

Statement: Rep. John Conyers, Jr.
Lantos Commission on Human Rights: The Status of Western Sahara
March 23, 2016

This morning, we meet in an effort to bring attention to an important human rights crisis that has gone unresolved for far too long and has only become more complex in recent days. For over forty years, the Kingdom of Morocco has occupied the Western Sahara in violation of both international law and Morocco's commitments to the United Nations. I hope that we can shed some light on this often ignored conflict and discover potential opportunities for resolving Africa's last remaining colonial issue.

Before anyone gets too exercised about the use of the term "occupation," we must be clear that the United States has not recognized the sovereignty of any nation over the territory of the Western Sahara, but rather considers it a Non-Sovereign Territory, awaiting formal decolonization.

This position is founded on a 1975 International Court of Justice Advisory Opinion, ruling that the ties between the Western Sahara region and Morocco and Mauritania failed to imply sovereignty or rightful ownership over the region by those nations.

In recognition of this position, for example, the U.S. & Morocco Free Trade Agreement does not include services or goods originated in the Western Sahara due its status as a non-self governing territory. Moreover, as a member of the UN Security Council, the United States has taken a significant role in attempting to bring a peaceful resolution to competing sovereignty and self-determination claims, with prominent American officials, like James Baker, taking a leading role in the process.

When one looks at a map of Africa, most people in the U.S. have scant knowledge of Western Sahara's legal status. Nor do they realize that the Sahrawi Arab Democratic Republic ("SADR"), Morocco and Mauritania fought a war over the region that did not reach a cease-fire until 1991. Lost in all of the international wrangling is the fact that, while open hostilities were halted, there has been no real resolution of the underlying conflict over self-determination or the humanitarian issues faced by the Sahrawi people. The Western Sahara war split families across battle lines and produced an outpouring of refugees into southwestern Algeria, who remain there to this very day.

The humanitarian issues arising from the conflict between Morocco and the Polisario Front have been on the world's back burner for more than 40 years. Last October's epic rains in the Sahara desert melted many of the mud brick dwellings of the Sahrawi refugee families living in the camps near Tindouf, Algeria. While the floods created an aid crisis, forcing tens-of-thousands from their homes, they also served as a wake-up call about the desperate living conditions of those who fled the war and the dangers of the current stalemate.

Though it appears that Morocco has taken steps to improve the status of those Sahrawi's living in the annexed territory, our State Department Country Report on the region still references human rights violations and government restrictions on the civil liberties and political rights of pro-independence advocates. Morocco's most recent steps to disable MINURSO operations cannot give the U.S. government, or other members of the Security Council,

confidence that the Kingdom has a sincere commitment to resolving the conflict within the current U.N. framework. I hope that U.S. efforts in the upcoming meetings will push the Security Council to adopt more rigorous standards for MINURSO access and human rights monitoring to limit such provocative actions by the parties in the future.

As an advocate for civil and human rights here in the U.S. and around the globe, I have decided to take a more active role in raising the profile of the Western Sahara conflict by serving as the Co-Chair of the Western Sahara Caucus with my colleague Rep. Joseph Pitts (PA-16). Our hope is to lead a bipartisan effort to highlight the human rights and humanitarian issues facing the people of the Western Sahara region. This hearing will serve as an excellent opportunity to provide active background on the situation, and to explore the U.S. role in UN monitoring and dispute of resolution process.

I look forward to the testimony of our witnesses.