

Petition to the UN IV Committee on the question of the wall of shame

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Mister Chairman, distinguished delegates,

I wish to thank you for the opportunity to speak before this Committee on behalf of the International Platform of Jurists for East Timor and of the Stichting Zelfbeschikking West-Sahara, an association established under Dutch law for the defence of the right to self-determination of the people of Western Sahara.

Mister Chairman,

Three years ago I mentioned here the striking similarities between the questions of Palestine and the Western Sahara. Those similarities were expertly highlighted in an article by Prof. Juan Soroeta Licerias, of the University of the Bask Country: two illegal occupations, two walls of shame, the violation of the right to self-determination and other human rights of both the Sahrawi and the Palestinian peoples, the installation of settlers in the occupied territories...

Today I would like to focus your attention on the wall built by Morocco from 1980 to 1987 in the occupied Western Sahara. It consists of a three-meter high sand and stone berm, with bunkers, fences, electronic surveillance equipment and an enormous number of landmines. Running over 2,700 km from the southeast of Morocco to the northern border of Mauritania, this abject structure is thus flanked by "the longest uninterrupted minefield in the world", according to the Journal of Mine Action.

The construction of the wall is clearly illegal. Ten years ago, the International Court of Justice, in its Advisory Opinion concerning Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, concluded unambiguously that the wall constitutes a violation of international law, that Israel should dismantle it and that it should pay reparations for the damages caused. It is important to note that the Court adopted these points of the operative part almost unanimously, with a majority of fourteen to one. Were the Court asked to rule on the legal consequences of the construction of the Moroccan wall, it could not conclude otherwise.

Morocco's main argument to justify the construction of the wall is its so-called self-defensive purpose. But again, in the above-mentioned Advisory Opinion, the Court dismissed a similar argument of Israel. Morocco cannot invoke self-defence while it is the one guilty of aggression and illegal occupation of a foreign territory. The real purpose of the wall is to ensure the annexation of Western Sahara. Here it is relevant to remind that the Court, in the paragraph 87 of its Opinion, stressed that no territorial acquisition resulting from the threat or use of force should be recognized as legal: "the principles as to the use of force incorporated in the Charter reflect customary international law; the same is true of its corollary entailing the illegality of territorial acquisition resulting from the threat or use of force."

Mister Chairman,

The impact of the wall on the Sahrawi society is huge. The Sahrawi families have been separated for decades, and the economic, social, cultural and psychological implications are profound.

The London-based Action on Armed Violence, a charitable organisation which has been working in the liberated area of Western Sahara to clear it of landmines and other explosive remnants of war, estimates the number of victims at over 2,500. And the number grows every month: just two weeks ago a mine explosion killed two Sahrawi men and wounded three others.

A strong campaign has been launched for the demolition of the Moroccan wall. From 1 to 10 November, this year's edition of ARTifariti, an encounter of artists from many nationalities in the Sahrawi camps of Tindouf, joins the campaign to break down the wall. I also invite this Committee to find a way to oblige Morocco to demolish the wall of shame, that symbol of colonization.

Thank you, Mister Chairman.