



Statement of Kerry Kennedy
President, Robert F. Kennedy Human Rights
Tom Lantos Human Rights Commission
Human Rights Threatened, Self-Determination Deferred:
The Status of Western Sahara
March 23, 2016

Co-Chairmen McGovern and Pitts, members of the Tom Lantos Human Rights Commission. Thank you for the opportunity to appear today to testify about U.S. policy towards Western Sahara— especially given the grievous human rights abuses the Moroccan government uses to perpetuate colonialism in that troubled territory. We commend you for holding this important hearing.

It comes at a crucial time. Western Sahara is Africa’s last colony. Next month marks 25 years since the United Nations established the U.N. Mission for the Referendum in Western Sahara, known as MINURSO, to prepare for a referendum so the people of Western Sahara can choose between independence or integration with Morocco. Yet, a quarter century later, the parties to the conflict and the international community—including the U.S.—have failed to reach a political solution. In fact, we are witnessing a deepening political crisis as recently as this month.

After visiting the Sahrawi refugee camps in Tindouf, Algeria just a few weeks ago, Ban Ki-moon said he was:

“... very saddened to see so many refugees and, particularly, young people who were born there. The children who were born at the beginning of this ‘*occupation*’ are now 40 or 41 years old. So 40 years of a very difficult life.”

Responding to the Secretary General’s expression of compassion, Morocco cancelled three million dollars of support for MINURSO, and ordered 84 people—including almost all international civilian staff—expelled from the country within three days. Such cynical overreaction by Morocco shows how far that regime is going to perpetuate its colonial hold on Western Sahara.

Meanwhile, after 25 years of obstructing the Sahrawis’ right to self-determination, Morocco continues routine human rights abuses in Western Sahara.

I presented Aminatou Haidar of the Western Sahara-based Collective for Sahrawi Human Rights Defenders with the Robert F. Kennedy Human Rights Award in 2008. A

human rights activist, Aminatou has been arrested, beaten and tortured by Moroccan authorities. After participating in a peaceful protest in 1987, she was disappeared for four years, was held in a secret prison without charge or trial, and was subjected to torture, including electric shocks and chemical-soaked cloths forced into her mouth. Aminatou refused to declare her nationality as Moroccan in 2009, so Morocco illegally expelled her from Western Sahara. She was only allowed to return to her homeland after a 32-day hunger strike, international outcry, and diplomatic intervention.

Still, Aminatou's experience is far from unique. In just the last two years, Robert F. Kennedy Human Rights has documented 56 arbitrary arrests or due process violations, 50 cases of abuse of political prisoners in detention, 31 incidents of unjustified restrictions on freedom of movement, and 84 violations of the rights to freedom of assembly, expression, and association.

- Twenty-one-year old Mohamed Haidala was attacked, beaten, and stabbed in the neck by five Moroccan men on January 31 of last year. The victim of a vicious attack, *he* was the one arrested and held without medical care. Eventually released, he was repeatedly refused care at hospitals because he was Sahrawi. After dying from his wounds, his body was confiscated by Moroccan police and buried at an unknown site, despite family protests.
- Political prisoner Abdelbagi Aliyen Antahah—in solitary confinement for nearly a week for protesting prison conditions—died from reported torture and lack of medical attention on January 27 of last year.

Morocco also drastically restricts Sahrawis' economic, social, and cultural rights. Last October, a U.N. committee raised serious concerns about the rights of Sahrawis to access their land and resources, to return to their land as refugees, to have access to healthcare and education, and to enjoy their cultural life.

Sahrawis are under-represented in almost every labor sector. Sahrawi students are neglected, insulted, and sometimes beaten by teachers and administrators—especially for speaking their local dialect. Women in Western Sahara face additional challenges in pursuing education and employment.

Taking a delegation to Western Sahara in 2012, I personally saw a police officer and three others—identified as state agents—attack a woman who was peacefully protesting. Security personnel tried blocking us from witnessing the beating. Members of our delegation followed the woman to the hospital where they photographed her bloodied, swollen, and bruised face.

Despite pervasive human rights abuses in Western Sahara, Morocco makes information about violations hard to come by. Local reporters find it almost impossible to cover Western Sahara for fear of official retaliation. Morocco frequently blocks foreign

reporters from traveling there. Civil society advocates try to disseminate information with limited access to funding and capacity, little outside support, and numerous restrictions from Morocco.

In contrast to its barriers to human rights reporting, Morocco aggressively spent three point one million dollars on lobbying and public relations in the U.S. during 2014 alone.

Despite a dearth of information plaguing the human rights community and repeated calls by Sahrawi and international civil society organizations, MINURSO is shamefully the only U.N. peacekeeping mission established in 37 years that still operates with no mandate to monitor human rights.

The recent high-water mark for U.S. foreign policy toward Western Sahara came in April 2013, when then-United Nations Ambassador Susan Rice circulated a draft of a Security Council resolution to provide MINURSO with a human rights mandate. The proposal never got a vote after intense pressure from Morocco and its allies.

Unfortunately, for the last two years, the U.S. has backed Security Council resolutions that do nothing more than extend the current deficient mandate of MINURSO.

The U.S. position on self-determination is also exceedingly weak. Amid diplomatic tensions of recent weeks, a U.S. government spokesperson alleged via Twitter that:

“We consider #Morocco autonomy plan serious, realistic, credible; it represents a potential approach that could satisfy the aspirations of #WesternSahara.”

Inexplicably, Morocco’s so-called “Autonomy Initiative” would block the Sahrawis’ right to vote for independence—limiting their choices to regional autonomy under continuing Moroccan control and the status quo of oppressive occupation.

Morocco’s plan ensures the Sahrawi people will remain effectively colonized. It violates international human rights law. It flies in the face of determinations by the International Court of Justice, the African Union, the U.N. General Assembly, and the U.N. Secretary-General in his call for parties to return to negotiations without preconditions.

In contrast, we are convinced it is in the United States’ best interest to support full human rights in Western Sahara, including the right to self-determination. Accordingly, we fervently recommend the United States:

- Resume support for a human rights monitoring mandate during MINURSO’s reauthorization next month before the Security Council;
- Make clear we are willing to allocate funding to replace funds for MINURSO that were slashed by Morocco, so the mission can continue operations;

- Play an active role in negotiations to achieve a political solution that fully respects the Sahrawi people's right to self-determination;
- Raise concerns about human rights violations during the U.S.-Morocco Strategic Dialogue and through other diplomatic interactions with Morocco; and
- Provide direct support and funding for civil society in Western Sahara responding to human rights abuses on the ground.

We are grateful for the opportunity to testify today, and will happily respond to questions.