

MOTION

The International Federation of Women in Legal Careers,

- having regard to United Nations resolutions 1514 (XV), 1541 (XV), 2525 (XXV) and to all other UN resolutions concerning decolonization and peoples' right to self-determination,
 - having regard to all United Nations resolutions concerning the conflict in Western Sahara that treat it as an issue of decolonization and stress that any solution must be based on the right to self-determination of the Saharawi people,
 - having regard to the 1975 Advisory Opinion on Western Sahara and the conclusion of the International Court of Justice that it did not exist “any tie of territorial sovereignty between the territory of Western Sahara and the Kingdom of Morocco” and that “the Court has not found legal ties of such a nature as might affect the application of General Assembly resolution 1514 (XV) in the decolonization of Western Sahara and, in particular, of the principle of self-determination through the free and genuine expression of the will of the peoples of the Territory”,
 - having regard to the International Covenant on Civil and Political Rights of the United Nations, signed by the Kingdom of Morocco,
 - having regard to reports from Amnesty International, Human Rights Watch, the World Organisation Against Torture and the UN High Commissioner for Human Rights, that confirm serious violations of human rights in Western Sahara perpetrated by Morocco,
 - having regard to United Nations resolution 1803 (XVII) and to all the other UN resolutions relating to permanent sovereignty over natural resources,
 - having regard to the legal opinion by the former UN Under-Secretary General of Legal Affairs, Ambassador Hans Corell,
- A. whereas since 2002 King Mohamed VI of Morocco refuses to allow a referendum of self-determination in Western Sahara, in violation of the 1990 Peace Plan and the 1997 Houston agreement that his father Hassan II had undersigned,
- B. whereas the great majority of peoples under colonial domination exercised their right to self-determination through obtaining independence without the need for a referendum,
- C. whereas the Sahrawi Arab Democratic Republic was recognised by the African Union and by more than 80 States,
- D. whereas the human rights continue to be systematically violated in the occupied territory of Western Sahara, including extra-judicial killings, “disappearances”, torture, arbitrary detentions and iniquitous trials,

- E. considering that Sahrawi human rights organizations and activists face continuous harassment and intimidation by Moroccan authorities,**
- F. whereas the Kingdom of Morocco has blocked the territory of Western Sahara, refusing entry to independent observers, like members of Parliaments, journalists and humanitarian organizations,**
- G. whereas MINURSO is the only peacekeeping mission established since 1978 that does not have human rights included in its mandate,**
- H. considering that, according to international law, the Kingdom of Morocco has no sovereignty over the territory of Western Sahara, nor over its natural resources, nevertheless it exploits the phosphate mines and the fisheries resources without regard to the wishes and interests of the Sahrawi people,**
- I. considering that the European Union has celebrated a controversial fisheries agreement with Morocco, whose extension was last December rejected by the European Parliament because, among other reasons, it did not take account of the interests of the Sahrawi population,**
- 1. Urges the States that have not yet done so to follow the example of the African Union, South Africa, Angola, Mozambique, Mexico, Venezuela, Uruguay, Vietnam and many other countries and recognise the Sahrawi Arab Democratic Republic;**
 - 2. Urges Morocco to follow the example of Indonesia in respect to East Timor and withdraw from the territory of Western Sahara, allowing the Sahrawi people to exercise their inalienable right to self-determination and independence;**
 - 3. Denounces the arbitrary persecution and repression of Sahrawi citizens and calls upon the Kingdom of Morocco to end these actions;**
 - 4. Demands the Kingdom of Morocco to permit free access and free movement in Western Sahara to members of Parliaments, journalists, humanitarian organizations and other independent observers;**
 - 5. Urges the Security Council to broaden the mandate of MINURSO to include the monitoring and reporting of human rights violations against the Sahrawi people;**
 - 6. Denounces the pillaging of the natural resources of Western Sahara and calls upon the Kingdom of Morocco to stop that pillaging;**
 - 7. Asks that the European Commission and Council refrain from entering into a new fisheries agreement with Morocco including the waters of Western Sahara, unless the agreement is settled with regard to the wishes and interests of the Sahrawi people.**