

# United States Senate

WASHINGTON, DC 20510

February 17, 2021

The Honorable Joseph R. Biden  
President of the United States  
The White House  
Washington, D.C. 20500

Dear President Biden:

The abrupt decision by the previous administration on December 11, 2020, to officially recognize the Kingdom of Morocco's illegitimate claims of sovereignty over Western Sahara was short-sighted, undermined decades of consistent U.S. policy, and alienated a significant number of African nations. We respectfully urge you to reverse this misguided decision and recommit the United States to the pursuit of a referendum on self-determination for the Sahrawi people of Western Sahara.

The fate of the Sahrawi people has been in limbo since the United Nations first adopted a resolution calling for a referendum on self-determination in 1966. For more than five decades following the United Nations' action, the simple and fundamental goal of the Sahrawi people to freely decide, for themselves, their fate has been stymied and subjected to broken promise after broken promise.

The issue of Morocco's claims of sovereignty over Western Sahara is not new. The International Court of Justice rejected such claims in 1975, stating clearly that the materials and information provided by Morocco "did not establish any tie of territorial sovereignty between the territory of Western Sahara and the Kingdom of Morocco." Despite the Court's unambiguous judgment, Morocco maintained its unlawful claim to Western Sahara and, after decolonization, attempted to annex the territory with force. The people of Western Sahara, acting through the Polisario, defended their rights and land.

After more than a decade of violence, the United Nations finally intervened in 1991 and both sides agreed to a cease-fire and a path forward. Under the so-called "Settlement Plan," Morocco and Western Sahara agreed to hold a referendum and established the United Nations Mission for the Referendum in Western Sahara – a mission that has been repeatedly extended and continues to the current day.

Subsequent diplomatic efforts, including those led by former Secretary of State James Baker, worked multiple plans with Morocco and Western Sahara, including, notably, the so-called "Houston Agreement," that recommitted Morocco and Western Sahara in 1997, to a referendum on self-determination. Morocco, recognizing they would likely lose a vote, effectively walked away from the negotiations the following year by declaring they would never accept a referendum that included independence as a potential outcome, despite years of promises otherwise. Tragically, Morocco's unwillingness to negotiate in good faith has been a consistent

theme over the years. The previous administration's decision to recognize their claims has only served to reward decades of bad behavior by the Moroccan government.

The situation in Western Sahara has been called a "frozen conflict" – where no resolution exists, yet there is no perceived active conflict. This makes it easy for the rest of the world to forget about the plight of the Sahrawi people. To call this a "frozen conflict" makes it seem harmless, when the reality is that it is anything but that.

Tens and tens of thousands of Sahrawi live in refugee camps, primarily in Tindouf, Algeria. They have been forced from their homes, waiting for a resolution. Allowing this process to stall year after year has cost them a generation of freedom. Some of us have visited those camps many times – as recently as 2019 – where we saw clearly their persistence and hope.

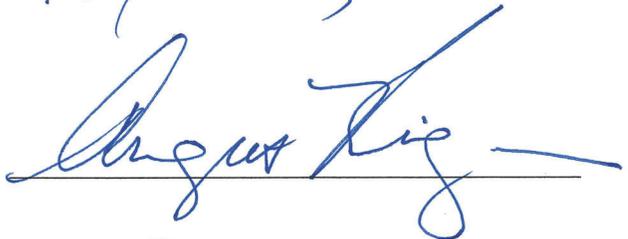
The United States owes it to the Sahrawi people to honor our commitment, to help ensure the Moroccans live up to theirs, and to see this referendum through. The Sahrawi people deserve the right to freely choose their own destiny. We hope that we can count on you to be a partner in this effort.

Sincerely,

  
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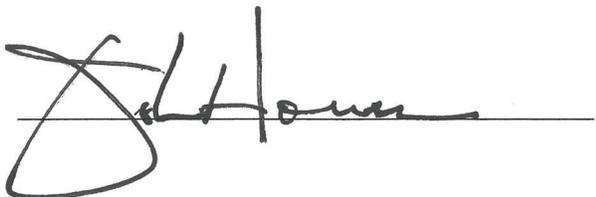
  
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~~Susan M. Collins,~~

Rob Portman

Ben Lujan

Shelley Moore Capito

Joe B.

Joe Manchin

Jack Reed  
Kyrsten Sinema

Kyrsten Sinema

Robert Wicker

Dan Claitor

Cindy Hyde-Smith

Jeanne Shaheen

Chris Van Hollen

Mark Kelly

Ben Ray Lujan

Diana Durbin