**1. Report of the Portfolio Committee on International Relations and Cooperation, on the public lecture on the current situation and South Africa’s position on the Sahrawi Arab Democratic Republic (SADR), dated 3 May 2017**

The Portfolio Committee on International Relations and Cooperation (the Committee), having held a public lecture on the current situation and South Africa’s position on theSahrawi Arab Democratic Republic (SADR), reports on the proceedings as follows:

1. **The delegation**

The following members attended the public lecture:

* Hon MSA Masango (ANC) Chairperson
* Hon BA Radebe (ANC)
* Hon L Mpumlwana (ANC)
* Hon DD Raphuti (ANC)
* Hon MSA Maila (ANC)
* Hon T Kenye (ANC)
* Hon S Mokgalapa (DA)
* Hon S Kalyan (DA)
* Hon D Bergman
* Hon H Hlophe (EFF)
* Hon C Dudley (ACDP)

The following Committee officials supported the Committee members at the public lecture:

* Ms L Mosala (Committee Content Advisor)
* Mr L Sigwela (Committee Secretary)
* Mr D Madlala (Committee Researcher)
* Ms N Maxhegwana (Committee Assistant)
* Ms P Ntabeni (Committee Assistant)
* Mr S Maputi (Communication Specialist)
1. **Background**

The Committee, in collaboration with the Department of International Relations and Cooperation (the Department), held the public lecture on 15 March 2017, at Parliament. The panellists included Hon L Landers, Deputy Minister of International Relations and Cooperation, His Excellency Mr Radhi Sghaiar Bachir, Ambassador of Western Sahara to South Africa, His Excellency Mr Abd-EL-Naceur Belaid, Ambassador of Algeria to South Africa, General Keith Mokwape, the Chairperson of Friends of Western Sahara and Dr Jose Nascimento as an international law expert. Contributions from guests and members of Committee were also made. The Hon BA Radebe and Ms K Kekana were moderators for the event.

In his welcoming remarks, Mr BA Radebe noted the historical importance of the struggle of the people of the Western Sahara to South Africa. He said that 2017 was declared by the government as the year of Oliver Tambo, who was the longest serving African National Congress (ANC) President, who was an internationalist. He stressed the need for countries to come forward to take apart the last bastions of apartheid. He commented that “one country colonised is one country too many”. It was reiterated that Morocco’s colonisation of Western Sahara is not acceptable to the Committee, nor to the African Union. The meeting was reminded that South Africa’s current democratic status is a product of international solidarity and for this reason the country should then do its part in liberating a nation in a similar position. The public lecture was then officially declared open.

Ms K Kekana introduced the various participants. She noted that present apart from the panellists, were members of the Department, members of Boycott, Divestment, Sanction (BDS) South Africa, representatives from the Centre of Conflict Resolution, members of COSATU in the Western Cape, Friends of Cuba Society, Friends of Western Sahara Society, members of the ANC Youth League, the Young Communist League of South Africa, members of the South Africa Communist Party, and representatives of the Department of Arts and Culture (DAC).

1. **Objectives of the public lecture by Hon MSA Masango MP, Chairperson of the Committee**

Hon Masango stated that the objectives of the public lecture were to create a platform for solidarity movements, to share their views regarding the situation in Western Sahara. It was also an opportunity to strengthen the historical relationship between the peoples of South Africa and of the Sahrawi Arab Democratic Republic (SADR).

He also recalled that one of the elements that led to the emancipation of South Africa from apartheid was international mass mobilisation. Therefore, South Africans should support the de-colonisation of West Sahara. He pointed out that just as the ANC established the anti-apartheid movement internationally and were supported internationally, the people of Western Sahara similarly have friends all over the world, in both governments and civil society. The Committee, on behalf of the people of South Africa, was in support of the course for self-determination for West Sahara. He concluded by saying even though most of Africa is free, there is still one colony that is not, and he encouraged all to contribute regarding what could be done to make South African aware of the plight of the people of Western Sahara and support their cause.

1. **Keynote address by Hon L Landers, Deputy Minister of International Relations and Cooperation**

The Deputy Minister noted that Oliver Tambo had shaped South Africa’s diplomatic international solidarity and international policy. In an address in 1979, he had said that the experience of the people of Western Sahara was a first experience of colonisation. This was then a familiar state in which South Africans found themselves. However, the Deputy Minister had no doubt that Western Sahara would be successful in its attempts towards liberation. He based this on the dynamic changes in the international political environment, which had promoted movements toward international solidarity and in defence of the right of self-determination.

Members were reminded that the Moroccan conflict with the Western Sahara is dated back to the 1950s. After gaining independence from France in 1956, Morocco expanded its territory in order to create the greater Morocco. As the Spanish were preparing to leave, Morocco turned its attention to Western Sahara. Since the mid-1960s, the United Nations (UN) had denounced colonial domination of Western Sahara by the Moroccans; and the refusal to allow the people of Western Sahara to exercise their right to self-determination.

It was pointed out that eventually, the Spanish withdrew, and Morocco provided an opportunity to invade parts of Western Sahara. Inevitably, this provoked resistance by the people in Western Sahara and the Polisario Front. In 1975, the International Court of Justice of The Hague issued a ruling that neither Morocco nor Mauritania had any right to occupy territory in Western Sahara. In 1983, the Organisation of Africa Unity (OAU) adopted the peace plan to end the conflict, as the Polisario Front continued to fight for self-determination. The Polisario Front accepted the settlement provided by the UN and ended the armed conflict.

It was recalled that the Democratic South Africa has always supported the decisions of the UN on the question of Western Sahara and the referendum for self-determination. It was pointed out that Morocco continues to violate the rights of the Sahrawi people. Morocco's refusal to comply with the United Nations’ resolutions on Western Sahara has been condemned. This included the continued exploitation of natural resources from the occupied territories. It was observed that all those who protect Western Sahara from exploitation and plunder, continue to face a particular pattern of harassment, political imprisonment and judicial abuse. This was also in contravention of the December 2016 ruling by the Court of Justice of the European Union (EU) which stated that agreements between the EU and Morocco on trade liberalisation shall and must exclude resources gained from the occupied territories of Western Sahara.

South Africa’s solidarity with Western Sahara was said to date back to the beginning of the liberation from apartheid. When addressing the 53rd UN General Assembly, Nelson Mandela himself stated that he looked forward to the resolution of the issues of the Western Sahara, to the point that they could be removed from the agenda. South Africa therefore supported the course through various means, including technical, financial, or humanitarian assistance.

In 2015, the Department of Arts and Culture (DAC) contributed R1 million towards Western Saharawi films. South Africa was building a youth sports complex, providing humanitarian aid, and supporting the land mine removal courses. An amount of R1.7 million of technical assistance was provided annually. In the years 2007 and 2010, the Africa Renaissance Fund donated R52 million to various assistance programmes. In June 2016, the African Renaissance Fund spared R10 million for humanitarian aid.

The meeting was reminded that earlier this year, President Jacob Zuma hosted the Western Sahara, President Brahim Ghali, and reaffirmed South Africa’s unvarying support to Western Sahara. The ANC’s January 8th 2017 statement was unequivocal about the country’s future position of support towards a political resolution in Western Sahara. South Africa has supported the decision of the UN to include monitoring and reporting human rights violations in that area. South Africa also looks forward to the return of the UN civilian staff who were expelled from Morocco, since only 20 out of the 84 had been allowed to return. South Africa continues to utilise its relationship with Algeria to support Western Sahara internationally.

The Committee’s attention was drawn to Morocco being admitted to the African Union (AU) in 2016. South Africa, together with other Southern African Development Community (SADC) countries, had opposed this. They argued that firstly, Morocco needed to comply with articles 3 and 4 of the AU Constitutive Act, recognising that all nations have the right to self-determination. The majority of the AU supported Morocco’s joining and believed that it would be better to persuade Morocco against its continuing colonisation from within the AU. It was cautioned that it remained to be seen if that would be effective.

It was noted that it was a tactical move for South Africa to align itself to Western Sahara. Despite challenges, the admission of Morocco to the AU also presented opportunities that could propel towards a resolution to the annexation. The decision on the part of South Africa to accept the decision that Morocco be part of the AU, was not one to be taken lightly, for it was a tactical one. President Zuma stated, in his State-of-the-nation address (SONA) in February 2017, that the admission of Morocco to the AU should serve as a catalyst to resolve the Western Sahara issue. Currently, the environment also needed the international solidarity movement. Governments and civil society should work together in this and invest in collective strategies to combat the annexation. It was said as an example, Western Sahara needed to drastically increase awareness of the claims of the Polisario Front internationally, and needs to learn from its successors about organisation and campaigns to be internationally supported.

In conclusion, Mr Landers stated that he looked forward to a debate that would aid the development of strategies to counter the conditions in Western Sahara. The recommendations of the lecture should strategically and practically assist the Sahrawi people in countering the actions of Morocco.

1. **Presentations by panellists:**

**5.1. Hon MSA Masango: Chairperson of Portfolio Committee**

The Chairperson wished to enumerate a few events that were linked to the public lecture. The 2013 SONA had emphasised that the inalienable right to self-determination of SADR should be realised. In 2014, the South African Parliament held a solidarity conference for Western Sahara, Cuba, and Palestine. It was indicated that there should be a constant engagement and exchange between the members of Parliament from South Africa and Western Sahara. These debates and resolutions should happen at the same levels. Following up on that, on 3, 5 and 7 April 2015, the Congress of the Women of Western Sahara indicated that scholarships and training for women and youth of the SADR should be provided, to enable them to be ready to govern when they gain the right to govern. He noted that South Africa should continue to pressurise the UN Security Council (UNSC) to impose sanctions on Morocco so that it could be held responsible.

Furthermore, the Western Sahara embassy was opened in South Africa on 15 December 2004, and South Africa officially recognised the SADR. On 10 May 2009, the Friends of Western Sahara in South Africa was launched as part of South Africa’s commitment against colonisation. On 29 June 2013, three MOUs were concluded: on diplomatic consultation, on youth sports development complex, and on assistance in the removal of land mines. The Committee was committed on holding public lectures on solidarity issues, and aimed to make them more accessible to the greater South African public.

**5.2. Ambassador Radhi Sghaiar Bachir (Western Sahara)**

HE Mr Radhi Sghaiar Bachir, described South Africans as “part of his lost family” - he had been working for a long time with South Africa. The ANC has been in support of the Polisario Front for a long time. So far, the Polisario Front had representatives also in South America and Eastern Europe.

It was however cautioned that South Africa and Western Sahara needed to be very vigilant as to what Morocco would do next. It was observed that Morocco's departure from the Organisation for African Unity (OAU) left it isolated economically, as it could not send ‘stolen goods’ from Western Sahara to the EU and the United States. The fact that Morocco had joined the AU, could mean that it wished to trade with Africa. Morocco left the OAU in 1984, so it was now 30 years later that they had come back. SADR wished to honour the judgement of the AU, it was emphasised again that there was a need to remain vigilant on what Morocco would do next. It was pointed out that the next step should be to involve the international community on the imposition of trade embargoes, which had helped in the struggle against apartheid.

**5.3. Ambassador Abd-EL-Naceur Belaid (Algeria)**

HE Mr Abd-EL-Naceur Belaid, expressed gratitude to the Committee for organising the forum at an opportune and very important time after the admission of Morocco to the AU. South Africa and Algeria had a very special relationship during the struggle. It was highlighted that the existence of the last colony in Africa should offend any African. In February 2004, it was bilaterally decided that Algeria and South Africa have a political obligation in relation to decolonisation of Africa. Therefore, the two countries had a duty to ensure self-determination for the people of Western Sahara, as provided for in the Freedom Charter of the ANC.

It was reiterated that it was important to note that there is not a single liberation movement in Africa that did not get the full support of Algeria. It was pointed out that the former President of Algeria, Liamine Zeroual, stated in 2015 that it was within their historical experiences that these two countries could not abandon their compatriots who find themselves in the same situation. On 27 February 2017, he again stated that the SADR would continue the struggle with international legality. The international community was urged to assume their international responsibilities and place sanctions against those supporting unjust causes. It was further pointed out that Algeria is committed to continue with its support of the SADR and their right to self-determination. Thus, the presence of Morocco in the AU is problematic, as it could have many hidden agendas.

**5.4. General Keith Mokwape, Chairperson of Friends of Western Sahara**

General Keith Mokwape reminded the audience that when political discourse was silenced in this country, the youth brought forward the struggle into the mainstream consciousness in the universities in the 1970s. It was observed that the forum was a combination of different people. However, it was united in the ideology that decolonisation is not complete until the entire continent is free. This was inspired by the joint history and liberation of Africa. Gen Mokwape recounted his experience of training in the Algerian camps with other freedom fighters. The revolution in Algeria and their victory remained an inspiration. South African history has been an inspiration to the Polisario Front.

In 2013, during a Solidarity Conference in Algiers, South Africa pledged that the next conference would be held in South Africa at the end of 2017. It was also observed that there were four elements that could be utilised in the struggle against the Moroccan occupation; namely mass movements in Morocco; coordination by underground cells; the armed struggle; as it should be remembered no country is freed without force; and international solidarity. However, it was observed that change was not happening fast enough. The promises made by the South African government needed to be followed up.

**5.5. Dr Jose Nascimento, International Law expert**

Dr Jose Nascimento, thanked the Committee for the opportunity to address the gathering. He noted that his book, Western Sahara: The Last Colony of Africa*,* would be published soon, and it was essentially a reference book to create awareness in the world of this issue. It was observed that most South Africans did not know about the Western Sahara. It was therefore suggested that the South African government should go back to the drawing board about creating awareness, in order to create discussion.

The audience was reminded of the many inconsistencies of Morocco’s decisions. Their inconsistencies included their membership of the OAU. Morocco originally withdrew due to the presence of the SADR representatives, then requested to re-join the AU despite the fact that SADR representatives were still present. It had withdrawn its ambassador from South Africa because the SADR was recognised, but wanted now to re-join, but nothing has changed. Morocco had supported the initial UN movements for self-determination, yet after preliminary meetings, had backed out of the agreements. Morocco thus had a tendency to agree to decisions made and then sidestep those decisions. It had asked for an opinion from the International Court of Justice regarding the SADR issue, but, disagreeing with the verdict, then proceeded to invade Western Sahara. They had offered autonomy to SADR. However, according to the latest statement from King Mohammed VI, there was no territory that included SADR and this was not up to any negotiation. The Committee was made aware of the kind of country Morocco was.

South Africa was urged to raise awareness of the issue of Western Sahara in its multi-lateral organisations, like the Brazil, Russia, India, China, South Africa (BRICS) forum. South Africa should convince the members of BRICS to have a clear position on the SADR. South Africa should also challenge those in Africa who had endorsed Morocco. Sanctions against Morocco should be promoted, especially against its relationship with France and Germany. Morocco also needed to be shown the economic advantages of recognising the SADR, and recognise that instead of wasting money on war, they should trade with SADR. Socio economic issues rather than political issues should be prioritised.

1. **General concerns raised and submissions by the participants**

There was a comment on the fact that all humans have the right to independence and self-government, and this should form the basis of cooperation. It was urged that the Committee should do everything within its power to urge government that the Solidarity Conference occurs in South Africa and that the public are made aware of this issue. The solidarity movement internationally needed to be strengthened and the programmes in SADR needed to be amplified. The labelling of goods from occupied territories is a good strategy that needed to be utilised, as the consumer based campaigns are very effective.

The concept of decolonisation was needed to be further discussed. It was observed that South Africa itself was not decolonised, as remnants of the apartheid economy were still present. Parliament was cautioned not throw the term around lightly. African countries should advocate for at least one seat in the UN Security Council and as that could help with following up on resolutions. Furthermore, question was asked whether the conditions under which Morocco was being admitted to the AU were being adhered to, and why there were so many African countries supporting Morocco, whether this was because of a particular political agenda. The AU should adopt a resolution urging member states to condemn colonial tendencies.

Clarity was sought whether South Africa should then discontinue relations with Morocco in order to establish international solidarity. The importance of youth movements in situations of this nature was mentioned. Youth at the universities should also be involved in support of the Western Sahara. The Committee was asked to ensure that the pledged support to the SADR was carried through. South Africa has been supporting Palestine for years and there was very little change. Thus, South Africa should boycott Morocco through sanctions, to increase the pressure on that country. It was also suggested that in order to garner solidarity, the media should publicise the violence in the SADR.

It was stated that the human rights violations in the camps and the occupation were immense. There were thousands of people whose human rights were being violated. There were generations of people being born in these camps with no hope of a life outside. The Polisario Front continued to do great work in peacefully opposing Morocco. However, because of the peaceful approach to gaining independence, the plight is not represented on mainstream media. It was vitally important that South Africa delivers on promises such as assisting with the landmine clearance project, sports centres and the other projects. The information media and content sharing was still very important. The Saharawi youth were hungry for support, exchange programmes and cooperation. It was cautioned that if the Committee did not give priority to the issue, the SADR would be a scar on the collective conscience of the South African people.

There was emphasis on the need for an aggressive public awareness and that public diplomacy programs on Western Sahara. One issue highlighted as of great concern was the issue of Morocco’s readmission to the AU without conditions. It was hoped that the AU would garner more influence and support to come to a resolution to this issue. The Committee would need to pursue the promises made so that they are delivered.

1. **Responses by the Panellists**

Hon Landers responded that it had come to his attention that before Morocco applied to join the AU, there had been a concerted effort from the Moroccan government to influence some West African countries. When the AU admitted Morocco, the die was cast. The argument given by South Africa stated that Morocco needed to comply with the conditions given by the AU. The West African countries disagreed and stated that the conditions were not important and thus they were ignored. In the future, South Africa needed to be very firm on the issue of Western Sahara.

Addressing the issue of de-colonisation, he observed that there is a notion that neo-colonialism was still very prevalent across the West African countries perpetrated by countries such as France. All African states agreed that Africa needs to have two seats on the UN Security Council, and this has not changed. The important thing in the EU Court of Justice’s ruling was that the plundering of SADR resources by Morocco was regarded a criminal act, in which case all EU companies involved could lose their assets. Once the EU made this statement, the Moroccans moved to the AU. Africa therefore needed to engage with the concerned West African countries about this point.

Mr Landers was disappointed to hear that the student exchange programme is not moving forward as well as the sports centre, saying this was unacceptable and should be rectified.

Mr Bachir noted that the Sahrawis were warriors who have fought against the French and the Spanish, and had prevented the French from colonising all of West Africa. They had accepted the ceasefire in 1991, due to their respect of the UN, but cautioned that with the slow progress towards self-determination, the people of Western Sahara could lose their patience. It would be appreciated that South Africa holds an international solidarity conference in 2017. Morocco is sustained in its occupation by plundering the resources of Western Sahara and from support of its close allies like the Gulf States and Israel.

The US and EU also appear to support it financially from time to time. France was seen as active in Africa to defend its own interests - for example, France intervened many times in the war with Mauritania. France should be convinced to oppose Moroccan annexation of Western Sahara.

It was observed that the Sahrawi people have not been defeated; they are simply prevented from going back to war, waiting for this issue to be resolved through diplomacy. It was hoped that perhaps the return of Morocco to the AU would make it accept the referendum. It was cautioned that Morocco may try to change the framework of the solution, it was thought that such a move would not be acceptable. Morocco’s admission, in the AU, showed that the countries that support it were in a position of weakness. The SADR has many countries giving it support, such as Algeria, Nigeria, Uganda, and South Africa, with whose commitment and support hopefully the Sahrawi people would prevail.

In conclusion, it was stated that it is very important that the AU remained vigilant against Morocco. It is clear that there was a group of countries that disagreed with the admission of Morocco to the AU and Algeria would continue to work alongside them for the dignity of the African human being.

1. **Recommendations**

After discussions, the Committee recommended as follows:

* National Assembly call upon the Department of International Relations and Cooperation to ensure that the admission of Morocco to the African Union is leveraged to speed up the granting of independence to the Saharawi people.
* National Assembly urges the African Union and the United Nations to speed up the processes towards self-determination by the people of Western Sahara, a slowapproach could lead to the people of Western Sahara losing their patience, resorting to an armed struggle.
* National Assembly call upon the United Nations Security Council to enforce its resolutions on the need for Morocco to hold a Referendum which would grant an opportunity for the people of Western Sahara to decide their own destination. The United Nations Security Council should further consider punitive sanctions on Morocco for non-compliance.
* National Assembly call upon the Government of Morocco to stop human rights violations in the camps and stop the occupation of Western Sahara
* The South African government should facilitate the holding of an international solidarity conference on the plight of the people of Western Sahara.
* The Department of International Relations and Cooperation should urge the relevant departments to deliver on the promises made to the Saharawi people, especially regarding assisting with the landmine clearing project, provision of water and sanitation facilities, and the building of a sports centre.
* National Assembly notes and supports that the United Nations Security Council adopted resolution 2351 (2017), to extend the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2018.
* There should be a debate in Parliament regarding solidarity with the people of Western Sahara in their fight for self-determination.

Report to be considered.