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### IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

#### Question of Western Sahara

#### Report of the Secretary-General

1. At its thirty-eighth session, the General Assembly adopted resolution 38/40 on 7 December 1983, on the question of Western Sahara. The resolution read as follows:

"The General Assembly,

"Having considered in depth the question of Western Sahara,

"Taking account of decision AHG/Res.103 (XVIII) on the question of Western Sahara, 1/ adopted unanimously by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, as well as all the relevant resolutions of the Organization of African Unity, and reaffirming all the relevant resolutions of the United Nations on the question of Western Sahara,

1. Takes note of resolution AHG/Res.104 (XIX) on Western Sahara, 2/ adopted unanimously by the Assembly of Heads of State and Government of the Organization of African Unity at its nineteenth ordinary session, held at Addis Ababa from 6 to 12 June 1983, which reads as follows:

'The Assembly of Heads of State and Government of the Organization of African Unity, meeting in its nineteenth ordinary session in Addis Ababa, Ethiopia, from 6 to 12 June 1983,

'Having examined the report of the Implementation Committee of Heads of State on Western Sahara,

'Recalling the solemn commitment made by His Majesty King Hassan II at the eighteenth ordinary session to accept the holding of a referendum in Western Sahara to enable the people of that Territory to exercise their right to self-determination,

'Recalling with appreciation His Majesty King Hassan's acceptance of the recommendation of the sixth session of the Ad Hoc Committee of Heads of State on Western Sahara contained in document AHG/103 (XVIII) B, annex I, as well as his pledge to co-operate with the Ad Hoc Committee in the search for a just, peaceful and lasting solution,

'Reaffirming its previous resolutions and decisions on the question of Western Sahara, and in particular AHG/Res.103 (XVIII) of 27 June 1981,

'1. Takes note of the report of the Implementation Committee of Heads of State on Western Sahara;

'2. Urges the parties to the conflict, the Kingdom of Morocco and the POLISARIO Front, to undertake direct negotiations with a view to bringing about a cease-fire to create the necessary conditions for a peaceful and fair referendum for self-determination of the people of Western Sahara, a referendum without any administrative or military constraints, under the auspices of the Organization of African Unity and the United Nations, and calls on the Implementation Committee to ensure the observance of the cease-fire;

'3. Directs the Implementation Committee to meet as soon as possible and, in collaboration with the parties to the conflict, to continue to work out the modalities and all other details relevant to the implementation of the cease-fire and the conduct of the referendum in December 1983;

'4. Requests the United Nations, in conjunction with the Organization of African Unity, to provide a peace-keeping force to be stationed in Western Sahara to ensure peace and security during the organization and conduct of the referendum;

'5. Mandates the Implementation Committee, with the participation of the United Nations, to take all necessary measures to ensure the proper implementation of this resolution;

'6. Requests the Implementation Committee to report to the Assembly of Heads of State and Government at its twentieth session on the result of the referendum with a view to enabling the Assembly at that session to reach a final decision on all aspects of the question of Western Sahara;

'7. Decides to remain seized with the question of Western Sahara;

'8. Requests the Implementation Committee in the discharge of its mandate to take account of the proceedings of the eighteenth and nineteenth ordinary sessions on the question of Western Sahara and to this end invites the Secretary-General of the Organization of African Unity to make available the full records of the said proceedings to the Committee;

'9. Welcomes the constructive attitude of the Sahrawi leaders in making it possible for the nineteenth ordinary session to meet by withdrawing from it voluntarily and temporarily.'

"2. Requests the Secretary-General to take the necessary steps to ensure that the United Nations participates effectively in the organization and conduct of the referendum and to report to the General Assembly and the Security Council on this subject and on the measures requiring a decision by the Council;

"3. Urges the Secretary-General to co-operate closely with the Secretary-General of the Organization of African Unity with a view to the implementation of the pertinent decisions of the Organization of African Unity and of the present resolution;

"4. 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 as a matter of priority and to report thereon to the General Assembly at its thirty-ninth session."

2. On 6 March 1984, the Secretary-General addressed a letter to the interim Secretary-General of the Organization of African Unity (OAU), in which he stated, inter alia, that he remained ready to extend every possible co-operation and assistance in the implementation of the decisions of the Assembly of Heads of States and Government of OAU, as well as those of its Implementation Committee on Western Sahara.

3. On 25 July, a further communication was addressed to the interim Secretary-General of OAU requesting information on the activities of OAU relating to the question.

4. In its reply of 22 October 1984, the OAU secretariat stated that the current Chairman of OAU had convened a meeting of the Implementation Committee in Addis Ababa from 21 to 23 September 1983 and that the meeting had been called off on 22 September in view of the difficulties for the parties to the conflict to negotiate directly to establish a cease-fire. It further stated that the Implementation Committee had not been convened since.

5. On 30 October 1984, the OAU secretariat stated, in a further communication, that the report of the Implementation Committee would be submitted to the Assembly of Heads of State and Government of OAU at its twentieth ordinary session scheduled to be held from 12 to 15 November 1984. It further indicated that that report and

the subsequent resolution or decision would be transmitted to the United Nations immediately after the summit meeting. When received, this information will be made available to the General Assembly in an addendum to the present report.

6. The Secretary-General has maintained close contacts with OAU in regard to common efforts for a just and lasting solution to the question of Western Sahara. As requested by the General Assembly, the Secretary-General stands ready to co-operate closely with OAU with a view to the implementation of the pertinent decisions of OAU and of the General Assembly.

Notes

1/ See A/36/534, annex II.

2/ See A/38/312, annex.

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