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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 1108 (1997) of 22 May 1997, in which the Council urged the parties, Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y del Río de Oro (Frente POLISARIO), to continue to cooperate with my Personal Envoy in his mission, and requested me to submit, by 15 September 1997, a comprehensive report on the results of my evaluation of all aspects of the Western Sahara issue.
2. In a presidential letter dated 18 September (S/1997/722), the Security Council agreed to my proposal, contained in a letter dated 12 September (S/1997/721), to defer the report until later this month, in order to take account of the results of the round of direct talks between the parties held from 14 to 16 September. The Council expected to receive my report in time to enable it to take action with regard to the United Nations Mission for the Referendum in Western Sahara (MINURSO), whose current mandate expires on 30 September 1997.
3. The present report covers developments since my interim report of 9 May 1997 (S/1997/358), including the efforts pursued by my Personal Envoy following his exploratory visit to the Mission area in late April, other aspects relevant to the settlement plan (S/21360 and S/22464), as well as my observations and recommendations.

II. MISSION OF THE PERSONAL ENVOY OF THE SECRETARY-GENERAL

4. Following his exploratory visit to the Mission area, my Personal Envoy, Mr. James A. Baker III, informed me that neither party had indicated any willingness to pursue any political solution other than implementation of the settlement plan. He advised that discussions with the two parties on the implementation of the plan would be necessary, but that the only way realistically to assess its implementability would be by arranging direct talks between them, under United Nations auspices. I decided therefore to invite the Government of Morocco and the Frente POLISARIO as well as the two neighbouring



countries, Algeria and Mauritania, to send high-level representatives to meet with my Personal Envoy in London, for separate consultations on that issue on 10 and 11 June. Throughout the consultations and subsequent direct talks, Mr. Baker was assisted by Mr. Erik Jensen, my Acting Special Representative for Western Sahara, Mr. Chester A. Crocker, former United States Assistant Secretary of State for African Affairs, and Mr. John R. Bolton, former United States Assistant Secretary of State for International Organizations.

5. In London, my Personal Envoy informed each delegation of the conclusions he had reached following his exploratory visit to the Mission area. He explained that direct talks between the two parties would be necessary, in order to address the obstacles in the implementation of the plan. The talks, which would start on 23 June, at Lisbon, would be private, would not constitute an international conference and would continue for as long as he felt that there was progress. Algeria and Mauritania, as observers, would be kept informed of developments, but would take part in the discussions only on issues directly affecting them.

6. My Personal Envoy further explained to the parties that, during the direct talks, he would make suggestions and offer ideas to facilitate their work, including proposals for bridging their differences to try to eliminate deadlocks. However, he would have no power to impose solutions on them, or veto agreements reached by them. It was agreed with the two parties and the two observer countries that complete confidentiality would be maintained and that no issue would be considered as finally agreed until all outstanding issues were agreed.

7. Under the ground rules set forth and agreed to in London, the first official direct contact between Morocco and the Frente POLISARIO under United Nations auspices was held at Lisbon on 23 June, in a good, cooperative atmosphere. The discussions started with the primary issue that had deadlocked the implementation of the settlement plan, namely the identification of prospective Saharan voters in the referendum. At the end of the first day, my Personal Envoy submitted a proposal to bridge the parties' differences in the identification process. The delegations of Algeria and Mauritania were kept fully briefed of developments. Since both sides indicated that they needed to consult with their principals before responding to Mr. Baker's proposal, the Lisbon meeting was adjourned on the second day. However, both parties gave their responses to my Personal Envoy within 48 hours.

8. This led to a second round of direct talks between the parties, held in London on 19 and 20 July. Algeria and Mauritania were also invited as previously. During those talks, agreement was reached on issues related to the identification of prospective voters and on preparations for the return of refugees (see annex I to the present report). In addition, the parties confirmed their support for the provisions of the settlement plan concerning the reduction and confinement of Moroccan forces during the transitional period. Those agreements, and all others subsequently reached in the direct talks under the auspices of my Personal Envoy, were reduced to writing and initialled by the parties.

9. At the end of the second round, the parties agreed to hold a third round of direct talks at Lisbon, on 29 and 30 August, during which they would continue their discussions on troop confinement and would also discuss issues related to the release of prisoners of war and of Saharan political detainees.

10. My Personal Envoy opened the third round of direct talks between the parties in Lisbon on 29 August, as scheduled. Algeria and Mauritania were again invited as previously. During the Lisbon talks, agreement was reached on issues related to the confinement of Moroccan and Frente POLISARIO forces and to the release of prisoners of war and Saharan political prisoners and detainees (see annex II).

11. While in Lisbon, my Personal Envoy also began discussions between the parties on a proposed code governing their conduct during the referendum campaign, as envisaged in the settlement plan. Following a general discussion on this question in the afternoon of 29 August, he decided to adjourn the talks, as the Moroccan delegation had not expected to discuss this issue in detail and therefore did not have the appropriate experts in attendance. The two parties agreed to hold the next round in the United States of America, with a view to reaching an agreement on the code and related issues.

12. The fourth round of direct talks between the two parties was held at Houston, Texas, from 14 to 16 September. Algeria and Mauritania attended again as observers. On 16 September, Morocco and the Frente POLISARIO reached agreement on the code of conduct for the referendum campaign and on a declaration of the parties relating to the authority of the United Nations during the transitional period. In addition, they agreed to a set of practical measures for the resumption of the identification process. The documents agreed to during this round are contained in annex III to the present report.

13. I take this opportunity to express again my appreciation to the Governments of Portugal and the United Kingdom of Great Britain and Northern Ireland, as well as the Baker Institute for Public Policy at Rice University in Houston, for having hosted the direct talks.

III. MILITARY AND CIVILIAN POLICE ASPECTS

Military component

14. On 18 July 1997, Major-General Jorge Barroso de Moura (Portugal) completed his assigned tour of duty as the Force Commander of MINURSO. The Chief of Staff, Colonel Mohd Isa bin Said (Malaysia), served as Acting Force Commander until the arrival of Major-General Bernd S. Lubenik (Austria), who took up his functions on 28 August. As at 24 September, the strength of the military component stood at 224 (annex IV).

15. During the reporting period, the situation in Western Sahara remained stable. The military component of MINURSO continued to monitor the ceasefire through daily ground patrols and helicopter reconnaissance. Both the Royal Moroccan Army and the Frente POLISARIO forces continued to cooperate with the military observers.

16. On 17 August, a Moroccan water tanker was allegedly fired upon. The incident was thoroughly investigated by MINURSO military observers, with the cooperation of both parties. However, responsibility for the incident could not be conclusively established.

Civilian police component

17. In my report of 5 May (S/1997/358), I indicated that the civilian police component was being phased out pending conclusion of the talks under the auspices of my Personal Envoy. Accordingly, the last three civilian police officers left on 2 June.

IV. OTHER ASPECTS OF THE SETTLEMENT PLAN

Saharan political prisoners and detainees

18. On 8 September, the Independent Jurist, Professor Emmanuel Roucouas, met with Moroccan officials in Rabat, to seek specific information on a list of 167 alleged political prisoners and detainees, submitted by the Frente POLISARIO and transmitted to the Government of Morocco by my Acting Special Representative on 17 January 1997. During the meeting, the Moroccan officials informed the Independent Jurist that they had identified only one individual on the list, a member of the armed forces who had deserted and received a death sentence, later commuted to life imprisonment. According to the authorities, the other persons listed were (a) dead, (b) unknown, (c) had joined the Frente POLISARIO, (d) had been released or (e) amnestied. In addition, some names on the list appeared more than once. When asked by the Independent Jurist for the names of the persons in these categories, the officials replied that they would be provided at a later stage, together with clarifications about repeated names. They also expressed concern that, as indicated in the Frente POLISARIO's transmittal letter, the list was provisional and therefore subject to changes or additions. The Independent Jurist is prepared to return to the region at the earliest opportunity in order to undertake further consultations with the parties.

Repatriation of refugees

19. In accordance with the agreement reached by the parties in London on 11 June, the Office of the United Nations High Commissioner for Refugees (UNHCR) began preparatory work in the region in early August. Two UNHCR delegations arrived in the Mission area on 6 and 9 August. A multidisciplinary technical team remained until 20 August, to carry out a survey of facilities and conditions in the Territory, in the refugee camps in the Tindouf area, and in Mauritania, in order to update the report of a UNHCR technical mission undertaken in 1995. A legal/protection team carried out a pilot registration project until the end of August, in three of the refugee camps. The team interviewed a number of residents in the camps, asking them whether they wished to be repatriated and, if so, to which final destinations in the Territory. UNHCR is pursuing its activities in order to complete the preparations for the repatriation of Saharan refugees in accordance with the provisions of the settlement plan and the agreements reached in the direct talks.

V. FINANCIAL AND ADMINISTRATIVE ASPECTS

20. On 5 August, the Governor of Laayoune informed MINURSO that the Government of Morocco would no longer be in a position to provide board and lodging to MINURSO personnel in Laayoune after August 1997. However, while in Houston for the direct talks of 14 to 16 September, the Moroccan authorities advised that facilities would continue to be provided to the MINURSO personnel in Laayoune beyond the current mandate. I am gratified that the Government of Morocco will continue to extend these facilities, in accordance with the agreement between the United Nations and the Government on the privileges and immunities of MINURSO, concluded by an exchange of letters dated 13 December 1991 and 15 January 1992.

21. In its resolution 51/2 B of 13 June 1997, the General Assembly appropriated \$30,229,800 gross for the maintenance of MINURSO, at its current strength, for the period from 1 July 1997 to 30 June 1998, to be assessed at the monthly rate of \$2,519,150 gross. I will submit an addendum to the present report shortly to provide the financial implications for the resumption and completion of the identification process, as outlined in paragraphs 28 to 30 of the present report.

22. As at 24 September 1997, unpaid assessed contributions to the MINURSO special account for the period since the inception of the Mission to 30 September 1997 amounted to \$46.2 million. The total outstanding assessed contributions for all peacekeeping operations as at 24 September 1997 was \$1,849 million.

VI. OBSERVATIONS AND RECOMMENDATIONS

23. When I appointed Mr. James A. Baker III as my Personal Envoy for Western Sahara, I asked him to undertake a fresh assessment of the situation, whose purpose would be threefold: to assess, in consultation with the parties, the implementability of the settlement plan in its present form; to examine whether there were any adjustments, acceptable to the parties, which would significantly improve the chances of implementing it in the near future; and, if not, to recommend other possible ways of resolving the conflict.

24. As indicated in paragraph 4 of the present report, my Personal Envoy concluded after his exploratory mission in late April 1997 that neither Morocco nor the Frente POLISARIO wished to pursue any political solution other than implementation of the settlement plan. I supported his view that the only way to address the obstacles in the implementation of the plan and assess its implementability would be through direct talks between the parties, under the auspices of the United Nations.

25. During the ensuing rounds of direct talks, as described in section II of the present report, the two parties agreed to bridging proposals on outstanding issues related to the identification of prospective voters in the referendum, to the preparatory work of UNHCR for the repatriation of Saharan refugees, and to the code governing the conduct of the parties during the referendum campaign. Compromise agreement was also reached by the parties, as well as the two

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observer countries, on the outstanding question of Frente POLISARIO troop confinement. With regard to prisoners of war and Saharan political detainees, the parties reaffirmed their commitment to the relevant provisions of the settlement plan and to cooperation with the International Committee of the Red Cross and the Independent Jurist. At the conclusion of the fourth round of direct talks, the parties agreed to a set of practical measures to be taken for the resumption of the identification process. They also agreed to an important declaration relating to the authority of the United Nations during the transitional period.

26. With these agreements, and the goodwill and spirit of cooperation shown during the talks, the main contentious issues that had impeded the implementation of the plan have thus been satisfactorily addressed. It may be recalled that in order to reach resolution of these issues, my Personal Envoy agreed with the parties at the start of the talks that no issue would be considered as finally agreed until all outstanding issues were agreed. With the successful completion of the last round, all the agreements reached in London, Lisbon and Houston have taken effect.

27. These achievements create the conditions to proceed towards the full implementation of the settlement plan, starting with the resumption of the identification process. I believe that MINURSO should be provided with the resources to do so on an urgent basis, in order to build on the current momentum. It is my intention to approach the competent legislative bodies with a view to obtaining the necessary commitment authority in this regard to begin this process. It is hoped, however, that the two parties, as well as the two observer countries, will be as cooperative in implementing the agreements as they were in reaching them. Ultimately, it is only the genuine commitment of the parties to the settlement plan and the agreements reached in the direct talks that will determine whether it is possible to fulfil the objectives of the plan.

28. I therefore recommend that MINURSO proceed with the implementation of the plan, starting with the completion of the identification process. The identification of all remaining prospective Saharan voters could be completed at the earliest feasible opportunity, provided that both parties cooperate totally with the Commission in carrying out its tasks in accordance with the measures agreed.

29. The identification operation would be conducted in successive phases. Identification would begin at four centres. It is estimated that 32 identification staff and 36 civilian police officers would be required to operate these centres. The operation would then be rapidly expanded to a maximum of nine centres operating concurrently, with an estimated additional staff of 40 identification and 45 civilian police officers. By the end of the process, the list of persons judged eligible to vote would be published, and the transition period could begin shortly thereafter, upon completion of other steps required by D-day in accordance with the settlement plan. On the basis of the original timetable for the transitional period, the referendum of self-determination in Western Sahara would thus be held within a year.

30. The identification operation should be resumed as soon as possible. As an immediate step, the identification records, stored at the United Nations Office at Geneva since July 1996, would be transferred back to MINURSO in Laayoune and Tindouf. During this period, experienced identification personnel and civilian police officers would be identified and recruited, in order to launch the process and train staff arriving subsequently. The list of Saharan sheikhs called upon to testify would be revised. Identification centres would be reopened by the end of this period and convocation lists of applicants to the referendum would start being issued.

31. In order to initiate this preparatory work and also to enable concerned members of the Security Council to consult with their authorities on the proposed expansion of MINURSO, I recommend that the mandate of the Mission be extended for three weeks, until 20 October 1997. I further recommend that the mandate of MINURSO be extended thereafter for a period of six months, until 20 April 1998, in order for the Mission to proceed with the identification tasks described in the three preceding paragraphs. The related cost estimates are being issued as an addendum to the present report.

32. Should these recommendations meet the approval of the Security Council, it would be my intention to dispatch a technical team to the Mission area during the first half of October 1997, to reassess the resources requirements for the deployment of MINURSO at full strength. I expect to revert to the Council in November with a comprehensive report, including a detailed plan, timetable and financial implications for the holding of the referendum of self-determination and fulfilment of the United Nations objectives in Western Sahara.

33. I wish to take this opportunity to express my deep gratitude to Mr. James A. Baker III for his invaluable contribution to overcoming the obstacles in the implementation of the settlement plan and moving the peace process forward in Western Sahara.

Annex I

Results of the second round of direct talks
London, 19 and 20 July 1997

I. COMPROMISE AGREEMENT ON OUTSTANDING IDENTIFICATION ISSUES

1. The parties agree that they will not directly or indirectly sponsor or present for identification anyone from tribal groupings H41, H61 and J51/52 other than persons included in the Spanish census of 1974 and their immediate family members, but the parties shall not be obligated to actively prevent individuals from such tribal groupings from presenting themselves. The parties agree that identification of any such individuals who may present themselves shall proceed as soon as possible.
2. The parties agree that persons from all other tribal groups from census categories H, I and J may come forward to be identified.
3. The parties agree that the Special Representative of the Secretary-General shall notify the parties of the results by number, but not name, of the identification process to date.
4. The parties acknowledge that, from the time of the original settlement plan, they have understood that credible oral testimony to the Identification Commission would be required, and the parties agree that in the identification process oral testimony will be received and considered by the Identification Commission, as provided for in the settlement plan.

II. COMPROMISE ON OUTSTANDING REFUGEE ISSUES

The parties concur that the Office of the United Nations High Commissioner for Refugees (UNHCR) should begin the steps preparatory to the process of repatriation of refugees in accordance with the settlement plan. In addition, they have agreed to cooperate with UNHCR in implementation of the repatriation programme in accordance with UNHCR's normal practice and established principles of repatriation.

Annex II

Results of the third round of direct talks
Lisbon, 29 August 1997

I. COMPROMISE AGREEMENT ON TROOP CONFINEMENT

1. The parties agree that Moroccan armed forces will be reduced and confined or contained in all respects strictly in accordance with the provisions of the settlement plan.
2. The parties and the observer nations of Algeria and Mauritania also agree that Frente POLISARIO armed forces will be confined or contained in locations and numbers as designated by the Special Representative of the Secretary-General (as called for in the settlement plan) provided, however, that no more than 2,000 individuals may be confined or contained on the territory of Western Sahara east of the sand berm and no more than 300 individuals on the territory of Mauritania. Frente POLISARIO armed forces over and above the number designated by the Special Representative of the Secretary-General for confinement or containment in Western Sahara east of the sand berm and in Mauritania shall be confined or contained on the territory of Algeria. As far as the locations of the troops to be confined and contained in Algeria and Mauritania are concerned, these locations will be identified in coordination with the Algerian and Mauritanian authorities.
3. This compromise agreement is for the sole purpose of further defining the rights and responsibilities of the parties and the observer nations regarding confinement or containment of troops for the purpose of carrying out the settlement plan and the referendum called for in such plan. This compromise shall in no way change, alter or otherwise affect the internationally recognized boundaries of Western Sahara, and shall not serve as precedent for any argument that such boundaries have changed or been altered.

II. PRISONERS OF WAR

1. The parties agree that all prisoners of war will be repatriated in accordance with the provisions of the settlement plan.
2. The parties further agree that they will continue their full cooperation with the International Committee of the Red Cross until the completion of the repatriation process.

III. POLITICAL PRISONERS OR DETAINEES

The parties agree that any and all Saharan political prisoners or detainees will be released, pursuant to the amnesty envisioned in the settlement plan, before the beginning of the referendum campaign. The parties further agree that they will fully cooperate with the Independent Jurist in carrying out his duties.

Annex III

Results of the fourth round of direct talks
Houston, Texas, 14-16 September 1997

I. DECLARATION OF THE PARTIES

1. The Parties agree to comply with their commitments as regards the identification process, repatriation of refugees, prisoners, detainees, confinement of their respective troops as well as the code of conduct for the referendum campaign.
2. The Parties understand and agree that the United Nations is required by the settlement plan to organize and conduct a referendum that is free, fair and transparent and free from all constraints, both for participants and accredited observers. They also understand and agree that the Special Representative of the Secretary-General will set the start of the referendum campaign when he is satisfied that all such conditions are met.
3. Accordingly, the Parties agree that the powers and authorities of the United Nations during the transitional period, as described in the settlement plan, and during the referendum campaign, as described in the code of conduct, shall apply to ensure, among other things, that there shall be complete freedom of speech and assembly, and of the press, as well as freedom of movement of personnel and property into, out of and within the Territory, thus creating a climate of public tranquillity within which a referendum free of all constraints, intimidation and harassment can be organized and conducted by the United Nations.
4. The Special Representative of the Secretary-General shall be authorized to issue regulations prohibiting graft, fraud, intimidation or harassment which could interfere with the organization and conduct of a free, fair and transparent referendum, and shall likewise be authorized to require that all Parties shall have equal access to all television and radio facilities for the purpose of broadcasting their respective views on the referendum. Television and radio facilities shall be made available at United Nations expense to the Special Representative of the Secretary-General to the extent he deems appropriate, in order to disseminate publicly information about the referendum in order to inform all eligible voters about their rights and obligations.

II. CODE OF CONDUCT FOR THE REFERENDUM CAMPAIGN IN
WESTERN SAHARA

Having regard to resolution 658 (1990), by which the Security Council approved the report of the Secretary-General of the United Nations on the situation concerning Western Sahara (S/21360),

Having regard to resolution 690 (1991), by which the Security Council approved the report of the Secretary-General (S/22464) and decided to establish,

under its authority, a United Nations Mission for the Referendum in Western Sahara (MINURSO),

Having regard to the aforementioned reports of the Secretary-General collectively referred to as the "Settlement Plan",

Having regard to regulations 5 and 8 to 10 of the General Regulations for the Organization and Conduct of the Referendum in Western Sahara issued by the Secretary-General on 8 November 1991 (S/26185, annex III), and

In order to ensure that the referendum on self-determination for the people of Western Sahara is free and fair, without military or administrative constraints and without any intimidation or interference, the Code of Conduct set out below shall govern the referendum campaign.

This Code of Conduct formulated and issued by the Special Representative of the Secretary-General after consultation with the two Parties shall govern the conduct and behaviour, during the referendum campaign, of the Parties and persons or groups of persons approved by the Special Representative of the Secretary-General, supporting one or the other Party participants in the referendum.

1. Sole and exclusive authority over all matters relating to the referendum, including its organization and conduct, shall be vested in the United Nations. This authority shall be exercised, within the framework established by the Settlement Plan, by the Special Representative of the Secretary-General.
2. The Special Representative shall, in accordance with the Settlement Plan, set the date for the commencement of the referendum campaign, which shall be at such time as he is satisfied that all conditions are met for a free and fair campaign and which date shall be three weeks prior to the date set for the referendum. No referendum campaign activities shall commence prior to that date.
3. The two Parties shall be entitled, in accordance with the provisions of this Code, to campaign freely for the support of those entitled to vote, during the period specified for this purpose in paragraph 2 above. Each Party shall respect the corresponding right of the other Party in this regard.
4. The two Parties shall respect the right of all persons or groups of persons wishing to participate in campaign events and activities, expressly prohibiting any form of intimidation, including intimidation of persons seeking access to polling centres. The two Parties shall see to it that no person or group of persons disrupts meetings, demonstrations and rallies organized by others having a different political view. The two Parties shall do what is needed to ensure that no person or group of persons seeks to prevent anyone from participating in meetings, demonstrations or political rallies organized by others to put forward a political position that is different from their own. It is understood that, apart from those returning under the auspices of UNHCR in accordance with the Settlement Plan, no party shall encourage, support or facilitate the transfer or movement of people in substantial number into the Territory without the express authority of the Special Representative.

5. Possession of weapons of any kind, including traditional weapons, shall be strictly prohibited during any meeting, march, demonstration or political rally related to the referendum campaign.

6. No meeting, demonstration or political rally involving 30 or more persons may be held or organized without the prior authorization, in writing, of the MINURSO civilian police who will consult with the existing security forces. In all cases where such consultation is required or permitted by this Code, the adequacy of such consultations shall be determined solely by the Special Representative. The Parties shall notify the MINURSO civilian police of their intention to hold a demonstration and shall apply for the required authorization at least two days prior to the proposed demonstration.

7. In accordance with its functions, which include monitoring the existing security forces, the MINURSO civilian police shall ensure that meetings, marches, demonstrations and rallies of opposing parties are not held close to one another, at the same time or in such a manner as to threaten public order and security. The two Parties undertake to cooperate with MINURSO in good faith so that this principle may be applied faithfully and reasonably should the dates or venues coincide.

8. Each Party shall establish direct lines of communication and maintain regular contact with the field offices of the Special Representative in the Territory, and shall keep the Special Representative apprised of any information he may request or need in order to ensure a free and fair campaign.

9. The two Parties shall respect the right to participate in authorized political meetings, demonstrations, marches and rallies conducted as part of the referendum campaign on the part of all voters entitled to participate in the referendum. Where necessary, the Special Representative shall take appropriate measures to ensure the security and freedom of access of the persons concerned, including consultations with the existing security forces.

10. The two Parties shall permit representatives of the international and local press and independent observers duly accredited by the Special Representative unrestricted access to all public political activities conducted during the referendum campaign and referendum. Such observers, to be accredited, must be recognized and experienced in election observation, shall perform only observation and reporting functions, and shall not engage in any partisan activities. The two Parties shall likewise respect the rights of official observers as are provided for under the Settlement Plan to observe and attest all political activities conducted during the referendum campaign and referendum.

11. Campaign material normally used, such as posters, video equipment, tapes, loudspeakers and, within reasonable limits, vehicles, shall be permitted at campaign activities. No national colours or flags, other than the United Nations flag, shall be displayed in any campaign activities or locations. Nor shall any national colours or flags be displayed except those that were on government buildings as at 14 September 1997.

12. The two Parties shall ensure that speakers at campaign events avoid at all times using language which is offensive or inflammatory or which threatens or incites violence in any form.
13. The two Parties shall refrain from issuing pamphlets, newsletters or posters, either officially or anonymously, having an offensive, abusive or inflammatory content.
14. The two Parties shall make every effort to ensure that persons or groups of persons do not plagiarize symbols of opposing groups or steal, remove or destroy their property or campaign materials.
15. Any complaint or allegation of intimidation or of any other form of unlawful conduct during the referendum campaign shall be brought immediately to the attention of the MINURSO civilian police office and the field office of the Special Representative. The head of the office in question shall immediately take steps to resolve the matter, including informing the existing security forces if, in his opinion, the occasion requires it. If this is not possible, the matter shall be referred to the Special Representative for a decision, which shall be final.
16. The two Parties shall issue directives to all persons or groups of persons requiring their strict compliance with this Code of Conduct and shall take all other steps necessary to ensure the effective implementation of the Code.
17. The two Parties shall cooperate with the Special Representative in publicizing the Code of Conduct throughout the Territory and in giving it the widest possible dissemination.
18. The Special Representative of the Secretary-General shall have the responsibility of guaranteeing the freedom of movement and the security of the population. The two Parties undertake to do their utmost to ensure respect for these rights.

III. PRACTICAL MEASURES TO BE TAKEN FOR THE RESUMPTION OF IDENTIFICATION

1. The responsibility for implementing the identification process lies with the Identification Commission.
2. The Commission will confirm the timetable and the locations for identification, as well as the operational procedures for identification. The Chairman of the Identification Commission will inform and provide the parties with relevant convocation lists in due time after the list of sheikhs and alternates for each tribal group to be identified has been established by the Chairman following consultations with the parties. All remaining applicants, as defined and agreed in London on 19 July 1997, will be convoked once.
3. The working week and hours of work, as well as other necessary practical measures to be taken in order to achieve the weekly programme, will be at the discretion of the centre leader.

4. In the interest of efficiency and economy, the necessary rotations will take place once a week from Laayoune and Tindouf. The parties will ensure that all participants concerned, sheikhs as well as observers, will be available to complete a full week's work, and accommodated accordingly.
5. The Organization of African Unity will be invited to observe in accordance with the settlement plan.
6. The parties undertake to cooperate fully with the Identification Commission in the discharge of its function.

Annex IV

Composition of the military component of the United Nations
 Mission for the Referendum in Western Sahara

	Strength as at 24 September 1997		
	Military observers	Support units	Total
Argentina	1		1
Austria	5		5
Bangladesh	6		6
China	16		16
Egypt	19		19
El Salvador	2		2
France	25		25
Ghana	6	7 ^a	13
Guinea	3		3
Honduras	12		12
Ireland	8		8
Italy	5		5
Kenya	8		8
Malaysia	13		13
Nigeria	3		3
Pakistan	5		5
Poland	3		3
Portugal	4		4
Republic of Korea	0	20 ^b	20
Russian Federation	22		22
Uruguay	13		13
United States of America	15		15
Venezuela	3		3
Total	197	27	224

^a Force orderly room.

^b Medical personnel.

