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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

2001/... Question of Western Sahara

The Commission on Human Rights,
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 General Assembly resolution 55/141 of 8 December 2000,
Recalling also its resolution 2000/2 of 7 April 2000,
Recalling further 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 de Río de Oro to the
proposals of the Secretary-General of the United Nations and the 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,
GE.01-12369 (E)

Recalling Security Council resolutions 658 (1990) of 27 June 1990 and 690 (1991) of 29 April 1991, in which the Council approved a settlement plan for Western Sahara,

Recalling also all the Security Council, General Assembly and Commission on Human Rights resolutions relating to the question of Western Sahara,

Reaffirming the responsibility of the United Nations towards the people of Western Sahara, as provided for in the settlement plan,

Noting with satisfaction the entry into force of the ceasefire in accordance with the proposal of the Secretary-General, and stressing the importance it attaches to the maintenance of the ceasefire as an integral part of the settlement plan,

Noting also with satisfaction the agreements reached by the two parties regarding the implementation of the settlement plan during their private direct talks and stressing the importance it attaches to a full, fair and faithful implementation of the settlement plan and the agreements aimed at its implementation,

Noting that, despite the progress achieved, difficulties remain in the implementation of the settlement plan which must be overcome,

Recalling Security Council resolutions 1131 (1997) of 29 September 1997, 1198 (1998) of 18 September 1998, 1204 (1998) of 30 October 1998, 1215 (1998) of 17 December 1998, 1224 (1999) of 28 January 1999, 1228 (1999) of 11 February 1999, 1232 (1999) of 30 March 1999, 1235 (1999) of 30 April 1999, 1238 (1999) of 14 May 1999, 1263 (1999) of 13 September 1999, 1292 (2000) of 29 February 2000, 1301 (2000) of 31 May 2000, 1309 (2000) of 25 July 2000, 1324 (2000) of 30 October 2000 and 1342 (2001) of 27 February 2001,

Welcoming the acceptance by the two parties of the detailed modalities for the implementation of the Secretary-General's package of measures relating to the identification of voters and the appeals process,

Recalling that the General Assembly has 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,

Recalling also that the General Assembly has examined the report of the Secretary-General (A/55/303),

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

2. *Takes note* of the agreements reached between the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro for the implementation of the settlement plan during their private and direct talks under the auspices of Mr. James Baker III, the Personal Envoy of the Secretary-General, and urges the parties to implement those agreements fully and in good faith;

3. *Commends* the Secretary-General and his Personal Envoy for their outstanding efforts and the two parties for the spirit of cooperation they have shown in the support they provided for those efforts;

4. *Urges* the two parties to continue their cooperation with the Secretary-General and his Personal Envoy, as well as with his Special Representative, and to refrain from undertaking anything that would undermine the implementation of the settlement plan and the agreements reached for its implementation as well as the continued efforts of the Secretary-General and his Personal Envoy;

5. *Calls upon* the two parties to cooperate fully with the Secretary-General, his Personal Envoy and his Special Representative in implementing the various phases of the settlement plan and in overcoming the difficulties that remain despite the progress so far achieved;

6. *Urges* the two parties to implement faithfully and loyally the Secretary-General's package of measures relating to the identification of voters and the appeals process;

7. *Reaffirms* the responsibility of the United Nations towards the people of Western Sahara, as provided for in the settlement plan;

8. *Also reaffirms* its support for further efforts of the Secretary-General for the organization and the supervision by the United Nations, in cooperation with the Organization of African Unity, of a referendum on self-determination of the people of Western Sahara that is impartial and free of all constraints, in conformity with Security Council resolutions 658 (1990) and 690 (1991), in which the Council approved the settlement plan for Western Sahara;

9. *Takes note* of the relevant Security Council resolutions, including resolutions 1131 (1997), 1238 (1999), 1263 (1999), 1292 (2000), 1301 (2000), 1309 (2000), 1324 (2000) and 1342 (2001);

10. *Notes* that the General Assembly has requested the Special Committee on the Situation with regard to the Implementation of the Declaration of the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara, bearing in mind the positive ongoing implementation of the settlement plan, and to report thereon to the Assembly at its fifty-sixth session;

11. *Also notes* that the General Assembly has invited the Secretary-General to submit to it, at its fifty-sixth session, a report on the implementation of Assembly resolution 55/141.

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