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## WSC Newsletter March 2021



**WSC Challenges UK-Morocco Association Agreement | Polisario Front Optimistic about ECJ Verdict | MPs Avoid Questions | "As-Usual" Attitude Towards Western Sahara Recipe for Disaster | Time for International Reengagement in Western Sahara | UNHRC must dispatch observer mission to occupied Western Sahara**

### WSC Challenges the UK-Morocco Association Agreement

On March 12<sup>th</sup>, WSC applied to the High Court of England and Wales for a judicial review of the agreement which came into effect on 1 January when the transition period ended and the EU agreements no longer applied to the UK. This agreement is designed to circumvent the ruling of the High Court of England and Wales which, in ruling on WSC's challenge of former EU-Morocco agreements, stated that the agreements with Morocco could not apply to Western Sahara as Western Sahara is not sovereign Moroccan territory; for any agreement to apply to the Non Self Governing Territory it needs to have the consent of the Saharawi people.

In making an agreement with Morocco that allows the theft of the natural resources of Western Sahara the UK is undermining the right to self-determination of the Saharawi people. The Saharawi people, under Morocco's illegal occupation, do not benefit, economically or otherwise, from the illegal exploitation of their natural resources and trade with the European Union or the UK.

Polisario, the UN recognized representative of the Saharawi people was not asked by the EU Commission for its consent to the EU-Morocco Association Agreement nor was Polisario consulted by the UK about the UK-Morocco Association Agreement. Any economic gains and development as a result of the exploitation of Western Sahara's natural resources are selectively distributed with the sole intent of further entrenching Morocco's illegal occupation and systematically discriminating further against the Saharawi people of the territory it occupies.

### EU-Morocco Free Trade Agreement: Polisario Front Optimistic about ECJ Verdict

The Polisario Front is optimistic about the new verdict of the European Court of Justice concerning the motion for annulment of the agreement on the extension of the EU/Morocco free trade and association agreements in the territory of Western Sahara, the representative of the Polisario Front in Europe and EU Oubi Bouchraya Bachir said.

"Following the court orders made by the Court in 2016 and 2018, the crucial issue is to know if the European Union has obtained or not the Sahrawi people's consent before concluding the agreements, which is a necessity from the moment the scope of EU/Morocco agreements was extended to include the Sahrawi territory," he said.

"In law, the Polisario Front, legitimate representative of the Sahrawi people, is the only one capable of giving this consent, yet it didn't make it and besides EU didn't ask it, preferring to negotiate the agreement with the occupying power Morocco," he stressed.

Read more [here](#)

### Ministers Avoid Answering Questions

The All Party Parliamentary Group on Western Sahara wrote to James Cleverley, the Minister for Middle East and North Africa at the Foreign, Commonwealth & Development Office (FCDO) in March last year congratulating him on his appointment and asking to arrange a meeting. A year, and four more letters, later he has still not agreed to meet.

Answers to Parliamentary Questions tabled by MPs are regularly unhelpful. To give a recent example:

Kim Johnson

To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, pursuant to the Answer of 27 January 2021 to Question 144869, on Western Sahara: Politics and Government, and the Answer of 29 January 2021 to Question 141623, on Western

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**WESTERN SAHARA CAMPAIGN UK**  
The Western Sahara Campaign works in solidarity with the Saharawi people to generate political support in order to advance their right to self-determination and to promote their human rights. Our role is to lobby the UK Government and the EU. You can help us to ensure the UK does not ignore the voice of the Saharawi people.



Follow the news about EU's illegal fisheries in Western Sahara



The EU pays Morocco to fish in occupied Western Sahara.

Sahara: Sovereignty, what the status of Morocco is in Western Sahara.

James Cleverly 1 March 2021

As stated in response to Question 144869, the UN position on the status of Western Sahara is set out on its website at [Western Sahara | The United Nations and Decolonization](#). The UK regards the status of Western Sahara as undetermined.

To avoid answering the question of Morocco's status in Western Sahara the minister gives the status of Western Sahara. And there he misleads. Western Sahara is a Non Self-Governing Territory, as listed by the UN. Its final status may be undetermined but not its present status.

Morocco is not listed by the UN as the Administering Power and Morocco states it is not an Administering Power. Western Sahara is not Moroccan sovereign territory, as stated by the CJEU and the High Court of England and Wales. The only other status is occupying.

This strategy of answering a different question is common. So far this year 30 Parliamentary Questions have been answered. Or rather non answers have been given.

See Parliamentary Questions on Western Sahara [here](#)

### **The "As-Usual" Attitude Towards Western Sahara is a Recipe for Disaster**

Dr. Sidi M. Omar, Ambassador, Representative of the Frente POLISARIO at the United Nations

(New York, March 2, 2021) The Frente POLISARIO took note of recent statements made by the Spokesman of the UN Secretary-General during his daily press conferences on the current situation in Western Sahara as a result of Morocco's serious violation of the 1991 ceasefire and related military agreements.

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Despite the assertion that the United Nations Mission for the Referendum in Western Sahara (MINURSO) "continues to monitor the situation throughout the Territory, including in Guerguerat", the ambiguous and inconsistent way in which the general situation in the Territory is described once again demonstrates the Mission's attempt to give the impression that "general calm" still prevails in Western Sahara.

The United Nations in general and MINURSO in particular must understand that the "follow as usual" attitude towards Western Sahara is a recipe for disaster in view of the current situation in the Territory resulting from Morocco's serious violation of the 1991 ceasefire and related military agreements. It is also imperative that they realize the seriousness of the situation and act accordingly because not only is the credibility of the UN at stake, but also peace, stability and security throughout the region.

Read more [here](#)

**New York (UN) 02 March 2021 (SPS)** - Dr. Sidi Mohamed Omar Representative of Polisario at the United Nations, confirmed Polisario's denunciation of the position of the MINURSO towards the current situation in Western Sahara, calling on the UN mission to maintain neutrality and impartiality, in a statement to the press he issued Today responding to statements by the Spokesperson for the UN Secretary-General, Mr. Stephane Dujarric.

The Sahrawi diplomat warned against the danger of the persistence of the ignorance by the United Nations, and its mission in particular, of the reality on the ground, especially since the resumption of war in the region since November 13th after the Moroccan occupation forces violated the ceasefire agreement in force since 1991.

Read the press statement [here](#)

### **Time for International Reengagement in Western Sahara**

Crisis Group Middle East and North Africa Briefing N°82  
Rabat/Algiers/Brussels, 11 March 2021

What 's new? The long-dormant conflict between Morocco and the Polisario Front over the disputed Western Sahara territory is showing troubling signs of life. A Polisario blockade of a key artery in the UN-monitored buffer zone triggered a Moroccan military response, after which the Front called off a ceasefire and resumed attacks.

Why does it matter? Recent hostilities augur further escalation, especially absent international efforts to calm tempers and nudge parties back to talks. The Trump administration's recognition, as part of Rabat's normalisation accord with Israel, of Moroccan sovereignty over Western Sahara, which new U.S. President Joe Biden may choose not to reverse, further complicates things.

What should be done? Outside powers should take two steps to bring the sides back from the edge. First, the UN should appoint a new special envoy for Western Sahara, a post it has left vacant for almost two years. Secondly, Washington should move to encourage de-escalation and revive political talks.

Read the full article [here](#)

### **Geneva Group asks UNHRC to dispatch an observer mission to occupied Western Sahara**

The Geneva Support Group for Western Sahara asked the UN Human Rights Council (HRC) to send an observer mission to the occupied Sahrawi territories to investigate the situation on the ground, drawing attention to the "human rights abuses" committed by the Moroccan occupation authorities

In a letter addressed to the participants in the 46th session of the Human Rights Council, which takes place from February 22 to March 23, 2021, the Geneva Group expresses its concern over "the resumption of hostilities in the non-self-governing territory of Western Sahara after the violation of the ceasefire by the Kingdom of Morocco on November 13." "We draw attention to the fact that a significant number of Sahrawi civilians, well-known human rights defenders and independent journalists have been victims of harassment, intimidation, arbitrary arrests and detentions since the resumption of the armed conflict," the Group states in its letter. SPS

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