

STATEMENT BY SENATOR EDWARD M. KENNEDY
AT SENATE FOREIGN RELATIONS AFRICA SUBCOMMITTEE
HEARING ON THE WESTERN SAHARA

October 1, 1992

I want to thank Senator Simon, the Subcommittee Chairman, for holding this important hearing today.

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 that territory. It also brings into question the credibility of the United Nations in administering the Western Saharan peace plan, and our own government's commitment to the principles of sovereignty and selfdetermination.

Barring immediate and dramatic progress, the peace plan for the Western Sahara is destined to fail. If the peace plan is to succeed, the United States must do more to make clear - through deed as well as word - its commitment to a free and fair referendum for the indigenous Saharawi people.

The Western Sahara is the last vestige of colonialism in Africa. The U.N. Decolonization Committee called for decolonization in 1966, while it was still under Spanish rule. In 1973, the General Assembly called for a referendum on self-determination by the Saharawi, Spain agreed to hold a referendum and took a census to provide a voting list.

Shortly thereafter, Morocco and Mauritania, seeking access to the territory's valuable natural resources, laid claim to the Western Sahara. In an effort to strengthen its claim to the territory, Morocco requested an advisory opinion from the International Court of Justice on its legal status. The Court found that neither Morocco nor Mauritania had ties to the Western Sahara 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 II sent Moroccan troops into the Western Sahara. Clashes ensued between Moroccan forces and the Polisario, the armed resistance of the Saharawi. Invading troops "disappeared" thousands of Saharawi civilians, most of whom were killed. Hundreds of others were detained without charge -- and remain imprisoned today.

The Moroccan invasion touched off an exodus of refugees from the Western Sahara into Algeria. Seventeen years later, tens of thousands of these refugees continue to subsist in emergency relief tents with minimal food and water under extremely oppressive desert conditions including violent sandstorms and blistering heat exceeding 160 degrees.

In what became known as the "Green March," King Hassan then sent 350,000 Moroccan civilians into the territory to strengthen his claim. Within months of the Moroccan influx Spain withdrew, granting Morocco and Mauritania "temporary authority" to administer the territory until a referendum could be held.

Neither Morocco nor Mauritania granted the Saharawi the right to self-determination, and their war against the Polisario steadily escalated. The Polisario's use of land rovers and quick strike tactics, however, achieved surprising successes against Moroccan and Mauritanian forces, and in 1979 Mauritania renounced its claims to the territory.

Finally, after over a decade of war, the Government of Morocco agreed to a U.N.-sponsored peace plan leading to a referendum, under which the Saharawi would vote for independence or integration with Morocco. In 1990, the Security Council adopted resolutions approving the plan and establishing the United Nations Mission for the Referendum in Western Sahara (MINURSO).

Under the plan, a cease-fire was to go into effect on September 6, 1991, and the referendum was to be held in early 1992. The parties agreed to use the 1974 Spanish 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 that the Saharawi had constructed to house MINURSO personnel. Inexplicably, the United States was the sole country on the U.N. Security Council which failed to condemn this outrageous action.

After the cease-fire went into effect, King Hassan changed his position on the voting list. After having agreed to base the list upon the 1974 census, he presented the U.N. with a list of 120,000 additional voters from Morocco whom he claimed were Saharawi and should also be permitted to vote. These individuals were transported into the Western Sahara in violation of the peace plan, which forbids

the unilateral transfer of populations into the territory without identification at the border by U.N. personnel.

Under the peace plan, MINURSO observers are to implement and monitor the cease-fire, oversee the release of POWs, identify and register voters, and organize the referendum. Fully employed, MINURSO was to consist of 1,695 military and civilian personnel.

Yet as of today, nine months after the referendum was to have been held, fewer than 400 MINURSO personnel are in the Western Sahara. With severely limited equipment and personnel, these observers have been forced to restrict their focus to monitoring the cease-fire. Due to serious violations of the peace plan by the Government of Morocco, the observers have been prevented from fostering an atmosphere of confidence and stability conducive to holding a free and fair referendum.

These 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 any of its 130,000 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.

Last month, in the most serious violation of the peace process, King Hassan announced his intention to hold his own elections in the territory, independently of the United Nations - thereby wholly undermining the U.N. effort.

Ironically, U.N. observers have also been severely hampered by lack of material and political support from the U.N. in New York, which has routinely ignored Moroccan violations of the peace plan. The Secretary General has failed to respond politically to MINURSO's reports of cease-fire violations -- including 178 confirmed violations of the cease-fire, the transfer of thousands of Moroccan citizens to the territory prior to their identification by the U.N., and continuous misbehavior with respect to MINURSO.

Accordingly, MINURSO personnel in the field today are attempting to carry out their duties without the cooperation of the Government of Morocco and without the political backing of the U.N.

Despite Morocco's flagrant violations of the peace plan, the Bush Administration has failed to press King Hassan in any significant manner with respect to the Western Sahara. To the contrary, the Administration has requested that \$40 million in military aid and \$12 million in Economic Support Funds be earmarked for Morocco for FY '93. This is particularly perplexing, inasmuch as no funds were earmarked for Morocco during FY '92.

I hope that the witnesses for the Administration will make clear today why the U.S. is not condemning Morocco for its violations of the peace plan. The Administration should also explain why it is unwilling to urge the United Nations to do more to defend this important peace initiative.

Failure of the U.N. peace plan will have serious consequences for the stability of North Africa. Unless the Administration makes clear to the Government of Morocco its commitment to a free and fair referendum for the Saharawi, fighting in the Western Sahara may soon be renewed. That is a result none of us wants, and now is the time to prevent it from happening .

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