

3. *Invites* all States to make or continue to make generous offers of study and training facilities to the inhabitants of those Territories that have not yet attained self-government or independence and, wherever possible, to provide travel funds to prospective students;

4. *Urges* the administering Powers to take effective measures to ensure the widespread and continuous dissemination in the Territories under their administration of information relating to offers of study and training facilities made by States and to provide all the necessary facilities to enable students to avail themselves of such offers;

5. *Requests* the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution;

6. *Draws the attention* of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to the present resolution.

83rd plenary meeting
9 December 1994

49/43. The situation in the occupied territories of Croatia

The General Assembly,

Reaffirming the relevant principles of the Charter of the United Nations, in particular the principle of inadmissibility of the acquisition of territory through the use of force,

Stressing the importance of efforts to restore peace in the entire territory of the Republic of Croatia as well as to preserve its territorial integrity within the internationally recognized borders, and emphasizing in this regard that the territories comprising the United Nations Protected Areas are integral parts of the territory of the Republic,

Alarmed and concerned by the fact that the ongoing situation in the Serbian-controlled parts of Croatia is de facto allowing and promoting a state of occupation of parts of the sovereign Croatian territory, and thus seriously jeopardizing the sovereignty and territorial integrity of the Republic of Croatia,

Rejecting the odious policies and practices of ethnic cleansing and their consequences, and all other violations of international humanitarian law,

Emphasizing that the Serbian-controlled territories of Croatia must be peacefully reintegrated into the rest of the country, under the close supervision of the international community,

Stressing the importance of the mutual recognition of the international borders by all States in the region of the former Yugoslavia, and recalling all relevant Security Council resolutions on this matter,

1. *Expresses its commitment* to ensure respect for the sovereignty and territorial integrity of the Republic of Croatia;

2. *Calls upon* all parties and, in particular, the Federal Republic of Yugoslavia (Serbia and Montenegro) to comply fully with all Security Council resolutions regarding the situation in Croatia and to respect strictly its territorial integrity, and in this regard concludes that their activities aimed at achieving the integration of the occupied territories of Croatia into the administrative, military, educational, transportation and communication systems of the Federal Republic are illegal, null and void, and must cease immediately;

3. *Requests* the Federal Republic of Yugoslavia (Serbia and Montenegro) to cease immediately any military and logistic support

to the self-proclaimed authorities in the Serbian-controlled parts of Croatia;

4. *Strongly condemns* the Serbian self-proclaimed authorities in the Serbian-controlled territories of Croatia for their militant actions that have resulted in ethnic cleansing of the United Nations Protected Areas and for their constant refusal to comply with the relevant Security Council resolutions;

5. *Reaffirms its support* for the principle that all statements or commitments in the Serbian-controlled parts of Croatia made under duress, particularly those regarding land and property, are wholly null and void;

6. *Reaffirms* the right of all refugees and displaced persons from the area of the former Yugoslavia to return voluntarily to their homes safely and with dignity, with the assistance of the international community, and in this regard notes that the 1991 census is the basis for defining the population structure of the Republic of Croatia;

7. *Urges* the restoration of the authority of the Republic of Croatia in its entire territory, and also urges the utmost respect for human and minority rights in the territory of Croatia, including the right to autonomy in accordance with the Constitution of the Republic of Croatia and established international standards, and for efforts to achieve a political solution within the framework of the International Conference on the Former Yugoslavia;

8. *Calls for* mutual recognition between the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) within their existing internationally recognized borders;

9. *Commends* the persistent efforts of the United Nations Protection Force in performing its duties in the territory of the Republic of Croatia, and in this regard emphasizes the importance of its role for the overall peace process and for the success of the peaceful reintegration of Serbian-controlled territories of Croatia;

10. *Also calls for* full respect of the cease-fire agreements in the territory of Croatia, and urges the resumption of direct negotiations in close cooperation with the International Conference on the Former Yugoslavia;

11. *Requests* the Secretary-General to submit to the General Assembly at its fiftieth session a comprehensive report on the implementation of the present resolution.

83rd plenary meeting
9 December 1994

49/44. Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolution 48/49 of 10 December 1993,

Recalling also the agreement in principle given on 30 August 1987 by the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro to the proposals of the Secretary-General of the United Nations and the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity in the context of their joint mission of good offices,

Recalling further Security Council resolutions 621 (1988) of 20 September 1988, 658 (1990) of 27 June 1990, 690 (1991) of 29 April 1991, 725 (1991) of 31 December 1991 and 809 (1993) of 2 March 1993 relating to the question of Western Sahara,

Recalling with satisfaction the entry into force of the cease-fire in Western Sahara on 6 September 1991, in accordance with the proposal of the Secretary-General accepted by the two parties,

Noting the adoption by the Security Council on 29 March 1994 of resolution 907 (1994),

Taking note of the statement by the President of the Security Council on 29 July 1994,⁷⁹

Welcoming the appointment of Mr. Erik Jensen as Deputy Special Representative of the Secretary-General for Western Sahara and the progress made, under his leadership, by the Identification Commission of the United Nations Mission for the Referendum in Western Sahara,

Stressing the importance and usefulness of the resumption of direct talks between the two parties mentioned above in order to create a propitious atmosphere conducive to a speedy and effective implementation of the settlement plan,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,⁸⁰

Having also examined the report of the Secretary-General,⁸¹

1. *Takes note with appreciation* of the report of the Secretary-General;

2. *Pays tribute* to the Secretary-General and the personnel of the United Nations Mission for the Referendum in Western Sahara for their action with a view to settling the question of Western Sahara by the implementation of the settlement plan;

3. *Reiterates its support* for further efforts of the Secretary-General for the organization and supervision by the United Nations, in cooperation with the Organization of African Unity, of a referendum for self-determination of the people of Western Sahara, in conformity with Security Council resolutions 658 (1990) and 690 (1991), in which the Council adopted the settlement plan for Western Sahara;

4. *Reaffirms* that the goal on which all were agreed consists of the holding of a free, fair and impartial referendum for the people of Western Sahara, organized and conducted by the United Nations in cooperation with the Organization of African Unity and without any military or administrative constraints, in conformity with the settlement plan;

5. *Endorses* the contents of the statement of 29 July 1994 by the President of the Security Council in which the Council, *inter alia*, welcomed the progress made to date on the issues outlined in the report of the Secretary-General⁸² towards the implementation of the settlement plan, commended, in particular, the work of the

Identification Commission and the efforts of the Deputy Special Representative of the Secretary-General pursuant to resolution 907 (1994) and urged the two parties to continue to cooperate with the Secretary-General and the United Nations Mission for the Referendum in Western Sahara to ensure the earliest possible implementation of the settlement plan;

6. *Expresses the hope* that direct talks between the two parties will soon resume in order to create a propitious atmosphere conducive to a speedy and effective implementation of the settlement plan;

7. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara, bearing in mind the ongoing referendum process and to report thereon to the General Assembly at its fiftieth session;

8. *Invites* the Secretary-General to submit to the General Assembly at its fiftieth session a report on the implementation of the present resolution.

83rd plenary meeting
9 December 1994

49/45. Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to New Caledonia,⁸⁰

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling its resolutions 1514 (XV) and 1541 (XV) of 14 and 15 December 1960, respectively,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including measures in the area of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

Welcoming the strengthening of the Matignon Accords review process through the increased frequency of coordination meetings,

Noting with satisfaction the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region,

1. *Urges* all the parties involved, in the interest of all the people of New Caledonia and building on the positive outcome of the mid-term review of the Matignon Accords, to maintain their dialogue in a spirit of harmony;

2. *Invites* all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all New Caledonians according to the letter and the spirit of the Matignon Accords, which are based on the principle that it is for the populations of New Caledonia to choose how to control their destiny;

⁷⁹ S/PRST/1994/39; see *Official Records of the Security Council, Forty-ninth Year, Resolutions and Decisions of the Security Council 1994*.

⁸⁰ *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 23 (A/49/23), chap. VIII.*

⁸¹ A/49/492.

⁸² S/1994/819; see *Official Records of the Security Council, Forty-ninth Year, Supplement for July, August and September 1994*.