

# United States Senate

WASHINGTON, DC 20510

May 27, 2008

The Honorable Condoleezza Rice  
Secretary of State  
U.S. Department of State  
Washington, D.C. 20520

Dear Madam Secretary:

We're writing to express our deep concern about the continuing conflict in the Western Sahara and recent statements by State Department officials that would undermine the longstanding commitment by both the United States and the United Nations to ensure that the people of the Western Sahara are guaranteed their right to self-determination through a free, fair, and transparent referendum.

We're disappointed that representatives of the Administration have failed to support our nation's commitment to both the indigenous Saharawi people and the internationally-recognized right to self-determination. We strongly urge you to ensure that the Bush Administration, just as previous Republican and Democratic Administrations have done, demonstrates its respect for the right of the Saharawi people to democratically choose their own political future.

The right to self-determination is firmly established in international law. It is enshrined in the United Nations Charter, and is a basic human right. The United Nations has been unequivocal in its support of this right, and has indicated that when territories such as the Western Sahara are transitioning to self-governance, the people living in them should have the option of freely choosing between independence, association with an independent state, or integration with an independent state.

In 1975, the International Court of Justice expressly upheld the right to self-determination for the Western Sahara. The United Nations has since adopted nearly 60 resolutions reaffirming the indigenous Saharawi people's right to self-determination. It established a Mission for the Referendum in the Western Sahara ("MINURSO") in 1991 to provide the Saharawi with the opportunity to democratically choose between independence and integration with Morocco.

Unfortunately, the Government of Morocco has prevented the United Nations from holding that referendum. Instead, Morocco has proposed an Autonomy Plan for the Western Sahara that would eliminate the Saharawi people's right to participate in a self-determination process. The proposal is inconsistent with the principle of self-determination, since it provides no options for the Saharawi people except to become part of Morocco.

Disturbingly, the U.S. Deputy Ambassador to the United Nations recently stated that "[t]he realistic way to move forward is to pursue a negotiated resolution resulting in true autonomy under Moroccan sovereignty for the Polisario." Any negotiated resolution that leads to a pre-determined outcome would deprive the Saharawi people of the democratic referendum which the United States has supported through the United Nations. It would also reward a country that employed force to expand its borders. That is not the kind of precedent our country

should be promoting in North Africa or any other part of the world. Instead of resolving tensions, this approach could have a destabilizing impact upon the entire region.

We know from our own country's history that the imposition of a non-elected government on a people is more likely to lead to rebellion than stability. The right to self-determination was a principle upon which our nation was established, and any effort to deny it to the Saharawi people would be inconsistent with our values and international commitments. If the Administration deviates from our nation's longstanding effort to resolve the Western Sahara conflict through respect for the right of self-determination, it will do so in contravention of the rule of law, the United Nations Charter, and our own principles of democracy.

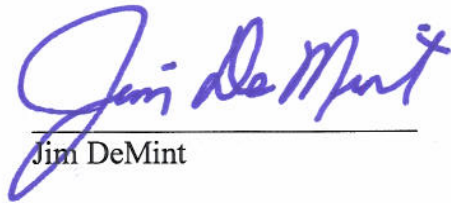
We respectfully request your assurance that the United States will continue to respect the principle of self-determination and, like every previous U.S. administration that has addressed the Western Sahara conflict, will work to ensure that the Saharawi people are permitted to determine their own future through a democratic vote that includes the options of integration, autonomy, and independence. Peace and stability can take root in the Maghreb only when the rights of the region's peoples are respected.

Thank you for your attention to this important matter. We look forward to hearing from you and to working with you to achieve a just and peaceful resolution to the conflict in the Western Sahara through a democratic referendum.

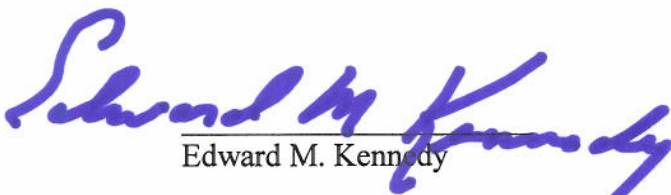
Sincerely,



Russell D. Feingold



Jim DeMint



Edward M. Kennedy



James M. Inhofe



Patrick J. Leahy



Herb Kohl

Cc: The Honorable Zalmay Khalilzad, Permanent U.S. Representative to the United Nations