

Mr. Moscovici, Commissioner for Economic and Financial Affairs, Taxation and Customs
Ms. Malmström, Commissioner for Trade
Ms. Mogherini, High Representative of the Union for Foreign Affairs and Security Policy
Ms. Helga Schmid, Secretary General of the EEAS

Brussels 14 May 2019

Dear Commissioners, High Representative, and Secretary General,

As this parliamentary term is coming to its end, we want to reiterate our grave concerns about the EU's deplorable actions as regards Western Sahara during this mandate.

In several rulings, the Court of Justice of the European Union has concluded that Western Sahara and Morocco are two distinct and separate territories and that no international agreement can apply to Western Sahara without the consent of the Sahrawi people. Nevertheless, the EU and Morocco have during this mandate concluded agreements on fisheries, agriculture and aviation. In direct violation of the court rulings, these agreements have included the territory of Western Sahara despite the lack of consent from the UN-recognised representative of the people of Western Sahara.

After more than 40 years of suffering in refugee camps in Tindouf, the people of Western Sahara are still denied to exercise their UN Charter-based right to self-determination. The EU has not done enough to ease the living conditions of the Sahrawi refugees or to address the human rights conditions in Western Sahara, one of the least free territories in the world.¹

With this letter, we want to remind you that the number of refugees in the camps in Tindouf were in 2018 estimated to be more than 170 000 individuals. We urge the EU to increase the level of aid to the Sahrawi refugees in accordance to this latest estimation and do more to address the lack of opportunities for the younger Sahrawi generation.

We want to once again voice our deepest concerns about the human rights situation in the occupied territories, and call on the EU to clearly speak up about human rights as regards Western Sahara. In this matter, we regret that MINURSO remains the only modern peacekeeping operation without a human rights component.

We also want clear explanations from the Commission about the progress with distinguishing products from Morocco from those from the territory of Western Sahara, and again remind the EU of the importance to follow international law and its own Court rulings in its agreements with Morocco.

Finally, we once again want to underline the importance of tangible progress in the UN talks seeking to achieve a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara.

The dire situation for the Sahrawi people has been neglected for far too many years, and the EU needs to take its responsibility in this matter. We are deeply disappointed of how the EU institutions have handled the issue of Western Sahara during this mandate. The EU institutions cannot continue

¹ Freedom House report *Freedom in the World 2019*: https://freedomhouse.org/report/countries-world-freedom-2019?order=field_fiw_aggregate_score&sort=asc

to undermine the UN Secretary General personal envoy's work to find a lasting solution to this conflict. Upholding international law must be of utmost importance for the EU, both to be a credible global actor and to avoid slowing down the important UN talks.

Yours sincerely,

Jytte Guteland (S&D), chair of the European Parliament intergroup for Western Sahara

Ivo Vajgl (ALDE), vice-chair of the European Parliament intergroup for Western Sahara

Bodil Valero (Greens/EFA), vice-chair of the European Parliament intergroup for Western Sahara

Paloma López Bermejo (GUE/NGL), vice-chair of the European Parliament intergroup for Western Sahara