

**NGOs Geneva Support Group for the Protection and Promotion
of Human Rights in Western Sahara
(GSGPPHRWS)**

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Press Release

**The international community must ensure the exercise of the Saharawi
people's right to self-determination**

Bir Lehlu / Geneva, 19th November 2020

The Geneva Support Group for the Protection and Promotion of Human Rights in Western Sahara (253 member organisations) condemns the breakdown of the ceasefire in force since 1991 in the Non-Self-Governing Territory of Western Sahara on the part of the Kingdom of Morocco, which did not hesitate to deploy its troops and weapons in front of a group of unarmed civilians who were peacefully demonstrating in the demilitarised zone of Guerguerat in the south-east of the Territory.

The Geneva Support Group for the Protection and Promotion of Human Rights in Western Sahara strongly deplores the fact that the majority of the members of the Security Council have not fully appreciated the exasperation of the Saharawi people who have been waiting since 1966 (UN General Assembly resolution 2229-XXI) for the organisation of a referendum on self-determination, in application of the UN General Assembly's "Declaration on the Granting of Independence to Colonial Countries and Peoples".

As early as 1971, the International Court of Justice recognised that the principles set out in resolution 1514 (XV) have the character of customary law. In the 1975 Advisory Opinion on Western Sahara, the Court confirmed that the right to self-determination of peoples under colonial domination is a fundamental principle of international law. In 1995, in its judgment in the case of Portugal v. Australia, the Court affirmed that the right to self-determination is a right *erga omnes*, enforceable against all.

Since the adoption of resolution 1514 (XV) in 1960, the inalienable right to self-determination and independence of peoples under colonial domination has been repeatedly reaffirmed by the various organs of the United Nations, most recently in 2000 with the solemn adoption by heads of State and Government of the United Nations Millennium Declaration (General Assembly resolution 55/2) and the 2005 World Summit Outcome (General Assembly resolution 60/1).

Stressing that Western Sahara is the only Non-Self-Governing Territory without a recognized administering Power and that it is also the only one under illegal military occupation, the Geneva Support Group for the Protection and Promotion of Human Rights in Western Sahara recalls the terms of operative paragraphs 1 to 3 of General Assembly resolution 74/140 (18 December 2019) entitled "Universal realization of the right of peoples to self-determination":

1. *Reaffirms* that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;
2. *Declares its firm opposition* to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;
3. *Calls upon* those States responsible to cease immediately their military intervention in and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, in particular the brutal and inhuman methods reportedly employed in the execution of those acts against the peoples concerned.

The right to self-determination of peoples under colonial domination cannot be applied in a discriminatory manner; no organ of the United Nations can apply double standards to the exercise of the right to self-determination of peoples under colonial domination simply to satisfy expansionist ambitions deemed illegitimate by the International Court of Justice.

The Geneva NGO Support Group for the Protection and Promotion of Human Rights in Western Sahara solemnly calls on the Powers that have supported the Kingdom of Morocco militarily, financially and politically since 1975 - the United States, France and Spain - to immediately cease their complicity in the systematic violations of human rights and norms of International Humanitarian Law by the Kingdom of Morocco in Western Sahara.

Their unconditional support for a colonial policy of another century totally undermines their action for the protection and promotion of human rights in the world. Their political action on the fringes of and in contradiction with court decisions, both at the level of the UN and the European Union (as far as France and Spain are concerned), undermines the international legal system and the friendly relations between nations as defined by resolution 2625 (XXV) of the UN General Assembly.

Their support, for thirty years, for the diversion of the action of the United Nations Mission for the Referendum in Western Sahara (MINURSO) in the accomplishment of its main mission - the organisation of the free referendum of self-determination - is an abusive squandering of the taxpayers' money of all the UN member countries and a permanent manifestation of their contempt for the Saharawi People and the exercise of their rights.

In the context of the renewed conflict in Western Sahara, recalling that the Kingdom of Morocco is the only African country that has not ratified the African Charter on Human and Peoples' Rights and drawing attention to the repression exercised by the Moroccan occupying forces on the Saharawi population and human rights defenders in particular, the Geneva Support Group for the Protection and Promotion of Human Rights in Western Sahara urges:

- the International Committee of the Red Cross to monitor violations of the norms of International Humanitarian Law and in particular of the Fourth Geneva Convention;
- the UN High Commissioner for Human Rights to present a report on the human rights situation in Western Sahara at the next session of the Human Rights Council;
- the UN Human Rights Council to pay particular attention to the violations of human rights, including the right to self-determination, resulting from the military occupation of Western Sahara by the Kingdom of Morocco, pursuant to operational paragraph 5 of the above-mentioned resolution 74/140;
- the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on the right to peaceful assembly and freedom of association, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the independence of judges and lawyers, the Working Group on Arbitrary Detention and the Working Group on Enforced or Involuntary Disappearances to urgently consider the information that may be submitted to them in the context of this conflict;
- the Secretary General of the United Nations to personally assume the role of facilitator so that MINURSO, the only United Nations Mission whose main mandate is the implementation of a fundamental human and peoples' right, can finally organise the referendum on self-determination for the Saharawi People and thus close a murky chapter of the United Nations.

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Menschenrechte und Entwicklung (biz), Bureau International pour le Respect des Droits Humains au Sahara occidental (BIRDHSO), Campaña Saharaui para la sensibilización sobre el peligro de Minas (SCBL), Cantabria por el Sáhara, Central Unitaria de Trabajadores de Chile, Centro Brasileiro de Solidaridad con los Pueblos y Lucha por la Paz, CEBRAPAZ, Centro de Documentación en Derechos Humanos "Segundo Montes Mozo S.J." (CSMM), Centro Saharaui por la Salvaguardia de la Memoria, Colectivo Saharaui en Estepona, Colectivo Saharaui en Gipuzkoa, Colectivo Saharaui en Jaén, Colectivo Saharaui en Lanzarote, Comisión Ecuménica de Derechos Humanos de Ecuador (CEDHU), Comisión General Justicia y Paz, Comisión Media Independientes, Comisión Nacional de los Derechos Humanos de la República Dominicana (CNDH-RD), Comisión Nacional Saharaui por los Derechos Humanos (CONASADH), Comitato "Selma2.0"-odv, Comité d'Action et de Réflexion pour l'Avenir du Sahara Occidental, Comité de Amistad con el pueblo Saharaui – Argentina, Comité de Apoyo por el Plano de Paz y la Protección de los Recursos Naturales en el Sáhara Occidental, Comité Belge de soutien au Peuple Sahraoui, Comité de Defensa del Derecho de Autodeterminación (CODAPSO), Comité de Familiares de los 15 Jóvenes Secuestrados, Comité de Familiares de Mártires y Desaparecidos, Comité de Familiares de los Presos Políticos Saharaui, Comité de Jumelage et d'Echange Internationaux / Gonfreville l'Orcher, Comité de Protección de los Defensores Saharaui – Freedom Sun, Comité de Protección de los Recursos Naturales, Comité Saharaui de Defensa de Derechos Humanos (Glaimim), Comité Saharaui de Defensa de Derechos Humanos (Smara), Comité Saharaui de Defensa de Derechos Humanos (Zag), Comité Saharaui por el Monitoreo de los Derechos Humanos (Assa), Comité de Solidaridad Oscar Romero, Comité Suisse de soutien au Peuple Sahraoui, Comité de Victimas de Agdaz y Magouna, Comunidad Saharaui en Aragón, Comunidad Saharaui en Asturias, Comunidad Saharaui en Balmaseda, Comunidad Saharaui en Cantabria, Comunidad Saharaui en Castilla y León, Comunidad Saharaui en Castilla la Mancha, Comunidad Saharaui en Catalunya, Comunidad Saharaui en Cordoba, Comunidad Saharaui en Jerez y Cadiz, Comunidad Saharaui en La Rioja, Comunidad Saharaui en Las Palmas, Comunidad Saharaui en Madrid, Comunidad Saharaui en Murcia, Comunidad Saharaui en Navarra, Coordinadora Estatal de Asociaciones Solidarias con el Sáhara (CEAS – Sáhara), Coordinadora de Gdeim Izik para un Movimiento Pacífico, Coordinadora de los Graduados Saharaui Desempleados, Coordinadora d'Organizacions No-Governamentals de Cooperació al Desenvolupament (CONGDIB), Coordinadora de las ONGs en Aaiún, Coordinadora Saharaui de Derechos Humanos de Tantan, Der Elefant e.V., Diaspora Saharaui en Bizkaia Disabi, Emmaus Åland, Emmaus Stockholm, Equipe Média, European Association of Lawyers for Democracy and World Human Rights (ELDH), Federació ACAPS de Catalunya, Federació d'Associacions de Solidaritat amb el Poble Sahrauí del País Valencià, Federación Andaluza de Asociaciones Solidarias con el Sahara (FANDAS), Federación de Asociaciones de Amigos del Pueblo Saharaui de Extremadura (FEDESAEX), Federación de la Comunidad de Madrid de Asociaciones Solidarias con el Sahara (FEMAS Sahara), Federación Deportistas Saharaui en España, Federación Estatal de Instituciones Solidarias con el Pueblo Saharaui (FEDISSAH), Fédération sportive des Sahraouis en France, Fondation Frantz Fanon, Forum Futuro de la Mujer Saharaui, Freiheit für die Westsahara e.V., Fundación Constituyente XXI, Fundación Mundubat, Fundación Sahara Libre-Venezuela, Fundación Sahara occidental, **Fundación Latinoamericana por los Derechos Humanos y el Desarrollo Social (Fundalatin)**, Giuristi Democratici, Global Aktion - People & Planet before profit, Groupe Non Violence Active (NOVA SAHARA OCCIDENTAL), Grupo por la renuncia de la Nacionalidad Marroquí, **Habitat International Coalition**, Housing and Land Rights Network, Human & Environment e.V., Ibsar Al Khair Association for the Disabled in Western Sahara, **Indian Council of South America (CISA)**, **International Association of Democratic Lawyers (IADL)**, **International Educational Development, Inc.**, **International Fellowship of Reconciliation (IFOR)**, International Platform of Jurists for East Timor, **Liberation**, Liga de Abogacia Saharaui en España, Liga de Defensa de los Presos Políticos Saharaui, Liga de Estudiantes Saharaui en España, Liga de Medicos Saharaui en España, Liga de Mujeres Saharaui en España, Liga Nacional dos Direitos Humanos, Liga de Periodistas Saharaui en España, Liga Saharaui de defensa de Derechos Humanos y Protección de RW-Bojador, Ligue des Jeunes et des Etudiants Sahraouis en France, Ligue pour la Protection des Prisonniers Sahraouis dans les prisons marocaines (LPPS),

Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP), National Television Team, Nigerian Movement for the Liberation of Western Sahara, Norwegian Support Committee for Western Sahara, Observatoire des Médias Saharaouis pour documenter les violations des droits de l'homme, Observatorio Aragonés para el Sáhara Occidental, Observatorio Asturiano de Derechos Humanos para el Sáhara Occidental (OAPSO), Observatorio Saharaui por el Niño y la Mujer, Observatorio Saharaui de Protección del Niño, Observatorio Saharaui de Recursos Naturales, 1514 Oltre il muro, Organización Contra la Tortura en Dakhla, Organización Saharaui por la Defensa de las libertades y la dignidad, Pallasos en Rebeldía y Festiclown, Paz y Cooperación, Plataforma de Organizaciones Chile Mejor Sin TLC, Por un Sahara Libre, Proyecto Audiovisual: La Saharaui Colombiana, Right Livelihood Foundation, Saharaui Unterstützungsverein Wien, Saharawi Advocacy Campaign, Saharawi Association for Persons with Disabilities in Western Sahara, Saharawi Association in the USA (SAUSA), Saharawi Campaign against the Plunder (SCAP), Saharawi Center for Media and Communication, Saharawi Media Team, Saharawi Voice, Sahrawis förening i Sverige, Salma e.V., Sandblast Arts, Schweizerisches Unterstützungskomitee für die Sahraouis Bern, Sindicato Español Comisiones Obreas (CCOO), Solidariedade Galega col Pobo Saharaui (SOGAPS), Stichting Zelfbeschikking West-Sahara, Tayuch Amurio, The Icelandic Western Sahara Association, The Norwegian organization for justice and development, The Swedish Western Sahara Committee, TIRIS - Associazione di Solidarietà con il Popolo Saharawi, Uganda Solidarity Movement with Western Sahara, Unión de Asociaciones Solidarias con el Sáhara de Castilla y León, Union des Ingénieurs Sahraouis, Unión de Juristas Saharaouis (UJS), Unión Nacional de Abogados Saharaouis, Unión Nacional de Estudiantes de Saguia El Hamra y Rio de Oro (UESARIO), Unión Nacional de la Juventud de Saguia El Hamra y Rio de Oro (UJSARIO), Unión Nacional de Mujeres Saharaouis (UNMS), Unión Nacional de Trabajadores de Saguia El Hamra y Rio de Oro (UGTSARIO), Unión de Periodistas y Escritores Saharaouis (UPES), US Western Sahara Foundation, VZW de Vereniging van de Sahrawi Gemeenschap in Belgie, Werken Rojo - Medio de comunicación digital, Western Sahara Resource Watch España (WSRW España), Western Sahara Times, Western Sahara Campaign UK, World Barua Organization (WBO), World Peace Council.

NGOs enjoying UN-ECOSOC status