

## Draft Resolution 1.4 (2013)

*Deeply disturbed* by the recent aggression of the POLISARIO *and* the kidnapping of MINURSO personnel;

*Further deploring* all human rights abuses in Western Sahara by all involved parties;

*Noting with regret* the necessity for the international community to react;

*Having adopted* General Assembly Resolution 34/37 of 1979, according to which POLISARIO is accepted by the United Nations as the representative of the people of Western Sahara, which requires POLISARIO to fully adhere to the United Nations Charter and thus refrain from the use of force,

*Recognizing* Security Council Resolutions 640 (1991), 1754 (2007), 1783 (2007), 1813 (2008), 1871 (2009), 1920 (2010), 1979 (2011), and 2044 (2012), but also recognizing that the current crisis has dramatically changed the situation of the Western Sahara and is the result of the lack of success of the previous resolutions;

*Recalling* resolution 690 (1991) concerning the referendum about the self determination of the Western Saharan people,

*Noting* the United Nations Mission for the Referendum in Western Sahara currently does not have the resources to uphold its mandate, namely to enforce a ceasefire in the Western Sahara,

The Security Council:

*1. Reaffirms* the will of the people of the Western Sahara to govern themselves and their right to self-determination;

*2. Emphasises* that the Western Sahara is currently not economically viable without the Kingdom of Morocco. To balance the desire for self-determination and economic viability and territorial integrity, the Council point towards the possibility of the Western Sahara to become an autonomous region, like offered in the ‘Moroccan Initiative for Western Sahara’ by the Kingdom of Morocco in 2006;

3. *Urges* all involved parties in the conflict of the Western Sahara to refrain from violence and human rights violations in accordance with the UN Charter;

4. *Calls* for transparency in the treatment of all persons in the region of the Western Sahara:

a) *Calls* for transparency in the treatment of all persons in the region of Western Sahara,

b) *Authorizes* the post of the Special Rapporteur to Human Rights Transparency in West Sahara,

c) *Designates* the Human Rights Council to fill the post of the Special Rapporteur to Human

Rights Transparency in West Sahara,

d) *Calls on* the office of the Special Rapporteur to Human Rights Transparency in West Sahara to publish an annual report to the office of the High Commissioner on Human Rights,

e) *Requests* the first report of the Special Rapporteur to Human Rights Transparency in West Sahara

include an assesment of the necessary resources and the personnel needed to fulfill the

rapporteur's mandate,

f) *Authorizes* the Human Rights Council of the United Nations to allocate the appropriate resources

to the Special Rapporteur to Human Rights Transparency in West Sahara on the basis of the first

report of the Special Rapporteur to Human Rights Transparency in West Sahara,

g) *decides* to remain siezed on the matter of Human Rights in the region of West Sahara.

5. *Approves* in accordance with article 47 of the UN Charter, the establishment of a Military Staff Committee to direct the military forces pledged by the French Republic and the United Kingdom to the government of Morocco

6. *Authorizes* the reinforcement of the MINURSO mission with manpower and equipment from members of the United Nations;

7. *Authorizes* MINURSO to undertake the following

7a. Protect the civilian population within the conflict area in the Western Sahara;

7b. Protect its personnel and facilities;

7c. Secure the border between Morocco proper and Western Sahara;

7d. Set an ultimatum for POLISARIO forces to retreat behind the Sand Wall until 48 hours and free hostages taken within 48 hours;

7e. Secure the Western Sahara west of the Sand Wall after the ultimatum has passed, using military force against hostile forces if necessary;

8. *Proclaims* that continued international support for the Kingdom of Morocco is conditional on the pledge of the Kingdom of Morocco to recognise an autonomous region for the people of the Western Sahara in its constitution;

9. *Recommends* the following competences to be delegated to the regional government: A regional parliament for which all Sahrawis can run and vote, chosen through regular elections, specifically, the regional government of the Western Sahara would become responsible for local police force and jurisdiction, economic development, regional planning, promotion of investment, trade, industry, tourism and agriculture, budget and taxation, water, electricity and transportation infrastructure, housing, education, health, employment, sports, social welfare and social security, cultural affairs and environmental issues.

10. *Further recommends* that the following competences should remain solely in the capacity of the central Moroccan government: National security including external defence and defence of territorial integrity, external relations between sovereign states not excluding re-

gional relations which will remain the competence of the regional authority, the national anthem and the Moroccan flag not excluding a regional flag or other cultural expressions;

*11. Confirms* the autonomous region would have the financial resources required for its development in all areas, sourced from taxes, duties and regional levies, proceeds from the development of natural resources allocated to the region, the share of proceeds collected by the Kingdom of Morocco from the development of natural resources located in Western Sahara, the necessary funds allocated in keeping with the principle of national solidarity, proceeds from the Western Sahara's assets;

*12. Further recognising* that the Kingdom of Morocco vows to continue the current subsidies of fuel and food and other forms of support currently given to the region;

*13. Requests* the Kingdom of Morocco to make use of all available means in order to secure the realisation of a referendum on the acquisition of independence of the autonomous region including not only the possibility of autonomy, but also of independence of the Western Sahara;

*14. Urges* MINURSO to call together a Transitional Council, consisting of a representative of  
all tribes of the Western Sahara to act as the representation of the people of the Western Sahara,

*a. Authorizes* MINURSO and the Kingdom of Morocco to call together the Transitional Council to consult them on the conduct of elections and the model the regional parliament of the Western Sahara will follow,

*b. Authorizes* MINURSO to adjudicate whether the conditions for a referendum have been met;

*c. Recommends* MINURSO to have thorough consultations with the Kingdom of Morocco and the regional government of Western Sahara in this regard

d. *Recommends* eligible voters for the first election for the regional parliament of the Western Sahara to include all Saharawi's, including refugees, and citizens of the Western Sahara of Moroccan descent

15. In order for this referendum to be held the following conditions must be met within a period of five years:

a. the region has to be able to sustain itself economically without support from the Kingdom of Morocco, the basic conditions of good governance, such as fair and regular elections;

b. The mandate of MINURSO will include adjudicating whether the conditions for a referendum have been met;

c. If the Kingdom of Morocco does not organise a referendum within 12 months after MINURSO adjudicates that the conditions for the referendum have been met, the Security Council will consider economic sanctions;

16. *Authorizes* MINURSO to access the Saharwi refugee camps in Algeria and inspect them; a. *Calls on* Algeria to assist MINURSO in accessing the camps,

b. *Recommends* the MINURSO to assist the refugees in their return to the Western Sahara

c. . *Urges* the World Bank and the IMF to invest into equipment for developing the capacity of Western Saharan fisheries and other crucial branches of the economy of Western Sahara,

d. *Recommends* the United Nations Development Program to support Western Sahara by

offering education programs,

e. . *Calls on* the European Union, the OSCE, United States, the French Republic and the other member states of the United Nations to actively assist the regional government with its institutions by training its staff,

17. *Urges* the Kingdom of Morocco to follow the outcome of the aforementioned referendum; 18. *Urges* all member states of the

United Nations to contribute to the developmental aid for Western Sahara

18. *Decides* to remain seized of the matter.