

NATIONAL ASSEMBLY

FOR WRITTEN REPLY

QUESTION NO.111 (NW116E)

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MR LS NGONYAMA (COPE) TO ASK THE MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION:

- (1) With reference to the Western Sahara conflict, why is the African Charter on Human and People's Rights not applied as the key instrument to resolve the dispute? ;

REPLY:

Quote

- (1) Western Sahara is a decolonisation issue, driven by a United Nations processes. Therefore the African Charter on Human and People's Rights cannot be applied as the key instrument to resolve the dispute.

UN General Assembly resolution 34/37 (1979), among other things, describes Morocco's presence in Western Sahara as "a continued occupation". The legal status of Western Sahara in the 4<sup>th</sup> Committee of UNGA is clear; it is a non-self-governing territory awaiting decolonisation through a referendum on self-determination.

Unquote