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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Western Sahara

Working paper prepared by the Secretariat

I. Reports and good offices of the Secretary-General

1. Pursuant to General Assembly resolution [76/89](#), the Secretary-General submitted to the Assembly at its seventy-seventh session a report on the question of Western Sahara ([A/77/506](#)). The report covered the period from 1 September 2021 to 31 August 2022 and contained a review of the activities carried out by the Secretary-General in the exercise of his good offices.
2. During the period under review, pursuant to Security Council resolution [2602 \(2021\)](#), the Secretary-General also submitted a report, on 3 October 2022, to the Security Council on the situation concerning Western Sahara ([S/2022/733](#)). The present working paper provides a summary of the aforementioned reports, with additional information regarding the consideration of that question by the Security Council and the General Assembly.
3. In its resolution [2602 \(2021\)](#), adopted on 29 October 2021, the Security Council decided to extend the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 31 October 2022. In the same resolution, the Council called upon the parties to resume negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account the efforts made since 2006 and subsequent developments, with a view to achieving a just, lasting and mutually acceptable political solution, which would provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in that respect; and invited Member States to lend appropriate assistance to those talks.
4. The report of the Secretary-General to the Security Council ([S/2022/733](#)) covered developments since his previous report dated 1 October 2021 ([S/2021/843](#)) and provided, among other things, information on the situation on the ground, the status of political negotiations on Western Sahara, the implementation of resolution



[2602 \(2021\)](#) and the existing challenges to the Mission's operations and steps taken to address them.

5. In his report, the Secretary-General informed the Security Council that, during the reporting period, the situation had been characterized by low-intensity hostilities between Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y Río de Oro (Frente POLISARIO) and enduring challenges to the operational environment of MINURSO, including related to the coronavirus disease (COVID-19) pandemic.

6. Most firing incidents across the berm reported to MINURSO by the parties had been concentrated in the north of the Territory, near Mahbas. According to MINURSO calculations based on the reported incidents, the incidents of firing reported by the parties had steadily decreased since January 2021. While MINURSO had not been able to independently confirm the number and location of the reported firing incidents, their impact had remained the subject of divergent claims.

7. MINURSO had continued to note reports of strikes conducted by Royal Moroccan Army unmanned aerial vehicles east of the berm. In some instances, media reports had indicated that civilian casualties had occurred as a result of the aerial strikes. Owing to the time needed to receive authorization from the parties to visit those sites, MINURSO had only been able to independently confirm that casualties had occurred on one occasion, on 16 November 2021 in the Mijek area. In addition, MINURSO had observed traces of human remains at four other sites.

8. Legislative, regional-level and commune-level elections had been held in Morocco and in the part of Western Sahara under Moroccan control on 8 September 2021. In a letter addressed to the Secretary-General on 13 September, the Permanent Representative of Morocco had referred to the reported rates of participation by voters in Western Sahara as “a new confirmation, through the ballot box, of the unwavering commitment of citizens of the southern provinces to their Moroccaness”. On 19 September, the Frente POLISARIO representative in New York and coordinator with MINURSO, in a letter addressed to the Secretary-General, had stated that the elections “cannot have any effect on the legal status of Western Sahara”.

9. On 30 October 2021, after the Security Council had adopted resolution [2602 \(2021\)](#), Frente POLISARIO had issued a press release asserting that “faced with Security Council's repeated inaction”, the Sahrawi people “are left with no choice but to continue and intensify their legitimate armed struggle to defend the sovereignty of their country and to ensure the exercise of their inalienable and non-negotiable right to self-determination and independence”.

10. On 6 November 2021, King Mohammed VI of Morocco had delivered a speech on the occasion of the forty-sixth anniversary of the Green March, in which he had stated that “the Moroccaness of the Sahara is an immutable and indisputable fact” and had added that “Morocco is not negotiating over its Sahara”. The King had further affirmed Morocco's “commitment to a peaceful solution” and full support for the efforts of the Secretary-General “to reactivate the political process as soon as possible”.

11. On 20 August 2022, in a speech celebrating the sixty-ninth anniversary of the Revolution of the King and the People, King Mohammed VI had stated that Western Sahara “is the clear, simple benchmark whereby my country measures the sincerity of friendships and the efficiency of partnerships”. In a statement on 21 August, Frente POLISARIO had asserted that the speech had put “a new stumbling block in the way of international efforts aimed at completing the decolonization of the last colony in Africa”.

12. During the reporting period, the Organisation of Eastern Caribbean States, Suriname, Togo and Cabo Verde had inaugurated “Consulates General” in Dakhla. In letters addressed to the Secretary-General on 31 March, 26 May, 21 July and 1 September 2022, Frente POLISARIO had called those diplomatic representations a “violation of international law and ... breach of the international legal status of Western Sahara as a Non-Self-Governing Territory”.

13. West of the berm, Morocco had continued investing in infrastructure development. On 23 June 2022, the Moroccan authorities had announced the signature of four agreements related to a seawater desalination project for the city of Dakhla. Frente POLISARIO had continued to protest that such investments were in violation of international law.

14. The new Personal Envoy of the Secretary-General for Western Sahara, Staffan de Mistura, had taken up his functions on 1 November 2021 and had held consultations with all concerned.

15. From 13 to 20 January 2022, the Personal Envoy had completed an initial tour of the region, visiting successively Rabat, Tindouf/Rabouni, Nouakchott and Algiers. The purpose of that first visit had been to hear the views of all concerned on how to make progress towards a constructive resumption of the political process on Western Sahara.

16. In Rabat, the Personal Envoy had held in-depth discussions with the Minister for Foreign Affairs of Morocco, Nasser Bourita, during which he had been briefed in detail about the 2007 Moroccan autonomy proposal. The Minister had expressed interest in seeing the political process relaunched.

17. On 16 January, in Rabouni, the Personal Envoy had met with the Secretary-General of Frente POLISARIO, Brahim Ghali. Frente POLISARIO interlocutors had reiterated their position concerning the need to achieve the self-determination of the people of Western Sahara, and that there was currently a “situation of war”, with daily casualties on both sides. In their view, the “lack of attention” by the international community to the issue of Western Sahara, in addition to facts on the ground, had made the return to hostilities their “only option”. Their “commitment to the ceasefire had ended”. Several Frente POLISARIO interlocutors, however, had expressed hope for a renewed process and confidence-building measures that could make a positive impact on the situation on the ground.

18. In Nouakchott, on 17 January, the President of Mauritania, Mohamed Ould Cheikh El Ghazouani, and the then Minister for Foreign Affairs, Cooperation and Mauritania Abroad, Ismail Ould Cheikh Ahmed, had expressed to the Personal Envoy the support of Mauritania for the United Nations-facilitated political process and had indicated their country’s availability to assist within a context of “positive neutrality”.

19. Receiving the Personal Envoy in Algiers on 19 January, the Minister for Foreign Affairs of Algeria, Ramtane Lamamra, and Algeria’s Special Envoy for Western Sahara, Amar Belani, had reiterated the Algerian position that the issue was one related to decolonization. Algerian interlocutors furthermore had reaffirmed that Algeria should be considered along with Mauritania as a “concerned neighbour” and expressed doubts on the round-table process and any effort they might see as aiming to reframe the situation as a “regional conflict”.

20. In the third quarter of 2022, the Personal Envoy had completed a second set of visits to all concerned actors in the region. During a visit to Rabat from 2 to 7 July, the Minister for Foreign Affairs of Morocco had further shared his sense that the time had not come for his Government to elaborate on its proposal. The Minister had suggested that the Personal Envoy should first reconvene round tables with the

participation of Morocco, Frente POLISARIO, Algeria and Mauritania, for a discussion to be based exclusively on the Moroccan proposal and in the context of Morocco's "national sovereignty and territorial integrity".

21. Before that visit, the Personal Envoy had communicated to the Moroccan authorities his intention to visit Western Sahara. He had also flagged that intention publicly ahead of his trip, noting that he would be guided by the format of the visits undertaken by his predecessors. In the course of consultations with the Moroccan authorities about the planning of his proposed visit to Western Sahara, the Personal Envoy had been informed of the position of the Government of Morocco that it would not be possible for him to meet with civil society representatives and women's organizations on the occasion of that first visit. In light of United Nations principles, in particular the importance of women's equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and also considering the importance of engaging with civil society organizations, the Personal Envoy had decided not to proceed with a visit to Western Sahara during the trip, but had stated that he looked forward to doing so during his next visits to the region.

22. On 3 and 4 September, the Personal Envoy had travelled again to Rabouni to meet with the leadership of Frente POLISARIO. With reference to the 2007 proposal by Frente POLISARIO, and in light of the current political and security environment, he had engaged with his interlocutors concerning their approach to the next steps. The Secretary-General of Frente POLISARIO and other senior officials had repeated the emphasis they placed on the self-determination of the people of Western Sahara through a referendum and how the political impasse had led them to the "resumption of armed conflict". The Personal Envoy had expressed the hope that a resumption of the ceasefire could be pursued, in an effort to reduce tensions and build an environment more conducive to the political process. In the course of the visit, the Personal Envoy had met with local women's organizations and civil society groups, including youth representatives, to hear their perspectives on the general situation and the political process. His interlocutors had expressed their frustration at the lack of a political solution. They had also emphasized their concern about the further reduction in humanitarian aid in the refugee camps and the negative impact of that unsustainable situation on the population.

23. In Algiers, on 5 September, the Personal Envoy had met with the Minister for Foreign Affairs and the Special Envoy for Western Sahara, who had discussed the issue of Western Sahara at length and had reiterated the full support of Algeria for his efforts and for the political process, emphasizing that it should lead to the self-determination of the people of Western Sahara and noting the need for a direct dialogue between Morocco and Frente POLISARIO. The Personal Envoy had visited Nouakchott on 12 and 13 September, where he had been received by the President of Mauritania and the new Minister for Foreign Affairs, Mohamed Salem Ould Merzoug, who had reiterated the principle of their country's "positive neutrality", while signalling readiness to assist his efforts when circumstances would be conducive to progress.

24. The Personal Envoy had also undertaken consultations on the issue of Western Sahara with members of the Security Council, members of the Group of Friends on Western Sahara and other interested actors. Among others, he had met with New York-based interlocutors during his visits to United Nations Headquarters in November 2021 and February and April 2022; the High Representative of the European Union for Foreign Affairs and Security Policy, Josep Borrell Fontelles, and senior Italian government officials in Rome in December 2021; the Minister for Foreign Affairs of Spain, José Manuel Albares Bueno, also in Rome on 3 December 2021, in Madrid on 21 January and in Brussels on 21 March 2022; senior French Government officials in Paris on 27 January 2022; the Secretary of State of the United States of America,

Antony Blinken, in Washington, D.C., on 3 February 2022; various senior international officials on the margins of the Munich Security Conference in February 2022; senior government officials of the United Kingdom of Great Britain and Northern Ireland in London on 28 March 2022; senior officials in the Government of Sweden in Stockholm on 9 May 2022; and senior officials in the Government of Germany in Berlin on 10 May 2022. He had furthermore spoken by telephone with senior government officials of the Russian Federation. In those meetings and interactions, the Personal Envoy had noted with appreciation the expressions of support by his interlocutors for the efforts by the United Nations to facilitate a political settlement of the situation in Western Sahara.

25. In line with paragraph 10 of Security Council resolution [2602 \(2021\)](#), the Personal Envoy had briefed the Council on 20 April 2022 on his mission and plans for the way forward and had received broad support from the members of the Council for his efforts.

26. With regard to the activities of MINURSO, the Secretary-General reported that, from 1 September 2021 to 31 August 2022, MINURSO had conducted approximately 397,859 km of ground patrols and 938 hours of air patrols. West of the berm, MINURSO had continued to exercise its freedom of movement. Owing to security and safety concerns, helicopter reconnaissance flights had been able to operate only at a safe distance of 15 km away from the berm. With regard to ground patrols, areas along the berm where no exchanges of fire had been reported had been identified to enable the conduct of patrolling in those areas. During the reporting period, MINURSO had been able to conduct 6,167 visits to Royal Moroccan Army headquarters, units, subunits, strong points and observation posts west of the berm. Cooperation and communications at the strategic level between MINURSO and the Command of the Royal Moroccan Army in the southern sector had remained unaltered.

27. East of the berm, ground operations had continued to be conducted along 20 km corridors from each team site. Ground patrols had not been allowed inside the units and headquarters of Frente POLISARIO and had been required to remain at least 200 m away from them. MINURSO ground patrols had attempted to conduct a total of 2,407 visits to Frente POLISARIO units and headquarters but had been denied access. Helicopter resupply flights to team sites east of the berm had been allowed at relatively regular intervals, approximately twice a month, subject to prior approval by Frente POLISARIO. No logistical and maintenance ground convoys had been permitted since 13 November 2020. In a letter to the Acting Force Commander on 18 July, the Frente POLISARIO coordinator with MINURSO had reiterated that the Frente POLISARIO “assessment regarding the high risks associated with the ground convoys remains unchanged”.

28. The Acting Force Commander had been unable to establish direct contact with the leadership of the Frente POLISARIO military forces, and all communications had been conducted only by way of written correspondence. The Frente POLISARIO military forces had also declined requests to increase the frequency of MINURSO logistics flights and investigation aerial or ground patrols east of the berm, allowing ground patrols only on occasion to the sites of suspected aerial strikes, especially in cases of reported civilian casualties. As a result of those continued limitations, MINURSO had been unable to directly observe exchanges of fire across the berm or verify the specific details of individual incidents. Instead, the Mission had continued to rely on information reported daily by the parties, which it had not been able to independently verify.

29. Between 1 September 2021 and 31 August 2022, the Royal Moroccan Army had reported to MINURSO 691 incidents involving firing from a distance against its units

at or near the berm, 64 per cent of which had been concentrated in Mahbas. MINURSO had not been able to conduct on-the-ground verification owing to the security situation.

30. During the same period, Frente POLISARIO had issued regular media reports regarding the alleged targeting of and attacks on Royal Moroccan Army positions along the berm. The Frente POLISARIO military forces had announced they had conducted 1,001 firing incidents against the Royal Moroccan Army.

31. MINURSO had documented 18 reported strikes conducted by Royal Moroccan Army unmanned aerial vehicles east of the berm since 1 September 2021, including one on 26 July 2022 reportedly leading to the death of the Chief of Staff of the Frente POLISARIO Fourth Military Region. On each occasion, MINURSO had immediately liaised with the parties to receive additional information. On 12 occasions, and in coordination with Frente POLISARIO, MINURSO had been able to visit the sites of the reported incidents that had occurred east of the berm, while on six occasions authorization to visit the suspected sites had been denied on grounds that they were located in areas of restricted military operations. In eight instances, investigations conducted by MINURSO military observers assisted by experts from the mine action component had been able to confirm that some form of aerial strike had taken place.

32. During the reporting period, mine action activities had been limited to emergency disposal of explosive ordnance, route verification and combined explosive ordnance risk education and COVID-19 prevention messaging for civilians. Owing to the suspension of operations, no land release activities had been able to be conducted.

33. MINURSO had assessed that there had been a renewed threat of landmines and explosive remnants of war in the Territory, including in areas previously deemed safe since 2020. As at 31 August 2022, 24 of 61 known minefields and 42 of 527 known cluster strike areas had remained to be released east of the berm.

34. Turning to humanitarian activities and human rights, the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF) and the World Food Programme (WFP) had continued to deliver humanitarian assistance to Sahrawi refugees in the five camps near Tindouf, Algeria. However, with alarming trends of malnutrition and cuts of more than 80 per cent in food rations, the refugees had been at risk of serious food insecurity and malnutrition. On 24 August 2022, the United Nations system in Algeria had issued a statement outlining the urgent and critical needs related to food and malnutrition in the camps and calling on the international community to renew funding efforts and to bring an appropriate response to the emergency.

35. The confidence-building measures, pursuant to Security Council resolution [1282 \(1999\)](#) and subsequent resolutions, to allow family links between Sahrawi refugees and their communities of origin in the Territory had remained on hold.

36. During his visits to the region and in the course of other interactions with relevant interlocutors, the Personal Envoy had expressed to all concerned his belief, which was shared by the Special Representative, that measures potentially leading to de-escalation between Morocco and Frente POLISARIO, including confidence-building measures such as a resumption of family visits, would be highly welcome. He had noted that none of his interlocutors had expressed immediate interest in further work on those issues.

37. The Office of the United Nations High Commissioner for Human Rights had been unable to conduct any visits to Western Sahara for the seventh consecutive year despite multiple requests and despite the Security Council in its resolution [2602 \(2021\)](#) strongly encouraging enhanced cooperation. The lack of first-hand information had been detrimental to a comprehensive assessment of human rights in

the region. Moreover, international human rights defenders, researchers, lawyers and observers had allegedly been expelled from or denied entry into Western Sahara.

38. On 29 and 30 July 2022, the African Union Commissioner for Political Affairs, Peace and Security had visited Tindouf on an information-gathering mission. During the visit, the Commissioner had met with Frente POLISARIO, including its Secretary-General, and had reiterated the Union's commitment to peace in Western Sahara.

39. In his observations and recommendations, the Secretary-General remained deeply concerned by the developments in Western Sahara. The resumption of hostilities between Morocco and Frente POLISARIO remained a major setback to the achievement of a political solution to that longstanding dispute. Daily incursions into the buffer strip adjacent to the berm and hostilities between the parties in that area violated its status as a demilitarized zone that should instead remain a cornerstone of a peaceful solution to the situation of Western Sahara. The continued lack of an effective ceasefire threatened the stability of the region, with a risk of escalation while hostilities persisted. The conduct of aerial strikes and firing across the berm continued to contribute to increasing tensions.

40. Despite that challenging context, it remained the belief of the Secretary-General that a political solution to the question of Western Sahara was possible, provided that all concerned engaged in good faith and there was continued support from the international community. The United Nations remained available to convene all those concerned with the issue of Western Sahara in the search for a peaceful solution. The efforts by his Personal Envoy provided an opportunity that the Secretary-General urged all to seize. Strong political will was required to find a just, lasting and mutually acceptable political solution that would provide for the self-determination of the people of Western Sahara in accordance with Security Council resolutions [2440 \(2018\)](#), [2468 \(2019\)](#), [2494 \(2019\)](#), [2548 \(2020\)](#) and [2602 \(2021\)](#).

41. To that end, the Secretary-General urged all concerned to approach the facilitation of the process by his Personal Envoy with an open mind and to desist from preconditions for the political process.

42. The Secretary-General regretted to note that lack of trust continued to permeate the region. In the Territory, ongoing unilateral assertive actions and symbolic gestures were a source of enduring tension and had a negative impact on the situation. He encouraged the parties to focus on the strong interests they had in common and urged them to refrain from escalating the situation further through rhetoric and actions.

43. MINURSO had operated in a fundamentally changed operational and political context since the resumption of hostilities and had undertaken a wide range of efforts to adapt to the new circumstances, particularly with a renewed emphasis on operational planning. However, continued restrictions on freedom of movement had led to the inability of MINURSO to safely access areas at or near the berm or the buffer strip and operate a safe and reliable logistics, maintenance and resupply chain to team sites east of the berm. Fully restoring the ability of MINURSO to observe the situation in the entire Territory and to provide critical maintenance to its team sites east of the berm was intrinsic to its sustainability and as urgent as ever. The Secretary-General strongly urged Frente POLISARIO to remove all restrictions to the free movement of MINURSO military observers, ground convoys, air assets and personnel east of the berm. It also remained essential that the Royal Moroccan Army refrain from conducting military activity that might directly or indirectly affect MINURSO operations east of the berm. The Secretary-General was concerned that, without full freedom of movement, MINURSO might soon be unable to sustain its presence east of the berm.

44. The Secretary-General welcomed the resumed engagement between Morocco and his Special Representative and urged Frente POLISARIO to resume regular contacts in person with the MINURSO leadership, both civilian and military.

45. The Secretary-General remained concerned about the continued suspension of regular mine action operations east of the berm, with the exception of ground patrol route clearance, emergency services and support for MINURSO investigations at sites of suspected aerial strikes. He was encouraged, however, by the signalled willingness by both parties to allow the resumption of demining operations and called on both parties to reach a final agreement with MINURSO in that respect that enabled the resumption of that life-saving work. He also called on both parties to engage with the MINURSO mine action component to facilitate the removal of landmines and explosive remnants of war throughout the Territory in adherence to international humanitarian mine action standards.

46. The Secretary-General was concerned about the further deteriorating humanitarian situation in the refugee camps near Tindouf. Living standards for the vulnerable camp-based refugees had worsened as a result of the COVID-19 pandemic and the impact of the rise in global food and fuel prices and supply chain disruptions. As a result, the situation was becoming increasingly alarming, with serious short-term threats to the refugee population's food security and access to basic services. He thanked the international community and the Government of Algeria for its assistance to the Sahrawi refugees and wished to echo the call of UNHCR, UNICEF and WFP to the international community to renew efforts and provide additional and urgent support to bring an appropriate response to that emergency.

47. MINURSO remained the main and often sole source of impartial information and advice to the Secretary-General, the Security Council, the Member States and the Secretariat concerning developments in and related to the Territory. It continued to fulfil that role despite the increasingly serious challenges it faced in a fundamentally changed operational and political environment and integrated strategic planning capabilities that were insufficient to respond to the current situation on the ground. MINURSO represented the commitment of the United Nations and the international community towards achieving a just, lasting and mutually acceptable political solution to the conflict in Western Sahara in accordance with Security Council resolutions [2440 \(2018\)](#), [2468 \(2019\)](#), [2494 \(2019\)](#), [2548 \(2020\)](#) and [2602 \(2021\)](#). The Secretary-General therefore recommended that the Council extend the mandate of MINURSO for another year, until 31 October 2023.

II. Consideration by the Security Council

48. Following its consideration of the report of the Secretary-General, the Security Council adopted resolution [2654 \(2022\)](#) on 27 October 2022, by which it decided to extend the mandate of MINURSO until 31 October 2023. In the same resolution, the Council expressed its full support for the Secretary-General and his Personal Envoy to facilitate the negotiations process in order to achieve a solution to the Western Sahara question.

49. The Council emphasized the need to achieve a realistic, practicable and enduring political solution to the question of Western Sahara based on compromise and called upon the parties to resume negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account the efforts made since 2006 and subsequent developments, with a view to achieving a just, lasting and mutually acceptable political solution, which would provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and

noting the role and responsibilities of the parties in that respect. The Council also emphasized the importance of a renewed commitment by the parties to advancing the political process in preparation for further negotiations and called upon the parties to demonstrate political will and work in an atmosphere propitious for dialogue in order to advance negotiations.

III. Consideration by the General Assembly

50. During the debate held by the Special Political and Decolonization Committee (Fourth Committee) on 3, 11, 13 and 14 October 2021, Member States addressed, among other things, the issue of Western Sahara. Member States welcomed the efforts of the Secretary-General and his Personal Envoy for Western Sahara, Staffan de Mistura. Some supported the position of Morocco and its autonomy plan, while others expressed support for the right of the Sahrawi people to self-determination (see [A/C.4/77/SR.2](#), [A/C.4/77/SR.7](#), [A/C.4/77/SR.8](#) and [A/C.4/77/SR.9](#)).

51. At its 9th meeting, on 14 October, the Committee had before it a draft resolution entitled “Question of Western Sahara” ([A/C.4/77/L.4](#)), submitted by the Chair, which it adopted without a vote.

52. On 12 December, the General Assembly adopted the draft resolution, without a vote, as resolution [77/133](#). In that resolution, the Assembly, among other things, welcomed the commitment of the parties to continue to show political will and work in an atmosphere propitious for dialogue, also welcomed the ongoing negotiations between the parties, called upon the parties to cooperate with the International Committee of the Red Cross and to abide by their obligations under international humanitarian law, requested the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara and to report thereon to the Assembly at its seventy-eighth session and invited the Secretary-General to submit to the Assembly at its seventy-eighth session a report on the implementation of the resolution.
