

H.E. Mr Christoph Heusgen
Ambassador Extraordinary and Plenipotentiary
Permanent Mission of Germany to the United Nations
871 United Nations Plaza
New York, NY 10017

Your Excellency

As representatives of human rights organisations and civil society groups from Western Sahara we write to you and your fellow members of the UN Security Council to request that you make history this April by taking steps to find a fair, legal and final solution for Western Sahara which has been on the United Nations agenda since 1963. This means setting a specific date for the referendum on self-determination which must include the option of independence for the people of Western Sahara, corresponding with the UN General Assembly Resolutions, in particular Resolution 1514 (1960) and Resolution 1541 (1960) and the AU Resolutions and Security Council Regulations, in particular Resolution 690 (1990). This is the only plan agreed upon by the Kingdom of Morocco and the POLISARIO Front, which was strengthened by the signing of the Houston Agreements in 1997 under the supervision of James Baker, the then Personal Envoy of the UN Secretary General for Western Sahara.

For over forty years Saharawi families have been separated by a berm with mines and denied the fundamental right to be free and determine our future. Many Saharawis were also killed by the army, police and other Moroccan security forces, and that was confirmed by the Spanish Supreme Court in its ruling issued on 9 April 2015 by Judge Pablo Roth. The Kingdom of Morocco itself has admitted to the crime of enforced disappearance of 638 Saharawi and claimed that 351 have died (14 children and 22 women among them) without providing any reasons, through a report of the Royal Advisory Council for Human Rights in December 2010. We have endured violent beatings, torture, sexual violence, unfair trials and false imprisonment at the hands of Moroccan authorities. All the while our land is illegally exploited for profit, without our consent, and from which we do not benefit

These human rights violations are illustrated by the Gdeim Izik prisoners currently on hunger strike against their continued detention in inhumane conditions, or the ongoing incarceration of human rights defenders, despite the calls of the UN Working Group on Arbitrary Detention for his release. Likewise, the violent dispersal of peaceful protests during the visit of Personal Envoy for the Secretary-General Mr Horst Köhler, fiercely condemned by the international community. These are just a few examples of the numerous violations inflicted upon our people by Moroccan authorities since the last extension of MINURSO's mandate. Sadly, we suffered further injustice in February when the European Parliament approved a new EU-Morocco Fisheries Agreement, including the territory of Western Sahara, despite repeated rulings of the Court of Justice of the European Union that such agreements are illegal because they lack the consent of the Saharawi people. These agreements were reinforced by the British Supreme Court's decision of March 21, 2019, which nullified the British government's contracts on the products of Western Sahara for violating the Saharawi people's right to self-determination.

In spite of these hardships, we were cautiously optimistic this past December, when we saw the POLISARIO Front and the Kingdom of Morocco embark on UN-led peace talks under the supervision of Horst Köhler with the purpose of fulfilling the Saharawis' right to self-determination. But our confidence in the process is dwindling. We have seen no signs that the Kingdom of Morocco is serious about fulfilling our right to a referendum, or is committed to providing a credible path for the people of

Western Sahara to a meaningful process of self-determination. We have seen no signs that the Kingdom of Morocco intends to respect or protect our political and economic rights, and there have been no indications from the Security Council that it is willing to guarantee those rights or any future agreement reached.

We as Saharawis desperately want the UN-led process to succeed. But to do so, the Security Council must make clear that the only solution which is just, lasting and mutually acceptable, is one that enables the Saharawi people **to freely, fairly and democratically** determine their future, without preconditions imposed by outside forces. As a first step towards the realisation of such a process, we urge you to insist that the Kingdom of Morocco demonstrate its commitment to upholding the rights of the Saharawi people, by providing unfettered access to **independent human rights monitors** throughout Western Sahara, agreeing to **release the dozens of Saharawi political detainees** currently languishing in Moroccan jails, uncovering the truth behind the disappeared Saharawis and opening up the Saharawi territory for the International Committee of the Red Cross so Morocco can contribute effectively to its mandate to respect international humanitarian law.

After decades of misery and injustice, we want to believe the UN-led process will deliver our people's right to self-determination. Yet it can only do so if the Security Council is determined to solve this crisis once and for all, and finds the political will necessary to lay a credible path to self-determination. The United Nations has an obligation to provide a referendum on our right to self-determination. We urge all members of the Council to deliver on this promise.

Please accept our greatest appreciation for your efforts and our immense hope that this year under your Presidency the Security Council will finally deliver a just, lasting, and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara.

We kindly request that you circulate this letter to all members of the Security Council.

Signed by Saharawi civil society groups from the Occupied Territories of Western Sahara and the Saharawi Refugee Camps