



ELDH European Association of Lawyers for Democracy & World Human Rights

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EJDM Europäische Vereinigung von Juristinnen & Juristen für Demokratie und Menschenrechte in der Welt
EJDH Asociación Europea de los Juristas por la Democracia y los Derechos Humanos en el Mundo
EJDH Association Européenne des Juristes pour la Démocratie & les Droits de l'Homme
EGDU Associazione Europea delle Giuriste e dei Giuristi per la Democrazia e i diritti dell'Uomo nel Mondo

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U.S. Mission to the United Nations
for the attention of
The Honorable Susan E. Rice
U.S. Permanent Representative to the United
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U.S. Mission to the United Nations
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Duesseldorf /London, April 12th 2012

open letter: Western Sahara - Extension of MINURSO mandate to monitor human rights

Dear Madam Ambassador,

We are writing to you with regard to the mandate of MINURSO as defined in the UN Security Council resolution 1979 (2011) and the mandate's review in April 2012.

We are deeply concerned about the human rights situation in the Moroccan occupied¹ territories of Western Sahara. Amnesty International and Human Rights Watch have repeatedly reported serious human rights violations committed by Morocco². Even the Office of the United Nations High Commissioner for Human Rights (OHCHR) has called for closer monitoring of the human rights situation and human rights protection is increasingly being considered as part of the program of UN operations³.

¹ cf. e.g. the term „continued occupation“ in the resolution of the UN-GA 34/37, 21 November 1979.

² Amnesty International Report 2011: <http://www.amnesty.org/en/region/moroccowestern-sahara>; Human Rights Watch World Report 2012: Morocco and Western Sahara: http://www.hrw.org/sites/default/files/related_material/morocco_2012.pdf

³ cf. e.g. mandat of MINURCAT, UNAMID, UNMIS, UNOCI, UNMIL, MONUC, MINUSTAH, UNMIK, UNAMA, ONUSAL, MINUGUA, MICIVIH, etc.

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Despite these facts MINURSO is still without a mandate to monitor human rights. The human rights measures introduced in resolution 1979 (2011) have failed; the UN efforts consist merely of a one day visit to Dahkla by the UN Independent Expert on Cultural Rights. Meanwhile, serious human rights violations continue. The evidence for the necessity of a mandate to monitor human rights cannot be ignored any longer.

Human rights violations are eroding public confidence in the UN process, they are undermining attempts to resolve the conflict and they are endangering the Maghreb region's stability. It is essential for the maintenance of international peace and security as well as for the facilitation of sustainable development to respect human rights.

Morocco has to be persuaded to reconsider its position and to accept the rule of law as well as a free and fair referendum. One step is the establishment of a mechanism to monitor and protect human rights in Western Sahara. It is time to demonstrate - now and for coming generations - that disputes must be settled under the law and that the UN Charter and the International covenants on human rights apply to everybody.

In previous explanations of votes the United States underscored the importance of making progress on the human rights situation. We call for an extended remit for MINURSO and for the inclusion of human rights monitoring when the mandate will be reviewed in April, thus enabling the United Nations to arrange a referendum on self-determination and finally resolve the conflict over Western Sahara.

We would be pleased if you could circulate this letter to all members of the UN Security Council. Ever hopeful that you will stand up for human rights around the world and take action in favor of a mandate to monitor human rights in Western Sahara,

Yours sincerely,



Thomas Schmidt
ELDH Secretary General

Prof. Bill Bowring
ELDH President