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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by Raül Romeva i Rueda, Alyn Smith, H el ene Flautre and Bernat Joan i Mar i

on behalf of the Verts/ALE Group

on human rights in Western Sahara

European Parliament resolution on human rights in Western Sahara

The European Parliament,

- having regard to its previous resolutions on Western Sahara,
 - having regard to the Annual Report on Human Rights in the World (2004) and the European Union's policy on human rights,
 - having regard to the UN Security Council's resolutions on Western Sahara, in particular that of 28 April 2005,
 - having regard to the extension of the mandate of MINURSO until 31 October 2005 in accordance with UN Security Council Resolution 1598 (2005) of 28 April 2005,
 - having regard to the Secretary-General's latest report to the Security Council on Western Sahara (April 2005),
 - having regard to the recent appointment of a Special Representative and the UN Secretary-General's Personal Envoy for Western Sahara,
 - having regard to Rule 115 of its Rules of Procedure,
- A. deeply concerned at the latest reports by Amnesty International and the World Organisation Against Torture (OMCT) regarding serious human rights violations against the Sahrawi people,
- B. whereas 115 Sahrawi prisoners of war are still being held in Morocco; particularly concerned about the conditions in which 37 Sahrawi political detainees are being held, including Aminattou Haidar and Ali Salem Tamek, human rights activists,
- C. whereas the investigations carried out by the Equity and Reconciliation Commission regarding the people who have died in illegal detention centres have located the graves of 50 victims of forcible 'disappearance', many of them Sahrawis,
- D. whereas in August 2005 the Polisario Front released the last 404 Moroccan prisoners of war, some of whom had been held for more than 20 years,
- E. whereas the Moroccan authorities have real problems in coping with the flow of migrants towards Europe; whereas in this context Morocco cannot tackle the phenomenon alone, and a joint approach to policies on asylum and illegal immigration must be swiftly adopted by the Member States of the European Union and the Mediterranean partner countries involved,
- F. deeply concerned at the repeated human rights violations against migrants and asylum-seekers in the Mediterranean region and the humanitarian conditions in which these

people travel through Morocco in order to gain access to the gateways to Europe; concerned in particular at the mass expulsions and the convoys of migrants sent to the Algerian and Mauritanian borders,

- G. concerned at information regarding the diversion of humanitarian aid destined for the populations of the Tindouf camps and the breakdown in the transport and distribution chain for this aid,
1. Calls on the Moroccan authorities to guarantee the Sahrawi population that they can fully exercise their fundamental rights, as defined in the Universal Declaration of Human Rights and in international conventions; urges the Moroccan authorities to comply fully with the United Nations Convention Against Torture;
 2. Calls on the Commission and the Council, in this connection, to monitor respect for these conventions closely, in the context of implementation of the EU-Morocco Action Plan and the Subcommittee on Human Rights;
 3. Calls on the Moroccan authorities to release the Sahrawi political prisoners in accordance with international humanitarian law;
 4. Calls on Morocco and the Polisario Front to cooperate fully with the International Committee of the Red Cross (ICRC) with a view to ascertaining what has happened to the people who have disappeared since the conflict began;
 5. Calls on Algeria to guarantee the HCR access to the Tindouf camps, in order to allow him to carry out his humanitarian task and make a census of the populations in the camps;
 6. Once again calls on the parties and countries in the region to continue to cooperate fully with the United Nations in order to find a way out of the current impasse and progress towards a political solution;
 7. Takes note of Security Council Resolution 1598 (2005), which reaffirms its commitment to assist the parties to achieve a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara;
 8. Calls on the UN Secretary-General's new Personal Envoy to report to its Committee on Foreign Affairs and its subcommittees, as well as its Delegation for Relations with the Maghreb countries;
 9. Urges the Moroccan and Algerian authorities to respect fully the Geneva Convention on the Status of Refugees in the context of their asylum and immigration policies, in particular the principle of non-refoulement, the right to submit an asylum application and the commitment not to organise mass deportations; also calls on Morocco to allow the HCR and NGOs free access to refugee camps;
 10. Calls, at the same time, on the Member States and the Mediterranean partner countries to adopt a joint approach to asylum and legal immigration policy; also calls on the Council and the Commission to tackle this issue in a multilateral framework that includes the African countries directly involved;

11. Considers that the new fisheries agreement concluded between the European Union and Morocco should under no circumstances include EU fishing activity in the waters of Western Sahara, as was the case in the previous agreement (1994-1999);
12. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the Secretary-General of the United Nations, the Secretary-General of the African Union, as well as to the Moroccan government, the Algerian government and the Polisario Front.