

STATEMENT BY SENATOR EDWARD M. KENNEDY
IN SUPPORT OF AMENDMENT PROMOTING IMPLEMENTATION OF PEACE
PLAN IN THE WESTERN SAHARA

January 11, 1994

I am introducing today, on behalf of myself and Senators Pell, Kassebaum, and Simon an amendment to support the indigenous people of the Western Sahara in their long and arduous struggle for self-determination.

As U.S. citizens, we are fortunate to live in a country founded on human rights principles and the right to a government of our own choosing. Our democratic ideals have inspired peoples in all hemispheres around the world. Elections during the past twelve months in Russia, Burundi, Cambodia, Paraguay, and Yemen are examples of the worldwide trend away from authoritarianism and toward representative government.

Sadly, this trend has not yet reached all regions of the world. The indigenous Saharawi people in the Western Sahara have waited more than 18 years to regain their right to self-determination. Hopefully, that right will soon be restored to them.

Since Morocco's invasion of the Western Sahara in 1975, King Hassan II has staged a long and costly war against the Saharawi people to obtain permanent access to that territory's valuable natural resources.

For years, Morocco ignored proposals by the U.N. General Assembly calling for a referendum on self-determination by the Saharawi. When Morocco took its claim over the territory before the International Court of Justice, the Court found that Morocco did not have ties sufficient for claims of territorial sovereignty. Like the United Nations, the Court supported "self-determination and genuine expression of the will of the peoples" to determine the territory's legal status.

Rather than accept that decision, King Hassan sent Moroccan troops into the territory who killed and "disappeared" thousands of Saharawi who were unwilling to recognize Moroccan sovereignty. Then, in what became known as the "Green March," King Hassan sent 350,000 Moroccan citizens into the Western Sahara to strengthen his claim to it.

Finally, after over a decade of war, the Government of Morocco agreed to a U.N.-sponsored peace plan leading up to a referendum under which the Saharawi would vote for independence or integration with Morocco. Under this plan, a ceasefire was to go into effect on September 6, 1991, and the referendum was to be held in early 1992. The parties agreed to use a 1974 census, which recorded approximately 74,000 Saharawis, to establish a voting list for the referendum.

Yet, only days before the cease-fire was to go into effect, Morocco bombed a compound the Saharawi had constructed to house U.N. personnel. In addition, King Hassan changed his position on the voter list.

After having previously agreed to base the list upon the 1974 census, he presented the U.N. with a list of 170,000 Moroccans whom he claimed should also be permitted to vote. These individuals were moved into the Western Sahara in

violation of the peace plan, which forbids the unilateral transfer of population into the territory without prior identification by U.N. personnel.

U.N. observers have also expressed concern regarding other violations of the peace plan by the Government of Morocco. These violations have prevented the observers from fostering an atmosphere of confidence and stability conducive to holding a free and fair referendum.

The violations include preventing critical supplies for U.N. personnel from reaching the field; denying U.N. observers access to military areas; threatening to shoot U.N. personnel; intercepting and blocking U.N. patrols and sideswiping U.N. vehicles; refusing to identify land mines to U.N. observers, resulting in the loss of three U.N. vehicles and serious injury to U.N. personnel; banning access to the territory by international observers, reporters, and human rights organizations; refusing to withdraw its troops; and declining to provide figures on the strength and deployment of its armed forces, despite written instructions to do so from the U.N. Secretary General. ,

In one of the most serious violations of the peace process, King Hassan held his own elections in the territory in June -- thereby directly undermining the U.N. effort.

U.N. officials nonetheless remain hopeful of holding the referendum this year. For the referendum to be free and fair, the U.N. must disqualify Moroccan settlers from eligibility to vote in the referendum.

Failure of the U.N. peace plan is likely to have serious consequences for the stability of North Africa. If the Government of Morocco continues to obstruct the peace process, fighting in the Western Sahara may well be renewed.

At this critical stage in the peace process the United States must do more to make clear -- through deed as well as word -- our commitment to a free and fair referendum for the Saharawi people.

The amendment we are introducing today:

(1) Commends the President for his commitment within the United Nations and in bilateral relations to a free and fair referendum on self-determination in the Western Sahara;

(2) Supports the United Nations' commitment to holding a free and fair referendum, and commends the Secretary General for intensifying his efforts towards that end;

(3) Commends the Administration for undertaking new policy initiatives with regard to the Western Sahara, including the opening of contacts with the Polisario Front at the Saharawi refugee camp in Tindouf, Algeria;

(4) Calls upon Morocco and the Polisario Front to comply strictly with the terms of the peace plan as accepted by the parties and approved by the United Nations Security Council;

(5) Calls upon Morocco to put an end to the transfer of population not properly identified by the United Nations as eligible voters in the referendum from Morocco into the Western Sahara, and to return to Morocco all such individuals currently in the Western Sahara;

(6) Calls upon Morocco and the Polisario Front to continue the direct dialogue they begun under the auspices of the United Nations in July 1993 with the goal of furthering the peace process;

(7) Calls upon Morocco and the Polisario Front to allow international human rights organizations to enter Morocco, the Western Sahara, and refugee camps under their control to assess the human rights situation; and

(8) Calls upon the President to:

-- strongly advocate within the United Nations and in bilateral relations the implementation of the peace plan as accepted by the Polisario Front and Morocco and approved by the U.N. Security Council;

-- urge all parties concerned to take all steps necessary to begin voter registration, starting with the updated lists of the 1974 Spanish census, and to overcome their differences regarding the interpretation and application of the criteria for voter eligibility;

-- institute regular contact at all levels in Washington with representatives of the Polisario Front, in order to strengthen the

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United States' evenhanded position with respect to the Western Sahara; and

-- encourage the parties to allow independent international observers, including human rights organizations, to monitor the situation in the territory and observe the referendum process.

The ongoing crisis in the Western Sahara raises serious questions regarding the Government of Morocco's willingness to honor its international commitment to a free and fair referendum in the Western Sahara. This amendment would make clear our government's support for the U.N. peace process and America's commitment to the principles of sovereignty and self-determination.

I urge my colleagues to join us in enacting this timely and important measure.

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