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THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES
UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

Draft resolution submitted by the Chairman

1995/... Question of Western Sahara

The Commission on Human Rights,

Having considered 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 earlier resolutions, the latest of which is resolution 1994/6 of 18 February 1994,

Recalling also the agreement in principle given on 30 August 1988 by the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y Río de Oro to the proposals of the Secretary-General of the United Nations and the current Chairman of the Conference of Heads of State and Government of the Organization of African Unity, in the framework of their joint mission of good offices,

Also recalling 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, 809 (1993) of 2 March 1993 and 907 (1994) of 29 March 1994 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 both parties,

Taking note of the adoption of resolution 973 (1995) by the Security Council on 13 January 1995,

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

Welcoming the appointment of Mr. Erik Jensen as Deputy Special Representative of the Secretary-General on Western Sahara and the progress made, under his guidance, by the United Nations Identification Commission for the organization of a referendum in Western Sahara,

Stressing the importance and usefulness of the resumption of direct talks between the two above-mentioned parties in order to create an atmosphere conducive to the speedy and effective implementation of the settlement plan for the question of Western Sahara,

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 (A/49/23 (Part V), chap. VIII),

Having also examined the report of the Secretary-General (A/49/492),

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

2. Pays tribute to the Secretary-General and his Special Representative for their action with a view to settling the question of Western Sahara through the implementation of the settlement plan;

3. Reaffirms its support for the efforts which the Secretary-General will continue to make 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 accordance with resolutions 658 (1990) and 690 (1991), in which the Security Council adopted the settlement plan for the question of Western Sahara;

4. Also reaffirms that the objective to which all parties concerned subscribe is the holding of a free, regular and impartial referendum for the people of Western Sahara organized and supervised by the United Nations in cooperation with the Organization of African Unity and without any military or administrative constraint, in accordance with the settlement plan;

5. Endorses the content of the statement by the President of the Security Council dated 29 July 1994, in which the Security Council, among other things, welcomes the progress made so far on the issues referred to in the report of the Secretary-General with a view to the implementation of the settlement plan, pays tribute, in particular, to the Identification Commission for the work it has accomplished and to the Deputy Special Representative for the efforts he has made under resolution 907 (1994) of 29 March 1994 and invites the two parties to continue to cooperate with the Secretary-General and the United Nations Mission for the organization of a referendum in Western Sahara with a view to implementing the settlement plan as soon as possible;

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

7. Recalls that the General Assembly has requested 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 Assembly at its fiftieth session;

8. Decides to follow the development of the situation in Western Sahara and to consider the question at its fifty-second session, as a matter of high priority, under the agenda item entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation".

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