

Human rights in the Moroccan autonomy initiative for the Sahara region

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Preliminary observations

On April 11th 2007, Morocco presented the United Nations with an Initiative to negotiate an Autonomy Statute for the Sahara Region within the framework of the Kingdom of Morocco. This proposal aims at turning the Sahara into an autonomous region endowed with regional self-governance structures and competencies for the management of the region's affairs and the promotion of the human rights of its inhabitants.

By making this proposal, Morocco aims at finding a final consensual solution to a conflict that has been hijacking the integration of the Maghreb Region, poisoning the region's internal relations and above all exposing it to instability and insecurity. Settling this conflict will also mean the end of the humanitarian ordeal of thousands of Saharans forced into exile in the Tindouf camps, in Algeria, for the past 35 years.

Morocco's proposal is presented as a compromise political solution which, should it succeed, would achieve the twin objectives of preserving Morocco's sovereignty over the Sahara and providing the region's inhabitants with the means to manage local affairs through democratically elected bodies.

Morocco stresses the fact that its proposal is in no way cast in stone. This initiative is not final, it is not a "take it or leave it" offer. It is meant to be negotiated under the aegis of the United Nations. In other words, the other parties to the conflict will be able to make contributions to enrich it and fine-tune it.

In the meantime and until it is accepted as a basis for negotiating a peaceful and consensual solution to this dispute, the Security Council already gave a positive assessment of the Initiative by calling it "serious and credible".

Through this legal and political evaluation, the United Nations and the Security Council conferred the Initiative international legitimacy and legality, the Security Council being the highest UN decision-making body responsible for settling a dispute which is threatening peace and security in the Maghreb region.

I for one believe that this is a structural and not a random appreciation. It settles the question of the legality of the Moroccan proposal and confirms that it is in keeping with international law and fulfils the right to self-determination. It enshrines negotiation as a means of dispute settlement and autonomy as a framework for consensual fulfilment of the principle of self-determination.

Besides, it is a reflection of the spirit in which the Security Council is approaching the Sahara issue after several years in an impasse following the failure of previous proposals and plans. The Security Council indeed deemed the Moroccan proposal "serious and credible":

With respect to the legal and political context, vis-à-vis the continuation of status quo whose economic, humanitarian and security cost is a burden to the countries of the region;