

Congress of the United States
Washington, DC 20515

December 3, 2009

The Honorable Hillary Rodham Clinton
Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington, D.C. 20520

Dear Madam Secretary:

We are writing to respectfully request clarification on the current U.S. policy towards the Western Sahara in light of some recent confusion. As you know, we have a longstanding interest in and concern for the Sahrawi people and their right to self-determination.

It is our understanding that during your November 2nd press conference with Moroccan Foreign Minister Taieb Fassi-Fihri, while on your trip to Morocco, you responded to a question regarding U.S. policy toward Western Sahara with the following statement:

“Yes. Our policy has not changed, and I thank you for asking the question because I think it’s important for me to reaffirm here in Morocco that there has been no change in policy.”

These remarks have been interpreted in the Moroccan press as continued U.S. endorsement of the Moroccan autonomy plan of April 2007. As you know, the Moroccan proposal presumes Moroccan sovereignty over the Western Sahara. We are concerned that U.S. support for this proposal at this time could risk entrenching the parties in their respective positions and undermine the efforts of the UN Secretary-General’s Personal Envoy, Mr. Christopher Ross, to engage the parties in negotiations without preconditions.

In a spring 2009 letter to Members of Congress, then-Acting Assistant Secretary for Legislative Affairs Michael C. Polt, stated, “The United States Government strongly supports UN-led dialogue, as well as the UN Secretary General’s Personal Envoy for Western Sahara, Christopher Ross.” The statement you made in Morocco last month seems to indicate a change from this policy.

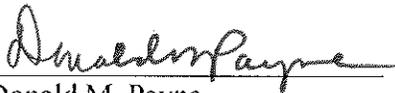
Just days after your statement, King Mohammed VI announced in a speech that challenges to Morocco’s “territorial integrity” and unity will not be tolerated. The King also said, “It is not possible to enjoy citizenship rights and to renounce them at the same time as plotting with enemies of the homeland.” This was seen by many as a clear signal that Sahrawis who advocate and organize publicly for self-determination could be stripped of their citizenship.

On November 13th a well-known Saharawi human rights defender, Aminatou Haidar, recipient of the 2008 Robert F. Kennedy Human Rights Prize and the 2009 Train Foundation Civil Courage Prize, was arrested following her arrival at La'ayoune airport. Her identity documents and passport were confiscated, and she was subsequently put on a flight back to the Canary Islands. According to recent news reports, Haidar remains at Lanzarote airport and is entering the third week of a hunger strike. She is demanding, in line with the International Covenant on Civil and Political Rights, that her passport be returned to her and she be able to return to her home to Western Sahara.

As you know, the Sahrawi people have endured over 30 years of occupation by Morocco. In 1975, the International Court of Justice expressly upheld the right to self-determination for the people of Western Sahara. The United Nations firmly enshrines the right to self-determination and has since adopted more than 60 resolutions reaffirming the Sahrawi people's right to self-determination. In 1991, the UN established a Mission for the Referendum in the Western Sahara (MINURSO) to enable Sahrawis to democratically choose between independence and integration with Morocco.

We believe the ongoing mediation efforts of U.S. career diplomat and Middle East expert Christopher Ross present the best opportunity to truly advance a just and sustainable resolution for the Sahrawi people. We urge you to fully support Mr. Ross' efforts and to ensure that the Sahrawis are ultimately given the right to determine their own future through a democratic vote that includes the options of integration, autonomy, and independence.

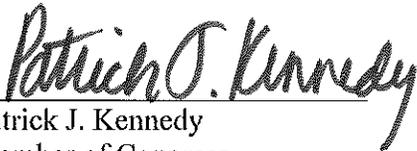
Sincerely,



Donald M. Payne
Chairman
Subcommittee on Africa & Global Health
U.S. House of Representatives



Russell D. Feingold
Chairman
Subcommittee on African Affairs
U.S. Senate



Patrick J. Kennedy
Member of Congress
U.S. House of Representatives



Joseph R. Pitts
Member of Congressman
U.S. House of Representatives