



Tom Lantos Human Rights Commission Hearing

Human Rights Threatened, Self-Determination Deferred: The Status of Western Sahara

Wednesday, March 23, 2016

10:00 AM – 12:00 PM

1334 Longworth House Office Building

Opening Remarks

Good morning.

I join my esteemed colleague and Co-Chair, Congressman Joe Pitts, in welcoming all of you to our hearing on the human rights situation in Western Sahara. Congressman Pitts has been a relentless champion for human rights on Western Sahara for more than fifteen years, and I would like to recognize his commitment. I am also pleased that Congressman John Conyers is joining us for this hearing. Finally, I welcome our panelists and thank them for their efforts to advance human rights in Western Sahara, and for sharing their insights today.

Western Sahara is Africa's last colony. Since Spain ended its rule in 1976, the status of the mineral-rich territory along Africa's northwest Atlantic coast has been the focal point of an unresolved, and often violent, conflict. In 1991, after a decade of fighting, bordering Morocco and the Polisario Front, the nationalist independence movement that represents the indigenous Sahrawi people, agreed to a U.N.-brokered ceasefire with the promise of a referendum that would determine the matter of sovereignty. Within nine months, the population was supposed to choose either integration with Morocco, or independence. Almost 25 years later, that vote has not taken place.

Both the United Nations and International Court of Justice have taken the position that Western Sahara is a Non-Self-Governing Territory with the right to self-determination regarding its political status. Morocco's claims to sovereignty have not received international recognition; in fact, a European Union court annulled part of a contract to exploit Western Sahara's natural resources on this basis.

Yet those in Moroccan-controlled areas who advocate for self-determination as independence are subjected to severe restrictions of their civil and political rights.

Credible international observers, including members of today's panel, have reported that Moroccan authorities forcibly disperse peaceful movements for independence, expel local and foreign reporters who provide unfavorable coverage, and detain and sometimes forcibly disappear activists who challenge Morocco's claim to sovereignty. However, reporting the full extent of the human rights violations in the territory is difficult due to constraints on access, a highly restrictive media environment, and persecution against journalists and NGOs who try to report on the situation.

The years of conflict have caused people to leave the territory. Algeria to the east has afforded protection to an estimated 90,000 to 165,000 Sahrawi refugees, who have set up residential camps governed by the Polisario since the late 1970s. Although Algeria provides a range of basic humanitarian services, there is increasing discontent in the camps, particularly among youth who lack a future. Some analysts fear an opening for extremist infiltration.

In view of these circumstances, I have joined Congressmen Pitts and Conyers and others in the past in letters urging the U.S. government to press for "the establishment of a permanent, neutral, international human rights monitoring and report body in Western Sahara and the refugee camps in Tindouf, Algeria." The UN Mission to Western Sahara, or MINURSO, is the only UN peacekeeping mission in the world that does not include a human rights component. And now, the peacekeeping mission itself is threatened because Morocco recently removed staff, closed an office, and announced its withdrawal of funding over a dispute with the UN Secretary General.

The U.S. has important economic, military, and strategic ties with Morocco. But as I've argued elsewhere, respect for human rights is a critical component of security. Without a clear resolution to the question of sovereignty over Western Sahara, we could face a return to hostilities. This risk should be avoided at all costs.

Going forward, today I renew the call for incorporating a human rights monitoring and reporting mechanism in MINURSO, as the UN Security Council deliberates the Mission's renewal in April;

I call for unrestricted access for UN observers to Western Sahara and the refugee camps in Tindouf consistent with international legal standards;

And I call all interested parties to immediately release political prisoners, and cease politically-motivated breaches of the rights to peaceful expression, association, and assembly.

Thank you, Mr. Chairman.