

105TH CONGRESS  
1ST SESSION

# H. RES. 245

Expressing the sense of the House of Representatives in support of a free and fair referendum on self-determination for the people of Western Sahara.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 1997

Mr. ROYCE (for himself, Mr. SMITH of New Jersey, Mr. MENENDEZ, and Mr. PAYNE) submitted the following resolution; which was referred to the Committee on International Relations

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## RESOLUTION

Expressing the sense of the House of Representatives in support of a free and fair referendum on self-determination for the people of Western Sahara.

Whereas the International Court of Justice, in its opinion of October 16, 1975, declared that there is no establishment of any legal ties of territorial sovereignty between the territory of Western Sahara and the Kingdom of Morocco;

Whereas the September 1991 cease-fire accord between the Kingdom of Morocco and the Front for the Liberation of Saguia el Hamra and Rio de Oro, also known as the Polisario Front, called for a referendum by the legitimate people of Western Sahara;

Whereas the referendum originally scheduled for January 1992 has been repeatedly postponed because of disagreement over voter eligibility;

Whereas the United Nations has appointed former United States Secretary of State James Baker III as Personal Envoy of the Secretary General for Western Sahara to end the current referendum stalemate;

Whereas talks between the Kingdom of Morocco and the Polisario Front mediated by Mr. Baker have achieved agreement on ways to end the referendum stalemate;

Whereas the end of the stalemate over the Western Sahara referendum would allow for the release of civilian political prisoners and prisoners of war held by Morocco and the Polisario Front; and

Whereas the United States supports the holding of a free, fair, and transparent referendum on self-determination for the people of Western Sahara: Now, therefore, be it

1       *Resolved*, That the House of Representatives—

2               (1) expresses its full support to former United  
3       States Secretary of State James Baker III in his  
4       mission as Personal Envoy of the United Nations  
5       Secretary General for the Western Sahara;

6               (2) expresses its support for a referendum on  
7       self-determination for the people of Western Sahara  
8       that should meet the following criteria:

9               (A) free, fair, and transparent and held in  
10       the presence of international and domestic ob-

1 servers and international media without admin-  
2 istrative or military pressure or interference;

3 (B) only genuine Sahrawis, as identified in  
4 the method agreed to by both sides, will take  
5 part in the referendum voting; and

6 (C) the result, once certified by the United  
7 Nations, is accepted by both sides;

8 (3) encourages the release of civilian political  
9 prisoners and prisoners of war held by Morocco and  
10 the Polisario Front at the earliest possible date; and

11 (4) requests the administration to fully support  
12 former United States Secretary of State James  
13 Baker III in his mission of organizing a free, fair,  
14 and transparent referendum on self-determination  
15 for the people of Western Sahara without military or  
16 administrative constraints.

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