

**UN's responsibility towards Western Sahara
online event Tuesday 12 October 2021**

Statement by Kamal Fadel, Polisario Representative

First of all I would like to thank AWSA for organisation this event and also all the speakers for their time. Thanks also to all those who joined us over Zoom and Facebook from all around the world.

This event is being held on an important day for the people of Western Sahara as 46 years ago on 12 October 1975, Saharawi members of the Spanish Parliament, Chiefs and elders as Polisraio leaders and member met to express their unity behind Polisario as their sole representative and their desire to achieve independence.

The UN's responsibility: A background

As we know, the UN has been involved in Western Sahara for the past 58 years.

The UN placed Western Sahara on the list of the Non-Self-Governing Territories in 1963 and in 1966 it called for the organisation of a referendum in Western Sahara.

In 1988 Morocco and Polisario accepted the UN and OAU Settlement Plan which called for the organisation of a referendum of self-determination. A ceasefire was declared on the 6th of September 1991 and the UN deployed its mission, MINURSO, in Western Sahara with a view to holding the referendum.

This was supposed to take place in 1992. But Morocco has failed to fulfill its part of the agreement and has obstructed the implementation of the Settlement Plan until now.

The UN has spent more than 2 billion US Dollars on MINURSO, and appointed Five UNSG Personal Envoys and 15 Special Representatives so far.

Why have they all failed?

Morocco's violations

There is a long list of how Morocco has cheated the UN peace process in Western Sahara, how the kingdom has broken the rules time and time again. These are some examples:

- We know that Morocco obstructed the referendum process and that in 2002, the King of Morocco, without any basis, rejected the entire UN referendum process and described it as “obsolete”.
- In 2010, Moroccan forces attacked the Gdeim Izik protest camp outside of El Aauin and dismantled it. Subsequently it detained 25 Sahrawi human rights activists who remain in prison.
- In March 2016, Morocco unlawfully and without warning or consultation, expelled the civilian component of MINURSO, completely undermining the mission.
- We know that the Moroccan regime and its allies at the UNSC have permanently blocked the inclusion of human rights monitoring in the mandate of MINURSO.
- In August 2016, the Moroccan army invaded the Buffer Strip at the Guerguerat area in Western Sahara, in a clear violation of the terms of the 1991 ceasefire.
- The Moroccan army attacked Saharawi civilians protesting at El Guerguerat in November 2020 and occupied the Buffer Strip in a flagrant violation of the ceasefire and the Military Agreements signed with the parties.
- We know that the Moroccan regime continues to deny access to independent observers and the media who try to enter the territory. Recently, on 2 October this year, Morocco expelled two Spanish lawyers and a doctor who attempted to visit the Sahrawi human rights activist Sultana Khaya who has been under house arrest for almost a year and who is being abused by Moroccan agents daily.
- Ambassador Frank Ruddy, former deputy chairman of the MINURSO identification commission has used terms such as “thugs” and “mafia” to describe

the behaviour of the Moroccan authorities in Western Sahara. We have seen this all before, he has said, in South Africa during apartheid.

- Morocco continues to plunder the resources of Western Sahara in violation of a 2002 UN legal opinion and the decisions of many courts such the EU Court of Justice and the High Court of South Africa.
- We are heartened by the decision of the General Court of the European Union in September this year which concluded that the fisheries and agricultural trade agreements between the European Union and Morocco were invalid as they illegally included the Western Sahara territory.

The way forward

We recognise that the UN Secretary General has appointed, on the 6th of October, a new Personal Envoy, Mr Staffan de Mistura.

The Personal Envoy must be guided by the fact that the issue of Western Sahara is a decolonisation issue and is not a conflict over the sovereignty of a territory. This is an illegal occupation, generated and maintained by force, and an unequivocal violation of the UN Charter, and international law.

From here, the new Personal Envoy must work to ensure the closure of the illegal crossing of Guerguerat and the withdrawal of the Moroccan army from the Buffer Strip that was occupied in November 2020. The approach to the Guerguerat breach will define how this new era will evolve.

The UN must realise that “ the definition of insanity is doing the same thing over and over and expecting different results.”

Maintaining and managing the status quo is no longer viable.

Language like “mutually acceptable political solution” or “based on compromise” or “a realistic, practicable solution” is simply used to confuse the decolonisation process and hamper UN efforts. Such empty, pointless words, must stop. Immediately.

One such term is the “friends of Western Sahara”. This is, as many here will know, a meeting group within the UNSC. But, the membership of this potentially useful vehicle is biased towards Morocco and its composition is not democratic. Western Sahara is primarily an African issue, for instance, yet African States are excluded from the Group. Reform of the Group is needed.

The UN must not ask, but demand, that Morocco:

- Allow the organisation of the referendum and otherwise comply with the 1990 Settlement Plan
- Lift all restrictions imposed on MINURSO
- Allow African Union observers to return to Western Sahara
- Release all Saharawi political detainees
- Allow free and unhindered access to the territory
- Allow free movement for the Saharawis

Now, 58 years later, The UN must once and for all fix a date for the referendum of self-determination and set a clear road map in accordance with the Settlement Plan agreed by both parties and adopted by the UN Security Council in 1990.

The UN must put an end to Morocco’s control of the peace process.

The UN must ensure the protection of human rights in the territory and must include human rights monitoring in the mandate of MINURSO.

The UN must protect the natural resources of Western Sahara.

OUR POSITION

The Polisario Front can never be a partner in any process that does not fully respect the inalienable right of the Saharawi to self-determination and independence.

The decolonisation of Western Sahara can only be accomplished through two options: Either through the withdrawal of the Moroccan army and administration from the Territory or the organisation of a free, fair and just referendum of self-determination. There is no third way.

The Frente Polisario is willing to continue to cooperate with the UN in the endeavour to fulfil its responsibility towards the people of Western Sahara but we are not prepared to give up our legitimate rights.

Our people have been suffering an enormous human cost waiting for the decolonisation of their homeland. We are not prepared to spend another 30 years in futile discussions, trapped in a dialogue of the deaf with a regime in Rabat that is determined to torpedo the peace process and deny our freedom.