

Human Rights Council, 21st session
19 September, 2012

Item 6, Universal Periodic Review, Consideration of UPR report on Morocco

Statement by the International Youth and Student Movement for the United Nations (ISMUN)

Presented by Jan Lönn

Mr President,

We welcome this opportunity to comment on the UPR report of Morocco and will focus on the situation in Western Sahara, a non-self governing territory which Morocco is exercising de facto control over.

The right to self-determination is a core principle of both the UN Charter and the two Covenants on Human Rights and it is therefore of fundamental importance for the credibility of the UPR process that violations of this right with regard to Morocco and its occupation of Western Sahara is fully examined.

The United Nations does not recognize any Moroccan sovereignty over Western Sahara and the International Court of Justice in its 1975 Advisory Opinion before the invasion and occupation of Western Sahara clearly rejected Morocco's claim of sovereignty over Western Sahara.

The refusal by Morocco to agree to a referendum with independence as one of the options is clearly inconsistent with the UN General Assembly resolutions regarding the principles for decolonisation and the achievement of self-determination:

We hold that the right to self-determination is indispensable for the exercise of all other Human Rights and that the Human Rights crisis in Western Sahara today with violations of all basic rights, including through torture, arbitrary arrests and repression of peaceful expressions of opinion is the result of the denial of the right to self-determination. Given this situation we regret that the UPR report does not fully reflect the important comments by several states on the Human Rights situation in Western Sahara during the UPR working group session.

Morocco should have taken the opportunity of the UPR to declare its acceptance of the established UN principles for the achievement of self-determination, including through a referendum with independence as an option and thus gained greater respect and appreciation from the international community.

Instead of rejecting a United Nations Human Rights monitoring in Western Sahara, Morocco should have welcomed the establishment of a Human Rights component in MINURSO (United Nations Mission for the Referendum in Western Sahara).