



## Security Council

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### Report of the Secretary-General on the situation concerning Western Sahara

#### I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1342 (2001) of 27 February 2001, by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2001 and requested me to provide an assessment of the situation before the end of that mandate. The Security Council acted in the expectation that the parties, the Kingdom of Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y del Río de Oro (Frente POLISARIO), under the auspices of my Personal Envoy, James A. Baker III, would continue to try to resolve the multiple problems relating to the implementation of the settlement plan and try to agree upon a mutually acceptable political solution to their dispute over Western Sahara. The present report covers developments since my previous report to the Council, dated 20 February 2001 (S/2001/148).

#### II. Developments during the reporting period

##### A. Activities of the Personal Envoy of the Secretary-General

2. During the reporting period, my Personal Envoy was able to fully re-engage in trying to assist the parties to find an early, durable and agreed resolution to their dispute over Western Sahara. In this regard, he consulted separately with representatives of the two

parties, with some members of the Security Council and representatives of MINURSO and the United Nations Secretariat.

##### B. The ceasefire and other developments

3. In my previous report to the Security Council (S/2001/148), I mentioned threats to peace in the area related to the passage of the Paris-Dakar rally through the Territory and into Mauritania on 7 and 8 January 2001. Although the Frente POLISARIO eventually suspended its decision to resume military operations at that time, tensions remained high and the integrity of the ceasefire was called into question by unmonitored deployment of POLISARIO forces and the latter's restrictions on the freedom of movement of MINURSO military observers. There have since been positive moves towards restoration of the status quo ante, but some restrictions on the Mission's freedom of movement remain in effect, as indicated in section E below. It is hoped that the Frente POLISARIO will take additional steps to return to full compliance with the ceasefire agreement.

4. On 15 March 2001, MINURSO was informed by the Moroccan military authorities of plans to begin construction of an asphalted road at the south-western corner of Western Sahara, across the 5-km buffer strip and into Mauritania near Nouadhibou. On the same day, an infantry company of the Royal Moroccan Army deployed in the Guerguerat area, about 1 kilometre north of a Royal Moroccan Army checkpoint where the coastal road crosses the berm. That company was to provide security for contractors who would be working

on the road from the checkpoint, heading south to the Nouadhibou-Nouakchott-Dakar road.

5. My Special Representative, William Eagleton, and the Force Commander, General Claude Buze, warned their Moroccan civil and military contacts that the proposed road building raised sensitive issues and involved activities that could be in violation of the ceasefire agreement. On 17 March, the Royal Moroccan Army commander of the southern military zone gave MINURSO written assurance that the Moroccan infantry company would not move south of the berm into the 5-km buffer strip. The date set for beginning the construction of the road, 25 March, has now passed and, at the time of writing of this report, there is no evidence of road construction in the area. I welcome this restraint and hope that the matter can be resolved satisfactorily by the parties involved, Morocco, Mauritania and the Frente POLISARIO.

6. During the reporting period, my Special Representative pursued consultations with the Government of Morocco and the Frente POLISARIO on developments in Western Sahara. On 27 February 2001, he met in Rabat with the Moroccan Secretary of State for Foreign Affairs, Taïeb Fassi Fihri. On 14 March, accompanied by the Chairman of the Identification Commission, Eduardo Vetere, he met in the Tindouf area with the Frente POLISARIO Coordinator with MINURSO, Emhamed Khaddad. On 28 March, my Special Representative met at Geneva with the United Nations High Commissioner for Refugees, Ruud Lubbers, and the Vice-President of the International Committee of the Red Cross (ICRC), Jacques Forster.

### **C. Appeals process**

7. During the reporting period, the Identification Commission completed the consolidation and quality control of the files received during the second round of appeals and corrected some minor errors that affected the provisional voter list. The first draft of a manual on hearings on the substance was produced, and discussed within the Commission, and its usefulness and practicability tested in simulation sessions with actual appeal files. Preparations were under way to enable the Identification Commission to begin hearing the pending appeals on an expedited basis, should the need arise.

8. The Chairman of the Identification Commission continued his consultations with the Coordinators of the Government of Morocco and the Frente POLISARIO on the work programme of the Commission, with particular attention to the corrections made to the provisional voter list as a result of the file consolidation process.

### **D. Prisoners of war**

9. During the past two months, there has regrettably been no progress towards the repatriation of the remaining 1,481 Moroccan prisoners of war held in camps in the Tindouf area of Algeria. The plight of these men, most of whom have been held for more than 20 years, is a humanitarian and human rights issue that should be addressed on an urgent basis. I once again call on the parties to arrange for the early repatriation of all prisoners, under the auspices of ICRC.

### **E. Military aspects**

10. As at 20 April 2001, the military component of MINURSO stood at the authorized strength of 230 military personnel (see annex). Under the command of General Claude Buze (Belgium), the military component continued to monitor the ceasefire between the Royal Moroccan Army and the Frente POLISARIO military forces, which came into effect on 6 September 1991.

11. Since the Paris-Dakar rally crossing of the Territory on 7 and 8 January 2001, the restrictions imposed by Frente POLISARIO military region commanders on the freedom of movement of United Nations military observers (S/2001/148, paras. 15-16) have seriously reduced the ability of MINURSO to monitor the military situation and the status of the ceasefire in the area east of the defensive wall (berm). During the reporting period, the Force Commander and United Nations military observers worked with Frente POLISARIO region commanders to reduce these restrictions. Currently, MINURSO ground patrols remain restricted to areas not closer than 800 metres to Frente POLISARIO combat units and observation posts. Large tracts of land south and east of the Agwanit team site are also out of bounds. MINURSO air reconnaissance is limited to the 30-km restricted area immediately east of the berm.

12. In the area of the Territory west of the berm, MINURSO military observer patrols continued to visit and inspect Moroccan ground military units of greater than company size, in accordance with the ceasefire arrangements between the Royal Moroccan Army and the Mission. On 5 March 2001, a MINURSO patrol identified two Royal Moroccan Army jet fighters in the restricted area along the berm. After a formal inquiry by MINURSO, the Royal Moroccan Army explained in a letter that the aircraft were on training flights and that the pilots had strayed into the restricted area.

### **F. Civilian police aspects**

13. As at 20 April 2001, the strength of the civilian police component of MINURSO stood at 34 officers (see annex), under the command of Inspector General Om Prakash Rathor (India). The civilian police officers continue to protect files and sensitive materials at the Identification Commission centres at Laayoune and Tindouf and to undertake training and planning for possible future activities. In that respect, MINURSO civilian police officers continued to undergo briefings by the Liaison Office of the Office of the United Nations High Commissioner for Refugees (UNHCR) in Laayoune on the protection content of voluntary repatriation and on international instruments concerning refugees.

### **G. Preparatory work for the repatriation of the Saharan refugees**

14. During the reporting period, UNHCR continued to carry out its mandated responsibilities for the Saharan refugees in the Tindouf camps in Algeria. In implementing its multisectoral care, maintenance and protection programme for the Saharan refugees, UNHCR monitored their welfare in all four Tindouf camps and coordinated its activities with the host Government and its implementing partners, as well as the refugees and the Frente POLISARIO leadership. UNHCR also continued to collaborate with my Special Representative and MINURSO components regarding the UNHCR role as foreseen in the United Nations settlement plan.

15. The reduction of basic assistance due to the financial constraints faced by UNHCR has had a negative impact on the beneficiaries in the camps,

especially the vulnerable refugees. UNHCR is carefully monitoring the overall situation and, together with its partners, is prioritizing its assistance programme to focus more on life-sustaining activities, with special focus on the vulnerable refugees.

16. On 22 February 2001, UNHCR coordinated a tripartite meeting with the World Food Programme (WFP) and the European Community Humanitarian Office (ECHO) at Geneva, with the primary objective of redressing the basic food situation in the camps. The main conclusions of the meeting included the emergency response of ECHO, which was to create a three-month buffer stock, and the reaffirmation by WFP of its commitment to deliver basic food thereafter. UNHCR organized a workshop in Algiers from 1 to 4 April 2001 to discuss its 2001 and 2002 implementation and operations plan with the host Government, non-governmental organization partners, and representatives of donor countries, United Nations agencies and refugees. The workshop recommended the establishment of an informal humanitarian group to share information and discuss issues related to the Saharan refugees in the Tindouf camps.

### **H. Organization of African Unity**

17. The United Nations has, from the outset, been working together with the Organization of African Unity (OAU) in the search for a solution to the Western Sahara problem. I wish to reiterate my appreciation for the continued support and contribution made by the OAU observer delegation to MINURSO, led by the OAU Senior Representative, Ambassador Yilma Tadesse (Ethiopia).

## **III. Financial aspects**

18. As indicated in my previous report (S/2001/148, para. 20), the General Assembly, by its resolution 54/268 of 15 June 2000, appropriated the amount of \$49.3 million, equivalent to a monthly rate of some \$4.1 million, for the maintenance of MINURSO for the period from 1 July 2000 to 30 June 2001. The appropriation provided by the Assembly for the Mission is sufficient to support its activities until the end of the current financial period. With regard to the 2001/2002 financial period beginning on 1 July 2001, my proposed budget for the Mission amounts to \$48.8

million and has already been reviewed by the Advisory Committee on Administrative and Budgetary Questions. I expect the General Assembly to consider the budget in May 2001 during the second part of its resumed fifty-fifth session. As at 31 March 2001, unpaid assessed contributions to the Special Account for MINURSO amounted to \$90.7 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to \$2,371.4 million.

#### **IV. Observations and recommendations**

19. Regrettably, I cannot report progress towards overcoming the obstacles to the implementation of the settlement plan. I do believe, however, that substantial progress has been made towards determining whether the Government of Morocco as the administrative power in Western Sahara is prepared to offer or support some devolution of authority for all the inhabitants and former inhabitants of the Territory that is genuine, substantial and in keeping with international norms.

20. Because that progress has been made, my Personal Envoy has recommended that the mandate of MINURSO be extended for a period of two months, until 30 June 2001, to provide time to consult further with the parties, either separately or at a meeting of the parties, or both, concerning both a possible devolution of authority as described above and a possible solution to the problems with the implementation of the settlement plan. I share the views of my Personal Envoy as set out above and recommend that the Security Council extend the mandate of MINURSO for two months, until 30 June 2001.

## Annex

### United Nations Mission for the Referendum in Western Sahara: contributions as at 20 April 2001

	<i>Military observers</i>	<i>Troops</i>	<i>Civilian police*</i>	<i>Total</i>
Argentina	1			1
Austria	3			3
Bangladesh	6			6
Belgium	1**			1
China	16			16
Egypt	19			19
El Salvador	2			2
France	25			25
Ghana	6	7		13
Greece	1			1
Guinea	3			3
Honduras	12			12
Hungary	6		2	8
Ireland	3			3
India			3	3
Italy	5			5
Jordan			9	9
Kenya	8			8
Malaysia	13		3	16
Nigeria	5			5
Norway			2	2
Pakistan	6		2	8
Poland	6			6
Portugal	4		8	12
Republic of Korea		20		20
Russian Federation	25			25
Senegal			4	4
Sweden			1	1
Uruguay	13			13
United States of America	15			15
<b>Total</b>	<b>204</b>	<b>27</b>	<b>34</b>	<b>265</b>

\* Authorized strength is 81.

\*\* Force Commander.

