



<b>Country/entity</b>	Morocco Western Sahara
<b>Region</b>	Middle East and North Africa
<b>Agreement name</b>	Implementation plan proposed by the Secretary-General pursuant to Security Council resolution 621 (1988) of September 1988
<b>Date</b>	18 Jun 1990
<b>Agreement status</b>	Unilateral document
<b>Interim arrangement</b>	Yes
<b>Agreement/conflict level</b>	Interstate/intrastate conflict(s)

#### **Western Sahara Conflict (1973 - 1991)**

Conflict in Western Sahara began as an insurgency by the Polisario Front against Spanish colonization in 1973. Two years later, Spain withdrew from the territory. Following the annexation of the territory by Morocco and Mauritania in 1976, the insurgency continued. After proclaiming the establishment of the Sahrawi Arab Democratic Republic (SADR) in 1976, the Polisario Front succeeded in gaining recognition by several states, but was not admitted into the United Nations. Instead, the territory was annexed by Morocco and Mauritania, sparking a 16-year resistance by the Algerian-backed Polisario Front. Following a withdrawal by Mauritania in 1979, the conflict reached a stalemate through the 1980s and then reignited in 1989 until a ceasefire in 1991. At the time 80 per cent of the territory was under the de facto control of Morocco, while 20 per cent continued to be held by the SADR including the refugee camps along the Algerian border. Unrest has continued to erupt at intervals in from 1999-2004, 2005, 2010 and 2011. Attempts to solve the conflict have manifested in the form of the Baker Plan (2000) and the Moroccan Initiative (2006-2008).

Close  
Western Sahara Conflict (1973 - 1991)

<b>Stage</b>	Implementation/renegotiation
<b>Conflict nature</b>	Government/territory
<b>Peace process</b>	Morocco-Western Sahara peace process
<b>Parties</b>	Parties are not listed, however the intended parties are Morocco & the Frente POLISARIO.

**Third parties** Parties are not listed, however the report has been prepared by the UN Secretary-General in consultation with the Chairman of the Organization of African Unity.

**Description** An implementation plan proposed after negotiation with the parties, for the implementation of the Proposals by 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 aimed at a settlement of the question of Western Sahara accepted in principle by the parties on 30 August 1988

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**Agreement document** [MO\\_900618\\_Implementation Plan .pdf \(opens in new tab\)](#) | [Download PDF](#)

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### Groups

**Children/youth** No specific mention.

**Disabled persons** No specific mention.

**Elderly/age** No specific mention.

**Migrant workers** No specific mention.

**Racial/ethnic/  
national group** No specific mention.

**Religious groups** No specific mention.

**Indigenous people** No specific mention.

**Other groups** No specific mention.

**Refugees/displaced persons** Groups→Refugees/displaced persons→Substantive

Page 2, II. MAIN ELEMENTS OF THE IMPLEMENTATION PLAN

47. The implementation plan contained in the present report provides for a transitional period during which:

(i) All refugees and other Western Saharans resident outside the Territory and wishing to return will be enabled to do so by the United Nations, after the latter has established their right to vote;

Page 5, VIII. ORGANIZATION AND CONDUCT OF THE REFERENDUM, B. Identification and registration of voters

61. Under the terms of the settlement proposals the Identification Commission will implement the agreed position of the parties that all Western Saharans counted in the 1974 census undertaken by the Spanish authorities and aged 18 years or over will have the right to vote, whether currently present in the Territory or outside as refugees or for other reasons. The Identification Commission, which may set up Sub-Commissions to discharge its functions in the various registration districts into which the Territory and the refugee camps will be divided, is required to update the census to provide a current basis for issuing lists of qualified voters.

Page 5-6, VIII. ORGANIZATION AND CONDUCT OF THE REFERENDUM, B. Identification and registration of voters

62. At various stages of its work the lists prepared by the Commission will be published in the Territory and outside in areas where refugees and other Western Saharans are gathered and arrangements made for challenges to the inclusion or exclusion of any names. Any person identified as qualified to vote will at the same time be issued with a voter registration card. When the Commission has completed its compilation of the lists of those eligible to vote they will be submitted to the Secretary-General, through the Special Representative, for consideration in consultation with the current Chairman of OAU. Final lists will be issued when these are authorized by the Secretary-General. It is envisaged that the Identification Commission will complete its work before the beginning of the referendum campaign, that is by D-Day plus 18 weeks.

Page 7, VIII. ORGANIZATION AND CONDUCT OF THE REFERENDUM, D. Referendum campaign

64. As far as the establishment of the conditions and modalities for the conduct of the referendum campaign are concerned, the Referendum Commission will advise the Special Representative on the measures necessary to ensure a referendum that is free and fair, without military or administrative constraints. Such measures would include those necessary to:

(d) Facilitate the peaceful return to the Territory of all persons eligible to vote in the referendum;

Page 9, XI. RETURN OF REFUGEES, OTHER WESTERN SAHARANS AND MEMBERS OF FRENTE POLISARIO ENTITLED TO VOTE

72. Following the completion of the work of the Identification Commission, all refugees who have been identified as having the right to vote in the referendum and who have expressed the wish to return to the Territory will be enabled to do so, together with their immediate families, through a programme organized by UNHCR. The Special Representative will designate a number of points at which returnees will be able to cross into the Territory. Security at these crossing-points and at reception centres established by UNHCR will be provided by the Military Unit of MINURSO. The Special Representative will also take such steps as may be necessary to ensure that the returnees will be able to take part in the referendum, without restriction or risk of being arrested, detained, intimidated or imprisoned. To this end they will be granted a general and complete

**Social class** No specific mention.

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**Gender**

**Women, girls and gender** No specific mention.

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family**

Page 9, XI. RETURN OF REFUGEES, OTHER WESTERN SAHARANS AND MEMBERS OF FRENTE POLISARIO ENTITLED TO VOTE

72. Following the completion of the work of the Identification Commission, all refugees who have been identified as having the right to vote in the referendum and who have expressed the wish to return to the Territory will be enabled to do so, together with their immediate families, through a programme organized by UNHCR. The Special Representative will designate a number of points at which returnees will be able to cross into the Territory. Security at these crossing-points and at reception centres established by UNHCR will be provided by the Military Unit of MINURSO. The Special Representative will also take such steps as may be necessary to ensure that the returnees will be able to take part in the referendum, without restriction or risk of being arrested, detained, intimidated or imprisoned. To this end they will be granted a general and complete amnesty.

Page 9-10, XI. RETURN OF REFUGEES, OTHER WESTERN SAHARANS AND MEMBERS OF FRENTE POLISARIO ENTITLED TO VOTE

73. Likewise, other Western Saharans, not refugees but resident outside the Territory, who are found eligible to vote by the Identification Commission, will be permitted to return to the Territory, together with their immediate families. It is the Secretary-General's intention to ask the High Commissioner for Refugees to extend his good offices to these Western Saharans and to assume responsibility for their voluntary repatriation from designated locations in neighbouring countries.

Page 10, XI. RETURN OF REFUGEES, OTHER WESTERN SAHARANS AND MEMBERS OF FRENTE POLISARIO ENTITLED TO VOTE

74. Frente POLISARIO combatants found eligible to vote who wish to take part in the referendum will be enabled to return, peacefully and without arms or uniforms, together with their immediate families, in accordance with the arrangements described in the two preceding paragraphs, including the amnesty. The arms, ammunition and military equipment of returning Frente POLISARIO combatants will be deposited at the locations referred to in paragraph 57 above where their safe custody will be monitored by the Military Unit of MINURSO. The disposition of these arms, ammunition and equipment will be decided after the results of the referendum are known.

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**State definition**

**Nature of state (general)** No specific mention.

**State configuration** No specific mention.

**Self determination** Page 12, XIV. OBSERVATIONS

83. The present report is presented to the Security Council in pursuance of paragraph 2 of resolution 621 (1988) in which the Security Council requested the Secretary-General to transmit to it as soon as possible a report on the holding of a referendum for self determination of the people of Western Sahara and on ways and means to ensure the organization and conduct of such a referendum by the United Nations in co-operation with OAU. I believe that the implementation plan contained in the present report provides an effective means of holding such a referendum and permitting the people of Western Sahara to determine their future without military or administrative constraints. I accordingly commend it to the Security Council for such action as the Council may think appropriate in order to facilitate its implementation at the earliest possible date.

## Referendum

Page 1-2, II. MAIN ELEMENTS OF THE IMPLEMENTATION PLAN

47. The implementation plan contained in the present report provides for a transitional period during which:

(a) The Special Representative of the Secretary-General, acting under the authority of the Secretary-General and, as necessary, on instructions from and in consultation with him, will have sole and exclusive responsibility over all matters relating to the referendum, including its organization and conduct;

Page 2, II. MAIN ELEMENTS OF THE IMPLEMENTATION PLAN

47. The implementation plan contained in the present report provides for a transitional period during which:

(f) The United Nations will organize and conduct a referendum, and issue the necessary regulations, rules and instructions for this purpose, in which the people of Western Sahara will choose between independence or integration with Morocco;

(g) The United Nations will monitor other aspects of the administration of the Territory, especially the maintenance of law and order, to ensure that the necessary conditions exist for the holding of a free and fair referendum;

(h) Following on the proclamation of an amnesty, political prisoners will be released and all laws or regulations which, in the view of the Special Representative, could impede the holding of a free and fair referendum will be suspended to the extent the Special Representative deems this to be necessary;

(i) All refugees and other Western Saharans resident outside the Territory and wishing to return will be enabled to do so by the United Nations, after the latter has established their right to vote;

(j) The referendum should be held 24 weeks after the cease-fire comes into effect and its results should be proclaimed within 72 hours. The Special Representative will have the authority to determine whether circumstances require any alteration in these deadlines;

(k) Algeria and Mauritania will, as they have already indicated to the Secretary-General, co-operate with the Special Representative in ensuring that the transitional arrangements and the results of the referendum are respected.

Page 3, IV. TRANSITIONAL PERIOD

50. The transitional period will begin with the coming into effect of the cease-fire and end with the proclamation of the results of the referendum. However, the United Nations would continue to have responsibilities for monitoring either the withdrawal of Moroccan troops or the demobilization of Frente POLISARIO troops, depending on the outcome of the referendum. The discharge of these responsibilities could take from four to six weeks (see para. 75 below), Thereafter, the United Nations will require a further period of four weeks to effect the withdrawal of its personnel and equipment from the Territory. MINURSO's presence in the Territory is thus expected to last for up to 35 weeks from the coming into effect of the cease-fire, subject to the authority given to the Special Representative to determine whether circumstances require any alteration in the timing of the referendum (see para. 47 (j) above).

Page 4, VI. MOROCCAN MILITARY PRESENCE

54. To permit the holding of a referendum without military constraints, Morocco has agreed to make an appropriate, substantial and phased reduction of its troops in the Territory during the transitional period, to a level acceptable to the Secretary-General. This reduction will be effected within a period of 12 weeks beginning on D-Day. At the end of the 12-week period the Military Unit of MINURSO will verify that the Moroccan troop strength in the Territory does not exceed the accepted level.

Page 5, VIII. ORGANIZATION AND CONDUCT OF THE REFERENDUM

58. In the settlement proposals the parties recognize that sole and exclusive responsibility for the organization and conduct of the referendum is vested in the United

**State symbols** No specific mention.

**Independence/  
secession** No specific mention.

**Accession/  
unification** No specific mention.

**Border delimitation** No specific mention.

**Cross-border  
provision** No specific mention.

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## **Governance**

**Political  
institutions (new or  
reformed)** No specific mention.

**Elections** No specific mention.

**Electoral  
commission** No specific mention.

**Political parties  
reform** No specific mention.

**Civil society** Page 2, II. MAIN ELEMENTS OF THE IMPLEMENTATION PLAN  
47. The implementation plan contained in the present report provides for a transitional period during which:  
(c) There will be a cease-fire monitored by United Nations military personnel, followed by an exchange of prisoners of war under the auspices of the International Committee of the Red Cross (ICRC);

**Traditional/  
religious leaders** Page 5, VIII. ORGANIZATION AND CONDUCT OF THE REFERENDUM, A. Identification Commission  
60. To assist the Special Representative in fulfilling his responsibilities with regard to the identification and registration of those eligible to vote, the Secretary-General will appoint and issue terms of reference for an identification commission, including demographic experts, in whose work the parties and the representatives of OAU will, as appropriate, participate as official observers. The tribal chiefs of Western Sahara will also meet with the Identification Commission to contribute to its work.

**Public  
administration** No specific mention.

**Constitution** No specific mention.

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## **Power sharing**

**Political power sharing** No specific mention.

**Territorial power sharing** No specific mention.

**Economic power sharing** No specific mention.

**Military power sharing** No specific mention.

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## **Human rights and equality**

**Human rights/RoL general** No specific mention.

**Bill of rights/similar** No specific mention.

**Treaty incorporation** No specific mention.

**Civil and political rights**

Human rights and equality→Civil and political rights→Freedom of movement

Page 5, VIII. ORGANIZATION AND CONDUCT OF THE REFERENDUM

59. The responsibility of the United Nations in respect of the referendum can be divided into three main areas

(b) The establishment of the conditions and modalities for a referendum campaign in which freedom of speech, assembly, movement and the press are guaranteed;

Page 7, VIII. ORGANIZATION AND CONDUCT OF THE REFERENDUM, D. Referendum campaign

64. As far as the establishment of the conditions and modalities for the conduct of the referendum campaign are concerned, the Referendum Commission will advise the Special Representative on the measures necessary to ensure a referendum that is free and fair, without military or administrative constraints. Such measures would include those necessary to:

(a) Guarantee freedom of movement, the security of the population and freedom of speech, assembly and the press;

(b) Permit the organization and holding of political meetings, rallies, demonstrations and marches;

Human rights and equality→Civil and political rights→Vote and take part

Page 2, II. MAIN ELEMENTS OF THE IMPLEMENTATION PLAN

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Page 7, VIII. ORGANIZATION AND CONDUCT OF THE REFERENDUM, D. Referendum campaign

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(b) Permit the organization and holding of political meetings, rallies, demonstrations and marches;

Human rights and equality→Civil and political rights→Thought, opinion, conscience and religion

Page 5, VIII. ORGANIZATION AND CONDUCT OF THE REFERENDUM

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(a) Guarantee freedom of movement, the security of the population and freedom of speech, assembly and the press;

(b) Permit the organization and holding of political meetings, rallies, demonstrations and marches;

**Socio-economic rights**      No specific mention.

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**Rights related issues**

**Citizenship**      No specific mention.

**Democracy**      No specific mention.

**Detention procedures**      No specific mention.

**Media and communication**

Rights related issues→Media and communication→Media roles

Page 5, VIII. ORGANIZATION AND CONDUCT OF THE REFERENDUM

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Page 7, VIII. ORGANIZATION AND CONDUCT OF THE REFERENDUM, D. Referendum campaign

64. As far as the establishment of the conditions and modalities for the conduct of the referendum campaign are concerned, the Referendum Commission will advise the Special Representative on the measures necessary to ensure a referendum that is free and fair, without military or administrative constraints. Such measures would include those necessary to:

(a) Guarantee freedom of movement, the security of the population and freedom of speech, assembly and the press;

(c) Publicize through available and appropriate media the issues regarding the referendum and points of view of the population;

Page 10-11, XIII. COMPOSITION AND TASKS OF THE UNITED NATIONS MISSION FOR THE REFERENDUM IN WESTERN SAHARA, A. Civilian Unit

78. The Civilian Unit, which is central to the operation, will comprise the office of the Special Representative and his support staff in fields such as administration, legal and legislative matters, questions relating to refugees and political detainees, information and public relations. In addition, a major part of the Civilian Unit will be responsible for the organization and conduct of the referendum. The Unit will consist largely of officials of the United Nations. It is hoped, however, that a significant number of personnel, especially personnel directly concerned with the organization and conduct of the referendum, will be made available by Governments at the Secretary-General's request.

Rights related issues→Media and communication→Other

Page 4, VII. CONFINEMENT OF EACH PARTY'S COMBATANTS TO AGREED LOCATIONS

56. The Moroccan troops remaining in the Territory will, with the exceptions mentioned in this paragraph, consist only of troops deployed in static or defensive positions along the sand wall constructed by Morocco close to the eastern and southern frontiers of the Territory. All intervention forces and artillery units will have been withdrawn, as will all Moroccan air force units previously used for interdiction and offensive operations. The only exceptions to these arrangements will be:

(b) The Moroccan air force will continue to provide meteorological services, air traffic control and radio communications within the Territory but will retain only those aircraft that are essential for the logistic support of the Moroccan troops remaining in the Territory;

<b>Mobility/access</b>	<p>Page 5, VIII. ORGANIZATION AND CONDUCT OF THE REFERENDUM</p> <p>59. The responsibility of the United Nations in respect of the referendum can be divided into three main areas</p> <p>(b) The establishment of the conditions and modalities for a referendum campaign in which freedom of speech, assembly, movement and the press are guaranteed;</p> <p>Page 7, VIII. ORGANIZATION AND CONDUCT OF THE REFERENDUM, D. Referendum campaign</p> <p>64. As far as the establishment of the conditions and modalities for the conduct of the referendum campaign are concerned, the Referendum Commission will advise the Special Representative on the measures necessary to ensure a referendum that is free and fair, without military or administrative constraints. Such measures would include those necessary to:</p> <p>(a) Guarantee freedom of movement, the security of the population and freedom of speech, assembly and the press;</p> <p>(b) Permit the organization and holding of political meetings, rallies, demonstrations and marches;</p>
<b>Protection measures</b>	No specific mention.
<b>Other</b>	No specific mention.

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**Rights institutions**

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

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## Justice sector reform

**Criminal justice and emergency law** Justice sector reform→Criminal justice and emergency law→Reform to specific laws  
Page 2, II. MAIN ELEMENTS OF THE IMPLEMENTATION PLAN

47. The implementation plan contained in the present report provides for a transitional period during which:

(h) Following on the proclamation of an amnesty, political prisoners will be released and all laws or regulations which, in the view of the Special Representative, could impede the holding of a free and fair referendum will be suspended to the extent the Special Representative deems this to be necessary;

Page 9, X. RELEASE OF POLITICAL PRISONERS AND SUSPENSION OF LAWS WHICH MIGHT IMPEDE A FREE AND FAIR REFERENDUM

71. Before the beginning of the referendum campaign, the Special Representative will ensure that the authorities involved suspend any law or measure which, in his judgement, could obstruct the conduct of a free and fair referendum and which would not otherwise be superseded by the regulations, rules and instructions referred to in paragraph 58 above.

**State of emergency provisions** No specific mention.

**Judiciary and courts** Page 9, X. RELEASE OF POLITICAL PRISONERS AND SUSPENSION OF LAWS WHICH MIGHT IMPEDE A FREE AND FAIR REFERENDUM

70. The Special Representative will take steps with the two parties to ensure the release, before the beginning of the referendum campaign, of all Western Saharan political prisoners or detainees and to this end an amnesty is envisaged as the first stage. In this work he will be assisted by an independent jurist appointed by the Secretary-General. Any difference concerning the release of political prisoners or detainees will be settled in a manner satisfactory to the Special Representative.

**Prisons and detention** No specific mention.

**Traditional Laws** No specific mention.

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## Socio-economic reconstruction

**Development or socio-economic reconstruction** No specific mention.

**National economic plan** No specific mention.

**Natural resources** No specific mention.

**International funds** No specific mention.

**Business** No specific mention.

**Taxation** No specific mention.

**Banks** No specific mention.

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**Land, property and environment**

**Land reform/rights** No specific mention.

**Pastoralist/  
nomadism rights** No specific mention.

**Cultural heritage** No specific mention.

**Environment** No specific mention.

**Water or riparian  
rights or access** No specific mention.

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**Security sector**

**Security  
Guarantees**

Page 2, II. MAIN ELEMENTS OF THE IMPLEMENTATION PLAN

47. The implementation plan contained in the present report provides for a transitional period during which:

(g) The United Nations will monitor other aspects of the administration of the Territory, especially the maintenance of law and order, to ensure that the necessary conditions exist for the holding of a free and fair referendum;

Page 7, VIII. ORGANIZATION AND CONDUCT OF THE REFERENDUM, D. Referendum campaign

64. As far as the establishment of the conditions and modalities for the conduct of the referendum campaign are concerned, the Referendum Commission will advise the Special Representative on the measures necessary to ensure a referendum that is free and fair, without military or administrative constraints. Such measures would include those necessary to:

(a) Guarantee freedom of movement, the security of the population and freedom of speech, assembly and the press;

(f) Ensure that law and order is maintained in the Territory for purposes of the referendum process through the monitoring of existing police activities and the deployment of the MINURSO Security (Civil Police) Unit and that no one can resort to intimidation or interfere in the referendum process.

Page 8-9, IX. OTHER RESPONSIBILITIES OF THE SPECIAL REPRESENTATIVE DURING THE TRANSITIONAL PERIOD

68. The Special Representative will pay special attention to the arrangements made for the maintenance of law and order during the transitional period. In this respect, it is envisaged in particular that the Special Representative will have exclusive authority in all United Nations premises connected with the referendum and in their immediate vicinity, such as voter registration offices and polling stations. This authority would include the maintenance of law and order in such premises, the Special Representative being provided with United Nations civil police for this purpose. Such civil police, in cases of emergency, could call upon the Military Unit of MINURSO to render assistance to them. In other areas, the activities of the existing police forces will be closely monitored by the Security (Civil Police) Unit of MINURSO.

Page 9, XI. RETURN OF REFUGEES, OTHER WESTERN SAHARANS AND MEMBERS OF FRENTE POLISARIO ENTITLED TO VOTE

72. Following the completion of the work of the Identification Commission, all refugees who have been identified as having the right to vote in the referendum and who have expressed the wish to return to the Territory will be enabled to do so, together with their immediate families, through a programme organized by UNHCR. The Special Representative will designate a number of points at which returnees will be able to cross into the Territory. Security at these crossing-points and at reception centres established by UNHCR will be provided by the Military Unit of MINURSO. The Special Representative will also take such steps as may be necessary to ensure that the returnees will be able to take part in the referendum, without restriction or risk of being arrested, detained, intimidated or imprisoned. To this end they will be granted a general and complete amnesty.

## Ceasefire

Security sector→Ceasefire→Ceasefire provision

Page 2, II. MAIN ELEMENTS OF THE IMPLEMENTATION PLAN

47. The implementation plan contained in the present report provides for a transitional period during which:

(c) There will be a cease-fire monitored by United Nations military personnel, followed by an exchange of prisoners of war under the auspices of the International Committee of the Red Cross (ICRC);

(d) Morocco will undertake an appropriate, substantial and phased reduction of its troops in the Territory;

(e) The combatants on each side will be confined to certain locations specified by the Special Representative where they will be monitored by United Nations military personnel;

Page 3, IV. TRANSITIONAL PERIOD

50. The transitional period will begin with the coming into effect of the cease-fire and end with the proclamation of the results of the referendum. However, the United Nations would continue to have responsibilities for monitoring either the withdrawal of Moroccan troops or the demobilization of Frente POLISARIO troops, depending on the outcome of the referendum. The discharge of these responsibilities could take from four to six weeks (see para. 75 below) , Thereafter, the United Nations will require a further period of four weeks to effect the withdrawal of its personnel and equipment from the Territory . MINURSO's presence in the Territory is thus expected to last for up to 35 weeks from the coming into effect of the cease-fire, subject to the authority given to the Special Representative to determine whether circumstances require any alteration in the timing of the referendum (see para . 47 (j) above).

Page 3, V. CEASE-FIRE

51. When the Security Council has authorized the establishment of MINURSO, the Secretary-General will address identical letters to Morocco and Frente POLISARIO proposing a date and time ("D-Day") for the entry into force of the cease-fire. On D-Day the parties will cease all military operations, including troop movements (except as required or permitted under paras. 54 to 57 below) and any strengthening of positions. The date proposed for D-Day will be approximately 14 weeks after the date of the dispatch of the Secretary-General's letters. This timing is dictated by the need to ensure that the Military Unit of MINURSO which will monitor the parties' compliance with the cease-fire will be effectively deployed throughout its area of operations by the time the cease-fire comes into effect.

Page 3, V. CEASE-FIRE

52. In his letters, therefore, the Secretary-General will ask the parties to confirm in writing by a specified date that they accept both the terms of the cease-fire and the date and time proposed. The parties will also be asked to undertake to refrain from any act which could lead to hostilities during the period between their acceptance of the cease-fire and its coming into effect.

Page 3, V. CEASE-FIRE

53. After the cease-fire has come into effect, the Military Unit of MINURSO will report any violation thereof immediately to the Special Representative. The Special Representative will take the matter up with the party or parties concerned and, as necessary, report to the Secretary-General, who may bring the violation to the attention of the Security Council for such action as the Council may think fit.

Page 11-12, XIII. COMPOSITION AND TASKS OF THE UNITED NATIONS MISSION FOR THE REFERENDUM IN WESTERN SAHARA, C. Military Unit

81. The tasks of the Military Unit will be:

## Police

Page 7, VIII. ORGANIZATION AND CONDUCT OF THE REFERENDUM, D. Referendum campaign

64. As far as the establishment of the conditions and modalities for the conduct of the referendum campaign are concerned, the Referendum Commission will advise the Special Representative on the measures necessary to ensure a referendum that is free and fair, without military or administrative constraints. Such measures would include those necessary to:

(f) Ensure that law and order is maintained in the Territory for purposes of the referendum process through the monitoring of existing police activities and the deployment of the MINURSO Security (Civil Police) Unit and that no one can resort to intimidation or interfere in the referendum process.

Page 8-9, IX. OTHER RESPONSIBILITIES OF THE SPECIAL REPRESENTATIVE DURING THE TRANSITIONAL PERIOD

68. The Special Representative will pay special attention to the arrangements made for the maintenance of law and order during the transitional period. In this respect, it is envisaged in particular that the Special Representative will have exclusive authority in all United Nations premises connected with the referendum and in their immediate vicinity, such as voter registration offices and polling stations. This authority would include the maintenance of law and order in such premises, the Special Representative being provided with United Nations civil police for this purpose. Such civil police, in cases of emergency, could call upon the Military Unit of MINURSO to render assistance to them. In other areas, the activities of the existing police forces will be closely monitored by the Security (Civil Police) Unit of MINURSO.

Page 9, IX. OTHER RESPONSIBILITIES OF THE SPECIAL REPRESENTATIVE DURING THE TRANSITIONAL PERIOD

69. Before the beginning of the referendum campaign, the neutralization of the paramilitary units in the existing police forces (the "mobile action companies" and "auxiliary forces") will be carried out through the deposit of their weapons, ammunition and military equipment in armouries where their safe custody will be monitored by the Military Unit of MINURSO.

Page 11, XIII. COMPOSITION AND TASKS OF THE UNITED NATIONS MISSION FOR THE REFERENDUM IN WESTERN SAHARA, B, Security Unit

79. The Security Unit will be made up of civil police. Their task will be:

(a) To ensure tranquillity and maintain law and order in the vicinity of, and at, voter registration offices and polling stations, to ensure that no person is denied entry for the purposes of registration or voting and, when specifically so ordered, to maintain order at other locations where activities in connection with the referendum, under MINURSO auspices or authority, are taking place;

(b) To monitor the activities of the existing police forces so as to ensure that they are acting in strict accordance with the settlement proposals and the present implementation plan, which are intended to secure the organization of a free and fair referendum without military or administrative constraints and to prevent any possibility of intimidation or interference from any quarter.

Page 11, XIII. COMPOSITION AND TASKS OF THE UNITED NATIONS MISSION FOR THE REFERENDUM IN WESTERN SAHARA, B, Security Unit

80. The Security Unit will be commanded by a Police Commissioner appointed by the Secretary-General. The members of the Unit will be provided by Governments, at the request of the Secretary-General. Its terms of reference, which will be drawn up on the authority of the Secretary-General, will define the circumstances under which members of the Civil Police Unit may in the course of their duties take offenders into custody, and

## Armed forces

Page 2, II. MAIN ELEMENTS OF THE IMPLEMENTATION PLAN

47. The implementation plan contained in the present report provides for a transitional period during which:

(d) Morocco will undertake an appropriate, substantial and phased reduction of its troops in the Territory;

Page 3, III. THE SPECIAL REPRESENTATIVE AND THE UNITED NATIONS MISSION FOR THE REFERENDUM IN WESTERN SAHARA

49. The Special Representative will be assisted in his tasks by a deputy Special representative and by an integrated group of United Nations civilian, military and civil police personnel which he will head and direct. This group will be known as the United Nations Mission for the Referendum in Western Sahara (MINURSO). Arrangements concerning the status of MINURSO and its personnel will be made with the parties and with neighbouring States involved in the implementation of the settlement proposals. Further information on the proposed composition and tasks of the units comprising MINURSO is to be found in paragraphs 77 to 82 below.

Page 4, VI. MOROCCAN MILITARY PRESENCE

54. To permit the holding of a referendum without military constraints, Morocco has agreed to make an appropriate, substantial and phased reduction of its troops in the Territory during the transitional period, to a level acceptable to the Secretary-General. This reduction will be effected within a period of 12 weeks beginning on D-Day. At the end of the 12-week period the Military Unit of MINURSO will verify that the Moroccan troop strength in the Territory does not exceed the accepted level.

Page 4, VII. CONFINEMENT OF EACH PARTY'S COMBATANTS TO AGREED LOCATIONS

55. One week before D-Day each party will inform the Secretary-General of the strength and location of its military forces. With effect from D-Day the troops of each party, together with their arms and military equipment, will be confined to the locations described in paragraphs 55 and 57 below, plus any additional locations which may be determined by the Special Representative after consulting the parties. The troops' confinement to these locations will be monitored by the Military Unit of MINURSO. No movement outside the agreed locations will be permitted except for the purpose specified in paragraph 54 above or for routine logistic purposes or rotation, for which the authority of the Military Unit of MINURSO will be required in each case. The Special Representative will deal with any violation of the agreed arrangements in the manner described in paragraph 53 above.

Page 4, VII. CONFINEMENT OF EACH PARTY'S COMBATANTS TO AGREED LOCATIONS

56. The Moroccan troops remaining in the Territory will, with the exceptions mentioned in this paragraph, consist only of troops deployed in static or defensive positions along the sand wall constructed by Morocco close to the eastern and southern frontiers of the Territory. All intervention forces and artillery units will have been withdrawn, as will all Moroccan air force units previously used for interdiction and offensive operations. The only exceptions to these arrangements will be:

(a) Certain logistic and support units required to support the Moroccan troops deployed along the sand wall, and not exceeding a level acceptable to the Secretary-General, will remain deployed at their present locations at Laayoune, Dakhla and Smara; they will not, however, carry weapons in the towns or circulate there in uniform, whether on or off duty;

(b) The Moroccan air force will continue to provide meteorological services, air traffic control and radio communications within the Territory but will retain only those aircraft that are essential for the logistic support of the Moroccan troops remaining in the Territory;

(c) The Moroccan navy will continue to perform such tasks as coastal patrolling

**DDR**

Security sector→DDR→Demilitarisation provisions

Page 9, IX. OTHER RESPONSIBILITIES OF THE SPECIAL REPRESENTATIVE DURING THE TRANSITIONAL PERIOD

69. Before the beginning of the referendum campaign, the neutralization of the paramilitary units in the existing police forces (the "mobile action companies" and "auxiliary forces") will be carried out through the deposit of their weapons, ammunition and military equipment in armouries where their safe custody will be monitored by the Military Unit of MINURSO.

Page 10, XI. RETURN OF REFUGEES, OTHER WESTERN SAHARANS AND MEMBERS OF FRENTE POLISARIO ENTITLED TO VOTE

74. Frente POLISARIO combatants found eligible to vote who wish to take part in the referendum will be enabled to return, peacefully and without arms or uniforms, together with their immediate families, in accordance with the arrangements described in the two preceding paragraphs, including the amnesty. The arms, ammunition and military equipment of returning Frente POLISARIO combatants will be deposited at the locations referred to in paragraph 57 above where their safe custody will be monitored by the Military Unit of MINURSO. The disposition of these arms, ammunition and equipment will be decided after the results of the referendum are known.

Page 10, XII. PROCLAMATION OF THE REFERENDUM RESULTS

75. The results of the referendum shall be proclaimed as indicated in paragraph 47 (j) above. If the decision is for independence, the withdrawal of all remaining Moroccan troops will begin within 24 hours and will be completed within 6 weeks. The withdrawal will be monitored by the Military Unit of MINURSO. If the decision is for integration with Morocco, the demobilization of any Frente POLISARIO troops who have not returned to take part in the referendum will begin within 24 hours of the proclamation of the result and will be completed within 4 weeks, under the monitoring of the Military Unit of MINURSO.

**Intelligence services**

No specific mention.

**Parastatal/rebel  
and opposition  
group forces**

Page 4, VII. CONFINEMENT OF EACH PARTY'S COMBATANTS TO AGREED LOCATIONS  
57. Frente POLISARIO troops will be confined to locations to be designated before D-Day by the Special Representative and their activities will be closely monitored by the Military Unit of MINURSO. In this regard, the Governments of Algeria and Mauritania have indicated their readiness to co-operate with the Special Representative.

Page 9, IX. OTHER RESPONSIBILITIES OF THE SPECIAL REPRESENTATIVE DURING THE TRANSITIONAL PERIOD

69. Before the beginning of the referendum campaign, the neutralization of the paramilitary units in the existing police forces (the "mobile action companies" and "auxiliary forces") will be carried out through the deposit of their weapons, ammunition and military equipment in armouries where their safe custody will be monitored by the Military Unit of MINURSO.

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**Withdrawal of  
foreign forces**

No specific mention.

**Corruption**

No specific mention.

**Crime/organised  
crime**

No specific mention.

**Drugs**

No specific mention.

**Terrorism**

No specific mention.

## **Transitional justice**

**Transitional justice general** No specific mention.

**Amnesty/pardon** Transitional justice→Amnesty/pardon→Amnesty/pardon proper  
Page 2, II. MAIN ELEMENTS OF THE IMPLEMENTATION PLAN  
47. The implementation plan contained in the present report provides for a transitional period during which:  
(h) Following on the proclamation of an amnesty, political prisoners will be released and all laws or regulations which, in the view of the Special Representative, could impede the holding of a free and fair referendum will be suspended to the extent the Special Representative deems this to be necessary;

Page 9, X. RELEASE OF POLITICAL PRISONERS AND SUSPENSION OF LAWS WHICH MIGHT IMPEDE A FREE AND FAIR REFERENDUM

70. The Special Representative will take steps with the two parties to ensure the release, before the beginning of the referendum campaign, of all Western Saharan political prisoners or detainees and to this end an amnesty is envisaged as the first stage. In this work he will be assisted by an independent jurist appointed by the Secretary-General. Any difference concerning the release of political prisoners or detainees will be settled in a manner satisfactory to the Special Representative.

Page 9, XI. RETURN OF REFUGEES, OTHER WESTERN SAHARANS AND MEMBERS OF FRENTE POLISARIO ENTITLED TO VOTE

72. Following the completion of the work of the Identification Commission, all refugees who have been identified as having the right to vote in the referendum and who have expressed the wish to return to the Territory will be enabled to do so, together with their immediate families, through a programme organized by UNHCR. The Special Representative will designate a number of points at which returnees will be able to cross into the Territory. Security at these crossing-points and at reception centres established by UNHCR will be provided by the Military Unit of MINURSO. The Special Representative will also take such steps as may be necessary to ensure that the returnees will be able to take part in the referendum, without restriction or risk of being arrested, detained, intimidated or imprisoned. To this end they will be granted a general and complete amnesty.

**Courts** No specific mention.

**Mechanism** No specific mention.

**Prisoner release** Page 2, II. MAIN ELEMENTS OF THE IMPLEMENTATION PLAN  
47. The implementation plan contained in the present report provides for a transitional period during which:  
(c) There will be a cease-fire monitored by United Nations military personnel, followed by an exchange of prisoners of war under the auspices of the International Committee of the Red Cross (ICRC);

Page 2, II. MAIN ELEMENTS OF THE IMPLEMENTATION PLAN  
47. The implementation plan contained in the present report provides for a transitional period during which:  
(h) Following on the proclamation of an amnesty, political prisoners will be released and all laws or regulations which, in the view of the Special Representative, could impede the holding of a free and fair referendum will be suspended to the extent the Special Representative deems this to be necessary;  
(i) All refugees and other Western Saharans resident outside the Territory and wishing to return will be enabled to do so by the United Nations, after the latter has established their right to vote;  
(j) The referendum should be held 24 weeks after the cease-fire comes into effect and its results should be proclaimed within 72 hours. The Special Representative will have the authority to determine whether circumstances require any alteration in these deadlines;  
(k) Algeria and Mauritania will, as they have already indicated to the Secretary-General, co-operate with the Special Representative in ensuring that the transitional arrangements and the results of the referendum are respected.

Page 9, X. RELEASE OF POLITICAL PRISONERS AND SUSPENSION OF LAWS WHICH MIGHT IMPEDE A FREE AND FAIR REFERENDUM  
70. The Special Representative will take steps with the two parties to ensure the release, before the beginning of the referendum campaign, of all Western Saharan political prisoners or detainees and to this end an amnesty is envisaged as the first stage. In this work he will be assisted by an independent jurist appointed by the Secretary-General. Any difference concerning the release of political prisoners or detainees will be settled in a manner satisfactory to the Special Representative.

**Vetting** No specific mention.

**Victims** No specific mention.

**Missing persons** No specific mention.

**Reparations** No specific mention.

**Reconciliation** No specific mention.

## **Implementation**

**UN signatory** Proposed agreement accepted by all the parties. Agreement states: pg1, para 5, 'The Secretary-General of the United Nations and the current Chairman of OAU believe that the following proposals represent a compromise and a practical and reasonable basis for implementing OAU resolution AHG/Res 104 (XIX) and General Assembly resolution 40/50, while taking the two parties' interests into account.

**Other international signatory** No specific mention.

**Referendum for agreement** No specific mention.

**International  
mission/force/  
similar**

Page 1-2, II. MAIN ELEMENTS OF THE IMPLEMENTATION PLAN

47. The implementation plan contained in the present report provides for a transitional period during which:

(a) The Special Representative of the Secretary-General, acting under the authority of the Secretary-General and, as necessary, on instructions from and in consultation with him, will have sole and exclusive responsibility over all matters relating to the referendum, including its organization and conduct;

(b) The Special Representative will be assisted by a United Nations support group, including civilian, military and security (civil police) units, made available by the Secretary-General and large enough to enable the Special Representative to perform his organizational and supervisory functions;

Page 2, II. MAIN ELEMENTS OF THE IMPLEMENTATION PLAN

47. The implementation plan contained in the present report provides for a transitional period during which:

(c) There will be a cease-fire monitored by United Nations military personnel, followed by an exchange of prisoners of war under the auspices of the International Committee of the Red Cross (ICRC);

(g) The United Nations will monitor other aspects of the administration of the Territory, especially the maintenance of law and order, to ensure that the necessary conditions exist for the holding of a free and fair referendum;

Page 2, III. THE SPECIAL REPRESENTATIVE AND THE UNITED NATIONS MISSION FOR THE REFERENDUM IN WESTERN SAHARA

48. The Special Representative, appointed by the Secretary-General pursuant to Security Council resolution 621 (1988), will be his representative in Western Sahara for the implementation of the mandate to be conferred on the Secretary-General by the Security Council. The Special Representative, acting under the authority of the Secretary-General as described in paragraph 47 (a) above, will carry out the tasks provided for him in the settlement proposals and the present implementation plan. The Special Representative will ensure that all elements of the proposals and plan are complied with and he will, at all times, act in accordance with the terms of the proposals and the plan,

Page 3, III. THE SPECIAL REPRESENTATIVE AND THE UNITED NATIONS MISSION FOR THE REFERENDUM IN WESTERN SAHARA

49. The Special Representative will be assisted in his tasks by a deputy Special representative and by an integrated group of United Nations civilian, military and civil police personnel which he will head and direct. This group will be known as the United Nations Mission for the Referendum in Western Sahara (MINURSO). Arrangements concerning the status of MINURSO and its personnel will be made with the parties and with neighbouring States involved in the implementation of the settlement proposals. Further information on the proposed composition and tasks of the units comprising MINURSO is to be found in paragraphs 77 to 82 below.

Page 3, IV. TRANSITIONAL PERIOD

50. The transitional period will begin with the coming into effect of the cease-fire and end with the proclamation of the results of the referendum. However, the United Nations would continue to have responsibilities for monitoring either the withdrawal of Moroccan troops or the demobilization of Frente POLISARIO troops, depending on the outcome of the referendum. The discharge of these responsibilities could take from four to six weeks (see para. 75 below), Thereafter, the United Nations will require a further period of four weeks to effect the withdrawal of its personnel and equipment from the Territory. MINURSO's presence in the Territory is thus expected to last for up to 35 weeks from the coming into effect of the cease-fire, subject to the authority given to the Special Representative to determine whether circumstances require any alteration in the timing

**Enforcement mechanism** No specific mention.

**Related cases** No specific mention.

**Source** PIPLG

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