognition of the diversity of its people and their regions enhanced their identity and individuality, while at the same time merging them into one nation. In the Moroccan initiative for negotiating an autonomy statute for the Sahara region, the Government guaranteed that all Saharans would play a leading role in the institutions of their region, without discrimination, and would run their own affairs democratically. Of course there was much work still to be done in putting the new Constitution into effect and improving conditions on the ground in the Sahara, but Morocco's proposals were an effective way forward.

97. **Mr. Mahraoui** (Royal Advisory Council for Saharan Affairs) said that now more than ever, the Saharan population in the Frente Polisario-run camps of Tindouf were living in dire, tragic conditions, in four militarized camps, distant from one another, in a particularly hostile region of the Algerian desert. The refugees were reeling under oppression and stark violation of the most basic human rights, with no freedom of expression or movement. The international community must no longer tolerate the warehousing of

the population in those inhumane conditions. The Algerian Government could no longer escape its responsibility in that regard.

98. Violations of human rights, the absence of any prospect of a promising future and their precarious housing conditions, combined with extreme weather conditions and undernutrition due largely to the embezzlement of international aid by the Frente Polisario leaders had led the camp population to despair, pushing the young people towards trafficking in persons, drugs and weapons and towards international terrorism, as numerous sources had reported.

99. The international community must do several things to improve the situation: ensure a significant UNHCR presence in the camps; conduct a census of the population; guarantee unhindered access to the camps; ensure the most basic human rights, such as freedom of movement and expression; monitor international aid; improve housing conditions and arrange for the people in the camps to be able to work throughout Morocco; pressure the Frente Polisario leaders who had proclaimed themselves to be the representatives of the Saharans to cease their embezzlement for the purpose of self-enrichment at the expense of a whole population.

100. The Frente Polisario leadership had to be pushed to engage seriously in negotiations in order to find a just and mutually acceptable political solution instead of holding to its insistence on a referendum, a position abandoned internationally in 2003 for reasons related to differences over who was entitled to vote. The solution was the autonomy plan devised by Saharans for Saharans, considered by the Security Council to be both serious and credible. Saharans would have their autonomy and Morocco would retain sovereignty over the whole country. That political solution combined self-determination, territorial integrity and national unity, as stipulated in United Nations resolution 1514 (VX).

101. **Mr. Benbouaida**, speaking in his personal capacity as a Saharan professor of law at the University of Marrakech, said that there were new Saharan voices that gave a vision of the future from a far-sighted perspective. The time had come to heed those voices, representing that part of the Saharan community who worked very conscientiously and responsibly within the wider Moroccan fabric. No single party could

impose its stamp on the Saharans and claim to represent them. Saharan academics had realized where the future lay and, fully cognizant of the background to the conflict, they called upon the international community to heed logic and reason and endorse the solution proposed by Morocco. The autonomy proposal was truly an interpretation of the desire of the majority of the inhabitants of the Sahara and a real opportunity to end the artificial conflict and reunite the exiled Saharans with their people.

102. Morocco had in recent times witnessed many political, economic and social changes in the course of adopting a new Constitution in 2011. It was a progressive document, under which many good legal and economic institutions had been established. He and his academic colleagues had asked to be involved in all discussions pertaining to the Kingdom's political and constitutional reforms over the past few years. Their participation in that whole process had brought to the forefront the shared desire of all Saharans to live in a unified and stable country. He had come before the Committee to voice that desire and his presence was a refutation of those who spoke of the marginalization of some Saharans. The international community should place its trust in the new vision of the independent Saharan elite, who believed in the future, sought stability and wished to take part in the democratic march that had been taking place in Morocco. Their voices were worth listening to. Resolving the conflict in the Sahara required taking into consideration the views of all facets of Saharan society, especially those that represented the majority.

103. **Mr. Álvarez-Vita**, speaking in his personal capacity as a former member of a United Nations human rights treaty body and now a university professor of human rights, said that the advance of human rights in Morocco over the past two decades was unmatched in the Islamic Arab world. The process had been set in motion by updated interpretations of the Koran and of Islam's oldest tradition, the hadith, which had been incorporated into the Family Code and the new Constitution of 2011. Overwhelmingly approved by the Moroccan people, the Constitution also incorporated the provisions of the Universal Declaration of Human Rights and the international human rights treaties, recognizing the primacy of international law over domestic law. Morocco had withdrawn its reservations to the human rights treaties and, having made human rights an integral part of its

diplomacy, it was doing outstanding work in the United Nations Human Rights Council.

104. In addition, it had set up 12 human rights bodies of its own, most notably the National Human Rights Council, which had both official and civilian members and broad powers to safeguard human rights. Over the last two decades, human rights in Morocco had steadily advanced as democratic institutions had been strengthened. Morocco's current Constitution, the most forward-looking in the Arab world in terms of human rights, could serve as an inspiration for the countries of the region and for many other largely Muslim countries, since it had demonstrated that the difficulties in the application of sharia law in Muslim countries were not insurmountable, especially because the Koran itself taught tolerance and good will.

105. In keeping with those developments, the Moroccan Government had offered to grant wide-ranging autonomy to the population of the Saharan region under Moroccan sovereignty, with the Government reserving only the right to conduct foreign policy and national defence. That had been a very important step towards resolution of the regional dispute that was impeding the establishment of the Arab Maghreb Union and good neighbourliness among the five countries of the subregion. Recognized by the Security Council itself, it constituted the most positive proposal for ending a corrosive situation, in that it considered the rights of the Saharan population, both inside and outside Morocco, as well as the rights of the non-Saharan people residing in the Saharan region.

The meeting rose at 6 p.m.