Chapter II

Africa

Conflicts in several African countries showed signs of abatement in 2002, due in part to United Nations involvement in the peace processes and mediation efforts. While the most remarkable progress was seen in Angola and Sierra Leone, improvements were also reported in Burundi, in the dispute between Eritrea and Ethiopia, and in the Sudan. Although the fighting in most countries was at reduced levels in 2002, Africa continued to be plagued by other woes, such as poverty and economic stagnation, the spread of HIV/AIDS and other diseases, massive movements of refugees and displaced persons, natural disasters, the flow of illegal arms, and the illegal trade in raw diamonds, which perpetuated war.

During the year, the Security Council and the General Assembly examined the causes of conflict and ways to promote sustainable peace in Africa. At a series of open meetings on the issue, Council members proposed a number of measures to prevent conflict on the continent and to promote peace, highlighting the importance of cooperation with the Organization of African Unity (OAU) (which became the African Union (AU) later in the year) and African subregional organizations in implementing them. Those proposals were summarized in a document issued by the Council President, which included ideas expressed by members on lessons learned in planning peacekeeping operations and the transition from peacekeeping to peace-building. On the same subject, the Secretary-General submitted to the Council a July report following up on his 1998 proposals on causes of conflict and the promotion of sustainable development in Africa. He reviewed recent UN activities in peacemaking, peacekeeping and post-conflict peace-building.

After 27 years of war, the political and military situation in Angola entered a new phase in 2002, with rapid changes that brought an end to the fighting and an agreement between the Government and the National Union for the Total Independence of Angola (UNITA). The February death of Jonas Savimbi, the UNITA military leader, was followed by the signing in April of a memorandum of understanding. Under its terms, the responsibilities of the Angolan armed forces and those of UNITA were defined with regard to observing a ceasefire, quartering UNITA soldiers and collecting weapons. At Angola’s request, the United Nations increased its involvement in the peace process and transformed the United Nations Office in Angola into a peace-building mission, renamed the United Nations Mission in Angola. The Monitoring Mechanism on Sanctions against UNITA concluded that the sanctions had greatly contributed to the downfall of UNITA. After the Government and UNITA continued to demonstrate their intention to fulfill the terms of the 1994 Lusaka Protocol and UNITA became a political party, the Security Council, in December, abolished the sanctions.

The Great Lakes region continued to be seriously affected by fighting among armed groups and between rebel groups and Governments. In the Democratic Republic of the Congo (DRC) and Burundi, the year opened with heavy fighting that diminished by the end of the year, possibly indicating further progress in the peace processes in both countries. Rwanda and Uganda, which had provided military support for the opposition forces in the DRC, signed individual agreements with the DRC on the removal of their forces from that country. Following the signing of the agreements, Angola, Burundi, Rwanda, Uganda and Zimbabwe began withdrawing troops from DRC territory. In December, participants from numerous internal factions gathered in Pretoria, South Africa, for the Inter-Congolese Dialogue and agreed on a two-year transitional government under a power-sharing arrangement, to be followed by national elections.

In Burundi, where a Transitional Government was established in late 2001, the lack of a ceasefire and general insecurity led to increased fighting in mid-2002. However, the situation became more hopeful when the Facilitator of the peace process was able to bring three of the four rebel parties together to conclude ceasefire agreements with the Government.

The Central African Republic enjoyed relative stability and social peace in early 2002, despite its desperate economic situation. Relations between the Government and the opposition improved as a result and a political dialogue was organized with UN assistance. However, a former military leader, François Bozizé, led an attempted coup in the north, and the Government accused Chad of involvement in an attack on Bangui, the capital, which Chad denied. The armed rebellion, to-
gether with the insecurity suffered by the population, was a destabilizing development, and regional plans were drawn up to send a security force to the Central African Republic to observe the border with Chad and to ensure the safety of the President.

The situation improved in parts of West Africa, particularly in Sierra Leone, where the largest UN peacekeeping mission—the United Nations Mission in Sierra Leone (UNAMSIL)—continued to monitor and supervise the ceasefire signed in 2000 and to oversee the disarmament process, which was completed in January. The Security Council expanded UNAMSIL’s mandate to include assisting in the national elections, which were held on 14 May. The Council welcomed the election results as a milestone in the Sierra Leone peace process. The Special Court for Sierra Leone was established after the announcement of the election results, and the Council decided in September to gradually reduce the size of UNAMSIL in order to avoid a sudden security vacuum.

In Liberia, on the other hand, the conflict between government forces and armed dissidents escalated, resulting in flows of refugees and displaced persons, and elements from both sides of the conflict crossed into Sierra Leone to find food and refuge. A Panel of Experts set up by the Council to investigate violations of the arms embargo against Liberia and the ban on the export of rough diamonds from Sierra Leone issued reports in April and October.

The situation in Guinea-Bissau remained fragile due to its political, economic and social difficulties, but there was no armed conflict. The country’s newly established democratic system was strengthened with the National Assembly’s resumption of work, preparations for local elections and the establishment of a court system. However, the political opposition and competing interests among the branches of Government brought the process to a standstill, and the President dissolved Parliament.

When rebels in Côte d’Ivoire attempted to overthrow the elected Government in September, France sent troops there to prevent further fighting and monitor a ceasefire, pending the deployment of a West African peacekeeping force. The Security Council, in December, expressed support for the planned deployment of such a force by the Economic Community of West African States.

The peace process between Eritrea and Ethiopia, which were involved in a border dispute, progressed steadily in the wake of the signing of a ceasefire agreement and the establishment of the Temporary Security Zone in 2000. The Boundary Commission completed its work on the delimitation of the border and, with the assistance of the United Nations Mission in Ethiopia and Eritrea (UNMEE), began demarcation of the border. Despite some resistance by both parties, UNMEE was generally able to monitor the boundary area and the Security Council adjusted its mandate to include assisting the Boundary Commission in demarcation work, demining activities and administrative and logistical support.

Somalia remained a country of warring factions, despite considerable progress in reaching agreement on the national reconciliation process. The Transitional National Government, established in 2000, continued efforts to bring together the Somali factions that had not joined earlier reconciliation attempts. Mediation efforts were led by the Intergovernmental Authority on Development (IGAD) and the United Nations. After months of delay, IGAD was successful in organizing a conference in Eldoret, Kenya, attended by many political factions and civil society representatives, which culminated in the adoption of the “Declaration on Cessation of Hostilities and the Structure and Principles of the Somalia National Reconciliation Process”, in which the participants agreed to set up governance structures and guarantee the security of humanitarian personnel and installations. Although the document provided a method to achieve national unity, Somaliland remained outside the process and there was an increase in factional as well as inter- and intra-clan fighting. Somalia remained one of the most dangerous environments in which the United Nations operated.

The United Nations continued to face opposition to implementation of the 1990 settlement plan for Western Sahara, by which Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (POLISARIO) had agreed to hold a referendum for the self-determination of the Territory. The parties were not willing to cooperate fully on the plan or to find another political solution, as proposed by the United Nations, either by dividing power between a local administration and Morocco or by dividing the Territory. Despite the stalled negotiations, Morocco and POLISARIO agreed to some confidence-building measures such as familial visits, exchange of communications and release of prisoners. The United Nations Mission for the Referendum in Western Sahara continued to monitor the ceasefire.

The internal conflict in the Sudan intensified in early 2002 and casualties increased in fighting between the Government and the Sudan People’s Liberation Movement/Army. Through the mediation efforts of IGAD and the President of Kenya,
the parties reached an agreement, signed in Machakos, Kenya, in July, on solving contentious issues.

In the light of the 9 July transformation of OAU into the AU, the Secretary-General reported that the changes implied that the AU would assume the rights and responsibilities of OAU to participate in UN meetings as an observer, and the General Assembly concurred with that determination. The Secretary-General also reported on cooperation between the United Nations and OAU/AU. He noted that the United Nations was supporting the organization in the process of establishing new organs and structures, and in the drafting of terms of reference and rules of procedure. The Assembly, in December, welcomed the cooperation between the organizations and outlined areas for strengthening UN assistance to the AU.

Promotion of peace in Africa

During 2002, the General Assembly and the Security Council continued to examine the causes of conflict in Africa to and to consider ways to promote sustainable peace and development in the continent.

The Council held open meetings in January to consider the situation in Africa and the Council’s role in conflict prevention and sustainable peace. It issued a 31 January statement highlighting the importance of cooperation between the United Nations, the Organization of African Unity (OAU) and subregional organizations in Africa in promoting regional peace and stability and calling for further measures, such as the exchange of information at the conflict prevention stage. The Council affirmed that good governance, democracy, the rule of law, respect for human rights, the fight against poverty, and addressing the problem of refugees and internally displaced persons were essential in order to maintain peace and sustainable development in Africa. It established the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, which considered a range of issues: the improvement of relations with OAU/African Union (AU) and subregional organizations; the Council’s use of “groups of friends” to handle country-specific issues; and the follow-up to thematic debates on Africa. An interactive Council session on 22 May included an exchange on the Working Group’s work with non-members of the Council.

The Council, in July, held a workshop session, which focused on lessons learned from the UN peacekeeping experience in Sierra Leone and ways to encourage peace in the Mano River Union (MRU) region (Guinea, Liberia, Sierra Leone). After the discussion, the Council President summarized those issues on which members had expressed agreement on lessons learned in regard to planning peacekeeping operations and the transition from peacekeeping to peacebuilding.

Recommendations issued by the Working Group in August covered the following issues: the concept of the group of friends; cooperation between the Council and the AU; and cooperation on Guinea-Bissau between the Security Council and the Economic and Social Council. In December, the Working Group made recommendations on enhancing the effectiveness of the representatives of the Secretary-General in Africa.

The Secretary-General, in July, reported to the Assembly on follow-up to his 1998 recommendations on the causes of conflict and the promotion of durable peace and sustainable development in Africa, describing specific action taken in the areas of peacemaking, peacekeeping and post-conflict peace-building. He also gave an overview of recent UN activities to promote good governance and sustainable development in Africa. Underlining the link between peace and sustainable development, he pointed to the need for the international community to support African countries’ efforts to sustain the reform of their economic and political systems. In December, the Assembly, noting that the challenges of conflict prevention and post-conflict development remained daunting, urged the international community to implement the Secretary-General’s recommendations.

Security Council consideration (January). In late January, the Security Council held a series of public meetings to discuss the situation in Africa and the role the Council might play in conflict prevention and resolution. Following debates on 29, 30 and 31 January [meetings 4460 & 4465], the Council President issued a statement on behalf of the members (see below).

Mauritius, on 10 January [S/2002/46], had proposed a number of subjects that the Council should address at those meetings: cause of conflict situations; UN cooperation with OAU; the role of subregional organizations; mediation efforts; the effect of sanctions and embargoes; the role of small arms and the illegal exploitation of natural resources; humanitarian issues; and the transition of OAU to the AU and the implementation of the OAU New Partnership for Africa’s Development (NEPAD) (see p. 907).
SECURITY COUNCIL ACTION

On 31 January [meeting 4465], following consultations among Security Council members, the President made statement S/PRST/2002/2 on behalf of the Council:

The Security Council expresses its appreciation to Mr. Amara Essy, Secretary-General of the Organization of African Unity, as well as to the Ministers who participated in the public meeting on the “situation in Africa”, held on 29 January 2002, for their invaluable contributions to the debate thereon.

The Council reaffirms the principles of political independence, sovereignty and territorial integrity of all States, and their obligation to settle their disputes by peaceful means.

The Council, recalling its primary responsibility for the maintenance of international peace and security as well as the provisions of Chapter VIII of the Charter of the United Nations, underscores the importance of partnership and enhanced coordination and cooperation, based on complementarity and comparative advantage, between the United Nations, the Organization of African Union and subregional organizations in Africa in the promotion of regional peace and stability. It welcomes the decision of the Assembly of Heads of State and Government of the Organization of African Unity, at its thirty-seventh ordinary session, held in Lusaka from 9 to 11 July 2001, to undertake a review of the structures, procedures and working methods of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution. It emphasizes the importance of enhanced cooperation and of ensuring better coordination between the United Nations and the Organization of African Unity in order to achieve a lasting solution to conflicts. In this regard, it requests the Secretary-General to encourage the United Nations Liaison Office to the Organization of African Unity in Addis Ababa to interact more closely with the Organization of African Unity Mechanism on the conflicts in Africa. The Council expresses its readiness to deepen its cooperation with the Organization of African Unity and subregional organizations, and invites them to inform it at the earliest possible stage of their decisions and initiatives that could have implications relating to its responsibilities under the Charter.

The Council calls upon the United Nations system to intensify its cooperation, including assistance, within existing resources, to the Organization of African Unity and subregional organizations in Africa in the field of capacity-building, particularly in early warning, conflict prevention and peacekeeping. It also stresses the importance of effective interaction between the United Nations system, the Organization of African Unity and subregional organizations through the exchange of information and analysis at the conflict prevention stage; coordination and clear understanding of respective roles in forwarding peace processes; and coordinated support to national and regional peace-building efforts. In this regard, the Council welcomes the establishment of the United Nations Office in West Africa and requests the Secretary-General to take all necessary measures for that Office to be fully operational.

The Council notes with satisfaction that good offices missions carried out by prominent political leaders of Africa facilitated significant progress in the political settlement of certain conflicts. It encourages the Organization of African Unity and subregional organizations, taking into account the specific situation of conflicts, to seek the appointment of such figures as special envoys as well as to employ, where appropriate, the traditional methods of conflict resolution, including the establishment of councils of elders. The Council stresses the importance of the preventive character of such efforts and emphasizes the need for their proper coordination. The Council stresses the specific needs of women and children in peace processes and encourages the strengthening of the role of women and youth in the search for solutions to conflicts in Africa.

The Council encourages the ongoing efforts undertaken by the international community in addressing the root causes of conflicts in Africa, as indicated in the report of the Secretary-General on the causes of conflicts and the promotion of durable peace and sustainable development in Africa. The Council, bearing in mind the linkages between conflicts in Africa and, inter alia, poverty and development, the illicit proliferation of small arms and light weapons, the problems of refugees and internally displaced persons, the illegal exploitation of natural resources and social exclusion, as a source of intra-State conflicts, reaffirms its continued commitment in addressing these problems and encourages the Organization of African Unity as well as subregional organizations and international financial institutions to do likewise. The Council stresses that the early resumption of international cooperation and development aid to countries where a peace process is being implemented is of critical importance for the success of that process and also stresses the importance of the role of the donor community and international financial institutions in this regard.

The Council stresses that good governance, democracy, rule of law, the respect for human rights and the fight against poverty are essential for peace, stability and sustainable development in Africa. It also stresses the importance of national reconciliation through dialogue in respective countries. It expresses its strong support for the decision of the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-fifth ordinary session, held at Algiers from 12 to 14 July 1999, denying recognition to Governments that come to power through unconstitutional means, and notes with satisfaction that the decision is being implemented. It reaffirms that the resolution of conflicts in Africa requires, above all, the political will and courage of the parties themselves to seek peace.

The Council expresses concern over the effects of conflicts on civilian populations, including violations of human rights, in particular those affecting the most vulnerable groups such as the elderly, women and children. It emphasizes the responsibility of States concerned to put an end to impunity and to prosecute those responsible for such acts.

The Council underlines the need to address the problem of refugees and internally displaced persons, which, in addition to its humanitarian conse-
sequent defects, constitutes a burden on the affected countries and may become a source of conflict. It notes the shortfall in funding for refugee and internally displaced persons programmes in Africa and reiterates its call upon the international community to provide such programmes with the necessary financial resources, taking into account the substantial needs in Africa.

The Council, recalling its resolution 1308(2000) of 17 July 2000, inter alia, recognizing that the HIV/AIDS pandemic is also exacerbated by conditions of violence and instability and constitutes a potential risk to stability and security, reiterates that the pandemic, if unchecked, may pose a risk to stability and security. The Council urges the international community and donors to coordinate their efforts in the fight against HIV/AIDS.

The Council reiterates the importance of disarmament, demobilization and reintegration in the process of conflict resolution and post-conflict peacebuilding, and notes the lack of adequate resources for effective reintegration programmes. In this regard, it urges the international community to support such programmes, including through the implementation of quick-impact projects.

The Council notes that African States can contribute to peace and security in the continent by implementing transparency and confidence-building measures. In this regard, the Council reiterates its call upon all States to implement the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

The Council welcomes the participation of the Economic and Social Council in its public meeting on the situation in Africa, held on 29 January 2002. It reaffirms the importance of strengthening its cooperation, through greater interaction, with the Economic and Social Council, in accordance with Article 65 of the Charter, in the area of the prevention of armed conflicts, including in addressing the economic, social, cultural and humanitarian problems. The Security Council, noting the time it devotes to discussing African conflicts and the specificity of the problems of Africa, underlines that economic rehabilitation and reconstruction constitute important elements in the long-term development of post-conflict societies and the maintenance of lasting peace, and calls for greater international assistance in this regard. The Council expresses its resolve to seek to establish the political conditions for non-recurrence of a particular conflict before withdrawing any peacekeeping operation.

The Council commends and supports the efforts of African countries within the framework of the fight against international terrorism.

The Council welcomes the ongoing transformation of the Organization of African Unity into the African Union and encourages and supports the principles of the New Partnership for Africa’s Development to create the conditions for development and to enhance economic integration in Africa. It recognizes that sound economic policies will further enhance peace and stability in the region. It calls upon the donor countries and the Bretton Woods institutions to continue to assist Africa in implementing the Heavily Indebted Poor Countries initiatives and to work with African Governments, through the New Partnership, to create necessary conditions to attract and mobilize public and private sector resources in support of economic growth and poverty reduction.

The Council notes the usefulness of its meeting with the Secretary-General of the Organization of African Unity and stresses the importance of holding such consultations on a regular basis, at least once a year, in the future.

The Council recognizes the need for adequate measures to prevent and resolve conflicts in Africa, and will consider the setting up of an ad hoc working group to monitor the above recommendations and to enhance coordination with the Economic and Social Council.

**Working Group.** To monitor the implementation of the recommendations contained in statement S/PRST/2002/2 (above), the Security Council established the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa at the end of February, under the chairmanship of Jagdish Koonjul (Mauritius). The Council President, in a 1 March note (S/2002/207), outlined the terms of reference for the Working Group, the decisions of which would be taken by consensus.

During the Council’s consideration of the Working Group’s activities on 22 May (meeting 4538), Mr. Koonjul indicated that a programme of work had been agreed upon. Following the Council’s debate, the President, in summarizing the discussion, stated that several general points had been made: effective strategies to deal with conflict prevention and recovery required a comprehensive approach; Council members should carefully consider all the points of view put forward, especially by African Member States; the Working Group might work out a balance sheet of successes, failures and lessons learned in tackling the problems in Africa; the Working Group, as an informal and ad hoc body, could be more proactive than the Council and could experiment with innovative measures; and the Working Group should not duplicate the work carried out by the Council but should assist the Council in its work and provide value-added contributions. The President also noted a number of more specific suggestions concerning the Working Group’s programme of work.

By a 31 May note (S/2002/607), the Council President submitted consolidated summary conclusions drawn from the Council’s 22 May meeting, which he put forward as a starting point for further discussion in the Working Group. Proposals concerned: enhancing cooperation between the Security Council and the Economic and Social Council; confidence-building steps in the MRU.
countries; expanding the role of the Secretary-General’s special representatives in Africa; assisting electoral processes; establishing groups of friends; cooperation with OAU and subregional organizations; and inviting non-governmental organizations (NGOs) and academics to participate in the Group’s work. Other issues that could be considered by the Working Group included: applying schemes to eliminate the illicit arms trade; encouraging local initiatives in preventing conflicts, particularly through civil society and councils of elders; and improving the implementation of sanctions, especially in terms of how exit strategies could be devised.

On 29 August [S/2002/979], Mr. Koomjul forwarded to the Council recommendations of the Ad Hoc Working Group on the group of friends concept, cooperation with the AU and recommendations on Guinea-Bissau, which had been agreed to by Council members during informal consultations in July and August. Having considered information provided by the UN Department of Political Affairs on the working of the group of friends of the Secretary-General, the Working Group recommended a similar arrangement to provide an informal framework for more in-depth discussion of issues relating to Africa. The composition and size of the group, which would be open to all members, would depend on the issue under discussion.

Neighbours of countries whose conflict situation was under consideration could be included. With regard to cooperation between the Council and OAU, the Working Group called for, among other things: circulation to the Council of relevant decisions of the AU central organ; periodic interaction between the Council and members of the central organ; regular briefing by the special representatives of the Secretaries-General and special envoys of the two organizations; possible appointment of joint special envoys for African conflicts; possible joint missions to the field; and cooperation in disarmament, demobilization and reintegration within the process of conflict resolution and peace-building.

The Working Group Chairman, by a 12 December letter [S/2002/1332], transmitted to the Council a set of recommendations relating to the enhancement of the effectiveness of the representatives and special representatives of the Secretary-General in Africa, which were agreed by Council members during informal consultations on 9 December. With regard to appointment procedures, the Working Group affirmed that the Secretary-General should retain sole authority to appoint and determine the mandates of special representatives and consult with the Council on appointments to ensure success. In selecting a special representative, he should give equal attention to managerial abilities and other qualifications, should strive for gender diversity and not limit the applicant pool. Mandates should be established on a case-by-case basis and, in most instances, the special representative should be given clear authority over all in-country UN agencies and peacekeeping operations. The Secretary-General should appoint a strong, empowered deputy for special representatives and set forth clearly the responsibilities of the special representative and those of a peacekeeping operations force commander. The special representatives should be held accountable by the Secretary-General for mission safety/security. The Secretary-General should encourage coordination between regional and national special representatives and should encourage special representatives to coordinate with regional and subregional organizations. As to improving the capabilities/training of special representatives, the Secretary-General should continue the efforts of the United Nations Institute for Training and Research to provide “lessons-learned” training and encourage special representatives to focus on results and not the process.

Meeting of African Group. At a solemn meeting held by the African Group and the OAU Permanent Observer Mission to the United Nations in commemoration of Africa Day on 25 May, the Security Council President, on behalf of Council members, made a statement expressing the Council’s support for efforts to promote durable peace and sustainable development in the continent [S/2002/307]. He recognized important initiatives owned and led by Africa, notably NEPAD, a recent AU programme to place African countries on a path to sustainable growth and development and to enable them plug into the global economy (see p. 907). NEPAD could help to initiate the transition of OAU to the AU, which in turn would advance peace and development in Africa. For its part, the Council had increasingly placed African concerns at the centre of its agenda. Over the preceding decade, the Council had spent nearly 60 per cent of its time on Africa, and half of all current UN political and peace-building missions were in Africa.

Security Council consideration (July). On 18 July [meeting 4577], the Security Council held a workshop on the situation in Africa, which addressed lessons learned in Sierra Leone and how to apply them in other parts of Africa and ways to encourage peace in the MRU region. Addressing the meeting, the Secretary-General said that the discussion came at a critical juncture, when the United Nations Mission in Sierra Leone (UNAMSIL) was about to begin a new phase of its operations. At the same time, however, the esca-
lating conflict in Liberia threatened to destabilize the whole area. In its early stages, UNAMSIL had encountered problems of command and control, and mistakes were made in taking over from a subregional peacekeeping operation. Lack of adequate preparation and an attempt to implement an ambitious mandate without adequate resources resulted in a crisis in May 2000 (YUN 2000, p. 190). Swift action was taken by the Council, the Secretariat and individual Member States, particularly the United Kingdom, to correct the situation. The lesson learned in that case was that the United Nations had to be prepared for the unpredictable and to have the political will to stay the course until objectives were achieved. It was also a question of preparation, adequate resources and enough analysis and information to anticipate developments.

Summarizing the debate, the Council President stated that speakers had agreed that the situation in Sierra Leone could not be viewed in isolation; there was a need to address the instability of the region as a whole. Reconciliation efforts within Liberia and between Liberia and its neighbors needed to be encouraged, and MRU, supported by the Economic Community of West African States (ECOWAS), should continue to promote greater security and confidence-building measures among the three member countries. The newly established United Nations Office for West Africa was recognized as a focal point for UN support for regional efforts within Liberia itself. Another theme that emerged from discussions was the need to control the flow of small arms and to stop illegal exploitation of economic resources. Although sanctions had played a role in bringing peace to Sierra Leone, it was also possible that differences could emerge between the Security Council and others on the future of sanctions, particularly in relation to Liberia. It was important to strengthen the capacity of ECOWAS in terms of mediation and conflict prevention, with a possible role for the European Union.

The United Kingdom, as Council President, issued a 26 July summary [S/2002/856] of key themes of the workshop with regard to peacekeeping. There was a need for early international action; there should be a rapid agreement on a clearly defined and robust mandate, backed up by adequate resources; the key players should share a common purpose and the determination to drive it forward; there should be a clear understanding of the mandate and the rules of engagement to allow clarity of purpose and objectives about an operation's aims; peacekeeping operations should be prepared for the worst-case scenario; a strong military posture should be complemented by political engagement; it could be valuable to have a lead nation from the start; a regional strategy was needed from the start; interventions should be properly coordinated; UN efforts should be integrated within the mission; flexibility was needed to respond to changing circumstances; and the benchmarks for the drawdown of forces needed to be planned early on. The transition from peacekeeping to peace-building should be planned from an early stage to include: security sector reform; reform of the judicial and penal systems and building respect for human rights; economic causes of conflict had to be addressed; adequate funding should be allocated to post-conflict peace-building; and the World Bank could help Governments in the transition process. The humanitarian aspects of a mission also needed to be addressed, such as: the aide-memoire on protection of civilians in conflict had to be used when drawing up peacekeeping mandates; special attention should be paid to gender issues in justice and reconciliation; refugee flows needed to be addressed in building regional security; and adequate funding was necessary to address humanitarian problems.

The Council also drew up a coordinated plan for peace-building measures in the Mano River region (see p. 147).

Security Council consideration (December). On 3 December [meeting 4652], the Council considered the related issue of Africa's food crisis as a threat to peace and security. It heard a briefing by the Executive Director of the World Food Programme (WFP), James Morris, who described the problems the continent faced in feeding the hungry and WFP's challenges in distributing food to Africa, where 60 per cent of WFP's work took place. The areas most affected were Southern Africa (Lesotho, Malawi, Mozambique, Swaziland, Zambia and Zimbabwe), the greater Horn of Africa (Eritrea, Ethiopia and the Sudan) and West Africa (Côte d'Ivoire, Guinea, Liberia and Sierra Leone). While Mr. Morris drew a link between the lack of food security and the threat it posed to international peace and security, he emphasized that WFP's focus was on providing food to the hungry. By a 20 December note [S/2002/1392], the Council President circulated detailed responses to questions addressed to Mr. Morris by Council members.

The Secretary-General reported that further advances had been made in responding to conflict situations. He continued to appoint special envoys and representatives to prevent or manage and resolve conflict in affected countries (Angola, Burundi, Central African Republic, Ethiopia and Eritrea, Guinea-Bissau, Somalia, Sudan) and to work closely with regional arrangements in mediating conflicts. Recognizing the volatile situation in the MRU countries in November 2001, the Secretary-General assisted those States (Guinea, Liberia, Sierra Leone) to reactivate the Union. In addition, African countries were helped by UN departments and organizations to build a spirit of peace and reconciliation through positive inducements, including an improved water supply, the “Food for Assets” projects, the “Imagine Coexistence” programme, a local infrastructure, economic livelihood programme, and aide-memoire centres to train young persons and ex-combatants. Efforts were made to improve the effectiveness of sanctions, and, at the Council’s request, assessments were made of the human implications of such measures. The Secretary-General observed that the effectiveness of sanctions could be improved if arms-exporting countries exercised responsibility and restraint in small arms and light weapons transactions. To stop the proliferation of arms, some West African countries had set up joint patrols along their common borders to prevent cross-border trafficking in arms. In the Great Lakes region, the United Nations Development Programme (UNDP) fielded an assessment mission in March to map out the scope, nature and development implications of small arms use and proliferation, with a view to developing a strategy for further regional programme operations. The 15 member States of ECOWAS decided in July 2001 to renew the 1998 Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa [YUN 1998, p. 357], which was supported by the UN system. The participation by African countries in the United Nations Register of Conventional Arms and in the system for standardized reporting on military matters remained low, and the Secretary-General recommended that the Department for Disarmament Affairs could hold workshops to promote greater participation. The United Nations, in cooperation with OAU, could encourage regional and subregional organizations to stimulate greater openness and transparency in the region and promote participation in the Register.

The United Nations, together with OAU and subregional organizations, continued to play an important role in the management, mediation and resolution of conflicts in Africa. It assisted in implementing ceasefire agreements, promoted national reconciliation and laid the basis for development activities. In 2002, four UN peacekeeping missions were operational in Africa, including the largest, UNAMSIL. The others were the United Nations Mission for the Referendum in Western Sahara, the United Nations Mission in Ethiopia and Eritrea and the United Nations Organization Mission in the Democratic Republic of the Congo. As part of its support for African initiatives to resolve disputes, the United Nations established the Office of the Special Representative of the Secretary-General for West Africa in support of ECOWAS efforts to promote peace in the subregion. It was also actively supporting the Intergovernmental Authority on Development peacemaking efforts in the Sudan and the efforts of the Facilitator for the Inter-Congolese Dialogue. Through UNAMSIL, it was cooperating closely with ECOWAS in Sierra Leone. Various entities of the UN system were involved in protecting civilians in conflict situations and in addressing refugee security issues.

Post-conflict peace-building efforts were addressed through various means, including emergency assistance to reconstruction and development (see also PART THREE, Chapter III) and by incorporating peace-building elements in several peacekeeping operations. In view of the special needs of post-conflict countries, the report suggested that the Secretary-General encourage the Bretton Woods institutions (the World Bank Group and the International Monetary Fund) to consider more flexible measures, including relaxing some conditionalities concerning economic performance, scaling up post-conflict funds, special assistance for reconstruction and poverty reduction interventions. Creditors and donors were urged to provide support for post-conflict Africa.

The report proposed a number of ways to build durable peace and sustainable development, including: promoting good governance by encouraging transparency and accountability in public administration and enhancing administrative capacity; creating a positive environment for investment and economic growth; investing in human resources; establishing public health priorities; eliminating discrimination against women; restructuring international aid; reducing the debt burden; opening international markets; supporting regional cooperation and integration; and harmonizing international and bilateral initiatives. The Secretary-General, in concluding observations, noted that his 1998 report had underscored the strong link between...
peace and sustainable development in Africa. By adopting NEPAD (see p. 907), African leaders had acknowledged that link and committed themselves to strengthening Africa’s capacity for conflict prevention, management and resolution. They were also increasing their resolve to promote democracy and human rights by developing standards for accountability, transparency and participatory governance. The voluntary establishment of the African Peer Review Mechanism to monitor compliance with such standards demonstrated their resolve to achieve those objectives. African Governments were increasingly enabling civil society, including women’s organizations, to work with Governments in promoting peace, security and development.

Since the Secretary-General’s 2001 report, progress had been made towards restoring peace and stability in the region, notably in Ethiopia and Eritrea and in the Great Lakes region, as well as in Angola and Sierra Leone. However, the situation in Liberia was of concern as the crisis was spreading to Guinea and could thus endanger the fragile peace in Sierra Leone.

**GENERAL ASSEMBLY ACTION**

On 20 December [meeting 79], the General Assembly adopted resolution 57/296 [draft: A/57/L.69 & Add.1] without vote [agenda item 33].

**Causes of conflict and the promotion of durable peace and sustainable development in Africa**

The General Assembly:

*Taking note with appreciation* of the report of the Secretary-General entitled “Implementation of the recommendations contained in the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa”;

*Notes with concern that notwithstanding some progress made towards restoring peace and stability in the African region, the challenges of conflict prevention and post-conflict development remain daunting,* and the progress in effectively implementing the recommendations in the peacemaking, economic, social and other areas as contained in the report of the Secretary-General remains slow and uneven;

*Urges* Member States, as well as the international community, to strengthen their efforts towards effectively implementing the recommendations in all the areas mentioned in the report of the Secretary-General;

*Decides to include a sub-item entitled "Causes of conflict and the promotion of durable peace and sustainable development in Africa" under a single agenda item on the development of Africa, entitled "New Partnership for Africa’s Development: progress in implementation and international support"*, beginning at its fifty-eighth session;

*Requests* the Secretary-General to continue monitoring progress in the effective and timely implementation of the recommendations contained in his report on the causes of conflict and the promotion of durable peace and sustainable development in Africa and to submit a comprehensive report on the sub-item to the General Assembly at its fifty-eighth session.

In other action on promoting peace and sustainable development in Africa, the Assembly, in resolution 56/263, called for implementation of measures targeting the illicit trade in rough diamonds that played a role in fuelling conflicts (see p. 44). In resolution 57/2, it supported NEPAD (see p. 908); in resolution 57/7, it reviewed action to implement the United Nations New Agenda for the Development of Africa in the 1990s (see p. 910); and in resolution 57/294, it supported efforts to combat malaria, particularly in Africa (see p. 1223).
Central Africa and Great Lakes region

Throughout much of the year, the Great Lakes region, in particular the Democratic Republic of the Congo (DRC) and Burundi, remained in turmoil amid renewed and continued fighting among armed groups, mostly under the aegis of both countries, however, the situation showed signs of change by the end of the year, opening the door for possible progress in the peace process.

The path towards an improved atmosphere was not without obstacles in the DRC where the opposition forces were supported for much of the year by forces from Burundi, Rwanda and Uganda, while the Government was supported by forces from Angola, and to a lesser degree by those from Namibia and Zimbabwe, which had significantly reduced their military assistance in late 2001. Renewed fighting in eastern DRC hampered progress towards implementation of the 1999 Lusaka Ceasefire Agreement [YUN 1999, p. 87], which outlined terms for a ceasefire monitored by a UN force and others, withdrawal of foreign forces and restoration of State administration throughout the DRC. Despite the fighting, efforts were made to establish a transitional government under a formula for power sharing among the political parties.

Political developments took a new direction in late 2002 with the signing of the Pretoria Agreement between the DRC and Rwanda, and of the Luanda Agreement between the DRC and Angola on the withdrawal of their respective troops from DRC territory, followed by actual troop reductions by Angola, Burundi, Rwanda, Uganda and Zimbabwe. Rwanda announced in late October that all its forces, numbering over 20,000, had been officially repatriated. On 17 December, the participants in the Inter-Congolese Dialogue, which brought together representatives of all factions, under the aegis of a neutral Facilitator, signed in Pretoria an all-inclusive agreement on a transitional government. Under its terms, the DRC Government would be led by President Joseph Kabila during a two-year transition, following which elections for a new government would be held.

The United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) continued to monitor the situation and prepare for the third phase of its deployment that would involve the disarmament, demobilization and reintegration of armed forces. In anticipation of those tasks, the Security Council authorized the expansion of MONUC to 8,700 personnel.

The Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo issued its final report in 2002. Among its findings, it determined that the many parties to the conflict were mainly motivated by economic interests, rather than security or territory.

The situation in Burundi followed a similar track in 2002. The recently formed Transitional Government of Burundi, during the early months of the year, was hindered from implementing the 2000 Arusha Agreement on Peace and Reconciliation [YUN 2000, p. 146] by the lack of a ceasefire and insecurity in the country, a situation that deteriorated as fighting intensified in mid-2002. However, diplomatic efforts led by the Facilitator of the peace process, Vice-President Jacob Zuma of South Africa, reversed the trend by bringing the opposing parties to the negotiating table. In late 2002, three of the four main armed groups signed ceasefire agreements with the Transitional Government, thus providing an opportunity for the Government to make real progress in efforts to implement the laws it had passed and to provide provisional immunity for political leaders returning from exile.

In support of the peacemaking efforts in the DRC and Burundi, the Security Council sent a mission to the Great Lakes region in April/May with the objective of obtaining ceasefire agreements in both countries. The mission, which took place after the Inter-Congolese Dialogue had met in Sun City, South Africa, also put forward a proposal to facilitate the withdrawal of foreign forces from the DRC by establishing a mechanism for military cooperation along its borders with Burundi, Rwanda and Uganda. In Burundi, the mission stressed the need to implement the reforms called for in the Arusha Agreement, with or without a ceasefire, to the extent possible.

In the Central African Republic, the year began with a return to relative stability and social peace despite dire economic circumstances. Relations between the Government and the opposition improved, and a political dialogue between the majority and the opposition was organized by the United Nations Peace-building Support Office in the Central African Republic. The improvement in the atmosphere was compromised in late October by the attempted takeover of the Government by partisans of François Bozizé, a former military leader, and an armed rebellion in the northern part of the country. The Government accused Chad of involvement in an attack on Bangui, a claim denied by Chad. Under regional initiatives, a plan was drawn up to send
security forces to the country to ensure the safety of the President and to monitor the border with Chad.

In October, the Council considered strengthening cooperation between the UN system and the broad region of Central Africa (identified as Angola, Burundi, Cameroon, the Central African Republic, Chad, the Congo, the DRC, Equatorial Guinea, Gabon, Rwanda and Sao Tome and Principe). Seven of those 11 countries were faced with ongoing conflicts and five had UN missions in place. The Council, in its presidential statement, observed that the inadequacy of institutional and human capacities had hindered social, economic and political integration in Central Africa, and it welcomed subregional efforts to promote conflict prevention, management and resolution there.

Advisory Committee on Security Questions. The seventeenth and eighteenth ministerial meetings of the United Nations Standing Advisory Committee on Security Questions in Central Africa were held in 2002 (Kinshasa, DRC; 22-26 April [A/57/79-S/2002/54], Bangui, Central African Republic, 26-30 August [A/57/380-S/2002/988]). In addition to participating member States (Angola, Burundi, Cameroon, the Central African Republic, Chad, the Congo, the DRC, Equatorial Guinea, Gabon, Sao Tome and Principe), representatives of the United Nations, OAU and the Economic Community of Central African States (ECCAS) took part in formulating recommendations pertaining to particular States and to the subregion as a whole.

The Committee took note with satisfaction of the actions and initiatives taken by member countries on security matters, aimed, in particular, at lessening tensions, combating insecurity in the border areas and facilitating exchanges between the various national structures. In view of the cross-border nature of most of the security problems in the subregion, it recommended continued cooperation among the security forces of Central African countries, particularly periodic meetings and joint operations. It expressed concern about persistent organized crime and insecurity in the subregion, particularly the phenomenon of roadblocks, and recommended further information exchanges, large-scale joint operations and a high-level meeting to set up a legal framework for inter-State cooperation. Recalling the protocol relating to the Council for Peace and Security in Central Africa (COPAX) and the Mutual Assistance Pact concluded by Central African countries in Malabo, Equatorial Guinea, in 2000 [YUN 2000, p. 528], the Committee recommended that its Bureau encourage those countries that had not already done so to sign and/or ratify those instruments. It welcomed the adoption by the heads of State and Government of ECCAS in Malabo on 17 June 2002 of the rules of procedure of COPAX organs, namely, the Defence and Security Commission, the Central African Multinational Force and the Central African Early Warning System.

The Committee welcomed the commencement of activities at the United Nations Subregional Centre for Human Rights and Democracy in Central Africa (Cameroon) and the establishment of a subregional parliament, with headquarters to be located in Malabo.

The Committee reiterated its commitment to organize, in cooperation with ECCAS, a joint military exercise in 2003 in Gabon to simulate peacekeeping operations and decided on a schedule of planning conferences for the exercise. Other Committee action included: a request to ECCAS to organize a workshop on its member States’ implementation of the Programme of Action adopted at the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects [YUN 2001, p. 499]; a recommendation to intensify cooperation between national security forces in the campaign against the illicit traffic in small arms; an invitation to the Department for Disarmament Affairs to participate in the Committee’s next ministerial meeting to present the objectives of the UN Register of Conventional Arms and of the standardized reporting instrument for military expenditures; and a decision to hold a seminar of experts from the subregion in order to harmonize national policies on the Rome Statute of the International Criminal Court [YUN 1998, p. 1299].

In August, the Committee adopted its programme of work for 2002-2003.

Security Council mission. The President of the Security Council, in a 17 April letter [S/2002/430], informed the Secretary-General of the Council’s decision to send a mission to the Great Lakes region from 27 April to 7 May. Annexed to the letter were the terms of reference for the mission, which pertained specifically to the situations in the DRC and Burundi. The mission’s report [S/2002/537 & Add.1], which was considered by the Council on 14 May [meeting 4532], contained recommendations on ways to pursue the peace process in the two countries (see pp. 109 and 157).

Appointments. The Secretary-General, in a letter to the Security Council President of 27 June [S/2002/719], noted that his Special Representative for the Great Lakes Region, Berhanu Dinka, was serving as Chairman of the Implementation Monitoring Committee (IMC) in regard to the Arusha peace process on Burundi.
(see p. 137). Following recent developments in Burundi, the Secretary-General asked Mr. Dinka to devote full time to that country, becoming his Special Representative for Burundi on 1 July. In that capacity, he would head the strengthened UN political presence there and continue to serve as IMC Chairman. On 2 July [S/2002/720], the Council took note of the decision.

The Secretary-General, on 11 July [S/2002/772], announced his intention to appoint Ibrahima Fall, former Assistant Secretary-General for Political Affairs, as his Special Representative for the Great Lakes Region, effective mid-July. The intention was noted by the Council on 16 July [S/2002/773]. On 9 October [S/2002/1174], the Secretary-General informed the Council that Mr. Fall was pursuing consultations on an international conference on the Great Lakes, on the basis of which he would finalize the concept paper that the Secretary-General had provided to the leaders of the region and submit an assessment and proposals on the way forward. The Secretary-General therefore intended to extend his Special Representative’s mandate, due to expire at the end of 2002, to 31 December 2003. The Council, on 18 October [S/2002/1175], noted his intention.

Security Council consideration. On 21 October [S/2002/1179], Cameroon forwarded to the Security Council a document entitled “Strengthening of cooperation between the United Nations system and Central Africa in the maintenance of peace and security”, to serve as a background note for the Council’s public meeting on the subject on 22 October. Cameroon pointed out that, despite enormous potential resources, Central Africa in the broad sense (Angola, Burundi, Cameroon, the Central African Republic, Chad, the Congo, the DRC, Equatorial Guinea, Gabon, Rwanda, Sao Tome and Principe) had been slow in embarking on economic and social development, and projected to the world the least positive image of all the subregions of Africa. Seven of the 11 countries were trapped by devastating conflicts and five peacemaking missions out of the 12 currently under way in Africa were in the subregion.

Regional cooperation was based on three organizations: the Economic and Monetary Community of Central Africa (Cameroon, the Central African Republic, Chad, the Congo, Equatorial Guinea, Gabon); the Economic Community of the Great Lakes Countries (Burundi, the DRC, Rwanda); and ECCAS (Angola, Burundi, Cameroon, the Central African Republic, Chad, the Congo, the DRC, Equatorial Guinea, Gabon, Rwanda, Sao Tome and Principe). An increasing collective awareness among States of the subregion had permitted a revival of the activities of ECCAS, which had been virtually inactive from 1992 to 1998. Currently, its newly expanded activities included a collective security component, while its regular activities included the establishment of COPAX, comprising a Non-Aggression Pact and a Mutual Assistance Pact. The objective of COPAX was to prevent, manage and settle conflicts in Central Africa, in partnership with the United Nations. It was based on three organs: the Central African Early Warning System; the Defence and Security Commission; and the Central African Multinational Force.

Cameroon said that the region was gradually emerging from the conflicts that had affected it for more than 20 years, which posed the problem of building peace, including the need for resources to support demobilization, disarmament and reintegration operations. The meeting of the Security Council on 22 October would be aimed at strengthening cooperation between the UN system and Central Africa in conflict prevention and the maintenance of peace and security, strengthening capacities in the subregion in those areas, as well as economic integration, improving the effectiveness and cohesion of subregional organizations, and mobilizing the resources required to build peace.

On 22 October [meeting 4630], the Council discussed strengthening cooperation between the UN system and the Central African region in the maintenance of peace and security. Assistant Secretary-General Tuliameni Kalomoh, on behalf of the Secretary-General, stated that the political, social, economic, security and humanitarian situation in several countries of the Central African subregion was a source of serious concern. Several ECCAS member States had been affected by armed conflicts, cross-border tensions and armed incursions resulting in the deaths of innocent people, the wanton destruction of infrastructure and millions of refugees, returnees and displaced persons. Troubling violations of human rights had also been widely reported, contributing to a climate of tension. It was important that the international community undertake the economic stabilization of Central African countries that were emerging from conflicts and embarking on democratic reforms. In addition, policies promoting human rights and the rule of law and the development of inclusive and responsive governance would facilitate the consolidation of peace and the stabilization of the countries of the subregion.

The Congo, speaking on behalf of ECCAS, said that the August meeting of the UN Standing Advisory Committee on Security Questions in Central Africa (see p. 99) had noted a positive
trend in the geopolitical and security situation in the subregion, due in particular to the goodwill of the parties to the conflict and to various mediation efforts, and especially of the actors involved. In Angola, Burundi, the Central African Republic and the DRC, real progress had been made and it was therefore necessary to develop peace-building capacities through disarmament, demobilization and reintegration of former combatants; for that purpose, assistance from the international community was needed.

At the conclusion of the debate, the President said there had been general agreement on identifying several causes of the regional conflicts—endemic poverty, above all. Improvements could be seen as a result of political commitment on the part of regional leaders. The new situation required peace-building measures backed by major funding. Appreciation was expressed for the commitment of the World Bank and UNDP to assistance from the international community, to focus on the difficulties affecting this key region of Africa. It also commends the progress made by certain Central African countries with regard to the promotion of democracy, the protection of human rights and sustainable development and encourages further efforts in this regard throughout the region.

The Council welcomes the increasing awareness of these difficulties among the Central African States which, at the ninth session of the Summit of Heads of State and Government, held at Malabo on 24 June 1999, permitted a revival of the activities of the Economic Community of Central African States, and in particular the incorporation of a collective security component. In that connection, the heads of State and Government set three principal priorities: (a) To develop sufficient capacities to ensure peace, security and stability in the region, as a prerequisite for economic development;

(b) To promote the social, economic and monetary integration of Central Africa;

(c) To develop within the subregion a genuine culture of integration.

The Council also welcomes subregional efforts to promote conflict prevention, management and resolution in Central Africa. In that connection, the Council welcomes the steps taken by Central African countries to settle conflicts by peaceful means, including through the conclusion, with the strong support of the United Nations Standing Advisory Committee on Security Questions in Central Africa, of a Protocol establishing, on 24 June 2000, the Council for Peace and Security in Central Africa, comprising a Mutual Assistance Pact and a Non-Aggression Pact. In this regard, it encourages the speedy ratification and implementation by all the countries concerned and urges States Members of the United Nations that are in a position to do so to support the operationalization of its main structures, inter alia, the Central African Early Warning Mechanism, the Defence and Security Commission, and the Central African Multinational Force, with the full support of the United Nations system.

The Council recognizes the important role that regional and subregional organizations can play in preventing the illicit traffic of small arms and light weapons and the flow of such arms to conflicts, and underscores the importance of regional agreements and cooperation as well as strengthening subregional technical capacities to prevent such flows.

The Council notes with satisfaction that, as a result of all these efforts, the subregion is gradually emerging from the conflicts that affect it, which offers an opportunity to build peace, to be seized by all parties, with a requirement for the mobilization of significant resources to support demobilization, disarmament and reintegration programmes.

The Council affirms the need to promote and strengthen the partnership between the United Nations system and Central African States in relation to the maintenance of peace and security, and, in that connection, it emphasizes that capacities in the subregion, inter alia, in the area of conflict prevention and the maintenance of peace and security, as well as economic integration, should be strengthened. It also calls upon the Central African States, with the support of the United Nations system, to

SECURITY COUNCIL ACTION

On 31 October [meeting 4640], following consultations among Security Council members, the President made statement S/PRST/2002/31 on behalf of the Council:

The Security Council recalls all the statements by its President concerning the situation in Africa and the action taken by the United Nations, in particular the Council, in the field of preventive diplomacy, peacemaking, peacekeeping and peace-building.

The Council emphasizes the importance of the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa.

The Council recognizes that, despite its enormous potential which could make it one of the poles of development of the continent, Central Africa has yet to achieve the stability that would enable it to utilize its resources to the maximum benefit of its population in an equitable manner.

The Council notes that five of the twelve peacekeeping and peace-building missions under way on the continent are established in Central Africa. The Council also notes that, of the sixteen Special Representatives and Special Envoys of the Secretary-General in Africa, six are in Central Africa. In this regard, it notes the work being done by the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa to improve the effectiveness of the office of the special representative of the Secretary-General in Africa.

The Council observes that the inadequacy of institutional and human capacities, particularly those directed towards the integration process, has hindered social, economic and political integration in Central Africa.

The Council takes note with satisfaction of the efforts made by the Central African States, both on their own initiative and with the support of the international community, to focus on the difficulties affecting this key region of Africa. It also commends the progress made by certain Central African countries with regard to the promotion of democracy, the protection of human rights and sustainable development and encourages further efforts in this regard throughout the region.

The Council welcomes the increasing awareness of these difficulties among the Central African States which, at the ninth session of the Summit of Heads of State and Government, held at Malabo on 24 June 1999, permitted a revival of the activities of the Economic Community of Central African States, and in particular the incorporation of a collective security component. In that connection, the heads of State and Government set three principal priorities: (a) To develop sufficient capacities to ensure peace, security and stability in the region, as a prerequisite for economic development;

(b) To promote the social, economic and monetary integration of Central Africa;

(c) To develop within the subregion a genuine culture of integration.

The Council also welcomes subregional efforts to promote conflict prevention, management and resolution in Central Africa. In that connection, the Council recognizes the important role that regional and subregional organizations can play in preventing the illicit traffic of small arms and light weapons and the flow of such arms to conflicts, and underscores the importance of regional agreements and cooperation as well as strengthening subregional technical capacities to prevent such flows.

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improve the effectiveness, coordination and cohesion of the subregional organizations.

The Council reaffirms the importance of disarmament, demobilization and reintegration programmes in the process of conflict resolution in Central Africa. In that connection, it urges the Central African States to initiate such programmes where they are needed, inter alia, through the implementation of quick-impact projects, and calls upon the international community to support them. The Council expresses its appreciation of the renewed commitment of the World Bank and the United Nations Development Programme to assist post-conflict operations in Central Africa in the short, medium and long terms and encourages the organizations to coordinate their efforts closely with the Secretary-General and his Representatives in the field to ensure more efficiency and complementarity.

The Council recommends the inclusion, where appropriate, of support for disarmament, demobilization and reintegration in the mandates of peacekeeping and peace-building operations. It recognizes the interlinkage between peacekeeping and peace-building activities, and will continue to take into account the need for coordination and smooth transition from one phase to the other during its consideration of peace operations.

The Council emphasizes the urgency of reaching an appropriate solution to the problem of refugees and internally displaced persons in Central Africa.

The Council emphasizes the importance of a comprehensive, integrated, resolve and concerted approach to the issues of peace, security and development in Central Africa. In that connection, it invites the Secretary-General to brief the Council, within six months, on ways to implement such an approach for Central Africa, including through the dispatch to the region of an inter-agency evaluation mission.

Democratic Republic of the Congo

The situation in the DRC deteriorated in early 2002 due to intensified fighting between government forces and numerous rebel groups, which were supported by Burundi, Rwanda and Uganda. For its part, the Government continued to receive assistance from Angola, Namibia and Zimbabwe, all of which had sent forces to the DRC at its request. By the beginning of 2002, however, most troops from Namibia and Uganda had been withdrawn. Progress towards implementation of the 1999 Lusaka Ceasefire Agreement [YUN 1999, p. 87], signed by the DRC Government, one of the two main rebel movements and five regional States, was impeded by the renewed fighting. The Agreement called for a ceasefire to be monitored by MONUC, OAU and Zambia, withdrawal of foreign forces and re-establishment of State administration throughout the country.

The Inter-Congolese Dialogue, attended by 38 delegates from eight delegations, was held from 25 February to 18 April in Sun City, South Africa, under the aegis of the neutral Facilitator, Sir Ketumile Masire. It concluded with the adoption of 37 resolutions on political and legal issues; economy and finance; defence and security; humanitarian, social and cultural issues; and peace and reconciliation. The key issue of power sharing during the transition period, however, remained outstanding.

The Security Council mission to the Great Lakes, in April/May, found that the parties to the Lusaka Agreement continued to make progress, albeit slowly, in applying the peace process. In meetings with the parties, the mission praised actions to advance the process. The mission noted that some progress had been made in the withdrawal of foreign forces from DRC territory. However, only Namibia had withdrawn all its combat troops; withdrawal of Angolan, Ugandan and Zimbabwean troops was partial.

Between June and early October, several significant political and military developments, particularly the signing of bilateral agreements between the DRC and Rwanda on 30 July and between the DRC and Uganda on 6 September, both concerning troop withdrawals, as well as the withdrawals of troops by Angola, Burundi, Rwanda, Uganda and Zimbabwe, set the stage for further steps in the peace process. Despite those developments and the ongoing consultations among the Congolese parties on the establishment of a transitional government, ethnically targeted violence in the eastern DRC continued to cause instability and increased the numbers of displaced persons and refugees.

Following intensive negotiations and international pressure, the representatives to the Inter-Congolese Dialogue, on 17 December, signed in Pretoria the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo. That Agreement provided that President Joseph Kabila would remain head of State during a 24-month transition period, at the conclusion of which elections for a new government would be held under a power-sharing formula.

MONUC expanded to approximately 3,000 troops in early 2002. Throughout the year, the Mission was preparing for the third phase of deployment and established four coordination centres to provide command for military observers in regions distant from its headquarters. By a December resolution, the Security Council authorized the expansion of MONUC to 8,700 personnel, to be deployed on a phased basis when the disarmament, demobilization and repatriation case-load could no longer be met by the smaller task force. It also welcomed the decision by all the foreign parties to withdraw fully their troops from the DRC, and noted in particular the withdrawal of over 23,000 Rwandan troops by mid-October,
as well as withdrawals by Angola, Uganda and Zimbabwe.

The Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, established in 2000, issued an interim and a final report in 2002. The Panel determined that the multiple parties involved in the conflict were primarily motivated by economic gain and only secondarily by security, ethnic strife and/or political control. It listed those individuals and businesses involved in the illegal exploitation of resources from the DRC and made a number of recommendations to the Security Council.

Political and military developments

Report of Secretary-General (February). On 15 February, the Secretary-General, in accordance with Security Council resolution 1355(2001) [YUN 2001, p. 127], submitted his tenth report on MONUC [S/2002/169], in which he also provided information on the political, military, humanitarian and human rights situation in the DRC. He stated that the ceasefire along the confrontation line between the signatories to the Lusaka Agreement, which had been monitored by MONUC military observers stationed along the line, had held for one year. Further progress had been achieved in the withdrawal of foreign forces from the DRC; however, the security situation in many parts of the country remained volatile, especially in the north-eastern part of the country. The situation was further complicated by the 17 January eruption of the volcano, Mount Nyiragongo, which left some 80,000 people homeless and destroyed 20 to 30 per cent of Goma. Approximately 350,000 inhabitants of Goma fled, mostly across the border into Rwanda. During the four-month period under review, some encouraging bilateral and multilateral contacts were made between the countries involved in the conflict in the DRC. Progress was also made in an attempt to harmonize the positions of different Congolese actors vis-à-vis the Inter-Congolese Dialogue. However, the period also witnessed the realignment of political and military alliances of armed rebel groups, resulting in intensified fighting in the north-eastern part of the country. While MONUC generally received cooperation from the parties concerned in implementing its mandate, the Rassemblement congolais pour la démocratie–Goma (RCD-Goma) posed some difficulties over the Mission’s deployment plans and no major progress was made with regard to an agreement between the Governments of the DRC and Rwanda on the disarmament, demobilization, repatriation, resettlement and reintegration (DDRRR) of armed groups mentioned in the Lusaka Agreement. MONUC focused on securing the cooperation required for its third phase of deployment, which would involve establishing reception centres where the DDRRR process would begin, and planning the assistance the Mission could provide for the demilitarization of Kisangani, in accordance with Security Council resolution 1376(2001) [YUN 2001, p. 134].

In a 26 January speech, President Joseph Kabila emphasized his Government’s commitment to the Inter-Congolese Dialogue, cooperation with the phase III deployment of MONUC and the need for Rwandan troops to withdraw from the DRC. He also announced that he had requested the Security Council to establish a commission of inquiry to investigate the nature of the Rwandan armed groups in the DRC.

In follow-up to the beginning of the Inter-Congolese Dialogue in 2001 [YUN 2001, p. 132], when the parties did not succeed in addressing substantive issues, efforts were made to encourage the parties to continue negotiations through informal channels, such as informal UN consultations with the Government, the Mouvement pour la libération du Congo (MLC) and RCD. At the invitation of Belgium, representatives of the political opposition and civil society met informally in Brussels from 14 to 17 January to harmonize their views on the issues of transition, elections, citizenship and the constitution, and the armed forces.

Representatives of the Mai-Mai militia (local armed Congolese groups in opposition to Rwandan forces) released a 5 February press statement urging a peaceful resolution to the conflict and a ceasefire, and demanding that the Mai-Mai have the same representation as the signatories to the Lusaka Agreement at all negotiations. MONUC, which was expanding its contacts with the Mai-Mai, was following up on the initiative.

MONUC faced serious obstruction and delays in its phase III deployment to Kisangani and Kindu in eastern DRC, as well as in its efforts to repatriate a group of combatants from Kamina. No major change was observed in the positions of the countries with foreign forces stationed in the DRC, and Uganda had even announced its intention to send some troops back into the north-east. The Secretary-General called on all foreign countries with troops in the DRC to withdraw them. Little progress was made on the demilitarization of Kisangani, despite an earlier commitment made by the RCD leadership in November 2001.

The Secretary-General observed that MONUC would require significant additional financial
and human resources to carry out the tasks of its phase III mandate and recommended that the Security Council consider increasing the Mission’s authorized military strength by 850 troops so that it could provide support for the demilitarization of Kisangani. He also proposed a training programme for local police, a more secure presence at the two airports in Kisangani and assistance to operationalize both airports, river ports and the Kisangani-UBunyud railway. The Secretary-General suggested that the civilian police strength be increased by 85 members from its current force of 15, and that MONUC place some assets at the temporary disposal of relief efforts in Goma following the eruption of Mount Nyiragongo.

The Secretary-General stated that RCD and the Government of Rwanda had a particular responsibility in implementing the Lusaka Agreement; MONUC was currently deploying and phase III DDRRR operations would be conducted in territory under their control; he also expected the DRC to assume its responsibilities. Noting that failure to repatriate the Rwandan combatants from Kamina was a source of concern, the Secretary-General called on the DRC Government to promote the early return of all Rwandan combatants on its territory. The Governments of the DRC and Rwanda were encouraged to enter into an agreement to create a legal and political framework to achieve that goal.

Communications (January/February). The DRC, in January and February letters to the Security Council, described troop movements of, and actions by, foreign forces in its territory. On 3 January [S/2002/20], the DRC requested that the Council convene to discuss: Rwandan troop movements in the eastern part of the country; tension in the town of Bukavu due to attacks by unpaid soldiers of the Rwandan Patriotic Army (RPA) and RCD-Goma; demilitarization of the town of Kisangani; and the killings of Congolese nationals during ethnic conflicts in Orientale province in the territories under Ugandan occupation. It called on the Council to: impose sanctions on RCD-Goma, Rwanda and Uganda; to accelerate deployment of MONUC; to hold an international conference on the Great Lakes region; to establish a court to prosecute those involved in the illegal exploitation of DRC natural resources and other wealth; to place an embargo on Congolese goods transiting through aggressor countries; and to freeze the financial assets of leaders of aggressor countries.

On 23 January [S/2002/112], following the eruption of the Nyiragongo volcano, the DRC asked the Council to demand that Rwanda and RCD-Goma facilitate humanitarian assistance and operations in the Goma area. On 24 January [S/2002/113], the DRC stated that Rwanda and RCD-Goma were impeding the delivery of humanitarian assistance to Goma and again requested the Council to demand that they facilitate such delivery and open corridors for relief efforts.

The DRC, on 30 January [S/2002/112], claimed that MLC and RCD-Goma had created a joint force with a battalion of 800 men, to be based in the town of Kalémie, Katanga province. The choice of that town, it said, revealed the scope of the deployment by RPA, whose troops were moving towards the south in the direction of Moba and Moliro along Lake Tanganyika and other positions in Katanga province. In addition, Ugandan troops had created a climate of terror in northern Orientale province where at least 60 persons had disappeared. On 25 February [S/2002/198], the DRC said that RPA and RCD-Goma troops had attacked Congolese armed forces based in Moliro but had been repelled. Referring again to the attack on Moliro in a 28 February letter [S/2002/27], the DRC denounced the attempt of RCD-Goma and MLC to torpedo the Inter-Congolese Dialogue process. It said that it was declaring a unilateral ceasefire and its troops had begun pulling back to their original position. It urged the Security Council to pressure Rwanda to allow RCD-Goma to join the peace and national reconciliation process, and to send MONUC observers to the conflict zone at Moliro to monitor the ceasefire and withdrawal of forces.

Following the visit of the Foreign Minister of Burundi to the DRC (6-8 January), the two countries issued a joint communiqué [S/2002/30], in which they declared their intention to restore a climate of trust between them. They agreed to relaunch bilateral consultation mechanisms and conclude an agreement defining modalities for implementing commitments on a non-aggression pact. Burundi agreed to withdraw its troops from the DRC under certain conditions (see also p. 136).

In a 1 February letter [S/2002/141], Uganda informed the Security Council President of continued fighting in eastern DRC. It added that, in the Bunia area, Uganda had withdrawn its forces from the countryside and concentrated them at the airport. The security situation in eastern DRC was threatening Uganda’s border and had implications for the stability and future of the DRC. Uganda might have to redeploy its military. Uganda, on 13 February [S/2002/170], stated that it would immediately redeploy in the areas of tribal conflict to restore security.

Rwanda, on 8 February [S/2002/196], called for a meeting of all signatories to the Lusaka Agreement in order to return to the path of
DDRRR and the Inter-Congolese Dialogue. It urged the United Nations to play a role in facilitating the implementation of the Agreement and to take measures against the perpetrators of genocide, the Interahamwe and the former Forces armées rwandaises (ex-FAR). Rwanda said the United Nations should focus on the primary cause—the presence in the DRC of ex-FAR/Interahamwe, who were responsible for the deaths of over a million people in Rwanda.

The Southern African Development Community (SADC), at its Extraordinary Summit of Heads of State and Government (Blantyre, Malawi, 14 January), issued a communiqué [S/2002/180] in which it welcomed the partial withdrawal of Ugandan forces from the DRC, and called on Rwandan and Ugandan forces to complete their withdrawal as a matter of urgency. The Summit tasked the SADC Organ on Politics, Defence and Security with the responsibility to formulate a strategy for speeding up implementation of the Lusaka Agreement, in collaboration with the Joint Monitoring Committee.

The European Union (EU), in a 22 February statement [S/2002/216] issued by its Presidency, expressed concern that some parties to the Inter-Congolese Dialogue had threatened not to attend the talks in Sun City, and called on all parties to the dialogue to honour their obligations.

SECURITY COUNCIL ACTION (February)

On 25 February [meeting 4476], following consultations among Security Council members, the President made statement S/PRST/2002/5 on behalf of the Council:

The Security Council welcomes the tenth report of the Secretary-General of 15 February 2002 on the United Nations Organization Mission in the Democratic Republic of the Congo and expresses its intention to consider the recommendations therein. The Council calls upon all the parties to the conflict to display their political will in order to achieve a peaceful settlement and reconciliation. The Council urges all the parties to the Lusaka Ceasefire Agreement signed on 10 July 1999 to fulfill all their commitments under the Agreement and under the relevant resolutions of the Council.

The Council stresses the importance of the Inter-Congolese Dialogue, which is an essential element for the achievement of lasting peace. It reiterates its strong support for the Facilitator of the Inter-Congolese Dialogue and his team. It calls upon all Congolese parties to participate in this process, and to do so in a constructive spirit.

The Council reiterates its call for the withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo. It also stresses that the disarmament, demobilization, repatriation, resettlement and reintegration process of the armed groups mentioned in chapter 9.1 of annex A to the Ceasefire Agreement is another key element for the settlement of the conflict in the Democratic Republic of the Congo, and in this regard:

— Reiterates its support for the Mission, which is deploying in the east of the country in order to facilitate this process;
— Calls upon the Government of the Democratic Republic of the Congo to fulfill its commitments regarding the repatriation of the ex-combatants in Kamina;
— Taking note of the request expressed by the President of the Democratic Republic of the Congo to the Council, requests the Mission to make a first assessment of the number of members of the Rwandan armed groups (ex-Rwandese Armed Forces and Interahamwe) in the territory of the Democratic Republic of the Congo, and to report to the Council by the end of March. Based on this assessment, the Council will examine whether any further support should be given to the Mission in the execution of this task;
— Recalls that all the parties have a major responsibility to contribute to the disarmament, demobilization, repatriation, resettlement and reintegration process and that the Joint Military Commission has a role in this respect, in cooperation with the Mission.

The Council takes note of the reinforcement of the Mission presence in Kisangani and reiterates its demand that the city be demilitarized, in accordance with its relevant resolutions. In this regard, it also stresses the importance of the full reopening of the Congo River, including to commercial traffic, and calls upon all parties to cooperate in this regard.

The Council expresses its concern at the persistent human rights violations, in particular in the east of the country, and calls upon all parties to put an end to these violations.

Assessment of armed groups

In response to the request contained in the 25 February statement by the Security Council President (above), the Secretary-General transmitted on 1 April [S/2002/341] MONUC’s first assessment of armed groups in the DRC. MONUC presented information not only on the number of members of the Rwandan armed groups (ex–Rwandese Armed Forces and Interahamwe), but also the number, location, leadership, structure and armaments of all armed groups listed in the Lusaka Agreement. Data on the Mai-Mai were included in an appendix. MONUC observed that any presence of troops of the National Union for the Total Independence of Angola in the DRC would be isolated groups or individuals not under coherent command. It was noted that alliances within and between the groups were constantly shifting, and often linked to short-term goals or individual operations. The groups were also subject to leadership struggles linked to political, economic or other objectives, and were constantly changing their locations. The preliminary information was collected and analysed in the framework of the implementation of phase III of MONUC’s man-
date, a principal objective of which was the DDRR of armed groups.

Specific information was provided on the Allied Democratic Forces/Front (ADF) of Uganda; the Forces pour la défense de la démocratie (FDD) of Burundi; and the Armée pour la libération du Rwanda (ALIR I and ALIR II of Rwanda).

MONUC concluded that only one of the six Ugandan armed groups mentioned in the Lusaka Agreement was still active in the DRC, namely, ADF, with 200 to 300 fighters near the Ugandan border. From Burundi, RPA and the Interahamwe had apparently combined as ALIR, which was divided into two parts, ALIR I (between 4,000 and 6,000 troops, based in South Kivu and Katanga provinces, and the Forces nationales pour la libération, with only a small force, maintained a presence in the DRC. From Rwanda, ex-FAR and the Interahamwe were reported to be present in South Kivu and Katanga provinces, and the Forces pour la défense de la démocratie-Goma withdraw from Pweto, a former military position of RCD-Goma, in violation of the Lusaka Agreement, but lost that position when it was taken back by RCD, which the DRC wanted to dislodge from Kamamba, the next town to Moltro. Rwanda said its forces had not participated in the current fighting in the Moltro area and further claimed that the DRC Government was sabotaging the Inter-Congolese Dialogue of Sun City while Rwanda supported that process.

**SECURITY COUNCIL ACTION**

On 19 March [meeting 4495], the Security Council unanimously adopted **resolution 1399(2002)**. The draft [S/2002/296] was prepared in consultations among Council members.

The Security Council,

Recalling its previous resolutions and the statements by its President,

Recalling also the Lusaka Ceasefire Agreement signed on 10 July 1999 and stressing that the ceasefire among the parties to this agreement had been respected since January 2001,

Recalling further that the Inter-Congolese Dialogue is an essential element of the peace process for the Democratic Republic of the Congo,

Determining that the situation in the Democratic Republic of the Congo poses a threat to international peace and security in the region,

1. Condemns the resumption of fighting in the Moltro pocket and the capture of Moltro by the Rassemblement Congolais pour la Démocratie-Goma, and stresses that this is a major violation of the ceasefire;

2. Stresses that no party to the Lusaka Ceasefire Agreement should be allowed to make military gains while a peace process is under way and while a peace-keeping operation is deployed;

3. Demands that the Rassemblement Congolais pour la Démocratie-Goma troops withdraw immediately and without condition from Moltro, and also demands that all parties withdraw to the defensive positions called for in the Harare disengagement sub-plans;

4. Demands also that the Rassemblement Congolais pour la Démocratie-Goma withdraw from Pweto, which it occupies in contravention of the Kampala plan and the Harare disengagement sub-plan, so as to
permit the demilitarization of this location, and that all other parties also withdraw from locations they occupy in contravention of the Kampala plan and the Harare disengagement sub-plan;
5. **Recalls** that Kisangani also has to be demilitarized;
6. **Reminds** the Rassemblement Congolais pour la Démocratie-Goma and all other parties that they must comply with their obligations with regard to the Ceasefire Agreement, the disengagement plans and relevant resolutions of the Security Council;
7. **Calls upon** Rwanda to exert its influence on the Rassemblement Congolais pour la Démocratie-Goma so that the Rassemblement Congolais pour la Démocratie-Goma will implement the demands of the present resolution;
8. **Welcomes** the deployment of the United Nations Organization Mission in the Democratic Republic of the Congo in Moliro and in Pweto, and calls upon all the parties to provide full cooperation to the Mission and to ensure the safety and security of Mission personnel on the ground;
9. **Calls upon** the parties to the Ceasefire Agreement to refrain from any military action or other provocation especially while the Inter-Congolese Dialogue is taking place;
10. **Stresses** the importance of continuing the Inter-Congolese Dialogue and calls upon the Government of the Democratic Republic of the Congo to resume immediately its participation in the Dialogue;
11. **Decides** to remain actively seized of the matter.

**Communications.** During April and May, the DRC [S/2002/364, S/2002/548, S/2002/555, S/2002/556] and Rwanda [S/2002/355, S/2002/420, S/2002/422, S/2002/559] exchanged charges regarding the renewed fighting in eastern DRC. The DRC cited RPA’s failure to demilitarize Kisangani and Pweto by the prescribed deadlines and called on the Security Council to impose sanctions against Rwanda and to expand MONUC’s mandate to include protection of the Congolese people. Rwanda complained that the DRC had attacked Moliro, which it wished to use for infiltration into Burundi, Rwanda and areas in the DRC under the control of others. Rwanda denied the claims by the DRC that its forces were in Kisangani, Pweto or Moliro, Rwanda also listed what it called the legitimate security concerns in Rwanda caused by the situation in the DRC, which had led Rwanda to intervene militarily in the DRC. Reiterating its claim that RPA had withdrawn from Kisangani, Rwanda called on the Council to impose sanctions against the DRC.

**Inter-Congolese Dialogue**

The Inter-Congolese Dialogue (Sun City, 25 February–18 April), conducted under the aegis of the neutral Facilitator, Sir Ketumile Masire, concluded with the adoption by consensus of 37 resolutions on political and legal issues; economy and finance; defence and security; humanitarian, social and cultural issues; and peace and reconciliation. The plenary sessions were attended by 358 delegates comprising eight delegations. The key issue of power sharing during the transition period, however, remained outstanding.

Although important advances were made in the negotiations, as reported by the Secretary-General in June [S/2002/621], the Congolese parties were still not able to reach an all-inclusive agreement. Meanwhile, the Government and MLC concluded a bilateral agreement on power sharing on the sidelines of the negotiations and the majority of other delegations joined later, with the exception of RCD-Goma and some major political parties. Talks among the Congolese parties on an all-inclusive agreement continued after the Sun City meeting.

On 26 April [S/2002/621], RCD-Goma, together with the Union pour la démocratie et le progrès social, announced the creation of the Alliance pour la sauvegarde du dialogue inter-congolais. The Alliance, committed to the continuation of the Dialogue, established itself in Kisangani.

The United Nations Standing Advisory Committee on Security Questions in Central Africa, at its seventeenth ministerial meeting (see p. 99), welcomed the signing of the political agreement on consensual management of the transition in the DRC: concluded on 19 April by the Government, MLC: and the other participants in the Inter-Congolese Dialogue, and called on parties that had not been signatories to join the process. The meeting also expressed concern at the continued infringements on the national sovereignty and territorial integrity of the DRC, in particular the recent confrontations in the Moliro area and the Kivu provinces, troop movements in the east, and the clashes involving rebel forces and other armed groups in the eastern and north-eastern parts of the country.

By a 4 March letter [S/2002/229], the Libyan Arab Jamahiriya informed the Security Council President that it had contributed $200,000 towards the expenses of national reconciliation in the DRC. The sum had been placed at the disposal of the Facilitator.

**Communications (March–June).** On 20 March [S/2002/292], the DRC said that, in implementation of Security Council resolution 1399(2002) (above), it had decided to resume participation in the ongoing Inter-Congolese Dialogue. It urged the Council to ensure the withdrawal of the Rwandan troops from Moliro and Pweto, the implementation of the Kampala plan [YUN 2000, p. 126] and the Harare sub-plans [ibid., p. 137], the demilitarization of the town of Kisangani and the establishment of a neutral environment in Kindu in order to facilitate MONUC operations. The
DRC’s decision was welcomed by the OAU Political Committee on the implementation of the Ceasefire Agreement in the DRC at a meeting on 20 March [S/2002/305]. The Committee urged the parties to implement the disengagement plan and to accelerate the demilitarization of Kisangani by 6 April at the latest.

The DRC notified the Council on 26 March [S/2002/314] that it had withdrawn its forces from the towns of Kayaya and Yayama in accordance with resolution 1399(2002). It reported fighting involving RPA in South Kivu, requested the Council to dispatch a MONUC team to assess the conflict there and indicated that there were rising tensions in Goma.

On 27 March [S/2002/327], Rwanda said that the DRC needed to refrain from continually using Rwanda as a pretext to abandon the inter-Congolese political negotiations, which it periodically sabotaged. Rwanda welcomed the recent return of the DRC to those negotiations.

The EU Presidency issued a statement on 22 March [S/2002/328] on recent events in the DRC, condemning the outbreak of fighting in Moliro. Welcoming the resumption of the Inter-Congolese Dialogue, it urged Rwanda to ensure the withdrawal of RCD-Goma from Moliro and called for redeployment and strengthening of MONUC observers in the areas concerned and for MONUC to report on the taking of Moliro. France and the United Kingdom, on 10 April [S/2002/429], issued a statement on the Dialogue, calling on the participants to reach the political compromise necessary for establishing a transitional government that would lead to democratic elections. They welcomed the proposals put forward in Sun City on the sharing of power around President Kabila and hoped that they would serve as the basis for an agreement.

On 26 April [S/2002/488], Rwanda expressed regret that two of the parties to the Dialogue (the DRC Government and MLC) had concluded an agreement without taking into account the interests of the Congolese people as a whole. Rwanda appealed to all the Congolese parties to safeguard the Dialogue aimed at establishing transitional institutions, a unified army and a reunified territory, and recommended that negotiations resume through the Follow-up Committee proposed by the Facilitator on 19 April.

By a 1 May letter [S/2002/343], Uganda transmitted to the Security Council President the text of the common understanding it had reached with Rwanda on 26 April on the way forward for the peace process in the DRC. The two countries welcomed the considerable results already achieved at the Inter-Congolese Dialogue in the areas of defence, economy, social and humanitarian affairs, and national reconciliation, and noted that the institutions agreed upon should contain the key elements of power sharing in all State institutions, separation of powers and inclusiveness. They called on all the Congolese parties to continue to participate in the finalization of the power-sharing agreement through the Follow-up Committee set up by the Facilitator. On 15 May [S/2002/545], Rwanda forwarded to the Council President common proposals of 2 May by Uganda and Rwanda on the way forward for the Democratic Republic of the Congo peace process, relating to the functioning and structure of the executive and legislative branches of government and the judiciary. On 16 May [S/2002/549], Rwanda transmitted a press release and summary report issued by a meeting of 13 Congolese political parties (Cape Town, South Africa, 9-10 May), in which they called for continuation of the Dialogue on the basis of the Facilitator’s proposals, withdrawal of foreign troops and disarmament of armed groups, and maintenance of the Lusaka Agreement as the political and legal framework for continuation of the Dialogue.

On 23 May [S/2002/596], the EU Presidency denounced the resurgence of violence in areas occupied by RCD-Goma, notably in Kisangani, and the repression of the Congolese people by RCD-Goma and Rwandan troops.

Appointment of Special Envoy. The Secretary-General, on 4 June [S/2002/691], informed the Security Council that although the Congolese parties were not able to reach an all-inclusive agreement on power sharing at the Sun City meeting of the Inter-Congolese Dialogue, they agreed to continue negotiations with a view to arriving at an acceptable formula. That need was also expressed at a meeting of several international stakeholders involved in the peace process convened by the Secretariat in New York on 17 May. That meeting had also requested the Secretary-General, in consultation with OAU and the Facilitator, to appoint a Special Envoy to assist in the negotiations. In that connection, he had decided to appoint Moustapha Niassé, former Prime Minister of Senegal, as his Special Envoy.

Security Council mission

By a 17 April letter [S/2002/430], the Security Council informed the Secretary-General of its decision to send a mission to the Great Lakes region and outlined its terms of reference. Between 27 April and 7 May, the mission, which comprised all 15 Council members, met with numerous regional leaders to assess and give new impetus to the implementation of the Lusaka Agreement, to encourage the Congolese parties to work together through the Inter-Congolese
Dialogue, and to facilitate both the withdrawal of foreign forces from the DRC and the DDRRR programme. In its report, issued on 15 May [S/2002/557], the mission made recommendations on the DRC and Burundi (see below). An addendum to the report [S/2002/557/Add.1] contained a non-paper on a proposed international conference on peace, security, democracy and development in the Great Lakes region, and a communiqué issued by the joint meeting of the Political Committee on the Implementation of the Lusaka Ceasefire Agreement in the Democratic Republic of the Congo and the Council mission (Angola, 2 May).

The mission, carried out immediately following the Inter-Congolese Dialogue, underlined the need for further talks among the Congolese parties in order to develop an inclusive agreement on a transitional government. It suggested to facilitate the withdrawal of foreign forces, creating a “curtain” of troops along the DRC’s eastern borders that would involve the DRC, Rwanda, Uganda and Burundi working out mechanisms for military cooperation along their common borders, with a military presence of the countries concerned in a portion of DRC territory for a limited period.

The mission found that the parties to the Lusaka Agreement continued to make progress, albeit slowly, in the application of the peace process. To advance the process, the mission suggested that a transitional authority could pave the way for free and fair democratic elections. It noted with satisfaction that the Government, MLC and RCD-Goma met on the margins of the Political Committee on 2 May to initiate further discussions in that regard. Once a transitional government was established, the mission proposed that the Council expand MONUC’s mandate to include the organization of free and fair elections. While noting that some foreign forces had withdrawn from DRC territory, the mission observed that, of all the original belligerents, only Namibia had withdrawn all its troops. Angola, Uganda and Zimbabwe had reduced their forces and there were reported withdrawals by Rwanda, which had not been verified.

The mission commended MONUC for the progress achieved in the disarmament, demobilization and repatriation of the Rwandan combatants at Kamina. It was aware, however, that DDRRR in the east would pose serious security problems, necessitating a robust MONUC force at Kindu. A positive development was the signing in April by the Government, MLC and RCD-Goma of an agreement to reopen the River Congo to commercial traffic, which was important to the economic and social life of the country.

The mission recommended that attention be given to the implementation of the MONUC mandate in the fields of human rights and humanitarian assistance to populations in need, taking into account the needs of women and girls. The progressive deployment of MONUC human rights and humanitarian personnel in the eastern DRC should lead to improvements in that area. Efforts should be made to ensure that humanitarian aid, and longer-term economic and development assistance, were provided to the DRC in support of the peace process. The mission reiterated its proposal for an international conference on security, development and peace in the Great Lakes region.

Once the Inter-Congolese Dialogue developed positively and UN forces were deployed in Kindu, the peace process was poised to enter a new dynamic. The mission proposed that the regional leaders, in coordination with the United Nations, establish a follow-up mechanism with the tasks of: coordinating the peace process; applying the results of the Dialogue throughout the country; preparing elections; facilitating the Dialogue among regional heads of State on further MONUC deployment, DDRRR, border security, and withdrawal of foreign forces; and preparing an international conference on the Great Lakes region.

Report of Secretary-General (June). The Secretary-General, in his eleventh report on MONUC, dated 5 June [S/2002/621], described developments since his February report. During that period, in addition to the Inter-Congolese Dialogue and the Security Council mission to the region (see above), the DRC Government and MLC began consultations on implementing their agreement that stipulated a 30-month transitional period prior to elections. Other diplomatic activity included the visit of the Under-Secretary-General for Peacekeeping Operations, Jean-Marie Guéhenno, to the region from 21 February to 4 March to promote a comprehensive solution to the conflict, a meeting on 17 May between Mr. Guéhenno and various international actors, including the Facilitator and OAU representatives, to discuss future steps to support the peace process, and the appointment by the Secretary-General of a Special Envoy (see above).

In mid-May, the city of Kisangani witnessed a fresh outbreak of violence that led to the death or disappearance of over 100 persons. The crisis began when dissident RCD-Goma soldiers seized a radio station and called on the population to rise up against the “Rwandan invaders”, which was followed by several days of killing and looting. The violence took place against a background of long-standing popular hostility towards the
Rwandan forces occupying eastern DRC and their local allies. MONUC provided shelter to seven individuals who claimed that their lives were at risk at the hands of RCD-Goma. That faction accused the Secretary-General’s Special Representative, Namanga Ngongi, of bias in favour of the Government, banned him from territories under its control and expelled three senior MONUC officers from Kisangani and Goma.

In the north-east, tension was high in Ituri province, especially in Bunia. The situation was characterized by severe insecurity, the lack of clear political authority and the presence of a foreign army, the Ugandan People’s Defence Force. The Hema-Lendu ethnic conflict was continuing, with allegations of killings by both groups. Lack of security prevented UN military observers from entering the area to verify the differing figures of the dead, wounded and disappeared.

Despite the volatility of the situation in some areas, MONUC continued to pursue step 1 of the third phase of its deployment and to implement its phase II tasks related to the monitoring and verification of the new defensive positions, and MONUC military observer teams conducted investigations of reported ceasefire violations. Some issues linked with the disengagement of forces were still pending: Moliro, Pweto, Bakamba and the four new defensive positions still controlled by MLC in the north-west, in violation of the agreement. Pursuant to Security Council resolution 1399(2002), RCD-Goma withdrew from Moliro on 27 March; although that resolution also demanded that it withdraw from Pweto, RCD-Goma maintained a civilian administration and police presence in the town. In Bakamba/ Ishilunde, DRC troops had not vacated the town, which fell under RCD-Goma control according to the disengagement plans. In Kisangani, MONUC was enlarging its troop size to approximately 1,150 to increase extensive patrolling and confidence-building activity. A major problem facing MONUC as it prepared for the main task of phase III, which involved the facilitation of voluntary DDRRR in eastern DRC, was the lack of a capable force. In the absence of a country willing to provide the necessary troops, phase III of MONUC’s deployment would have to be delayed. Although the Secretary-General, in his previous report, had sought an increase of 850 military personnel, he currently anticipated that only 400 more would be required for the key tasks in Kisangani and Kindu, due to changed circumstances.

In May, a MONUC team was sent to prepare the establishment of DDRRR offices in Masisi, Walikale, Shabunda, Goma and Bukavu, but it was able to visit only two locations due to the security situation. Civilian police attached to the mission evaluated and assessed the Congolese national police, but training was delayed until July when 85 authorized UN police personnel were expected to arrive. Other functions carried out by MONUC and described in the report included activities in public information, human rights, child protection, gender issues, humanitarian assistance, mine action and quick-impact projects. MONUC continued to pose the greatest logistics challenge in the history of UN peacekeeping operations.

The Secretary-General remarked that the ceasefire had continued to hold during the reporting period along the entire length of the former confrontation line, and the Congolese representatives had conducted a dialogue on the governance of their country, achieving agreement on several issues. Large numbers of foreign forces had been withdrawn, including all the Namibian forces. MONUC forces stood at 3,800 troops and observers. Nevertheless, many difficulties remained. Fighting had intensified in the east, mostly involving clashes between armed groups that were not signatories to the Lusaka Agreement, RCD-Goma and RPA. The agreement reached at Sun City was not an all-inclusive one, and the Secretary-General had appointed a Special Envoy to assist the parties in achieving an agreement that would lead to a transitional authority. There had been no talks between the Governments of the DRC and Rwanda on their respective security concerns. Grave violations of human rights persisted. The great majority of Congolese still suffered the effects of war, hunger and poverty, disease, lack of access to clean water and inadequate living conditions. Hundreds of thousands had been displaced by conflict and insecurity. Contrary to the undertakings of RCD-Goma, the city of Kisangani had not been demilitarized. MONUC would gather information on the events that began in that city on 14 May.

MONUC continued to explore the feasibility of the proposal of the Security Council mission for the establishment of a “curtain” of troops along the borders of the DRC with Rwanda, Burundi and Uganda, which could facilitate the final withdrawal of foreign forces from the DRC. The width of such a security zone, its regime and duration would be decided in consultation with the countries involved. The Secretary-General noted that MONUC, despite public expectations, did not have the means to provide broad protection to civilians at large, although it could protect a small number of civilians under imminent threat of physical violence. If the Mission was to take the steps necessary to protect more effectively civilians under imminent threat, the Security Council...
would need to adjust MONUC’s strength and reequip contingents to permit them to intervene more actively. In that regard, the Secretary-General stated that the basic responsibility for providing protection to civilians rested with the local authorities. He called on the DRC Government, in the light of commitments made by President Kabila during the recent Security Council mission, to fully support the DDRRR process, and urged RCD-Goma to allow the process to be carried forward. He added that RCD-Goma should understand that it was in their own interest and that of the Congolese people to stop harassing UN personnel and unblock the peace process.

In the light of the current circumstances, the Secretary-General recommended the extension of the Mission’s mandate for a further 12 months, until 15 June 2003, and an increase of 400 troops, to a total of 4,200.

SECURITY COUNCIL ACTION (May/June)

On 24 May [meeting 4544], following consultations among Security Council members, the President made statement S/PRST/2002/17 on behalf of the Council:

The Security Council strongly condemns the killings, in particular of civilians, that recently took place in Kisangani. The Council calls for an immediate cessation of all violations of human rights and international humanitarian law. It reiterates its demand that the city be demilitarized in accordance with relevant resolutions, in particular resolution 1304(2000) of 16 June 2000, and with the pledge made by the Rassemblement Congolais pour la Démocratie-Goma to the last Security Council mission. The Council also calls upon the parties to cooperate in the full reopening of the Congo River, including to commercial traffic.

The Council invites the Secretary-General to consider whether a temporary increase in the deployment in Kisangani of the United Nations Organization Mission in the Democratic Republic of the Congo, within the current authorized troop level, may contribute to easing tensions. The Council requests the Mission to continue to monitor reports of extrajudicial violence and report to the Council.

The Council draws the attention of the United Nations High Commissioner for Human Rights to the seriousness of the events that took place in Kisangani on 14 May 2002 and immediately thereafter.

The Council stresses the importance of the Mission assisting, within the current mandate, in the full demilitarization of Kisangani. In this respect, the Council welcomes the proposal by the Secretary-General in paragraph 50 of his tenth report, of 15 February 2002, in accordance with resolution 1355(2001) of 15 June 2001 and 1376(2001) of 9 November 2001, to reinforce the civilian police unit of the Mission with eighty-five officers to assist in the training of the local police.

The Council expresses its intention to consider expeditiously any further recommendation that the Secretary-General may deem necessary.

On 5 June [meeting 4548], following consultations among Council members, the President made statement S/PRST/2002/19 on behalf of the Council:

The Security Council condemns in the strongest terms the acts of intimidation and unfounded public statements against the United Nations Organization Mission in the Democratic Republic of the Congo, in particular attempts by the Rassemblement Congolais pour la Démocratie-Goma to “ban” the Special Representative of the Secretary-General and the “expulsion” of several personnel of the Mission and other United Nations personnel from areas under its control. It reaffirms its full support for the Special Representative and for the dedicated staff of the Mission.

The Council stresses that these unjustifiable attacks are directly contrary to the process of peace and national reconciliation in the Democratic Republic of the Congo and to the interests of the Rassemblement Congolais pour la Démocratie-Goma.

The Council reiterates its condemnation of the killings and attacks against civilians and soldiers that followed the events that took place on 14 May 2002 and thereafter in Kisangani and looks forward to receiving the joint report and recommendations of the Mission and the Office of the United Nations High Commissioner for Human Rights on the violence in Kisangani. The Council holds the Rassemblement Congolais pour la Démocratie-Goma, as de facto authority, responsible for bringing to an end all extrajudicial executions, human rights violations and arbitrary harassment of civilians in Kisangani and all other areas under the control of the Rassemblement Congolais pour la Démocratie-Goma.

The Council demands that the Rassemblement Congolais pour la Démocratie-Goma immediately:

— Cease its harassment of United Nations officials and assist with the deployment and operations of the Mission;
— Cooperate fully with all investigations of violence in Kisangani and the surrounding areas;
— Comply with all relevant resolutions of the Council, in particular by demilitarizing Kisangani.

The Council calls upon Rwanda to exert its influence to have the Rassemblement Congolais pour la Démocratie-Goma meet without delay all its obligations under the resolutions of the Council and this presidential statement.

The Council encourages the Government of the Democratic Republic of the Congo, the Mouvement pour la Libération du Congo and the Rassemblement Congolais pour la Démocratie-Goma to hold new discussions as soon as possible and in good faith, taking into account the progress in the Inter-Congolese Dialogue achieved in Sun City, South Africa, in order to reach an all-inclusive agreement on the political transition. In this respect, the Council supports the efforts of the newly appointed Special
Envoy of the Secretary-General for the Inter-Congolese Dialogue, Mr. Mustapha Niassé.

Rwanda, in its June observations (S/2002/541), referred to statement S/PRST/2002/19, gave its version of the events in Kisangani of 14 May and made allegations about the work of the Special Representative and MONUC staff. Rwanda said it had heeded the Council’s call to exert its influence to have RCD-Goma meet all its obligations under Council resolutions.

Extension of MONUC

On 14 June, the Security Council unanimously adopted resolution 1417(2002). The draft (S/2002/621) was prepared in consultations among Council members.

The Security Council,

Recalling its resolutions and the statements by its President regarding the Democratic Republic of the Congo, in particular resolution 1355(2001) of 15 June 2001,

Reaffirming the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and of all other States in the region,

Reaffirming also the obligation of all States to refrain from the use of force against the territorial integrity and political independence of any State or in any other manner inconsistent with the purposes and principles of the United Nations,

Reaffirming further the sovereignty of the Democratic Republic of the Congo over its natural resources, and in this respect looking forward to receiving the report of the Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo and the link between the exploitation and the continuation of the conflict,

Recalling the responsibilities of all parties to cooperate in the full deployment of the United Nations Organization Mission in the Democratic Republic of the Congo,

Acknowledging the positive role of the Facilitator of the Inter-Congolese Dialogue and of the President of the Republic of South Africa in the conduct of the Inter-Congolese Dialogue in Sun City, South Africa,

Taking note of the idea of a curtain of troops, which was raised during the Security Council mission to the Great Lakes region, and encouraging the Secretary-General, if asked to do so by the parties, to instruct the Mission to facilitate the development of this idea, with a view to possible support for its implementation, including by sending observers,

Recognizing the importance of electoral support in achieving governmental transition in the Democratic Republic of the Congo, and expressing its intention, once an all-inclusive transitional Government is in place, to consider the role the international community, in particular the Mission, might play in support of the electoral process,

Underlining the fact that the main responsibility for resolving the conflict rests with the parties,

Taking note of the report of the Secretary-General of 5 June 2002 and the recommendations therein,

Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

1. Decides to extend the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo until 30 June 2003;

2. Calls upon Member States to contribute personnel to enable the Mission to reach its authorized strength of 5,537, including observers, within the time frame outlined in its concept of operations;

3. Takes note of the recommendation of the Secretary-General for a troop ceiling increase, and expresses its intention to consider authorizing it as soon as further progress has been achieved and the steps referred to in paragraph 12 of resolution 1396(2001) of 9 November 2001 have been taken;

4. Condemns ethnically and nationally based calls for violence and the killings and attacks against civilians and soldiers that followed the events that took place on 14 May 2002 and thereafter in Kisangani, looks forward to receiving the joint report and recommendations by the Mission and the Office of the United Nations High Commissioner for Human Rights on the violence in Kisangani, and reiterates that it holds the Rassemblement Congolais pour la Démocratie-Goma, as the de facto authority, responsible for bringing to an end all such actions, human rights violations and arbitrary harassment of civilians in Kisangani and all other areas under the control of the Rassemblement Congolais pour la Démocratie-Goma, and that it demands the demilitarization of Kisangani;

5. Condemns also the exploitation of ethnic differences in order to incite or carry out violence or human rights violations, deplors the humanitarian impact of such abuses, and in this regard expresses particular concern at the situation in the Ituri region and in South Kivu, in particular in the Hauts Plateaux, and calls upon the de facto authorities in the regions affected to ensure the protection of civilians and the rule of law;

6. Reiterates its full support for the Special Representative of the Secretary-General and for all the dedicated Mission personnel who operate in challenging conditions, demands that the Rassemblement Congolais pour la Démocratie-Goma provide full access and lift all restrictions on Mission personnel and fully cooperate with the Mission in the implementation of its mandate, and urges Rwanda to exert its influence to have the Rassemblement Congolais pour la Démocratie-Goma meet without delay all its obligations;

7. Recalls paragraph 8 of resolution 1299(2000) of 24 February 2000 and paragraph 19 of resolution 1341(2001) of 22 February 2001, supports the steps outlined in paragraphs 25 and 71 of the report of the Secretary-General and reaffirms the mandate of the Mission to take the necessary action in the areas of deployment of its armed units and as it deems it within its capabilities:

— To protect United Nations and co-located Joint Military Commission personnel, facilities, installations and equipment;
— To ensure the security and freedom of movement of its personnel;
— To protect civilians under imminent threat of physical violence;

8. Requests the Mission to proceed expeditiously in the deployment of the additional eighty-five police trainers to Kisangani, as endorsed in the statement by its President dated 24 May 2002, once the Mission determines that the necessary security conditions are in place;

9. Supports the role of the Mission in disarmament, demobilization, repatriation, resettlement and reintegration as authorized in relevant Security Council resolutions, welcomes its deployment to Kisangani and Kindu, encourages it to move quickly to respond to any sign of interest in voluntary disarmament, demobilization, repatriation, resettlement and reintegration by uncontrolled armed groups in the eastern parts of the Democratic Republic of the Congo, within its current mandate, in the context of the full cooperation of all the parties on disarmament, demobilization, repatriation, resettlement and reintegration, including on the disarmament, demobilization, repatriation, resettlement and reintegration of the ex-combatants of Kamina, and for the provision of the necessary planning information referred to in paragraph 12 (ii) of resolution 1570(2001);

10. Welcomes the commitments made by the President of the Democratic Republic of the Congo, during the Security Council mission to the Great Lakes, not to support the armed groups referred to in chapter 9.1 of annex A to the Lusaka Ceasefire Agreement signed on 10 July 1999 and regarding the cooperation with the International Criminal Tribunal for Rwanda and in this regard urges the Government of the Democratic Republic of the Congo fully to implement these commitments and urgently to take all necessary steps to ensure that its territory is not used to support those armed groups;

11. Stresses that the reduction in the number of foreign forces in the territory of the Democratic Republic of the Congo is encouraging, demands the total and expeditious withdrawal of all foreign forces, in accordance with its previous resolutions, without which the conflict cannot be resolved, and in this regard reiterates that all parties must transmit to the Mission, in accordance with the Ceasefire Agreement and Council resolutions, in particular resolution 1570(2001), the plans and timetables for the total withdrawal of their troops from the territory of the Democratic Republic of the Congo;

12. Encourages the parties, especially the Government of the Democratic Republic of the Congo and the Government of Rwanda, to address the fundamental security issues at the heart of the conflict and, in this context, to explore the scope for further confidence-building measures, such as the idea discussed during the Security Council mission to the Great Lakes region of a curtain of troops, as an interim measure aimed at ensuring border security in the final stages of withdrawal, and encourages the parties to follow up on their initial positive reaction and develop this idea;

13. Reiterates its support for the Inter-Congolese Dialogue and encourages the Government of the Democratic Republic of the Congo, the Mouvement pour la Libération du Congo and the Rassemblement Congolais pour la Démocratique-Goma to hold new discussions as soon as possible, in good faith and without precondition, taking into account the progress in the Inter-Congolese Dialogue achieved in Sun City, South Africa, in order to reach an all-inclusive agreement on the political transition, with the support of all the Congolese parties to the Inter-Congolese Dialogue;

14. Stresses, while reaffirming that the primary responsibility for the Dialogue lies with the Congolese themselves, the importance of a strong United Nations role in support of this process and in this respect supports the efforts of the newly appointed Special Envoy of the Secretary-General for the Inter-Congolese Dialogue, Mr. Mustapha Niasse;

15. Requests all parties and relevant States to extend their full cooperation to the Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo and the link between the exploitation and the continuation of the conflict;

16. Requests the Secretary-General to report at least every four months to the Council on progress on the implementation of the present resolution;

17. Decides to remain actively seized of the matter.

Communications. On 1 July [S/2002/718], the DRC informed the Security Council that Rwanda and RCD-Goma had seized the town of Pweto, which was a violation of the ceasefire and a failure to respect the decisions of the Political Committee of the Lusaka Ceasefire Agreement. The Committee, composed of representatives of all parties to the Agreement, had called on 22 March for withdrawal from and the demilitarization of Pweto. The DRC called on the Council to demand the unconditional withdrawal of those troops from Pweto, demand that Rwanda and RCD-Goma demilitarize Kisangani, and consider transforming MONUC into an intervention force. The DRC, on 8 July [S/2002/735], described a build-up of Rwandan troops in Moba and in the highlands of South Kivu where a large-scale humanitarian crisis was unfolding. It asked the Council to convert MONUC’s mandate into that of an interposition force. On 11 July [S/2002/750], the DRC notified the Council of further violence by RCD-Goma near Kisangani. Rwanda, on 12 July [S/2002/755], denied the DRC accusations and called on the Council to take action against the DRC Government and groups allied to it.

Report of UN High Commissioner for Human Rights. In response to statement S/PRST/2002/17 (see p. 111), the United Nations High Commissioner for Human Rights issued a report on the events that occurred in Kisangani on 14 and 15 May [S/2002/764]. The High Commissioner stated that those events had occurred in the broader context of an ongoing conflict and, in that regard, she recalled that numerous massacres and extrajudicial killings had occurred in the country in the previous several years. She
noted that impunity continued to be a major cause of human rights violations in the DRC. After a thorough investigation, the High Commissioner concluded that the de facto authority of Kisangani—RCD-Goma—was responsible for the massacres that took place after it regained control over the city’s radio station; its authorities had killed at least 103 civilians and 60 soldiers and police officers. The inquiry conducted by RCD-Goma had made a feeble attempt to exonerate the human rights violations carried out by its representatives. The RCD-Goma authorities had taken no confidence-building measures to allay fears of ethnic reprisals or to reach out to the general public to resolve the ethnic tensions that might be building in society.

The High Commissioner recommended that the Council exert pressure on all parties to the conflict to respect human rights and humanitarian law and call on all neighboring countries to urge the parties to meet their human rights and humanitarian law obligations. In the context of the Kisangani massacre, the de facto authorities were called on to arrest those who ordered or were involved in the massacre. The Council was urged to give guidance to MONUC and the Office of the High Commissioner to enable them to follow up with specific recommendations for the de facto authorities in Kisangani to carry out a full investigation and to end impunity, and to identify ways by which protection could be provided to civilians in the DRC.

SECURITY COUNCIL ACTION (July)

On 23 July [meeting 4583], following consultations among Security Council members, the President made statement S/PRST/2002/22 on behalf of the Council:

The Security Council recalls the seriousness of the events that took place in Kisangani on 14 May 2002 and immediately thereafter, and expresses its appreciation for the report and recommendations submitted to the Council by the Office of the United Nations High Commissioner for Human Rights, building on the investigation conducted in association with the United Nations Organization Mission in the Democratic Republic of the Congo into the events to which the Council had drawn the attention of the United Nations High Commissioner for Human Rights (S/PRST/2002/17). It reiterates its strong condemnation of the killings and attacks against civilians, soldiers and police officers that took place on 14 May 2002 and thereafter in Kisangani. The Council stresses that the Rassemblement Congolais pour la Démocratique-Goma is responsible for the massacres that took place after it regained control over the city’s radio station on 14 May. The Council demands that the Rassemblement Congolais pour la Démocratique-Goma take the necessary measures to bring the perpetrators and those among them who ordered or were involved in the massacre to justice. The Council stresses that Rwanda has a duty to use its strong influence to ensure that the Rassemblement Congolais pour la Démocratique-Goma complies with this demand.

The Council stresses that the Rassemblement Congolais pour la Démocratique-Goma will be held accountable for any extrajudicial executions, including among members of the civil society or detainees at the detention centres of the Rassemblement Congolais pour la Démocratique-Goma in Kisangani. It also stresses that Rwanda has a duty to use its strong influence to ensure that the Rassemblement Congolais pour la Démocratique-Goma takes no such action. It requests the Mission to continue its investigations in cooperation with the Office of the High Commissioner in order to gather further information concerning the massacres in Kisangani and to make recommendations on concrete measures to be taken to effectively end impunity. It recalls the mandate of the Mission to extend its protection, in accordance with its resolution 1417(2002) of 6 June 2002, to civilians under imminent threat of physical violence, in the areas of deployment of its armed units and as it deems it within its capabilities.

The Council reiterates that the Rassemblement Congolais pour la Démocratique-Goma must demilitarize Kisangani without any further delay or condition and stresses this would prevent any future recurrence of these recent tragic events. The Rassemblement Congolais pour la Démocratique-Goma must also cooperate with the Mission and the Office of the High Commissioner in their investigations to identify all the victims and perpetrators in Kisangani so that the latter will be brought to justice, and also to ensure an end to all violations of human rights and to impunity in all areas under its control.

The Council expresses its concern at the absence of accountability throughout the Democratic Republic of the Congo noted in the report of the Office of the High Commissioner, and calls upon all parties to take immediate steps to ensure an end to impunity and full respect for human rights.

The Council also expresses its deep concern at the strengthening of troops in eastern Democratic Republic of the Congo. It expresses particular concern at the situation in South Kivu, in particular in the Hauts Plateaux and around Minembwe, where fighting has increased between the Rwandan Patriotic Army and Banyamulenge, supported by other armed forces. It calls for the cessation of this fighting, which is having a severe humanitarian impact on the population in the area. It calls upon the Government of Rwanda to use its strong influence to ensure that the Rassemblement Congolais pour la Démocratique-Goma complies with this demand.

The Council also expresses its concern at the issue of Pweto, in accordance with the Kampala Peace Agreement to address expeditiously the killings and attacks against civilians, soldiers and police officers in the areas of deployment of its armed units and as it deems it within its capabilities.

The Council expresses its serious concern at the recurrence of these recent tragic events. The Council also expresses its concern at the fighting between the Rwandan Patriotic Army and Banyamulenge, supported by other armed forces. It calls for the cessation of this fighting, which is having a severe humanitarian impact on the population in the area. It calls upon the Government of Rwanda to use its strong influence to ensure that the Rassemblement Congolais pour la Démocratique-Goma complies with this demand.

The Council also expresses its concern at the issue of Pweto, in accordance with the Kampala Peace Agreement to address expeditiously the killings and attacks against civilians, soldiers and police officers in the areas of deployment of its armed units and as it deems it within its capabilities.
Agreements on troop withdrawals

**Pretoria Agreement**

At a meeting in Pretoria, South Africa, on 30 July, Presidents Joseph Kabila of the DRC and Paul Kagame of Rwanda signed a peace agreement (S/2002/941), formally known as the Peace Agreement between the Government of the Democratic Republic of the Congo and the Republic of Rwanda on the Withdrawal of the Rwandan Troops from the Territory of the Democratic Republic of the Congo and the Dismantling of the ex-FAR and Interahamwe Forces in the Democratic Republic of the Congo. The Pretoria Agreement, which was also signed by the “third party” (the UN Secretary-General and President Thabo M. Mbeki of South Africa), was characterized by the parties and the Facilitator as an effort to overcome the obstacles to the implementation of the 1999 Lusaka Ceasefire Agreement, namely, the lack of progress in the withdrawal of Rwandan troops and in the DDRRR of ex-FAR/Interahamwe elements operating in the DRC.

Key provisions of the Pretoria Agreement related to the DRC’s undertaking to continue the process of tracking down and dismantling the Interahamwe and ex-FAR within the territory under its control. The DRC also agreed to collaborate with MONUC, the Joint Military Commission (JMC) and “any other force constituted by the third party, to assemble and disarm the ex-FAR and Interahamwe” in the whole territory of the DRC. Rwanda committed itself to withdrawing its troops from the DRC “as soon as effective measures that address its security concerns, in particular the dismantling of the ex-FAR and Interahamwe forces, have been agreed to.” The Agreement stipulated that Rwanda’s withdrawal should start simultaneously with the implementation of those two measures, both of which would be verified by MONUC, JMC and the third party. The third party was entrusted with several tasks, including the verification of information to be provided by the parties on the armed groups and of the implementation of measures on their dismantling. MONUC was called on to complete its phase III deployment and to operationalize and provide security at assembly points for ex-FAR/Interahamwe elements, as well as to facilitate their repatriation. The Governments of the DRC and Rwanda agreed to provide the Facilitator and the Secretary-General with any information they had relating to those groups. The third party committed itself to continually overseeing and verifying the processes undertaken by both parties.

A programme of implementation outlined a 90-day timetable for: the establishment of a third-party verification mechanism; the finalization of MONUC phase III deployment; the establishment of assembly points for ex-FAR/Interahamwe elements; the dismantling of those armed groups; various monitoring and verification tasks; and the complete withdrawal of Rwandan troops from DRC territory. Subsequently, the third party would
conduct the final verification of the completion of that programme and submit a report within 30 days. The MONUC concept of operations for phase III was revised to reflect the adjustments necessary for implementation of the Pretoria Agreement, including tasks for the verification mechanism and voluntary, progressive DDRRR of the armed groups in the DRC, with an emphasis on the ex-FAR/Interahamwe elements.

SECURITY COUNCIL ACTION (August)

On 15 August [meeting 4602], following consultations among Security Council members, the President made a statement S/PRST/2002/24 on behalf of the Council:

The Security Council expresses its appreciation to the Ministers for Foreign Affairs of the Democratic Republic of the Congo and South Africa, and to the Special Envoy of the President of the Rwandese Republic on the Great Lakes Region, who participated in its meeting on the Democratic Republic of the Congo.


The Council expresses its full support for the implementation of the Pretoria Peace Agreement. In this regard, the Council looks forward to considering as soon as possible the recommendations of the Secretary-General on ways in which the United Nations Organization Mission in the Democratic Republic of the Congo and, through the coordination of the Mission, all relevant United Nations agencies can assist the parties in fulfilling their responsibilities to implement the Peace Agreement.

The Council commends the Government of South Africa for its facilitation of the Peace Agreement, and for its further role, together with the Secretary-General, regarding the Agreement.

The Council stresses, in particular, the responsibilities of the two parties set out in the Peace Agreement and Programme of Implementation and calls upon the international community to assist and expedite the carrying out of those responsibilities.

The Council reiterates its support for the mandate of the Mission, as established by its resolution 1417(2002) of 14 June 2002, in particular in the area of voluntary disarmament, demobilization, repatriation, resettlement and reintegration.

The Council expresses the importance of close consultations and cooperation between the Governments of the Democratic Republic of the Congo, Rwanda and South Africa, and the Mission, and through the coordination of the Mission, all relevant United Nations agencies, on measures that can help to implement that Agreement and to facilitate voluntary disarmament, demobilization, repatriation, resettlement and reintegration.

The Council welcomes the commitments of the Governments of the Democratic Republic of the Congo and Rwanda under the Peace Agreement to cooperate in the identification, disarmament and repatriation of the ex-Rwandese Armed Forces and Interahamwe. The Council urges the parties to the Agreement to make every effort to comply fully with all their obligations, in conformity with Council resolution 1341(2001) of 22 February 2001 and the Programme of Implementation of the Agreement.

The Council also welcomes the commitment of the Government of Rwanda, under the Agreement, regarding the withdrawal of its troops from the territory of the Democratic Republic of the Congo and, in this regard, notes the submission by Rwanda of its initial troop withdrawal plan to the “Third Party”.

The Council will remain seized of these matters.

Luanda Agreement

The Luanda Agreement—the Agreement between the Governments of the Democratic Republic of the Congo and the Republic of Uganda on the Withdrawal of Ugandan Troops from the Democratic Republic of the Congo, Cooperation and Normalization of Relations between the Two Countries—was signed by the two States concerned on 6 September in Luanda, Angola. Under the Agreement, Uganda committed itself to the continued withdrawal of its forces from the DRC in accordance with an agreed calendar. In particular, the Ugandan troops were to withdraw immediately from Gbadolite, Beni and their vicinities. Uganda also reaffirmed its readiness to withdraw its troops from Bunia following the establishment of an administrative authority in Ituri province. The Agreement further stipulated that Ugandan troops on Mount Ruwenzori would remain until the parties put in place security mechanisms guaranteeing Uganda’s security, including coordinated patrols along the common border of the two countries.

The two parties agreed to establish, with the assistance of MONUC, a Joint Pacification Committee on Ituri, comprising representatives of the two Governments and various leaders on the ground. An administrative authority would be set up following a decision on a mechanism to maintain law and order in the province. Subsequently, Uganda would develop a plan for withdrawal from Bunia that would envisage the completion of the withdrawal of the Ugandan People’s Defence Force (UPDF) within 100 days.

Other provisions concerned the normalization of relations between the DRC and Uganda, including the restoration of the DRC’s sovereignty,
while Uganda’s security concerns were also addressed by: refraining from all types of military and logistical support to the armed groups; expediting the pacification of the DRC territories currently under Ugandan control and the normalization of the situation along the common border; exchanging intelligence on all matters of security interest; restoring full diplomatic relations; and re-establishing the Joint Ministerial Commission for cooperation in defence, security, trade, investment, infrastructure, transport, communications and cultural exchanges. The parties also agreed to resolve any future differences through peaceful means.

**Report of Secretary-General (September).** In response to Security Council statement S/PRST/2002/24 (above), the Secretary-General issued on 10 September a special report on MONUC [S/2002/1005]. He stated that the signing of the two separate Agreements between the DRC and Rwanda and the DRC and Uganda was an important development in the DRC peace process, which had laid the foundation for a lasting peace.

Following the signing of the Pretoria Agreement, the United Nations undertook consultations with South Africa, the DRC and Rwanda to plan its role in support of the Agreement. Additional clarifications were provided on 8 August when the Security Council held a meeting with the Foreign Ministers of South Africa and the DRC and the Special Envoy of the President of Rwanda. The United Nations and South Africa established a third-party verification mechanism with a secretariat in Kinshasa, DRC, and a liaison group in Kigali, Rwanda. MONUC would provide assistance to it. Rwanda had provided the third-party verification mechanism with initial information on its plan for withdrawing troops from the DRC, as well as information concerning the Rwandan armed groups operating in that country. The Secretary-General remarked, however, that much more information was required in those areas. The verification mechanism was also awaiting information from the DRC on the ex-FAR/Interahamwe elements allegedly in western DRC, including, in particular, information on the whereabouts of their leaders. The key to operationalizing the Pretoria Agreement would be the resolving of both parties to work closely with each other, with the assistance of the third party, in a climate of confidence. In order to overcome the remaining differences on such issues as the number and locations of Rwandan armed groups and measures to dismantle ex-FAR/Interahamwe, the Secretary-General supported President Mbeki’s proposal for monthly review meetings at the head of State level. While the continuing contacts between the parties since the signing of the Agreement were encouraging signs of their commitment to the peace process, military activity had intensified and public accusations were made regarding non-compliance with the Agreement. The cessation of hostilities between the Governments of the DRC and Rwanda had held along the disengagement line for some time, but the parties needed to ensure that secure conditions were created both for MONUC’s deployment and for the voluntary disarmament of the armed groups. Although not directly linked to the Agreement, a political settlement among the parties to the Inter-Congolese Dialogue was a critical element for ensuring its implementation.

Following the signing of the Luanda Agreement, Uganda, at the time of the report, had withdrawn some 1,200 troops from Beni and 650 troops from Gbadolite, and the withdrawal was expected to be completed by the end of September. Uganda had decided to withdraw its battalion from Bunia, a key town in the resource-rich Ituri region that was a political hub for RCD-Kisangani/Mouvement de libération (RCD-K/ML) in an acutely contested territory. Ituri had for decades been afflicted by violent clashes, particularly between the Lendu, the Hema and their affiliated groups. Since June 1999, tension had mounted, with according to the DRC, up to 20,000 people having lost their lives. Of Ituri’s population of 4.6 million, some 500,000 people were newly displaced, with 60,000 displaced in Bunia.

The extreme violence was often attributed to a lack of impartial administration, to the power struggle between the leaders of RCD-K/ML, to rivalry between business people over economic interests, to perceived or real interference by some UPDF elements on the ground, and to efforts to build up ethnically based militias by various sponsors. A Hema/Gerere militia group, the Union des patriotes congolais (UPC), had gained control of towns near Bunia, thereby reducing the RCD-K/ML power base, and the Lendu and Hema communities had entered a cycle of revenge killings. Given the circumstances, it was unlikely that a national authority could readily take control. UPDF troops were the only force in Bunia that could provide security. The situation in the north-east was further destabilized by a military offensive conducted by RCD-National, reportedly backed by MLC.

The Secretary-General reported that over the previous year, MONUC had made considerable strides in its phase II activities and was preparing for phase III, in particular by deploying civilian and military personnel in Kindu and Kisangani. However, in the absence of an overall political agreement, it had not been able to achieve much
with regard to DDRRR. In its attempts to achieve DDRRR, MONUC would be guided by the following principles: the DRC and Rwanda should provide all information they had on locations, numbers and weaponry of the armed groups; cessation of hostilities was required; MONUC would not forcibly disarm combatants; ex-combatants and their family members would be repatriated in secure conditions; the question of ex-combatants who did not wish to return to their home countries would be addressed; MONUC and UNHCR would work with the Governments of the DRC and Rwanda to ensure that persons sought by relevant international tribunals (see p. 1284) were made available to them; in areas not under DRC control, MONUC would provide “point security” for the disarmament sites, but local authorities would be responsible for overall “umbrella security”; in areas controlled by the DRC, the Government would provide security at the disarmament sites; and a clear understanding should be reached by the DRC and Rwanda on their respective roles, as well as those of MONUC, the Office of the United Nations High Commissioner for Refugees (UNHCR) and other UN agencies, on DDRRR of ex-combatants.

The Secretary-General described the envisaged arrangements for the DDRRR process, which would be carried out through 10 to 12 mobile reception centres, with a possible total caseload, including dependants, of up to 90,000. The third-party verification mechanism would play a vital role in implementing the Pretoria Agreement, and MONUC would serve as the operational arm of the mechanism in its verification tasks. The verification mechanism would also work with the DRC and Rwandan Governments to identify leaders of the ex-FAR/Interahamwe, establish their whereabouts and hand them over to the International Criminal Tribunal for Rwanda. A forward Mission headquarters would be established at Kisangani in order to coordinate MONUC activities in the east. To support the DDRRR process, the MONUC military component would need to be significantly strengthened by creating a forward force. That force would comprise two robust task forces (each with command, combat and support elements), based in Kindu and Kisangani, as well as one reserve battalion, riverine units and specialized enabling units (logistics, demining, engineers). To undertake the new tasks, the Secretary-General recommended that the authorized strength of MONUC be increased from 4,240 to 8,700 military personnel. The ability of MONUC to carry out its revised concept of operations would depend on the full cooperation of the parties.

In addition to observing the withdrawal of Ugandan troops, MONUC was monitoring the repatriation of a number of Zimbabwe Defence Forces from Mbandaka and Mbuji-Mai. It was also prepared to monitor the withdrawal of Rwandan troops, the largest foreign military presence. The initial withdrawal plan provided by the Rwandan Government lacked some required information, including numbers, equipment and locations of RPA units, as well as their exit routes.

Given the currently explosive situation in the north-east, and especially in Bunia, it was envisaged that MONUC would need to defuse the situation by promoting accountability from the de facto authorities and launching confidence-building measures. Security responsibilities should continue to be discharged by UPDF, in an impartial manner, until it could be replaced by a capable police force representing a legitimate authority acceptable to the communities in Ituri. A dialogue between the Lendu and the Hema was needed in view of the pervasive fear and mistrust characterizing their relations.

Despite the signing of the Agreements on withdrawal of forces, reports of intensified military activities in the east, especially in Ituri province, were a source of major concern. The Secretary-General called on the parties to do everything possible to achieve a ceasefire and to end all support to the armed groups. He also called on all concerned—in particular RCD-National, supported by MLC, and RCD-K/ML—to cease all military activities in the north-east. He urged the DRC and Uganda to continue their consultations, with a view to addressing the situation in Ituri, and, in that connection welcomed their decision to establish the Joint Pacification Committee on Ituri.

The Secretary-General expressed the view that the Pretoria and Luanda Agreements had laid the foundation for a lasting peace in the DRC. While Zimbabwe was not a party to those Agreements, its recent announced intention to repatriate its troops from the DRC was a welcome step. He called on Zimbabwe to work closely with MONUC to ensure that its withdrawal was transparent and orderly. Rwanda was encouraged also to demonstrate its willingness to withdraw its troops from the DRC, in accordance with Security Council resolutions. MONUC’s ability to implement its operations would depend on the full cooperation of the parties, including: the provision of all necessary information; a full cessation of hostilities, in particular the fighting between the non-signatories to the Lusaka Agreement and the Rwandan/RCD-Goma forces; the cessation of support from the DRC Government and others.
for ex-FAR/Interahamwe and other armed groups; and the parties’ provision of security, access and freedom of movement to MONUC. The Secretary-General urged the Congolese parties to reach an all-inclusive agreement on a new political dispensation in the DRC as soon as possible, and pledged the assistance of his Special Envoy, Mr. Niasse, to achieve that goal. He called for the commitment of the parties and the support of the international community to that end.

**Communications (August-October).** The EU, in letters of 2 August and 18 September to the Secretary-General [S/2002/874, S/2002/1054], welcomed the Agreements on the withdrawal of Rwandan troops and Ugandan forces from the DRC. It expressed the hope that the Congolese parties would use the momentum to promote an all-inclusive conclusion of the Inter-Congolese Dialogue.

On 12 August [S/2002/912], the DRC reported recent fighting in Bunia and continuing tension caused by the redeployment of the Ugandan army in the city. It claimed that the Ugandan army had used ethnic conflicts to gain control of the region’s natural resources, in particular gold and coltan. Since the DRC and Rwanda had signed the Pretoria Agreement, Uganda had reoccupied the areas it had previously evacuated. The DRC called on the Security Council to demand that Uganda immediately arrest Ugandan military officials and others involved in the fighting in the Ituri region and that it withdraw from DRC territory.

On 19 August [S/2002/941], the DRC said that Rwanda had conducted large-scale military operations in South Kivu in violation of the Pretoria Agreement, forcing the Congolese population to flee en masse. It called on the Security Council to condemn the Rwanda operations in the DRC. Rwanda, on 20 August [S/2002/945], responded to the DRC’s charges and said it had never ceased to demonstrate its commitment to withdraw its troops from the DRC once its security concerns had been taken into consideration. Meanwhile, the DRC Government had demonstrated a lack of commitment to the Pretoria Agreement by supporting ex-FAR/Interahamwe militias. Those steps posed a threat to Rwanda.

By a 7 October letter [S/2002/116], Rwanda informed the President of the Security Council that it had withdrawn all its troops from the DRC, in compliance with the 1999 Lusaka Ceasefire Agreement [YUN 1999, p. 87] and the 2002 Pretoria Agreement (see p. 115). Rwanda said it had fulfilled all its commitments within the given time frame required by those agreements and UN resolutions. Rwanda was awaiting action by other signatories to bring peace to the DRC, especially by effecting the full MONUC deployment of phase III and calling on the DRC to fulfil its engagements to track down, put in assembly areas, identify, disarm and demobilize the ex-FAR and Interahamwe to avoid further hostilities.

On 14 October [S/2002/1143], the DRC transmitted a communiqué in which it called on the Mai-Mai and RCD-Goma to observe the ceasefire in South Kivu, where there had been recent heavy fighting between them. It also invited MONUC and the third party to the Pretoria Agreement to reinforce their presence in eastern DRC with a view to prevailing on the parties to observe the ceasefire. In another 14 October letter [S/2002/1142], the DRC forwarded a joint communiqué issued at the close of a visit of its Foreign Minister to Bujumbura, Burundi. The two countries agreed to work towards restoring good relations, including through such steps as establishing machinery for the surveillance and control of their common frontier, and refraining from supporting rebel movements. Burundi undertook to conclude the withdrawal of its troops as quickly as possible and to prohibit the transit and marketing in its territory of natural resources of the DRC. They agreed to conclude a bilateral agreement.

On 17 October [S/2002/1165], Rwanda expressed concern over developments in Uvira, DRC, where, it said, there were troop movements, and boats with rocket launchers and other armaments had attacked the town from Lake Tanganyika. The ex-FAR and Interahamwe were the major force operating in and around Uvira, and the Mai-Mai were a smokescreen to give the new offensive by the DRC a semblance of logic. The movement of forces towards the Rwandan border posed a threat to Rwandan and regional security and was a violation of the Lusaka and Pretoria Agreements. The next day [S/2002/1170], Rwanda said that ex-FAR and Interahamwe had been armed and dispatched by the DRC Government in order to destabilize the Great Lakes region. It said that the tactic of that Government to hide behind terrorist forces (ex-FAR, Interahamwe, Mai-Mai, FDD, ALIR and others) in order to destabilize the Great Lakes region should be condemned, and called for an appropriate response by the international community.

**Troop withdrawal and other developments**

Following the signing of the bilateral agreements in Pretoria and Luanda between the DRC and Rwanda and Uganda, respectively, the period in mid-2002 was marked by troop withdrawals undertaken by Angola, Burundi, Rwanda, Uganda and Zimbabwe. Those developments oc-
curred while consultations among the Congolese parties on the establishment of a transitional government continued.

**Report of Secretary-General (October).** The Secretary-General, on 18 October [S/2002/1180], issued his twelfth report on MONUC, in response to Security Council resolution 1417(2002) (see p. 112), describing developments since his previous report of 5 June.

He noted that the initial round of consultations among the signatories of the Sun City agreement for a transitional government had opened at Matadi, DRC, in May. The talks, which ended on 6 July, highlighted serious differences between the DRC Government and MLC concerning power-sharing arrangements for the Supreme Council of Defence and the procedure for designating the Prime Minister. In August, however, the participants reached agreement on the 167 articles of the transitional constitution.

The Secretary-General’s Special Envoy, Moustapha Niasse, undertook missions to the region in June, July/August and September to discuss with the Congolese parties and others the possibilities of reaching an all-inclusive political agreement, including on the structure of transitional institutions and the distribution of responsibilities among State organs.

Since the Secretary-General’s June report, the Ugandan troop withdrawal had continued with the exception of a battalion at Bunia and troops patrolling the western slopes of the Ruwenzori Mountains. As at 11 October, the Zimbabwe Defence Forces had repatriated 3,477 troops; a small number of Angolan military forces had withdrawn and some 700 Burundi forces were repatriated. Most significant was the RPA withdrawal, which commenced on 17 September, and reached 20,941 by 1 October according to MONUC, and 23,760 troops by RPA figures (see p. 122). Those troops left 32 positions in the east and transited through 23 assembly areas to exit points under MONUC observation. The DRC Government, on 24 September, declared all political leaders of the Democratic Front (ADF) combatants in the DRC. Its civil-police component began a pilot project for training local police in Kisangani, which included a refresher course for existing police units and specialized training for traffic and court police and criminal investigators. Public information activities reinforced the visibility of MONUC with radio news programmes broadcast from Kinshasa to eight locations in five languages. Other products included posters, bumper stickers, a monthly magazine, a daily press review and a weekly newsletter.

MONUC continued to receive information indicating that the human rights situation in the DRC remained precarious, including allegations of arbitrary killings, rapes and excessive use of force by the security forces of all the parties. Throughout the country, people were detained without due process and prisons were in a deplorable state. A new wave of violence erupted in Kindu in August, shortly after RCD sent a new commander and chief of staff to Kisangani. In several parts of the country, humanitarian conditions remained

**MONUC continued to monitor and verify the new defensive positions of the parties, in accordance with its phase II mandate, and to prepare for phase III activities. It had a total of 4,258 military personnel at that time, against a ceiling of 5,357. The situation along the disengagement line remained generally stable, although a few positions continued to be occupied in contravention of the disengagement and redeployment plan. The only major violation of the Lusaka Ceasefire Agreement during the reporting period was in June in Pweto, which had been occupied by RCD-Goma in violation of the Lusaka Agreement, and was taken over by a group of Mai-Mai. As planning for phase III developed, MONUC was establishing additional observation sites in the east in order to create the conditions for future DDRRR operations and to monitor the withdrawal of foreign troops. In the meantime, UN riverine operations continued, allowing MONUC to escort resupply and humanitarian relief barges. The first commercial barge convoy in four years, accompanied by MONUC vessels, was sent from Kinshasa to Lisala and Bumbia on 20 July.

With the conclusion of the Pretoria Agreement on 30 July, MONUC was able to commence DDRRR activities. It established locations in Goma, Bukavu and Butembo for that purpose and began demobilizing Rwandan combatants in Beni. In consultations with Uganda, MONUC discussed the DDRRR process for 300 to 400 Allied Democratic Front (ADF) combatants in the DRC. Its civilian police component began a pilot project for training local police in Kisangani, which included a refresher course for existing police units and specialized training for traffic and court police and criminal investigators. Public information activities reinforced the visibility of MONUC with radio news programmes broadcast from Kinshasa to eight locations in five languages. Other products included posters, bumper stickers, a monthly magazine, a daily press review and a weekly newsletter.

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deeply disturbing. Approximately 17 million people—almost a third of the country’s population of 53 million—were in need of urgent food aid, and approximately 2.2 million people were displaced within the country. During the reporting period, significant new displacement was reported in Ituri and Maniema provinces. The deteriorating humanitarian situation against the backdrop of planned DDRRR activities would require expanded humanitarian coverage to more locations. Mines and unexploded ordnance were still present in the DRC, particularly in the areas of Kisangani and Ikela. MONUC was collaborating with the Mine Action Coordination Centre, with which it shared a database on mines and unexploded ordnance. Mine-clearing was carried out mainly by a Belgian NGO.

The Department of Peacekeeping Operations (DPKO) sent a review and assessment mission to MONUC (28 July–8 August) to review its capability to implement its mandate. The mission found that the main areas in need of enhancement included the setting of overall strategic direction and communication of such direction; strengthening management; reviewing the delegation of authority and ensuring appropriate command and control; enhancing information flows and policy and analysis functions; and ensuring that DDRRR was mainstreamed through MONUC.

The new phase of MONUC activities would require strengthening its logistical capabilities. Setting up reception centres for former combatants and their families (estimated at around 90,000 persons) would be complex, requiring two task forces and a carefully planned engineering effort.

The Secretary-General remarked on the significant developments in the peace process during the reporting period—the signing of the Pretoria and Luanda Agreements, the consequent withdrawals of foreign forces, the banning of the FDLR leadership based in Kinshasa, the exploratory visit to Rwanda of a group of ex-combatants and their dependants from Kamina, and the increased contacts among the Governments of the DRC and Rwanda and Uganda. Nevertheless, these developments remained serious challenges, in particular the heavy fighting in the north-east and east. The recent gains in the peace process were in danger of being reversed because of the military offensive against Uvira and other locations in the east, including the Ituri region. The current culture of impunity had to end, the Secretary-General stated, and those responsible for serious violations of human rights and international humanitarain law should be held accountable. The recent arrests of individuals indicted by the International Criminal Tribunal for Rwanda (see p. 1284) and their transfer to Arusha, United Republic of Tanzania, were encouraging in that regard.

As the peace process moved forward, the DDRRR measures would become a central part of MONUC operations. The progress achieved in the Inter-Congolese Dialogue was encouraging, and the increasing willingness of the various political actors to engage in the Dialogue was a positive sign. The Secretary-General called on all parties to cooperate in the mediation efforts of his Special Envoy and the Government of South Africa, with a view to reaching an understanding on the transitional arrangements foreseen in the Lusaka Agreement.

SECURITY COUNCIL ACTION (October)

On 18 October [meeting 4626], following consultations among Security Council members, the President made statement S/PRST/2002/27 on behalf of the Council:

The Security Council welcomes the progress on withdrawal of foreign forces from the territory of the Democratic Republic of the Congo, stresses that the withdrawals must be completed, and calls for the implementation of all the agreements signed by the parties and all relevant resolutions of the Council. At the same time, the Council expresses its strong concern at the rising tensions in the east of the country, in particular in Uvira and in the Ituri region.

The Council condemns the continuing violence in the east of the Democratic Republic of the Congo, in particular the attack on Uvira by Mai-Mai and other forces, and views with great concern the build-up of forces around Bukavu. The Council notes with concern that these actions add to the instability in the east of the Democratic Republic of the Congo, threaten regional stability, have severe humanitarian consequences, especially by increasing the numbers of internally displaced persons and refugees, and could threaten the border security of Burundi and Rwanda.

The Council calls upon all parties to the conflict to cease hostilities immediately and without preconditions, welcomes the call by the Government of the Democratic Republic of the Congo in its communiqué of 14 October 2002 for such a ceasefire and calls upon the Government of the Democratic Republic of the Congo and all Governments in the region to exert their influence on all the parties to this effect and to refrain from any action which would further exacerbate the situation or undermine the peace process.

The Council invites the Secretary-General to report further on the events in the region of Uvira and stresses the importance for the United Nations Organization Mission in the Democratic Republic of the Congo to increase its monitoring presence in the east of the Democratic Republic of the Congo, in particular in the regions bordering Burundi and Rwanda, as soon as security conditions allow such a deployment. It encourages all local actors, including the parties to the conflict as well as civil society and
religious organizations, to engage in talks in order to end the hostilities and to agree on a basis for peaceful coexistence in the region during the transitional period in the Democratic Republic of the Congo. In this regard, the Council encourages the Secretary-General to consider using his good offices to promote and facilitate such talks, with the Mission providing support where applicable.

The Council reminds all parties in Uvira and in the area that they must abide by international humanitarian standards and ensure respect for human rights in the sectors they control.

The Council expresses its deep concern over the intensification of ethnically targeted violence in the Ituri region. It condemns all such violence or incitement to violence. It requests all parties to take immediate action to defuse those tensions, ensure the protection of civilians and end violations of human rights. The Council welcomes the efforts of the Governments of Uganda and the Democratic Republic of the Congo to set up the Ituri Pacification Commission, as set out under the Luanda Agreement, and requests the Mission to provide support in this regard, when applicable.

The Council stresses that no Government, military force or organization or individual should provide military or other supplies or any other form of support to any of the groups involved in the fighting in the east of the Democratic Republic of the Congo and in Burundi.

The Council also expresses its concern at the situation in Kisangani, and reiterates its demand that the city be demilitarized.

The Council urges all Congolese parties to accelerate efforts to reach agreement on an all-inclusive Transitional Government and expresses its support for the efforts of the Special Envoy of the Secretary-General in this regard.

The Council calls on all parties and armed groups involved in the conflict in the Democratic Republic of the Congo to commit themselves to achieving a peaceful settlement for the region, and condemns any attempt to use military action to influence the peace process.

The Council expresses its full support for the efforts of the Special Representative of the Secretary-General, the Mission and the Government of South Africa.

The Council calls upon regional leaders to continue to support efforts to end the conflict in Burundi, and in this regard welcomes the recent visit of the Minister for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo to Burundi and the adoption of a joint communiqué by the two Governments. The Council calls upon the two Governments rapidly to conclude an agreement on the normalization of relations and cooperation in security matters.

Communications (October/November). Rwanda, on 18 October [S/2002/1071], called on the Security Council to exert influence on the DRC to cease violations of the Lusaka Agreement and the Pretoria process following the total withdrawal of RDF on 5 October, as monitored by MONUC and others. The DRC, with its allies, the Mai-Mai, ex-FAR and Interahamwe militia, as well as FDD, had attacked RCD-Goma and the war was still going on around Bukavu. The Council needed to know that there was a joint command and structure of the Congolese armed forces, ex-FAR, FDD, the Mai-Mai militia and Interahamwe.

On 22 October [S/2002/1182], the DRC informed the Council of a wave of killings perpetrated by RCD-Goma and RPA in eastern DRC, especially in the town of Uvira, on 19 October. The massacre of more than 100 Congolese began after the Mai-Mai combatants had evacuated the town at the request of the Government and the international community. The DRC suggested that the United Nations set up a commission of inquiry to investigate and requested the Council to condemn the redeployment of Rwandan troops in the DRC between 16 and 20 October. The DRC wanted to see the completion of the DDRRR process, and for that purpose found it important to establish assembly centres for Rwandan ex-combatants to encourage voluntary disarmament.

The EU Presidency, on 22 October [S/2002/1290], expressed concern about the violent clashes in eastern and north-eastern DRC and about the political implications of the renewed fighting and the humanitarian consequences. Concerned that the events could lead to an unravelling of the progress recently made on the basis of the Pretoria and Luanda Agreements, it called on all armed groups to work for a political settlement in the framework of the Inter-Congolese Dialogue. The EU called on the Council to consider increasing MONUC’s monitoring presence in the east, and urged the DRC to cooperate with DDRRR efforts.

Rwanda, on 25 October [S/2002/1296], forwarded to the Security Council President the text of a statement by the Third Party Verification Mechanism (TPVM), which stated that the withdrawal of Rwandan troops from the DRC, monitored by TPVM, MONUC and others, was completed on 5 October, with a total of 20,593 troops withdrawn. That figure was 2,807 less than the number counted by Rwanda, which provided an explanation for the discrepancy. TPVM therefore confirmed Rwanda’s 23,400 figure. On 28 October [S/2002/1297], Rwanda protested that the DRC had made false claims against Rwanda; it continued to ignore Rwanda’s security concerns and encouraged the ex-FAR and Interahamwe militiamen, while failing to acknowledge the withdrawal of Rwandan troops. Repeating those claims on the same date [S/2002/1298], Rwanda requested the Council to condemn the DRC, which it said had launched attacks with ex-FAR,
Interahamwe and Mai-Mai on Uvira in violation of the Pretoria Agreement.

The DRC, on 22 November [S/2002/1297], said that RCD-Goma had levied taxes in foreign currency and devised new vehicle registration plates recognized only by Rwanda, in moves designed to usurp the prerogatives of the DRC. It called on the Council to insist that the militia leaders work towards an inclusive agreement for transition in the DRC.

On 22 November [S/2002/1297], Uganda transmitted a statement entitled "The Kampala understanding between the Congolese Rally for Democracy-Liberation Movement (RCD-ML) and the Union of Congolese Patriots (UPC)", in which those two parties stated that they would cease hostilities on all fronts in Ituri. The two parties and Uganda agreed to find a solution to the Ituri problem through the Ituri Pacification Committee, in accordance with the Luanda Agreement. As a gesture of good will, RCD-ML agreed to withdraw its forces around Bunia to areas beyond Komanda. Uganda agreed to deploy its troops at Komanda and Gety in the context of the Lusaka and Luanda Agreements.

SECURITY COUNCIL ACTION (December)


The Security Council,
Recalling its resolutions and the statements by its President regarding the Democratic Republic of the Congo,
Reaffirming the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and of all other States in the region,
Reaffirming also the obligation of all States to refrain from the use of force against the territorial integrity and political independence of any State, or in any other manner inconsistent with the purpose and principles of the United Nations,
Reaffirming further the sovereignty of the Democratic Republic of the Congo over its natural resources,
Recalling the responsibility of all parties to cooperate in the full deployment of the United Nations Organization Mission in the Democratic Republic of the Congo,
Taking note of the special report of the Secretary-General of 10 September 2002 and the recommendations contained therein,
Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

1. Welcomes the signature by the Democratic Republic of the Congo and the Beudensese Republic of the Peace Agreement, at Pretoria on 30 July 2002, as well as the signature by the Democratic Republic of the Congo and the Republic of Uganda of the Lusaka Agreement, and welcomes also the efforts of South Africa, Angola and the Secretary-General in facilitating the adoption of those agreements;

2. Welcomes also the decision taken by all foreign parties to withdraw fully their troops from the territory of the Democratic Republic of the Congo, as well as progress in the implementation of those processes, in particular the withdrawal of 25,400 Rwandan troops from the Democratic Republic of the Congo verified by the Third Party Verification Mechanism, on 24 October 2002, as well as the withdrawals by Uganda, Zimbabwe and Angola, and stresses the importance for these withdrawals to be completed in a transparent, orderly and verified manner, and in this regard underlines the need for the parties to facilitate the verification of these withdrawals, including through the continuous provision to the United Nations Organization Mission in the Democratic Republic of the Congo of detailed information on these withdrawals, and requests the Secretary-General to report to the Council on this matter;

3. Expresses its full support for the Third Party Verification Mechanism, welcomes its work in helping the parties to implement the Pretoria Peace Agreement, in accordance with Security Council resolutions and the norms of international law, and stresses the importance of close cooperation between the Government of South Africa and the Mission in the work of the Mechanism;

4. Stresses the importance of the voluntary nature of the disarmament, demobilization, repatriation, resettlement and reintegration of the armed groups referred to in chapter 9.1 of annex A to the Ceasefire Agreement signed at Lusaka on 10 July 1999, calls upon the leaders and members of the armed groups to enter the disarmament, demobilization, repatriation, resettlement and reintegration process, also calls upon all concerned to work to this end, emphasizes the need to intensify the public information efforts of the Mission in this regard and calls upon all parties to support these efforts;

5. Also stresses the importance of further early and substantial progress in the process of voluntary disarmament, demobilization, repatriation, resettlement and reintegration throughout the country to match the progress achieved on the withdrawal of foreign forces, and urges all parties concerned to cooperate fully with the Mission in this regard;

6. Welcomes the repatriation of ex-combatants and their dependants from Kamina, while noting that the number of those repatriated falls short of the original number of those assembled, and recognizes the good will and efforts of the Governments of the Democratic Republic of the Congo and Rwanda in cooperating on this issue with the Mission thus far;

7. Welcomes also the efforts of the Government of Rwanda in providing guarantees that ex-combatants and their dependants will be able to return in conditions of safety and security, stresses the importance of such guarantees, stresses also the importance of confidence-building measures, including interna-
tional monitoring and reintegration assistance, and calls upon the Secretary-General and other relevant bodies, in consultation with the signatories of the Ceasefire Agreement, to address the issue of the resettlement of any ex-combatants who may not wish to return to their home country;

8. Welcomes further the statement of 24 September 2002 of the Government of the Democratic Republic of the Congo banning the activities of the Forces démocratiques de libération du Rwanda throughout the territory of the Democratic Republic of the Congo and declaring the leaders of that movement persona non grata on its territory, and encourages it to implement further its commitments to advance the disarmament, demobilization, repatriation, resettlement and reintegration of the armed groups in accordance with the Pretoria Peace Agreement;

9. Welcomes the commitment of the Government of the Democratic Republic of the Congo and other Congolese parties to achieve an inclusive agreement on the political transition, stresses the importance of such an agreement to the wider peace process, calls upon all Congolese parties to cooperate actively with a view to a speedy conclusion of such an agreement, and in this regard expresses its full support for the efforts of the Special Envoy of the Secretary-General;

10. Notes the encouraging developments on the ground, endorses the recommendations of the Secretary-General in his special report, including those relating to the support of the Mission for the Third Party Verification Mechanism as well as the proposal to extend the funding of the quick-impact projects of the Mission, endorses in particular the new concept of operations outlined in paragraphs 48 to 54 of the report, and authorizes the expansion of the Mission to consist of up to 8,700 military personnel, principally composed of two task forces, to be deployed on a phased basis as follows: the second task force shall be deployed when the Secretary-General reports to the Council that the first task force has been successfully deployed and the disarmament, demobilization and repatriation caseload cannot be met by the existing capacity of the first task force alone;

11. Endorses, in regard to disarmament, demobilization and repatriation under the new concept of operations of the Mission, the interim funding mechanism set out in paragraph 71 of the report for the voluntary disarmament, demobilization and repatriation of members of foreign armed groups, recognizes the importance of addressing the repatriation of the dependants along with the ex-combatants and calls upon the international community to provide the funds for this process;

12. Calls upon the Mission to pay special attention in carrying out its mandate to all aspects relating to gender perspective, in accordance with resolution 1325(2000), as well as to the protection and reintegration of children, in accordance with resolution 1379(2001);

13. Stresses that the main responsibility for resolving the conflict rests with the parties themselves, that they must continue to demonstrate their will to respect fully their commitments and that further efforts will be necessary to reach a comprehensive solution to the conflict and, in this regard:

(a) Calls for a full cessation of hostilities involving regular forces and armed groups throughout the territory of the Democratic Republic of the Congo, in particular in South Kivu and in Ituri;

(b) Calls for the cessation of all support to the armed groups referred to in chapter 9.1 of annex A to the Ceasefire Agreement;

(c) Calls upon all parties to provide full access for the Mission and the Third Party Verification Mechanism throughout the territory of the Democratic Republic of the Congo, including inside all ports, airports, airfields, military bases and border crossings;

(d) Calls for the surrender to the International Tribunal for Rwanda of any persons indicted by the Tribunal;

(e) Reiterates its demand for Kisangani to be demilitarized without further delay or preconditions;

(f) Demands that all parties work towards the immediate full restoration of freedom of movement on the Congo river;

14. Expresses its deep concern over the humanitarian situation throughout the country and, in particular, in the Ituri region, calls upon the parties to allow humanitarian agencies and organizations full access to populations in need and to ensure the safety and security of humanitarian workers, and condemns those who seek to hamper the provision of assistance to civilians in need;

15. Also expresses its deep concern over the intensification of ethnically targeted violence in the Ituri region, condemns all such violence or incitement to violence, requests all parties to take immediate actions to defuse these tensions, ensure the protection of civilians and end violations of human rights, calls upon all parties, in particular the Union des patriotes congolais, to cooperate to set up the Ituri Pacification Commission, and requests the Secretary-General to increase the presence of the Mission stationed in the area, if he determines that the security condition allows it, in order to provide support to this process as well as to humanitarian efforts, and to report back to the Council;

16. Notes the commitment of Uganda under the Luanda Agreement to complete the withdrawal of its forces no later than 15 December 2002, welcomes the positive interaction between the Governments of the Democratic Republic of the Congo and Uganda since the signing of the Agreement, and calls upon both parties to work, together and with the Mission, towards conditions that will allow the Agreement to be implemented in full;

17. Reiterates that no Government, military force or organization or individual should provide military or any other form of support to any of the groups involved in the fighting in the east of the Democratic Republic of the Congo, in particular in Ituri;

18. Encourages the Mission to continue its assessment of police capabilities and training needs in the Democratic Republic of the Congo, including, when necessary, at the level of local communities, with special attention to the Ituri area;

19. Calls upon all parties to pay special attention to all aspects relating to gender, in accordance with resolution 1325(2000), and to the protection of children, in accordance with resolution 1379(2001);

20. Encourages the Governments of the Democratic Republic of the Congo and, respectively, Rwanda and
Uganda to take steps to normalize their relations and to cooperate to ensure mutual security along their borders, as provided for in the Pretoria Peace Agreement and the Luanda Agreement, and also encourages the Governments of the Democratic Republic of the Congo and Burundi to take similar steps;  
21. Stresses the crucial importance of preventing the situation in the Democratic Republic of the Congo having a further destabilizing effect on the neighbouring States, in particular Burundi, Rwanda, Uganda and the Central African Republic, and calls upon all parties concerned to cooperate in good faith to that end and to facilitate in this regard the continuing observation efforts by the Mission in the areas of its deployment, including eastern Democratic Republic of the Congo and border areas;  
22. Reaffirms that an international conference on peace, security, democracy and development in the Great Lakes region, with participation by all the Governments of the region and all the other parties concerned, should be organized at the appropriate time, under the aegis of the United Nations and the African Union, with a view to strengthening stability in the region and working out conditions that will enable everyone to enjoy the right to live peacefully within national borders;  
23. Strongly condemns the repeated harassment of Radio Okapi staff, and demands that all parties concerned desist from such actions;  
24. Restates its full support for the Special Representative of the Secretary-General and for all the dedicated Mission personnel who operate in challenging conditions;  
25. Decides to remain actively seized of the matter.

Communications (December). On 12 December [S/2002/1560], the DRC claimed that heavy cargo aircraft of the Libyan Arab Jamahiriya had flown into DRC territory controlled by MLC to transport troops from the Sahel-Saharan States present in the Central African Republic (see p. 143). As reported by the Secretary-General [S/2003/211], the Agreement provided that elections should be held at the end of a 24-month transition period. During the transition period, President Joseph Kabila would remain head of State, combining the function with that of Supreme Commander of the Armed Forces. Four Vice-Presidents would be in charge of governmental commissions, each comprising ministers and deputy ministers: a Political Commission (chaired by RCD-Goma); an Economic and Finance Commission (chaired by MLC); a Reconstruction and Development Commission (chaired by the government component); and a Social and Cultural Commission (chaired by the political opposition component). The Government would be composed of 36 ministers and 25 deputy ministers. A bicameral Parliament comprising a National Assembly (whose President would be nominated by MLC) and a Senate (whose President would be nominated by civil society) would also be established. Civil society representatives would head five independent institutions to be set up in support of democracy, including an independent electoral commission and a human rights monitoring body.

The neutral Facilitator of the Inter-Congolese Dialogue, Ketumile Masire, was expected to convene the Dialogue in early 2003 to adopt the transitional constitution. The outstanding issues he had identified included the formation of a national army, security in Kinshasa and finalization of the draft constitution. The Secretary-General’s Special Envoy for the Dialogue was attempting to bring the parties to agreement on the outstanding issues.

Situation at year’s end

Despite the signing of the All-Inclusive Agreement, military activities continued, the Secretary-General reported [S/2003/211]. In the Beni area, the MLC/RCD-National offensive, which began in October, threatened the position of RCD-K/ML in late December. Following the intervention of MONUC, working with the Ambassadors of the five permanent Security Council members and those of Belgium and South Africa, MLC, RCD-National and RCD-K/ML signed a ceasefire agreement at Gbadolite on 30 December. That agreement provided for the withdrawal of forces to positions 40 kilometres apart and the demilitarization of Mambasa and Komanda under the administrative control of RCD-K/ML.

On 31 December, as soon as security conditions allowed, a MONUC multidisciplinary team investigated allegations that grave human rights violations had occurred in Mambasa and surrounding areas. The accounts of over 350 witnesses strongly suggested a pattern of looting, killing and vio-
that Ugandan forces were supporting the RCD-K/ML/Lendu grouping. The Special Representatives of armed groups in control.

withdrawal of Rwandan troops, leaving a patchwork of control was significantly reduced following the decision to repatriate. Senior officials from Rwandan combatants in the vicinity might be willing to be repatriated. Approximately that the majority of the 3,000-4,000 Rwandan combatants in the vicinity might be willing to be repatriated. Senior officials from MONUC, DPKO, the Office of Legal Affairs and UNHCR met (Geneva, 16-17 December) to discuss modalities for implementation of Security Council resolution 1445(2002), including the repatriation of dependants of ex-combatants.

The main operational MONUC activity at the end of the year was DDRRR. In November, such operations at the military base in Kamina were completed with the repatriation of 735 Rwandans (432 combatants and 303 dependants). Approximately 1,300 Rwandan combatants fled Kamina following armed clashes with government forces on 1 November that were related to the involuntary return of FDLR personnel from Kinshasa to Rwanda. On 16 December, MONUC opened its first DDRRR reception centre in Lubero, North Kivu, where it was estimated that the majority of the 3,000-4,000 Rwandan combatants in the vicinity might be willing to be repatriated. Senior officials from MONUC, DPKO, the Office of Legal Affairs and UNHCR met (Geneva, 16-17 December) to discuss modalities for implementation of Security Council resolution 1445(2002), including the repatriation of dependants of ex-combatants.

MONUC civilian police (CIVPOL) continued to train DRC police officers. On 20 December, a training programme in criminal law, criminal procedure and human rights for 53 judicial police officers in Kisangani was concluded. The MONUC Public Information Division reinforced its office in Kisangani to extend its activities there, including coverage of DDRRR operations and Ituri developments. Its Radio Okapi established a programme schedule, with magazines and contributions from its eight local stations operating in the DRC. On 12 December, an FM trans-
formance of MONUC from 1 July 2000 to 30 June 2001. Expenditures during that period totalled $246,472,900 gross ($243,458,300 net), resulting in an unencumbered balance of $26,647,600 gross ($26,627,300 net). The unencumbered balance resulted from lower costs for military personnel, transport operations, air operations, communications, equipment and freight. The Secretary-General recommended that the General Assembly appropropriate the commitment authority of $41 million (gross and net) it had approved in resolution 55/275 [YUN 2001, p. 157], and decide on the treatment of the unencumbered balance, on the treatment of other income for the period amounting to $4,136,000 from interest income, other/miscellaneous income and savings on or cancellation of prior period obligations, and on special arrangements for settlement of claims.

The Advisory Committee on Administrative and Budgetary Questions (ACABQ), also in February [A/56/654], commented on the Secretary-General’s report on the MONUC budget for 1 July 2001 to 30 June 2002 [YUN 2001, p. 158]. In its view, an amount of $450 million was adequate to cover MONUC requirements for that period, and accordingly recommended that the Assembly appropriate an additional amount of $56,757,600 to supplement the amount of $393,242,400 already authorized. In connection with the contract for the provision of airfield services to MONUC, ACABQ found that DPKO’s Field Administration and Logistics Division (FALD) had contravened procurement procedures in awarding the contract to a particular company. It therefore recommended two options for consideration: the airfield services contract should be resubmitted for tender at the end of the first year (by 30 June 2002); or a series of contracts should be awarded to more than one provider.

GENERAL ASSEMBLY ACTION (March)

On 27 March [meeting 97], the General Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee [A/56/713/Add.1], adopted resolution 56/232 B without vote [agenda item 158].

Financing of the United Nations Organization Mission in the Democratic Republic of the Congo

The General Assembly,

Having considered the report of the Secretary-General on the budget for the United Nations Organization Mission in the Democratic Republic of the Congo for the period from 1 July 2001 to 30 June 2002 and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Bearing in mind Security Council resolution 1258 (1999) of 6 August 1999, by which the Council established the United Nations Organization Mission in the Democratic Republic of the Congo, and the subsequent resolutions by which the Council revised and extended the mandate of the Mission, the latest of which was resolution 1376(2001) of 9 November 2001,

Recalling its resolution 54/260 A of 7 April 2000 as well as subsequent resolutions on the financing of the Mission, the latest of which was resolution 56/232 A of 24 December 2001,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 54(5-V) of 27 June 1969, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Mission,

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. Reiterates paragraph 1 of its resolution 55/275 of 14 June 2001;

2. Takes note of the status of contributions to the United Nations Organization Mission in the Democratic Republic of the Congo as at 31 January 2002, including the contributions outstanding in the amount of 294.8 million United States dollars, representing some 75 per cent of the total assessed contributions, expresses concern that only 2 per cent of Member States have paid their assessed contributions in full, and urges all other Member States concerned, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. Expresses its appreciation to those Member States that have paid their assessed contributions in full and on time, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

4. Expresses concern at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. Also expresses concern at the delay experienced by the Secretary-General in deploying and providing adequate resources for some recent peacekeeping missions, in particular those in Africa;

6. Emphasizes that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. Also emphasizes that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. Reiterates its request to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

9. Endorses the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;
10. Requests the Secretary-General to take into consideration the concerns and options referred to in paragraph 99 of the report of the Advisory Committee and any other relevant options that may arise, and to submit a progress report to the General Assembly for its consideration during the second part of its resumed fifty-sixth session;

11. Also requests the Secretary-General to submit, as a matter of priority, to the General Assembly during the second part of its resumed fifty-sixth session, the report of the Office of Internal Oversight Services on the audit it recently conducted regarding the award of the current contract on air services to the United Nations Organization Mission in the Democratic Republic of the Congo;

12. Further requests the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

13. Requests the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

14. Decides to appropriate the amount of 56,757,600 dollars gross (57,229,300 dollars net) for the maintenance of the Mission for the twelve-month period from 1 July 2001 to 30 June 2002, in addition to the amount of 405,717,014 dollars gross (396,667,307 dollars net) for the period from 1 July 2000 to 31 March 2002, inclusive of the amount of 11,611,099 dollars gross (10,347,914 dollars net) for the support account for peacekeeping operations and the amount of 11,611,099 dollars gross (10,347,914 dollars net) for the United Nations Logistics Base appropriated and assessed by the General Assembly in its resolutions 55/275 and 56/232 A;

15. Decides also, taking into account the amount of 405,717,014 dollars gross (396,667,307 dollars net) already appropriated for the period from 1 July 2001 to 31 March 2002 in accordance with the provisions of its resolutions 55/275 and 56/232 A, to apportion among Member States the additional amount of 56,757,600 dollars gross (57,229,300 dollars net) for the period from 1 July 2001 to 30 June 2002 in accordance with the scale of assessments between FALD and MONUC [A/56/887/Add.11]. On 5 April [A/56/887], it issued a report on general administrative and budgetary aspects of the financing of peacekeeping operations (see p. 75).

The Secretary-General, by a 9 April note [A/56/906], forwarded the report of the Office of Internal Oversight Services (OIOS) on its audit of a contract for the provision of airfield services for MONUC. OIOS found that DPKO’s objective to establish an airfield services contract to meet the Mission’s urgent operational requirements was not achieved, owing mainly to inadequate consultations between FALD and MONUC during the preparation of the statement of work for the contract, and DPKO’s failure to articulate the modalities for establishing a “requirements contract”.

Consequently, services were delayed for months because of protracted post-award negotiations. OIOS made a number of recommendations to establish appropriate contractual mechanisms, including: DPKO should ensure that its outsourcing decisions were properly documented; FALD should determine missions’ operational requirements in consultation with the concerned missions; FALD should define the scope of services for proposals; DPKO should consider engaging consultants to prepare specifications and conduct technical evaluations for complex projects; and FALD should devise appropriate strategies to respond to urgent operational requirements of missions.

In a 10 May progress report on the status of the MONUC airfield services contract [A/56/998], the
Secretary-General stated that the Secretariat had commenced the process of resubmitting the contract for tender or putting other arrangements in place for airfield services to MONUC. The proposed schedule to complete that process by the end of 2002 was tight but attainable.

GENERAL ASSEMBLY ACTION (June)

On 27 June [meeting 105], the General Assembly, on the recommendation of the Fifth Committee [A/56/715/Add.2], adopted resolution 56/252 C without vote [agenda item 158].

Financing of the United Nations Organization Mission in the Democratic Republic of the Congo

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Mission in the Democratic Republic of the Congo and the related reports of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolutions 1258(1999) of 6 August 1999 and 1279(1999) of 30 November 1999 regarding, respectively, the deployment to the Congo region of military liaison personnel and the establishment of the United Nations Organization Mission in the Democratic Republic of the Congo, and the subsequent resolutions by which the Council revised and extended the mandate of the Mission, the latest of which was resolution H/7(2002) of 14 June 2002,

Recalling also its resolution 54/250 A of 7 April 2000, as well as subsequent resolutions on the financing of the Mission, the latest of which was resolution 56/252 B of 27 March 2002,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 47(IV) of 27 June 1983, 301(XXXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Mission,

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfill its responsibilities under the relevant resolutions of the Security Council,

1. Takes note of the status of contributions to the United Nations Organization Mission in the Democratic Republic of the Congo as at 30 April 2002, including the contributions outstanding in the amount of 102.8 million United States dollars, representing some 4.7 per cent of the total assessed contributions, expresses concern that some 20 per cent of Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in Africa, to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

2. Expresses concern at the financial situation with regard to peackeeping activities, in particular as regards the reimbursement of troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

3. Also expresses concern at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peackeeping missions, in particular those in Africa;

4. Emphasizes that all future and existing peackeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

5. Reaffirms its request to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

6. Takes note of the progress report of the Secretary-General on the status of the airfield services contract for the Mission, and urges the timely and full implementation of the action plan contained therein;

7. Takes note also of the note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the audit of a contract for the provision of airfield services in the Mission;

8. Requests the Secretary-General to report further on the status of the airfield services contract in the Mission to the General Assembly at its fifty-seventh session;


10. Endorses the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the Secretary-General to ensure their full implementation;

11. Requests the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy, particularly with regard to air transport;

12. Requests the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

13. Approves, on an exceptional basis, the special arrangements for the Mission with regard to the application of article IV of the Financial Regulations of the United Nations, whereby appropriations required in respect of obligations owed to Governments providing contingents and/or logistical support to the Mission shall be retained beyond the period stipulated under financial regulations 4.3 and 4.4, as set out in the annex to the present resolution;

Financial performance report for the period from 1 July 2000 to 30 June 2001

14. Takes note of the report of the Secretary-General on the financial performance report of the Mission for the period from 1 July 2000 to 30 June 2001;

15. Decides to appropriate to the Special Account for the United Nations Organization Mission in the Democratic Republic of the Congo the amount of 41 mil-
lion dollars, as previously authorized and apportioned under the terms of its resolution 55/275 of 14 June 2001;

**Budget estimates for the period from 1 July 2002 to 30 June 2003**

19. **Decides also** to appropriate to the Special Account the amount of $608,325,264 dollars at a monthly rate of $50,693,772 dollars, in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolution 55/236 of 23 December 2000, and taking into account the scale of assessments for the years 2002 and 2003 as set out in its resolution 55/25 of the same date;

20. **Decides further** to apportion among Member States the amount of $608,325,264 dollars at a monthly rate of $50,693,772 dollars, in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolution 55/236 of 23 December 2000, and taking into account the scale of assessments for the years 2002 and 2003 as set out in its resolution 55/25 of the same date;

21. **Decides** that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 20 above, their respective share in the Tax Equalization Fund of $13,105,200 dollars approved for the Mission for the period from 1 July 2002 to 30 June 2003 at a monthly rate of $1,092,100 dollars, comprising the estimated staff assessment income of $9,644,200 dollars approved for the Mission for the period from 1 July 2002 to 30 June 2003, the prorated share of $3,209,400 dollars of the estimated staff assessment income approved for the support account for the period from 1 July 2002 to 30 June 2003, the prorated share of $2,095,400 dollars of the estimated staff assessment income approved for the support account for the period from 1 July 2002 to 30 June 2003, the increase in staff assessment income of that account for the period from 1 July 2000 to 30 June 2001, and the prorated share of $213,600 dollars of the estimated staff assessment income approved for the United Nations Logistics Base for the period from 1 July 2002 to 30 June 2003 and the reduction in staff assessment income of that account for the period from 1 July 2000 to 30 June 2001;

22. **Decides also** that for Member States that have fulfilled their financial obligations to the Mission, there shall be set off against the apportionment, as provided for in paragraph 20 above, their respective share of the unencumbered balance of $26,647,600 dollars and other income of $4,136,000 in respect of the period ending 30 June 2001 in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolution 55/256, and taking into account the scale of assessments for the year 2001, as set out in its resolution 55/25 of the same date;

23. **Decides further** that for Member States that have not fulfilled their financial obligations to the Mission their respective share of the unencumbered balance of $26,647,600 dollars and other income of $4,136,000 dollars in respect of the period ending 30 June 2001 shall be set off against their outstanding obligations in accordance with the scheme set out in paragraph 22 above;

24. **Decides** that the decrease in the staff assessment income of $20,300 dollars shall be set off against the credits from the unencumbered balance in respect of the financial period ended 30 June 2001 referred to in paragraphs 22 and 23 above;

25. **Emphasizes** that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

26. **Encourages** the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Mission;

27. **Invites** voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

28. **Decides** to include in the provisional agenda of its fifty-seventh session the item entitled “Financing of the United Nations Organization Mission in the Democratic Republic of the Congo”.

**ANNEX**

**Special arrangements with regard to the application of article IV of the Financial Regulations of the United Nations**

1. At the end of the twelve-month period provided for in financial regulation 4.3, any unliquidated obligations for the financial period in question relating to goods supplied and services rendered by Governments for which claims have not yet been received or which are covered by established reimbursement rates shall be transferred to accounts payable; such accounts shall remain recorded in the Special Account for the United Nations Organization Mission in the Democratic Republic of the Congo until payment is effected.

2. In addition:
   (a) Any other unliquidated obligations of the financial period in question owed to Governments for provision of goods and services rendered but not yet verified as well as other obligations owed to Governments for which claims have not yet been received shall remain valid for an additional period of four years following the end of the twelve-month period provided for in financial regulation 4.3;
   (b) Claims received during this four-year period as well as approved verification reports shall be treated as provided for under paragraph 1 of the present annex, if appropriate;
   (c) At the end of the four-year period, any unliquidated obligations shall be cancelled and the remaining balance of appropriations retained therefor shall be surrendered.

The Assembly, on 20 December, decided that the agenda item on MONUC financing would remain for consideration at its resumed fifty-seventh (2003) session (decision 57/585) and that the Fifth Committee would consider it at that session (decision 57/556).

**Exploitation of natural resources**

In 2002, the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, established by the Secretary-General in response to a 2000 Security Council request
contained in presidential statement S/PRST/2000/20 [YUN 2000, p. 128], issued an interim and a final report. The Panel’s mandate was to collect information on illegal exploitation and to analyse the links between such exploitation and the continuation of the conflict in the DRC.

The Secretary-General, in a 2 January letter to the Council [S/2002/16], referred to presidential statement S/PRST/2001/39 [YUN 2001, p. 141], by which the Council extended the Panel’s mandate for six months and requested it to issue an interim report and a final report. He nominated Mahmoud Kassem (Egypt) to continue to chair the Panel and recommended the renomination of three of its members. On 28 January [S/2002/199], the Secretary-General nominated two additional members of the Panel.

**Interim report of Expert Panel.** The Secretary-General transmitted to the Security Council on 22 May [S/2002/565] the interim report of the Panel of Experts containing its assessment of the situation and observations on the illegal exploitation of the natural resources of the DRC. The Panel had carried out a third round of fact-finding visits, which included three of the countries in the Great Lakes region that had been involved in the conflict and had also served as transit points for certain natural resources—Uganda, Rwanda and Burundi. It also visited the DRC twice and two other transit countries—the Congo and the Central African Republic. During those visits, the Panel met with high-level government authorities, technical officials, leading members of Congolese rebel groups, MONUC, UN agencies, diplomats, multilateral donors, NGOs, civil society associations and private commercial operators. Outside Africa, the Panel had meetings in secondary transit and end-user countries—Belgium, France, Germany and the United Kingdom.

The Panel’s preliminary assessment was that the illegal exploitation of Congolese natural resources was continuing and was being consolidated in many areas. Coltan mining was taking place throughout the eastern DRC and, despite a sharp decrease in prices, operators linked to the parties involved in the conflict continued to export a substantial volume. The scope, intensity and modalities of the activities related to exploitation were in some cases reflected in the highly commercialized power bases of certain military and political actors in the conflict. There were indications that criminal networks and activities were being imported into the Great Lakes area from other African countries and from regions outside Africa. Transit routes for commodities were being altered and Congolese resources were relabelled during transit to disguise their origins.

Business partners were being used as a legitimizing facade, while commercial entities were being reconfigured so as to obscure links and activities. A substantial volume of certain resources transited through countries bordering on the DRC, some clandestinely and some openly under the guise of legitimate transit trade.

The Panel evaluated the current nature of the DRC conflict, noting that the ceasefire line had virtually eliminated direct encounters between the previously warring parties. However, on either side of the ceasefire line foreign armies had consolidated their presence, and the struggle over maintaining control of natural resources and territory had become a principal preoccupation. Foreign forces in the west, in concert with certain Congolese parties, continued to pursue their economic interests in natural resources while adopting a more discreet profile. For example, while Zimbabwe had officially declared the withdrawal of a substantial number of troops over the previous year, there were reports that replacement troops were brought into areas where Zimbabwean parties had interests in diamond mining. In the east, where fighting had erupted, the quest for natural resources was characterized by armed violence of varying degrees among foreign armies, foreign armed groups, rebel armies and Mai-Mai groups. In the north-east, conflicts were primarily among the three Ugandan-backed Congolese rebel groups—MLC, RCD-National and RCD-ML. Battles were waged over control of Buta, Isoro, Watsa, Bafwasende and Bunia, all endowed with deposits of gold, diamonds, coltan and/or cassiterite, as well as timber. For more than three years, various armies had seized those areas, trading control there frequently. Rwandan-controlled forces, RCD-Goma and RPA, were advancing in the north-west towards territories held by RCD-ML and MLC where diamonds had been discovered.

In eastern DRC, population displacement, repeated outbreaks of armed conflict and generalized insecurity had resulted in the destruction of crops and grazing fields and the halting of food production. Sources indicated that local populations, including children, were being conscripted and used as forced labour in the extraction of resources by some military forces. In some areas, entire communities were forcibly displaced by armed forces so that they could take control of resource sites. Excessive taxes, revenue siphoning, seizure of local resources, forced requisitioning of assets and control over trade by foreign and local military had paralysed local economies. Unsustainable mining and logging activities caused ecological destruction and threatened five national parks in the eastern region.
Control over fiscal resources—licensing fees, export taxes, import duties and general State and community taxes—was gaining importance for the rebel groups and foreign armies in eastern DRC. Some of the revenues were reportedly diverted to individuals or groups for personal profit, while others were allegedly siphoned off for payments to foreign armies. Most local economies had collapsed and most Congolese families were increasingly impoverished.

At the Inter-Congolese Dialogue (see p. 107), there was a reported reluctance on the part of at least three major belligerent parties to discuss the issue of the exploitation of resources. The Economic and Finance Committee adopted resolutions on setting up mechanisms to review all commercial agreements and contracts signed during the current conflict and to evaluate the costs of both conflicts fought since 1996. Military support to the rebel movements and the use of national armies to support the exploitation of resources had resulted in widespread conflict, indiscriminate arming of large portions of the population and considerable insecurity. The economies of many of the principal urban centres and surrounding areas had collapsed, while rural economic activities had ceased altogether in many places. Food insecurity was rampant, malnutrition was high and unemployment was estimated at 80 to 90 per cent in many areas.

The Secretary-General, in a 9 July letter [S/2002/762], informed the Security Council that the Panel of Experts had requested additional time to complete its work and, accordingly, he recommended that its mandate be extended until 31 October. The Council President, on 12 July [S/2002/763], said that the Council took note of the recommendation.

On 1 October [S/2002/1097], the DRC forwarded its own report on illegal exploitation of its natural resources, in which it charged that Rwanda, Uganda and Burundi were the perpetrators of wide-scale looting and exploitation. It stated that the deployment of UN peacekeepers along the borders with those countries was essential, and therefore the MONUC mandate should be expanded. It called for an international conference on peace, security and development in the Great Lakes region, and made a number of recommendations to the Council.


The Panel noted that the conflict in the DRC, involving armies of seven African States, had diminished in intensity, but the overlapping microconflicts that it had provoked continued. Those conflicts were fought over minerals, farm produce, land and even tax revenues. Criminal groups linked to the armies of Rwanda, Uganda and Zimbabwe and the DRC Government had benefited from the microconflicts. Those groups would not disband voluntarily even as the foreign military forces continued their withdrawals. They had built up a self-financing war economy centred on mineral exploitation. While recent troop withdrawals had taken place, they were unlikely to alter the determination of Rwanda and Zimbabwe, and Ugandan individuals and groups based in the DRC to exercise economic control over parts of the DRC. Once their troops departed, they adopted other strategies for maintaining the mechanisms for revenue generation, many of which involved criminal activities. Other tactics for disguising the continuing presence of foreign influence included training local militia to serve as a paramilitary force under foreign command (as was the case with UPDF); replacing Congolese directors of parastatals with foreign businessmen (as Rwanda had done); inserting foreign armed forces in Congolese units (Rwanda’s tactic); and establishing new companies and contractual arrangements with the DRC Government for economic benefit (Zimbabwe). At the same time, local militias and local politicians, supplementing the role that State armies had previously played in ensuring access to and control of resources, were engaging in embezzlement, tax fraud, extortion, the use of stock options as kickbacks and diversion of State funds.

The Panel described three areas that had been established as separate spheres of economic control within the DRC—the Government-controlled area, the Rwanda-controlled area and the Uganda-controlled area. Those “elite networks” used various means to maintain control of DRC resources. In the Government-controlled zone, there were three circles of power, namely, Congolese and Zimbabwean government officials and private businessmen, who were named and whose activities, strategies and sources of revenue were described in the report. Rwanda had attempted to justify its military presence in the eastern DRC as protection from attack by hostile groups based in the DRC, but the Panel determined that its real long-term purpose was to secure property and exercise economic control. Economic exploitation in its various forms would continue, relying on a less conspicuous armed force and alternative strategies for carrying out the exploitative activities. The commercial and military activities of RPA were linked, and the proceeds of the RPA commercial wing financed an armed presence. The Panel described the Rwandan activities and sources of revenue, which
The objective of the elite network in areas controlled by Uganda had been to exercise monopolistic control over the area’s principal natural resources (coltan, diamonds, timber and gold), cross-border trade and tax revenues for the purpose of enriching members of the network. Notwithstanding the political rapprochement between Uganda and the DRC, the network continued to increase its economic hold over the area. The loosely organized Ugandan network consisted of a core group of members, including certain UPDF officers, private businessmen and selected rebel leaders/administrators, and it conducted activities through front companies. Naming companies and individuals involved, the Panel reported that the network generated revenue from the export of primary materials, from controlling the import of consumables, and from theft and tax fraud, and it manipulated the money supply and the banking sector. UPDF and its associated rebel militias were used as the de facto enforcement arm of the network, ensuring the network’s pre-eminent commercial position through intimidation. UPDF, which had agreed to withdraw most of its troops (see p. 116), was training a paramilitary force to facilitate the commercial activities of UPDF officers after their departure. Military operations of UPDF had contributed to the arming and training of the militia of their Ituri commercial allies, the Hema, and provoked the need for the victims of Hema attacks (the Lendu) to defend themselves. Armed conflict had spread throughout society, as economic and personal insecurity reached extreme levels.

The Panel concluded that the illegal exploitation of natural resources, gross violations of human rights and a dire humanitarian situation were some of the consequences of four years of war and the lack of a central Government in the DRC with the authority and capacity to protect its citizens and resources. The withdrawal of foreign forces was a step towards ending the illegal exploitation, yet the networks had already set up mechanisms to ensure that the exploitation would continue. An early establishment of an all-inclusive transitional government would be another step towards halting the exploitation, although that would also require institution-building. In the interim, continued monitoring and reporting on the exploitation of resources would serve to deter such activities. Ultimately, the most important element in halting the illegal exploitation was the political will of those who supported and benefited from the networks, but that would be difficult, given their dependency on the profits from those activities. The war economy controlled by the three elite networks operating in the DRC dominated the economic activities of much of the Great Lakes region, yet the Lusaka, Pretoria and Luanda Agreements did not address that economic component of the conflict. It was hoped that progress in the peace process, together with a DDRRR programme, with adequate funding, would provide better alternatives to the armed groups.

The Panel further concluded that an embargo on the export of raw materials originating in the DRC was unlikely to be a viable means of improving the situation of the country’s Government, citizens or natural environment. Nevertheless, restrictive measures needed to be taken vis-à-vis the role of companies and individuals involved in arms supply and resource plundering. The establishment of a transitional government in Kinshasa should be accompanied by four elements: the disarmament of all rebel groups; phased withdrawal of foreign troops; measures to curb illegal exploitation and encourage legal exploitation; and the application of leverage through multilateral pressures and incentives. Those elements needed to be interlinked, phased and monitored. The Panel believed that a peace dividend in the form of economic incentives should be emphasized by the international community, and disincentives should be enacted to apply pressure in the case of non-compliance with the peace agreements. An international conference on peace, security, democracy and sustainable development in the Great Lakes region would be an ideal forum to address the need to reorient the regional trading system to post-conflict imperatives and for negotiating the framework of a multilateral agreement to carry that out.

Among its numerous specific recommendations, the Panel called for: establishing a set of initiatives on reconstruction and sustainable development to address the economic dimension of the Lusaka peace process and provide incentives for continuing progress; and reform of State institutions, particularly the State’s capacity to secure its territory and borders, increase transparency, increase accountability, build regulatory controls, reform customs and revenue administrations and ensure independence of personnel, and reform the mining and forestry sectors. The Governments of countries where individuals, companies and financial institutions involved in the illegal exploitation of the DRC’s natural resources were based should assume their share of
responsibility. They had the power to regulate and sanction those individuals and entities. The Guidelines for Multinational Enterprises of the Organisation for Economic Co-operation and Development (OECD) offered a mechanism for bringing violations by businesses to the attention of home Governments, which could take remedial action. The Panel proposed that donors make official aid to Burundi, Rwanda, and Zimbabwe conditional on their compliance with relevant peace agreements and on measures taken to halt illegal exploitation. It proposed that specialized industry organizations be requested to monitor trade in commodities from conflict areas and that Member States where trade in rough diamonds was being conducted should be urged to join the Kimberley Process (see p. 43). Diamond-producing countries should apply internal controls from extraction to exportation. Other protective measures were needed for timber, forestry products and endangered species. The Panel also suggested that the Security Council establish a monitoring process to scrutinize the situation in the Great Lakes region to ensure that illegal exploitation was significantly curbed.

Annexed to the report were lists of: companies on which the Panel recommended placing financial restrictions; persons for whom the Panel recommended a travel ban and financial restrictions; and business enterprises considered by the Panel to be in violation of the OECD Guidelines.

Security Council consideration. On 24 October [meeting 4654] and 5 November [meeting 4642], the Security Council considered the Expert Panel’s final report. The Panel Chairman, introducing the report, said that since the signing of the Pretoria and Luanda Agreements, much progress had been made towards achieving peace in the DRC, yet the Luaka peace process did not address the crucial economic dimension of the conflict. The latest flare-up in fighting in the east-ern border region was motivated as much by economic advantage as by political gain. The elite networks were involved in trade, fiscal revenue collection, systems of embezzlement, tax fraud, extortion, kickbacks, false invoicing, asset stripping of State companies and secret profit-sharing agreements, and they often collaborated with organized criminal groups to maximize profits and for money-laundering, illegal currency transactions, counterfeiting operations, arms trafficking and smuggling. The networks’ core members had the authority and power to shape national policies and divert the peace process through their use of national armies, para-military groups, military-backed companies with civilian facades and foreign soldiers, who had integrated into rebel armies and local defence forces. The role of armed groups should be taken into account in efforts to halt the exploitation, he said, including through demobilization, disarmament and the repatriation of those individuals and enterprises were based. The Panel hoped that its report could be used to motivate the parties to honour their obligations under the recent agreements. Its recommendation for a peace dividend in the form of economic incentives included initiatives on quick-disbursing aid for reconstruction and rehabilitation programmes for the DRC and other Great Lakes countries involved in the conflict. Other incentives were needed to promote regional integration, which would marginalize criminal and military-driven trade in favour of legitimate commercial development. The Panel also called for intensive aid to rebuild and reform State institutions, particularly in eastern DRC, and disincentives to deter criminal exploitation, such as travel bans and the freezing of assets. Decisive action was needed by the Security Council to curb illegal exploitation.

The DRC commended the Panel for its observa-tion that the presence of Rwandans in the DRC was not for security reasons but to pursue criminal activities in close connection with the ex-FAR and Interahamwe. Contrary to declarations by Rwanda, there were still large numbers of its troops on Congolese soil, for example, in Kisangani, Goma and other cities in the Kivu provinces, where they had joined RCD-Goma. The report also described the training of young people by Ugandan troops in the Ituri region for the purpose of perpetuating the pillaging. It further revealed that the pillaging of DRC resources was large-scale and systematic, which accounted for and continued the armed aggression and occupation for purely mercantile reasons. The DRC agreed with most of the Panel’s recommendations, in particular those on the acceleration of MONUC deployment and the demilitarization of Kisangani. It also proposed that the Security
Council consider the establishment of an ad hoc international criminal court for the DRC to judge those guilty of crimes against humanity.

Uganda commented on the Panel’s report, as it had in letters to the Council of 25 October and 4 November [S/2002/1202, S/2002/1221]. It welcomed the report’s recognition that Uganda had established the Porter Judicial Commission of Inquiry to investigate allegations against Ugandan military officers, individuals and companies in connection with the illegal exploitation of DRC natural resources. Uganda regretted that the report had ignored Uganda’s legitimate security concerns and had alleged that the UPDF presence in eastern DRC was the cause of instability designed to create conditions for the illegal exploitation of resources. Uganda pointed out that UPDF remained in the DRC as a stabilizing force at the request of the Secretary-General. It denied the existence of any Ugandan elite network and disputed other statements in the report. Uganda believed that implementation of DDRRR programmes remained key to peace and security in the region, and called on the Council to strengthen MONUC.

Rwanda rejected what the report said about it, as it had in a written response of 23 October [S/2002/1187], claiming that the report was politically motivated, biased, subjective and unprofessional and contained only unsubstantiated allegations. It failed to recognize the reason why Rwanda had originally sent troops into the DRC, which was to protect the people from the ex-FAR and Interahamwe, not to exploit the mineral resources. Since the Panel had finished its work on the ground, Rwanda had completely withdrawn from the DRC. It opposed the proposal for a monitoring body because it would only foment, rather than reduce, tension and conflict in the region and make transborder trade difficult.

Zimbabwe said that the report detracted attention from the real causes of the conflict, as well as its principal progenitors, shifting the focus from the State to the individual. The Panel repeated allegations discounted in the past, such as claims that Zimbabwe Defence Forces were supporting Burundi and Rwandan rebels, without offering new evidence. Denying allegations of criminal behaviour by its military and security institutions, Zimbabwe said the report demeaned the legitimate relations between Zimbabwe and the DRC, and misrepresented the nature of joint ventures between the two countries. The report grudgingly revealed the identity of those really behind the illegal exploitation—the financiers and end-users—and they were based in Western countries, but attention was diverted to insignificant players.

Communications (October/November). In addition to the letters mentioned above, South Africa, on 25 October [S/2002/1099], and the DRC, on 12 November [S/2002/1210], reacted to the Panel’s final report in letters to the Security Council President. South Africa noted that the Panel’s allegations about its Government, South African–based companies and nationals, particularly with regard to trade in diamonds and other commodities, were not substantiated. The DRC disclosed that its Government’s Public Prosecutor had opened a judicial inquiry in order to disprove or confirm the allegations contained in the Panel’s report.

Burundi

The Transitional Government of Burundi, established in November 2001, made efforts to implement throughout the year the 2000 Arusha Agreement on Peace and Reconciliation [YUN 2000, p. 146]. Under that Agreement, which had been signed by most political parties but not by some of the main combatant rebel forces, a framework for political reform was defined, including the integration of a Burundi national defence force, to be composed of 50 per cent Hutu and 50 per cent Tutsi forces.

The Implementation Monitoring Committee, charged with supervising the implementation of the Agreement, met under the chairmanship of the United Nations to carry out its mandate within the constraints imposed by the insecurity prevailing in the country. The Committee worked with the Government and the other transitional institutions for the adoption of laws and provisional immunity for political leaders returning from exile. Although several national institutions were established, the lack of a ceasefire impeded total success for most of the year, and fighting intensified in mid-2002.

The Security Council mission, which visited the Great Lakes region in April/May, expressed support for the Transitional Government and urged the rebel groups to cease hostilities and begin negotiations. Further diplomatic pressure was brought to bear on the armed groups through a regional peace initiative and by the current Facilitator of the peace process, Deputy President Jacob Zuma of South Africa, representing the former President of South Africa, Nelson Mandela. As negotiating efforts increased, the Secretary-General, on 27 June, appointed a Special Representative for Burundi, Berhanu Dinka.

Later in the year, ceasefire agreements were signed by the Transitional Government and three of the four main armed groups. Talks were held among the various factions and the Transi-
tional Government on implementation issues. The parties were hopeful that the ceasefire agreement would provide the necessary setting for a political solution.

**Political and military developments**

On 10 January, the Transitional National Assembly was formally installed and its Speaker and President were elected, followed on 6 February by the Transitional Senate. Despite the absence of a ceasefire, the transitional institutions and the political parties participating in them were able to initiate the reform of the provincial administration and the civil service, in accordance with the Arusha Agreement.

The President of Burundi, Major Pierre Buyoya, addressed the Security Council when it discussed the situation in Burundi on 5 February [meeting 4467]. He stated that the political climate had improved considerably, especially following the establishment of transitional institutions. All parties and political groups signatory to the Arusha Peace Agreement were represented in the Government, with the exception of one political group that preferred not to participate. The political leaders who had been living in exile had returned to Burundi and were carrying out political duties within the transitional institutions.

Deadlines had been adhered to, and 18 months from 1 November 2001 there would be a transfer of power at the head of State level, followed by local and legislative elections. After 36 months, the transition would conclude and a presidential election would be held. The conclusion of a ceasefire was crucial to speeding up and concluding the needed reform process. The violence that the rebels continued to inflict on the Burundian people was a challenge, as was the need to rebuild the country after eight years of crisis.

**Communication.** During the visit of the Minister for Foreign Affairs and Cooperation of Burundi to the DRC, the two countries issued a joint communiqué on 7 January [S/2002/36], in which Burundi undertook to withdraw its troops from DRC territory as soon as a surveillance mechanism was put in place. For its part, the DRC undertook to contribute to the involvement of Burundian rebel groups in the Arusha Agreement process, to ensure the success of the negotiations to be organized within the framework of the regional initiative between those rebel groups and the Transitional Government of Burundi, and to take steps to ensure that its territory was not a base for armed attacks against Burundi.

**SECURITY COUNCIL ACTION**

On 7 February [meeting 4471], following consultations among Security Council members, the President made statement S/PRST/2002/3 on behalf of the Council:

The Security Council pays tribute to the signatories to the Arusha Peace and Reconciliation Agreement for Burundi, and to the transitional President, Major Pierre Buyoya, in particular, for their efforts to advance the peace process. It expresses its full support for the Transitional Government set up on the basis of the Agreement, which was represented by President Buyoya at the meetings of the Council on 5 February 2002. The Council reiterates its gratitude for the facilitation efforts of former President Nelson Mandela. It also expresses its support for the ongoing efforts of President Omar Bongo of Gabon and Deputy President Jacob Zuma of South Africa, as well as States in the region and South Africa, to facilitate the implementation of the Arusha Agreement.

The Council reaffirms that continued fighting against the legitimate Transitional Government set up pursuant to an inclusive peace agreement is totally unjustifiable and unacceptable, and threatens the implementation of the peace process. It calls once more upon the rebel groups immediately to lay down arms in the interest of all Burundians and recalls that only a negotiated solution will finally end the fighting. In this connection, the Council commendsthe commitment of the Transitional Government to enter into ceasefire negotiations and pays tribute to the efforts made to that end by the facilitation team and, in coordination with the latter, by the States in the region, particularly the United Republic of Tanzania. The Council emphasizes that it is now up to the rebel groups to do their part. It calls upon them immediately to translate into action the encouraging signals that they have given recently. It emphasizes further that, while the transition is moving ahead according to the established time frame, time is of the essence for the rebels finally to join the peace process.

The Council welcomes the steps taken by the Governments of Burundi and the Democratic Republic of the Congo to normalize their relations. In this regard, it also welcomes the joint communiqué they issued on 7 January 2002. It calls upon them to implement as soon as possible the elements agreed upon in that communiqué, and in particular to ensure that the territory of the Democratic Republic of the Congo will not be used for armed attacks against Burundi, and to proceed to the effective withdrawal of Burundian troops from Congolese territory.

The Council emphasizes that national reconstruction and economic recovery are the other main challenges which the Burundi peace process must overcome in order to place itself on a stronger footing. The Council stresses the important role of the international community in this regard and calls upon donor countries to honour as soon as possible the pledges which they made at the International Donors Consultation Conference on Burundi held in Paris on 11 and 12 December 2000 and the International Donors Conference held in Geneva, Switzerland, on 7 December 2001, as well as upon the United Nations system as a whole to support the Transitional Government for the reconstruction of the country.
Security Council mission

The terms of reference of the Security Council mission to the Great Lakes region (27 April–7 May) [S/2002/430] (see also p. 108) as they related to the situation in Burundi were to provide support to the peace process and to the Transitional Government and institutions; to support the peace process facilitation and urge the rebel groups to cease hostilities and begin negotiations; and to address the economic, human rights and humanitarian situations.

Burundi, welcoming the forthcoming mission in a 17 April memorandum [S/2002/454], drew attention to its main concerns. It said that facilitation efforts aimed at negotiating a ceasefire between the Government and the armed groups were being thwarted by the latter’s intransigence. It urged the Council to bring strong pressure to bear on the leaders of the rebellion and encourage countries of the subregion to persuade the groups in question to enter negotiations. If negotiations failed, Burundi called for coercive measures to include steps to demobilize, disarm, arrest and detain members of those groups. Burundi requested the Council to approach the countries of the subregion suspected of supplying weapons to the Burundian rebels, in order to persuade them to desist from providing weapons and support to the Forces pour la défense de la démocratie and the Forces nationales de libération. Burundi also appealed for economic assistance for reconstruction and the reintegration of disaster victims.

In the May report on its mission [S/2002/537 & Add.1], the Council stated that there had been a number of improvements in the country since its last visit in 2001 [YUN 2001, p. 147], in particular the installation of the Transitional Government. The States of the region, especially the United Republic of Tanzania and the DRC, had supported the implementation of the transition. Thanks to the facilitation of the Deputy President of South Africa, Jacob Zuma, and the President of Gabon, Omar Bongo, a framework for dialogue had been created to facilitate contacts between the Transitional Government and the non-signatory armed groups. However, the mission noted that further progress was necessary to ensure the success of the peace process. The continuation of fighting was the most serious risk facing that process and the mission demanded that the rebel groups cease hostilities immediately. Without such cessation, followed by a ceasefire agreement, the peace process could be jeopardized. That was also the view of most heads of State of the region, some of whom expressed doubts concerning the willingness of the armed groups to enter into negotiations and raised the possibility of regional sanctions. All the mission’s interlocutors stressed that the economic and financial difficulties currently facing the country might also undermine the peace process. The humanitarian situation in Burundi was disastrous. The mission expressed support to the tripartite commission (Burundi, United Republic of Tanzania, UNHCR) for its efforts to assist the voluntary return of refugees.

The mission recommended that, in the coming weeks and before the next meeting of the regional peace initiative, dialogue with all regional players be intensified. The Council might also encourage regional States to persuade the armed groups to end hostilities and enter into a ceasefire agreement. The mission stressed the need for the full implementation by the Transitional Government of reforms called for in the Arusha Agreement, with or without a ceasefire, to the full extent that the military situation allowed. The international community, in particular the United Nations, had a role to play in assisting the Burundian parties in the peace process and in monitoring the implementation of the Arusha reforms.

Similar recommendations were made by the seventeenth ministerial meeting of the United Nations Standing Advisory Committee on Security Questions in Central Africa, held from 22 to 26 April in Kinshasa (see p. 99).

Appointment. The Secretary-General, on 27 June [S/2002/719], announced his decision to appoint Berhanu Dinka as his Special Representative for Burundi as from 1 July and, in that capacity, to head the UN political presence in the country, while continuing to serve as Chairman of the Implementation Monitoring Committee (IMC) (see also p. 99). The Security Council members took note of that decision on 2 July [S/2002/720].

Communications. On 7 August [S/2002/915], Denmark transmitted a 5 August statement on Burundi by the EU Presidency, in which it condemned a new outbreak of violence against the civil population and, in particular, the recent bombing of the capital, Bujumbura, by armed groups. It reiterated its support for mediation efforts by South Africa and other countries of the subregion.

Burundi, on 25 September [S/2002/1096], transmitted to the Security Council conclusions, recommendations and resolutions adopted by the National Assembly and Senate of the Transitional Government at a session devoted to evaluating the implementation of the Arusha Agreement. Those meetings (29–30 August), Burundi said, demonstrated the smooth functioning of the transitional institutions and their commitment to the peace process.
**Regional initiative**

Uganda, on 5 August [S/2002/894], forwarded to the Security Council President a statement by its Minister of State for Foreign Affairs on the Burundi peace process. As Chairman of the Regional Peace Initiative on Burundi, Ugandan President Yoweri Kaguta Museveni had kept abreast of developments in the peace process, especially in regard to the efforts to secure a ceasefire between the Transitional Government and the Burundian armed opposition groups, namely the Conseil national pour la défense de la démocratie/Forces pour la défense de la démocratie (CNDD-FDD) and the Parti pour la libération du peuple hutu/Forces nationales de libération (PALIPEHUTU-FNL), and the performance of the Transitional Government since its establishment on 1 November 2001.

Despite the efforts of the facilitation team, led by Deputy President Zuma of South Africa, President Bongo of Gabon and President Benjamin M'Kapa of the United Republic of Tanzania, to bring the Burundian belligerents to the negotiating table for a ceasefire, little had been done by the latter. Regarding the Transitional Government, differences had emerged between sections of the Burundian signatory parties to the Arusha Agreement, mainly relating to the sharing of power. Therefore, the Chairman of the Regional Initiative was putting forward a timetable for ceasefire talks, to be held from 6 August for three weeks. He called on the Facilitator of the Burundi peace process to convene, in Bujumbura, as soon as possible, a meeting of all the signatories to the Arusha Agreement in order to address other issues confronting the Transitional Government.

At the eighteenth summit meeting of the Regional Peace Initiative on Burundi (Dar es Salaam, United Republic of Tanzania, 6-7 October) [S/2002/124], a ceasefire agreement was signed between the Transitional Government and two of the rebel groups (see below).

**Ceasefire negotiations and agreements**

Despite the establishment of the Transitional Government, the military and security situation in Burundi was marred by continuing violence, which undermined efforts to implement the Arusha Agreement (see also below, under “Report of Secretary-General”). Efforts to negotiate an all-inclusive ceasefire agreement intensified under the leadership of Deputy President Zuma of South Africa, with the assistance of Gabon and the United Republic of Tanzania. The two original armed groups—CNDD-FDD and PALIPEHUTU-FNL—had split due to infighting, resulting in four armed movements with the same names but different leaders. The first formal and direct negotiations between CNDD-FDD and the Transitional Government took place at the Vaal Dam, South Africa, from 18 to 21 February, with the United Nations as observer. At the request of the facilitation team, the United Republic of Tanzania assisted the negotiations and convened a meeting of the armed groups in Dar es Salaam from 13 to 24 March. As a result, the parties agreed to attend the negotiations held in Pretoria from 22 to 29 April. During those negotiations, the Transitional Government and CNDD-FDD (Pierre Nkurunziza) held discussions. The PALIPEHUTU-FNL (Alain Mugabarabona) and the Jean-Bosco Ndayikungurukiye wing of CNDD-FDD did not participate.

A group of experts from the United Nations, South Africa and the United Republic of Tanzania met in Pretoria from 28 to 30 July and elaborated a draft ceasefire agreement that was presented for discussion at the Dar es Salaam negotiations held from 12 to 26 August, in which the Transitional Government and the two wings of CNDD-FDD participated. That session ended with a memorandum of understanding by which the Transitional Government and CNDD-FDD (Jean-Bosco Ndayikungurukiye) committed themselves to sign, at a date to be fixed by the facilitation team, a ceasefire document which they approved and initialled. CNDD-FDD (Pierre Nkurunziza), on the other hand, did not sign and insisted that the Transitional Government sign a joint declaration of commitment before substantive negotiations were entered into. That declaration, rejected by the Government, would have required it to accept responsibility for the coup d’état of October 1993 and its consequences.

On 23 September, the Transitional Government and PALIPEHUTU-FNL (Alain Mugabarabona) met face to face for the first time, but no progress was made.

**Ceasefire agreement (October).** The ceasefire talks resumed on the eve of the eighteenth summit meeting of the Regional Peace Initiative on Burundi (Dar es Salaam, 6-7 October) [S/2002/124] in the presence of the Presidents of Burundi, the DRC, South Africa, Uganda and the United Republic of Tanzania. At the summit, a ceasefire agreement was signed between the Transitional Government and CNDD-FDD (Jean-Bosco Ndayikungurukiye) and PALIPEHUTU-FNL (Alain Mugabarabona). The summit welcomed the commitment made by CNDD-FDD (Pierre Nkurunziza) to resume substantive negotiations, without preconditions, on the basis of the Arusha Agreement. The meeting gave 30 days to CNDD-FDD (Pierre Nkurunziza) and PALIPEHUTU-FNL (Agathon Rwasa) to conclude ceasefire agreements, following which it would meet to review the situation and take appropriate measures in respect of those who
failed to sign a ceasefire agreement. A new round of talks started in Dar es Salaam on 21 October, with technical meetings between the facilitation team and each of the delegations. On 29 October, CNDD-FDD issued a unilateral declaration of cessation of hostilities effective from 3 November. In a press statement of 12 November [S/2002/1264], President Museveni, as Chairman of the Regional Initiative, noted that the deadline had expired; however, in view of the progress being made by the parties, he decided to consult his colleagues at the nineteenth regional summit.

At that summit (Arusha, 1-2 December), the Transitional Government and CNDD-FDD (Pierre Nkurunziza) signed a ceasefire, which Burundi forwarded, along with the summit communiqué, to the Security Council on 4 December [S/2002/1299]. The agreement would come into force on 30 December, by which date the combatants should have moved to assembly areas, where they would store their weapons but still have access to them. Within 30 days, the parties were to discuss the establishment of implementation structures, such as the joint monitoring commission and the joint liaison teams. The agreement also provided for an African mission that would be responsible for monitoring and verification of the ceasefire, and for a Joint Ceasefire Commission composed of representatives appointed by all the belligerents and by the African mission. IMC would establish the Commission’s duties and functions.

The regional summit mandated the facilitation team to assist the parties to work out the implementation details of the ceasefire agreement. In addition, it directed PALIPEHUTU-FNL to enter into negotiations immediately and conclude a ceasefire agreement by 30 December, or face robust sanctions.

Report of Secretary-General. In an 18 November report [S/2002/1259], the Secretary-General described the situation in Burundi since his previous report in November 2001 [YUN 2001, p. 151]. He noted the establishment in January of the Transitional National Assembly and its election of Jean Minani, President of the Front for Democracy in Burundi (FRODEBU), as its Speaker, and the Transitional Senate’s election of Libère Bararunyentse, Secretary-General of the Union for National Progress Party (UPRONA), as its President. The report also described the ceasefire negotiations and agreements (see above) and the efforts of IMC to ensure implementation of the Arusha Agreement.

The two major political parties, FRODEBU and UPRONA, were able to cooperate through the political institutions. Differences had, however, arisen within the G-7 (Hutu) and G-10 (Tutsi) political families. The differences within G-7 were between FRODEBU and the smaller Hutu parties, and within G-10 between UPRONA and the smaller Tutsi parties. The smaller parties complained that they were not properly consulted during decision-making and that they had not received their fair share of government posts.

The transitional institutions and the political parties participating in them had initiated the reform of the provincial administration and the civil service, including the diplomatic service. The Minister of Justice unveiled in August a detailed plan for the long-awaited reform of the judiciary. The reform of the army and other security structures, however, had not begun. The Transitional Government, on 24 July, formally requested the United Nations to establish an international judicial commission of inquiry on crimes against humanity, in accordance with the Arusha Agreement.

The military and security situation in Burundi deteriorated in 2002, as armed groups intensified action against the army and carried out repeated attacks on the civilian population. The frequency of attacks increased between May and July as preparations for ceasefire negotiations began to take shape. Bujumbura came under fire in late July and again on 25 August. Although calm returned, abductions and carjackings increased, and the security situation in both rural and urban areas remained precarious.

During the reporting period, the economic situation in Burundi was characterized by a significant increase in the poverty level and a marked decline in the rate of growth. The four main contributing factors were the security situation, the drop in the price of coffee, the increase in socioeconomic stagnation and the reduction of external financial assistance, with the latter having the most significant impact on social development. The humanitarian situation remained dire, with almost 388,000 people living in 226 camps in their own country, constituting the largest internally displaced population in the Great Lakes region, and an estimated 639,000 Burundian refugees in neighbouring countries. A further 200,000 had been living in Tanzania since 1972, from where an estimated 50,000 persons spontaneously returned to Burundi in 2002. Over 24,000 people were treated monthly for malnutrition in 233 therapeutic and supplementary feeding centres throughout Burundi and that number would probably have been higher if all of the needy had access to centres. On the human development index for 2002, Burundi dropped to the third-worst-ranking country in the world. The situation was complicated in October, when more than 11,000 Congolese refugees fleeing conflicts in the DRC crossed into western Burundi where
temporary transit camps were established and humanitarian assistance was provided. The human rights situation in Burundi remained volatile. In armed attacks, belligerents killed hundreds of civilians in 2002 and seemed to be increasingly targeting civilians. All parties accused local populations of aiding one side or the other.

The United Nations Office in Burundi (UNOB) continued to assist the parties to the peace process. Since the political role of the United Nations in Burundi derived primarily from its responsibilities as Chairman of IMC and its Executive Council, the staff and resources of UNOB were restructured and strengthened to support the Chairman, including the servicing of IMC meetings. Further strengthening would be needed in 2003, the Secretary-General stated.

The Secretary-General, commenting on the need for a ceasefire agreement to fulfil the requirements of the Arusha Agreement, warned that a ceasefire that did not include all armed parties and political movements would be dangerous. Urging the donor community to provide assistance to Burundi, he noted that South Africa had contributed to the installation of the Transitional Government by sending troops for the protection of exiled leaders who were returning to participate in the transitional institutions.

**Security Council consideration.** On 8 and 15 November [meetings 4407 & 4416], the Security Council held closed meetings to consider the situation in Burundi. At an open meeting on 4 December [meeting 4655], Mr. Zuma, the Deputy President of South Africa, addressed the Council on progress in the ceasefire negotiations (see above). He observed that during the Council’s mission to the region in April/May, the armed movements and the Transitional Government were far from finding common ground. Interaction was characterized by the issuing of preconditions and demands, and there was a sense of seeking to negotiate a new type of agreement outside the Arusha peace process. It was therefore encouraging that at the end of the year there was a climate of optimism and hope with the signing of two ceasefire agreements between the Transitional Government and the three main opposing forces.

The signatories of the 7 October document—President Buyoya, Alain Mugabarabona of PALIPEHU-TU-FNL, and Jean-Bosco Ndayikengurukeye of CNDD-FDD—had held three meetings to discuss implementation issues, including the return to Burundi of former fighters and leaders, the participation of former armed movements in the transitional institutions, disarmament and demobilization of armed forces, and building a new, inclusive security apparatus in Burundi. The agreement with CNDD-FDD of Pierre Nkurunziza would come into force on 30 December; the first 14 days after the date of signature had been designated as a period to allow the belligerents to communicate to their rank and file the decision to stop fighting.

With regard to the Regional Initiative on Burundi, the nineteenth summit meeting had mandated the facilitation team to assist the parties to work out implementation details. Among the outstanding tasks were the return to constitutional legitimacy, issues relating to post-war management, the transitional period and its leaders, the welfare of the combatants after the ceasefire, the location of the combatants, good governance and the reconciliation and reconstruction of the country. The implementation process would be difficult, particularly in view of the lack of a total ceasefire, as one faction of PALIPEHU-TU-FNL had not yet joined the process. The nineteenth summit had directed PALIPEHU-TU-FNL to enter into negotiations by 30 December or face sanctions.

The facilitation team considered the introduction of an African mission as a bridging instrument, opening the situation for the United Nations to come in when conditions warranted. UN support would be sought to support the African mission and for training and humanitarian assistance, particularly for returning combatants.

**SECURITY COUNCIL ACTION**

On 18 December [meeting 4675], following consultations among Security Council members, the President made statement S/PRST/2002/40 on behalf of the Council:

The Security Council welcomes the signing of the Ceasefire Agreement between the Transitional Government of Burundi and the Conseil national pour la défense de la démocratie-Front de défense de la démocratie, in Arusha, United Republic of Tanzania, on 2 December 2002 (the Ceasefire Agreement). It pays tribute to the courageous and responsible decision by the President of the Transitional Government of Burundi, Major Pierre Buyoya, and by the legal representative of the Conseil national pour la défense de la démocratie-Front de défense de la démocratie, Mr. Pierre Nkurunziza, to sign the Agreement. It welcomes their decision to implement the truce immediately, while finalizing all pending political issues within the time limits set by the Agreement.

The Council supports the decision taken at the nineteenth regional Heads of State Summit of the Regional Initiative, held in Arusha on 1 and 2 December 2002, to direct the Parti pour la libération du peuple hutu-Forces nationales de libération, to enter into negotiation immediately and conclude a ceasefire agreement by 30 December 2002, or face the consequences. In this regard, the Council strongly urges the Forces nationales de libération, under the leadership of Mr. Agathon Rwasa, to put an end immediately to the hostilities, to sign a
ceasefire agreement and to commit themselves to political negotiations. It recalls that the settlement of the crisis in Burundi depends on a political solution and that only a negotiated settlement within the framework of the Arusha Peace and Reconciliation Agreement for Burundi of 28 August 2000 will enable the country to restore stability, in accordance with the will of the Burundian people.

The Council expresses its intention to support the immediate and full implementation of the agreement between the Burundian parties, in particular the Ceasefire Agreement of 2 December 2002. It requests the Secretary-General to study ways of responding positively and with urgency to the requests of the Burundian parties and of the Facilitator of the Burundi Peace Process, Mr. Jacob Zuma, Deputy President of the Republic of South Africa, in particular with regard to:

— Any expertise and advice which the Secretariat could provide to facilitate the definition of the mandate and the deployment of the African mission provided for in the Ceasefire Agreement;

— Facilitation of logistical assistance to the deployment of this mission;

— Mobilization and coordination of donor contributions;

— Designation, at the request of the parties, of a person to chair the Joint Ceasefire Commission.

The Council expresses its thanks for the historic role played by former President Nelson Mandela, and pays tribute to and expresses its full support for the efforts of South Africa, in particular its Deputy President, Mr. Zuma, Facilitator of the Burundi peace process. It pays tribute to the role of the African Union. It also pays tribute to the efforts of the United Republic of Tanzania and President Benjamin Mkapa, of President El Hadj Omar Bongo of the Gabonese Republic, President Yoweri Kaguta Museveni of the Republic of Uganda, and the other Regional Initiative countries. The Council also expresses its full support for the action taken by the Special Representative of the Secretary-General for Burundi and approves the recommendations of the Secretary-General, contained in paragraphs 47 to 51 of his report of 18 November 2002, with a view to increasing the resources of the United Nations Office in Burundi.

The Council recalls that the responsibility for the Burundi peace process lies primarily with the Burundian parties themselves. The parties must agree without further delay upon the modalities of the reform of the Army, as well as the political issues mentioned in annex 2 to the Ceasefire Agreement. The Council requests the parties to continue to respect their commitments. The Council condemns the human rights violations that have taken place in Burundi and calls for the perpetrators to be brought to justice.

The Council recalls the joint communiqué issued by the Governments of Burundi and the Democratic Republic of the Congo on 7 January 2002 expressing their intent to normalize their relations. It calls upon them to finalize and implement an accord, as soon as possible, ensuring that the territory of the Democratic Republic of the Congo will not be used for armed attacks against Burundi as well as the effective withdrawal of Burundian troops from Congolese territory. The Council also notes that, as the Burundian parties have taken the bold step of reaching the Ceasefire Agreement, it stands ready to consider steps against States that are found to continue to support armed attacks by the Burundi rebels.

The Council recalls that the support of the international community, in particular financial support, is critical to the success of the peace process. In that regard, it welcomes the success of the donor round table organized in Geneva on 27 and 28 November 2002, and calls upon donors to respond urgently to the significant progress made recently and to disburse fully the contributions promised so far. In particular, it calls upon donors to provide the necessary financial assistance to facilitate the return to development and financial stability, and to consolidate the substantial efforts deployed by the Burundian authorities in this regard.

The Council pays tribute to the donors that are supporting the deployment of the South African Special Protection Unit, encourages them to continue their efforts and calls upon the donor community to mobilize to help the countries concerned set up, as soon as possible and in liaison with the United Nations, the African mission provided for in the Ceasefire Agreement, and to participate in the financing of the repatriation and the reintegration of Burundian refugees.

The Council strongly condemns all massacres and other acts of violence against civilians in Burundi.

The Council expresses serious concern about the deteriorating humanitarian situation in Burundi. The Council calls upon all Burundian parties to take practical steps to grant safe access to humanitarian personnel in their efforts to deliver assistance to vulnerable populations throughout Burundi.

**Rwanda**

The issue of the presence of Rwandan forces and armed groups in the DRC continued to strain relations between the two countries throughout most of 2002. However, the situation improved with the withdrawal of the Rwandan Patriotic Army (RPA), which began on 17 September. As at 11 October, according to information verified by MONUC, the number of RPA forces withdrawn from eastern DRC totalled 21,000. MONUC observers were present at all exit points into Rwanda (see p. 120).

The Security Council mission to the Great Lakes region (27 April–7 May) [S/2002/537] met with President Paul Kagame and other Rwandan officials in Kigali. In order to facilitate the withdrawal of foreign forces from the DRC, the mission proposed the creation of a “curtain” of troops along the eastern borders of the DRC that would involve the parties concerned, namely, the
Arms embargo

The Chairman of the Security Council Committee established pursuant to resolution 918 (1994) concerning the arms embargo against Rwanda [YUN 1994, p. 285] submitted to the Council a January report on its 2001 activities [S/2002/49] and a December report on its activities from 1 January to 20 December 2002 [S/2002/1406]. In the absence of a specific monitoring mechanism to ensure implementation of the arms embargo, the Committee repeated its previous observation that it relied solely on the cooperation of States and organizations to provide it with information on violations of the arms embargo. During the reporting periods, no violations of the arms embargo were brought to the Committee’s attention.

Financing of UNAMIR

The General Assembly, by decision 56/488 of 6 September, included in the draft agenda of its fifty-seventh (2002) session the item on financing of the United Nations Assistance Mission for Rwanda (UNAMIR). The Mission had been withdrawn from Rwanda in 1996 [YUN 1996, p. 62] and the liquidation process had begun at that time. On 20 December, the Assembly decided that the agenda item would remain for consideration at that session [decision 57/556] and that the Fifth Committee should continue to consider the item at that session [decision 57/556].

Rwanda-Uganda

On 2 December [S/2002/125], Uganda transmitted to the Security Council a joint communiqué issued by its Government and that of Rwanda on the outcome of the Rwanda/Uganda Joint Permanent Commission (Kampala, Uganda, 21-22 November). The Commission reviewed cooperation in trade, industry and tourism; customs and finance; border security and immigration; health; refugees and asylum-seekers; education; energy; transport and communications; gender and women in development; public service and labour; and agriculture and livestock. The two countries expressed satisfaction about recent measures, including regular contacts at the highest level, to restore bilateral relations to the highest extent possible. The Commission agreed, among other things, to establish a subcommittee to propose modalities for trade; resume regular meetings by border authorities; and establish a committee to promote the voluntary repatriation of Rwandese refugees in Uganda.

Central African Republic


However, by the beginning of 2002, the situation in the Central African Republic improved with the return of relative stability and gradual easing of tension, accompanied by social peace, despite the dire economic circumstances. Relations between the Government and the opposition developed favourably, leading to the return of most civilian and military refugees. A political dialogue, organized with BONUCA assistance, led to a rapprochement between the majority and the opposition.

The relative stability was later compromised by the attempted government takeover by the parts of the former Chief of Staff, General François Bozizé, at the end of October, and the authorities accused opposition leaders of colluding with the attackers. The social peace that prevailed until then was disturbed by the attack on the capital followed by labour stoppages. The uncertain prospects of an economic and financial agreement with the Bretton Woods institutions (the International Monetary Fund (IMF) and the World Bank Group) undermined an already tenuous social situation. The presence of an armed rebellion in the northern part of the country, together with the insecurity and deprivations suffered by the local population and displaced persons, were also major destabilizing factors. Under regional initiatives, plans were drawn up to send an observation and security force of approximately 300 troops to the Central African Republic to ensure the safety of President Ange Félix Patassé, observe security along the border with Chad, and participate in the restructuring of the Central African Republic’s armed forces. Deployment began on 4 December.

BONUCA supported the Government’s efforts to ensure good relations with the neighbouring States of Cameroon and Chad. Relations with
Chad were strained as a result of the Government’s claims that Chad was involved in the October attack on Bangui, which Chad denied, while tensions had developed with Cameroon concerning the border between the two countries. BONUCA also participated in the disarmament operation and continued training programmes in human rights and humanitarian law.

**Report of Secretary-General.** In January [S/2002/12], the Secretary-General described the situation in the Central African Republic since his September 2001 report to the Security Council [YUN 2001, p. 156]. The January report, submitted in response to Council presidential statement S/PRST/2001/25 [ibid.], covered the last three months of 2001, a period marked by the repercussions of the attempted coup d’état of 28 May 2001 and the further weakening of the country’s economic recovery efforts. The expected national reconciliation after the May attempted coup had failed to materialize, partly due to continuing judicial investigations. The Secretary-General commended the efforts of leaders of the subregion to promote political dialogue and reduce tensions.

**Regional initiatives.** On 31 January [S/2002/156], Zambia forwarded to the Security Council a communiqué issued by the Ministerial Meeting of the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution at its eighth ordinary session (Tripoli, Libyan Arab Jamahiriya, 26 January), at which the situation in the Central African Republic had been discussed. The Central Organ welcomed the initiatives taken by the Community of Sahelo-Saharan States (CEN-SAD) (Khartoum, Sudan, 3-4 December 2001), the Central African Economic and Monetary Community (CEMAC) (Libreville, Gabon, 5 December 2001), the CEMAC Summit (Brazzaville, Congo, 16 January 2002), all aimed at facilitating the restoration of peace and stability in the Central African Republic, including, in particular, the call for adopting an amnesty and the resumption of political dialogue. The Central Organ urged the parties to settle their differences through dialogue and to facilitate political dialogue by convening a meeting of political actors and civilian and military elements. Noting the request of President Ange Félix Patassé of the Central African Republic for the deployment of a peacekeeping force in his country and welcoming the disposition of OAU member States to contribute troops to such a mission, the Central Organ appealed to the Security Council to consider that request.

**Report of Secretary-General (June).** In response to Security Council presidential statement S/PRST/2001/25 [YUN 2001, p. 156], the Secretary-General submitted a June report [S/2002/671] on the situation in the Central African Republic since his January report (above). He described a shift towards a civil tone in political discourse, and a trend towards restoration of trust and calm. Relations between the Government and the opposition had improved, leading to the return of many civilian and military refugees. Of the 23,000 Central African refugees who fled to the DRC in the wake of the attempted coup d’état in May 2001, 7,000 remained in that country. Among the returnees were three members of Parliament from former President Kolingba’s Rassemblement Démocratique Centrafricain party and 307 Central African military refugees who reported to BONUCA. The public trial for the 2001 attempted coup d’état began on 15 February 2002 but was interrupted on 12 March because of the withdrawal of the defence attorneys.

The political dialogue, which BONUCA helped to start, was continuing. The first meeting of the political parties and members of Parliament, organized by BONUCA on 18 and 19 February, led to a rapprochement between the majority and the opposition. A second meeting was scheduled for 14 and 15 June. Most of the opposition leaders agreed to accompany President Patassé on a trip to the northern region of the country to allay fears about the continuing insecurity. However, the opposition disagreed with the President over the holding of municipal and regional elections towards the end of 2002. The opposition was of the view that conditions had not been met for holding elections and criticized the Government for failing to involve it in the preparations. The Central African authorities, meanwhile, were conducting a voter registration process and approaching donors for financial assistance to fund the elections.

The security situation improved in both Bangui and the provinces in early 2002, and the curfew was lifted in May. There was still some armed robbery, sporadic gunfire and highway robberies, due to the proliferation of light weapons. Consequently, under the leadership of BONUCA, a disarmament operation was launched on 23 January with help from UNDP and in liaison with the Government, resulting in the recovery of a number of weapons.

The deployment in the Central African Republic of the CEN-SAD force began with the arrival of approximately 100 Libyan, 50 Sudanese and 50 Djiboutian troops.

The BONUCA military team continued to give technical advice to the Central African military authorities, but it lacked funding to carry out all planned training and rehabilitation programmes. The BONUCA civilian police team
monitored the security situation of returnees, and organized training courses on investigation techniques, enforcement of economic and financial regulations, and the maintenance of law and order for the Central African police.

The economic situation remained a cause for serious concern and the country had not received any budgetary aid since January 2001. The Government was working on a formal cooperation programme with the Bretton Woods institutions. The Central African Republic was still facing the problem of salary and pension arrears of 12 to 18 months for police officers, armed forces and public officials that it had inherited from the Kolingba regime. However, since January, the Government had paid three to four months of salaries. Despite the continuing salary crisis, workers continued to respect the truce signed with the authorities in 2001 and renewed on 22 March 2002.

In the human rights area, extrajudicial executions declined considerably, but the phenomenon of popular justice continued to hold sway in rural areas. Obstacles to freedom of assembly were reported, and most political party activities were prohibited. BONUCA was continuing its awareness activities in the area of human rights through the dissemination of radio programmes.

Tension on the border of the Central African Republic and Chad was reduced following a 10 April meeting between President Patassé and President Déby of Chad, at which they decided to open the border and convene a meeting of border administrative authorities. The border had been closed in late 2001 after General François Bozizé, dismissed as Chief of Staff of the Central African Republic, warned that the difficult economic and political situation worsened following the attack on Bangui by members of the Bozizé group on 25 October, when the authorities accused opposition leaders of colluding with the attackers. The opposition in turn denounced atrocities committed by followers of Jean-Pierre Bemba, leader of the Mouvement de libération du Congo (MLC), who had come from the DRC to support the Central

Further developments. In a report covering developments in the Central African Republic in the second half of 2002 [S/2003/5], the Secretary-General said that the relative stability described in his earlier report had been compromised by events at the end of the year.

A significant political development was the resumption of the trial of the putschists, at the end of which in August the Criminal Court convicted former President Kolingba and 23 other defendants in absentia and sentenced them to death. The Court also acquitted other nationals, including Jean-Jacques Démafoutch, the former Defence Minister. At the urging of BONUCA, the Follow-up Committee to the Meeting of Political Parties and Members of Parliament, composed of representatives of the majority and the opposition, was established in August. However, the antagonism between the ruling party and the opposition was evident in the Mixed and Independent Electoral Commission (CEMI), whose meetings were boycotted by the radical wing of the opposition on the grounds that the Government failed to appoint its chosen candidate to the Commission’s Bureau. CEMI was established in June to ensure the proper holding of municipal elections in 2003.

Relations between the majority and the opposition worsened following the attack on Bangui by members of the Bozizé group on 25 October, when the authorities accused opposition leaders of colluding with the attackers. The opposition in turn denounced atrocities committed by followers of Jean-Pierre Bemba, leader of the Mouvement de libération du Congo (MLC), who had come from the DRC to support the Central
A lack of funding made it impossible to implement disarmament committees in the provinces. Collection efforts and the establishment of UNUCA. The civilian police team participated in the disarmament operation and continued its training programmes in investigation, command, professional ethics and ethics of the judicial police.

The social situation was tense at the end of the year. Government workers had not been paid for nearly two years and public school teachers went on strike in September, delaying the opening of the 2002/03 academic year. The economy continued to suffer the consequences of the lack of a cooperation programme with IMF. In the Secretary-General’s view, it would be appropriate to encourage the Government in its efforts to institute austerity measures by finalizing the IMF cooperation programme.

Concerning the human rights situation, some cases of extrajudicial execution and disappearances were reported, particularly after the events of 25 October. Numerous instances of rape were reported to have been perpetrated by Mr. Bemba’s soldiers. The rebuilding of the central prison at Bangui made it possible to ease overcrowding in gendarmerie posts and police stations; however, detention conditions remained a matter of concern. To encourage the building of national capacity for the promotion and protection of human rights, BONUCA conducted a training course on human rights and humanitarian law (28 June–13 July) for military and security officers. It also conducted an information campaign in the southern and western provinces to raise awareness about human rights. The authorities decided to include training in human rights for new recruits for the police, gendarmes and the presidential security forces. BONUCA released a monthly publication on human rights and conducted an awareness-raising campaign on peace-building.

It made a film for television on the theme of tolerance and coexistence among Central Africans.

Relations between the Central African Republic and Chad had severely deteriorated as a result of the attacks on Bangui on 25 October. The Central African authorities claimed they had evidence that Chad was involved in the attack and demanded the immediate withdrawal of Chadian troops from their territory. According to the Secretary-General, the Chadian nationals who supported Mr. Bozize’s troops could have been recruited either in Chad or in the Central African Republic, which had a large Chadian community. Nevertheless, Chad could not have been unaware that preparations were being made on its borders for a military offensive against towns in the Central African Republic. Chad rejected the claims, maintaining that the problem in the Central African Republic was an internal one. Chad accused the Central African authorities of having had 150 Chadian nationals massa-
cred in Bangui. The Central African Republic denied those allegations and Chad called for the establishment of an international commission of inquiry. For its part, the Central African Government proposed that the Central African/Chadian Joint Commission should meet in late November to consider all aspects of bilateral relations. Chad rejected the proposal on the grounds that the decisions taken at Libreville should be completed first, in particular the deployment of the CEMAC force. The Secretary-General hoped that implementation of the decisions taken at the Libreville summit on 2 October would ultimately normalize relations between the two countries.

The Secretary-General appealed for assistance in deploying the CEMAC force in the Central African Republic, stating that the presence of the force should help to restore peace and stability and ease tensions with Chad. The lack of a cooperation programme between the Central African Republic and the Bretton Woods institutions compromised social peace in the country, he said, and he urged IMF and the World Bank to respond positively to the Government’s requests. In addition to economic reforms, the Secretary-General welcomed the initiatives of President Patassé regarding the organization in December of a round table involving all political figures, trade unions and civil society. He urged Presidents Patassé and Déby to resume and strengthen constructive cooperation between their countries and to avoid any steps that might destabilize them. He encouraged them to reactivate all the mechanisms that existed for cooperation.

The Central African Republic, on 11 December [S/2002/1321], submitted to the Security Council documents and a videocassette on the events of the armed coup which took place from 25 to 30 October.

SECURITY COUNCIL ACTION

On 18 October [meeting 4627], following consultations among Security Council members, the President made statement S/PRST/2002/28 on behalf of the Council. The Council also held private meetings on 11 July [meeting 4571] and 9 December [meeting 4658] to discuss the situation in the Central African Republic.

The Security Council welcomes the holding of the Summit of the Central African Economic and Monetary Community, in Libreville on 2 October 2002, to consider the situation between the Central African Republic and the Republic of Chad. It commends the leading role played by the President of the Gabonese Republic, El Hadj Omar Bongo, in organizing that meeting. It welcomes the undertaking by the Central African Republic and Chad to relaunch cooperation at various levels. It strongly supports the intention of the President of the Republic of Chad to visit Bangui in the very near future. It encourages further confidence-building measures to help normalize relations between the two countries.

The Council also welcomes the readiness expressed by the African Union to continue to contribute towards ongoing efforts to normalize relations between the Central African Republic and Chad and to promote peace and stability in the Central African region, as stipulated in the Communiqué of the Eighty-fifth Ordinary Session of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution held at the Ambassadorial Level, which was issued on 11 October 2002, in Addis Ababa.

The Council further welcomes the final communiqué of the Libreville summit. In particular, it expresses its full support for the decision to deploy in the Central African Republic an International Observation Force of 300 to 350 troops from Gabon, Cameroon, the Congo, Equatorial Guinea and Mali, with three main tasks: ensuring the safety of the President of the Central African Republic; observing and ensuring security on the border between Chad and the Central African Republic; and participating in the restructuring of the Central African Armed Forces.

The Council expresses once again its strong support for the Representative of the Secretary-General for the Central African Republic, General Lamine Cissé, whose efforts have been essential in this initiative. It encourages him to continue to provide advice to the Governments taking part in it.

The Council calls upon Member States participating in the Force to work in close consultation with the Representative of the Secretary-General and the United Nations Peace-building Support Office in the Central African Republic. It requests the Secretary-General, through his Representative, to establish appropriate liaison with the Force.

The Council encourages all Member States to provide financial, logistical and material support to the Member States participating in the Force.

The Council invites the leadership of the Force to provide periodic reports, at least once every three months.

Renewal of BONUCA mandate

The Secretary-General, on 6 August [S/2002/929], referred to the Security Council’s 2001 extension of the mandate of the United Nations Peace-building Support Office in the Central African Republic (BONUCA) from 1 January to 31 December 2002 [YUN 2001, p. 156]. Following consultations with the Government, during which the renewal of the mandate had been requested, the Secretary-General proposed an extension for an additional year, until 31 December 2003. The extension would enable the Office to continue to support the Central African Republic in efforts to consolidate peace, promote national reconciliation, strengthen democratic institutions and the rule of law, and lay foundations for sustainable peace and socio-economic development. On
12 August [S/2002/960], the Council took note of the proposal.

**MINURCA financing**

On 6 September (decision 56/489), the General Assembly decided to include in the draft agenda of its fifth-seventh (2002) session the item on financing of the United Nations Mission in the Central African Republic (MINURCA), which was withdrawn from the Central African Republic in 2000 [YUN 2000, p. 161] and replaced by BONUCA. On 20 December, the Assembly decided that the item would remain for consideration during its resumed fifty-seventh (2003) session (decision 57/585) and that the Fifth Committee would continue to consider the item at that session (decision 57/556).

### West Africa

The United Nations devoted considerable attention in 2002 to the situation in West Africa, particularly in the Mano River Union countries (Guinea, Liberia, Sierra Leone). The peace process in Sierra Leone, although fragile, was taking root and was a tangible result of the efforts of the international community and the Security Council. Progress was evident in Sierra Leone in the disarmament, demobilization and reintegration of former combatants, the transformation of the main rebel group into a political party, national elections and the President’s declaration that the civil war had come to an end.

Liberia, on the other hand, continued to constitute a threat to peace and security in the region as a result of the Government’s activities and the continuing internal conflict and significant violence, which were producing widespread refugee flows and displacement of people, exacerbating the humanitarian situation and fuelling the movement of irregular combatants and the flow of weapons throughout the region. In December, the Council condemned the Government’s failure and that of other States and entities, including opposition groups, to respect the Council’s measures, imposed in 2001, concerning arms imports. Those developments threatened the ongoing peace process in Sierra Leone and the stability of the entire West African region.

An outbreak of violence in Côte d’Ivoire, when rebels attempted to overthrow the Government in September, also added to instability in the region. However, the Government and the rebels reached an agreement in October to cease hostilities and to allow an intervention force to supervise its terms. At the request of the Government, France sent troops to Côte d’Ivoire on a provisional basis pending the deployment of a five-nation monitoring force to be organized by the Economic Community of West African States (ECOWAS).

Guinea-Bissau remained a country threatened by a fragile political, economic and social situation, as well as security problems along its borders. Following an attempted coup in late 2001, some progress was made in early 2002 in the democratization process; however, the constitutional impasse persisted throughout the year and the President dissolved Parliament and called for early elections.

The Office of the Special Representative for West Africa, established by the Secretary-General in 2001, became operational in January 2002.

**Appointment.** On 14 March [S/2002/294], the Secretary-General informed the Security Council of his decision to appoint Ibrahima Fall (Senegal), the current Assistant Secretary-General for Political Affairs, as his Special Representative and Head of the Office of the Special Representative of the Secretary-General for West Africa. The Office had been established by the Secretary-General in 2001 [YUN 2001, p. 162]. On 11 July [S/2002/770], however, the Secretary-General said there had been a change in plans and that he intended to appoint Ahmedou Ould-Abdallah (Mauritania) to that position. The Council, on 15 July [S/2002/771], took note of his intention.

**Security Council consideration.** On 18 July [meeting 4577], the Security Council held a workshop on West Africa, which focused on the lessons learned in Sierra Leone and how they could be applied to other parts of Africa, and on the way forward for the Mano River Union (MRU) countries.

As Council President for July, the United Kingdom prepared a summary of the key themes of the workshop [S/2002/836]. (For lessons learned from the deployment of the United Nations Mission in Sierra Leone, see p. 149.)

With regard to the future of the Mano River region, the Council agreed that peace in Liberia was a prerequisite for stability in the subregion; all efforts at reconciliation within Liberia and between Liberia and its neighbours should be encouraged; talks should aim first at a ceasefire, then reconciliation, including disarmament, demobilization and reintegration, elections, improved governance and respect for human rights; the new UN Office for West Africa could act as a focal point for UN support for peace-building; the efforts of civil society towards peace should be supported; Liberia’s neighbours should pre-
prevent attacks from their territories into Liberia; a comprehensive conflict resolution strategy was needed; the United Nations should consider assisting the elections in Liberia in 2003; and the humanitarian situation in Liberia had to be addressed. In addition, a consensus on the future of sanctions against Liberia should be built and maintained; the ECOWAS moratorium on small arms should be reinforced and illegal exploitation of economic resources like diamonds should be stopped, backed up by global efforts such as the Kimberley Process (see p. 43). At the subregional level, the United Nations should involve ECOWAS in a coordinated approach, particularly through the UN Office for West Africa; and MRU should play a more active role in building peace and needed additional support in those endeavours, especially on security and defence. Within the UN system, the Bretton Woods institutions’ support for reconstruction and recovery in the region needed additional financial resources for quick-impact projects. A coordinated UN strategic framework should be prepared by the UN Office for West Africa to provide a political framework for economic and development efforts and the Office should issue an audit of armed groups in the region.

The Chairman of the Council’s Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, in a 31 May note [S/2002/607], summarized the conclusions of the discussion at its 22 May meeting (see p. 93). On confidence-building in the Mano River region, participants suggested that the Council should listen to the views of African regional organizations, such as ECOWAS. Possible solutions included joint disarmament, demobilization and reintegration programmes, a joint plan of action against the illicit arms trade, and a rationalization of the posts of the two Special Representatives of the Secretary-General in the subregion.

Communication. In a joint communiqué issued following their meeting in Rabat, Morocco (27 February) [A/56/856-S/2002/231], the heads of State of Guinea, Liberia and Sierra Leone reiterated their willingness to restore a climate of peace and security in the MRU region. They agreed to curb the activities of armed groups operating in the subregion and to avoid the use of force in settling disputes, deplored the escalating conflict in Liberia, and welcomed the progress made in the political situation in Sierra Leone, where the end of the rebel war had been declared. As a peace-building measure, they agreed to maintain contacts and to hold regular meetings (see p. 166).

Sierra Leone

Efforts to end the 10-year-old civil war in Sierra Leone reached a milestone on 11 January 2002 with the completion of the disarmament of combatants of the rebel group, the Revolutionary United Front (RUF), and the Civil Defence Forces (CDF). The United Nations Mission in Sierra Leone (UNAMSIL), which had a strength of 17,500 troops at the beginning of the year, continued to follow up on the implementation of the Agreement on the Ceasefire and Cessation of Hostilities (Abuja Agreement), signed in November 2000 [YUN 2000, p. 260] by the Government and RUF. The more secure environment created by the completion of the disarmament process provided an opportunity for the holding of elections and for reconstruction and reconciliation.

In January, the Security Council expanded UNAMSIL’s responsibilities to include election-related tasks, such as providing logistic assistance to the National Electoral Commission and coordinating electoral activities between the Commission, the Government and other stakeholders. It would also provide increased security for the election process.

Presidential and parliamentary elections were held as scheduled on 14 May. President Alhaji Ahmad Tejan Kabbah was re-elected and three political parties won parliamentary seats, an outcome that was welcomed by both the Secretary-General and the Security Council.

With the completion of the disarmament process, the holding of elections and the establishment of the Special Court for Sierra Leone and the Truth and Reconciliation Commission, the Council decided in September to reduce UNAMSIL’s size by 4,500 troops by 31 May 2003. The first phase of the drawdown was completed in November with the withdrawal of 600 troops, and adjustments were made in troop deployments in preparation for further troop reductions expected in the second phase. The Secretary-General welcomed the efforts of the Government and UNAMSIL to avoid a security vacuum in areas vacated by the Mission, thereby enabling the Government and its development partners to concentrate on national recovery efforts.

UNAMSIL activities

At the beginning of the year, the peace process in Sierra Leone continued to make encouraging progress, as the Secretary-General had reported in December 2001 [YUN 2001, p. 171]. The ceasefire, as outlined in the Abuja Agreement, continued to hold and the disarmament of combatants of RUF and CDF was completed on 11 January. The
conclusion of the disarmament process was marked by President Kabbah in a speech, the text of which was transmitted to the Security Council on 18 January [S/2002/85].

Lessons learned. At its 18 July workshop (see p. 147) [S/2002/836], the Security Council discussed the lessons learned from UNAMSIL’s deployment in Sierra Leone. With regard to peacekeeping operations, it was agreed that: there was a need for early international action and a clearly defined and robust mandate for any UN peacekeeping force, backed up by adequate resources; the key players, including Council members, neighbouring countries, the UN Secretariat and troop contributors, should share a common purpose and common understanding of peacekeeping mandates and the rules of engagement; preparations should be made for the worst-case scenario and the measurement of the resources of a peacekeeping operation should include the quality of equipment and training; a robust military posture should be complemented by political engagement; a lead nation should drive forward the international effort; a regional strategy was needed from the start; proper coordination, operational integration and flexibility were required; and benchmarks for drawdown needed to be factored into planning. The transition from peacekeeping to peace-building was crucial as were security sector reform and judicial and penal system reform; attention should be given to the economic causes of conflict; adequate funding should be allocated; and the World Bank could support post-conflict transitions.

As to the humanitarian aspects, the following points were made: civilians were the direct object of attack and there was massive population displacement; the appointment of a combined Deputy Special Representative of the Secretary-General/Humanitarian Coordinator allowed humanitarian issues to be centralized within UNAMSIL’s political and military decision-making; the aide-memoire on protection of civilians in conflict had to be used when the Council drew up peacekeeping mandates; special attention should be paid to gender issues in justice and reconciliation; addressing the problem of refugee flows was part of building regional security; and more funding was needed to address the humanitarian problems of the Mano River region.

SECURITY COUNCIL ACTION (January)


The Security Council,
Recalling its resolutions and the statements by its President concerning the situation in Sierra Leone,
A firming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,
Welcoming the significant progress made in the peace process in Sierra Leone, determining that the situation in Sierra Leone continues to constitute a threat to international peace and security in the region, and calling for the further consolidation and advancement of the peace process,
Welcoming also the official completion of the disarmament process, calling for the continuation of efforts to collect arms remaining in the hands of the civilian population, including ex-combatants, and urging the international community to provide adequate resources for the reintegration programme,
Emphasizing the importance of free, fair, transparent and inclusive elections for the long-term stability of Sierra Leone, and in this regard stressing the importance of all political parties having the freedom to campaign and having unrestricted access to the media,
Welcoming the progress made by the Government of Sierra Leone and the National Electoral Commission of Sierra Leone in preparing for elections, with the assistance of the United Nations Mission in Sierra Leone, and encouraging further efforts, particularly by the National Electoral Commission, in this regard,
Stressing the primary responsibility of the Sierra Leonean police for the maintenance of law and order,
Having considered the report of the Secretary-General of 13 December 2001, and noting the request by the National Electoral Commission to the United Nations to provide support for the elections,
1. Decides that, further to paragraph 8 (i) of resolution 1270(1999) of 22 October 1999, in order to facilitate the smooth holding of elections, the United Nations Mission in Sierra Leone shall undertake election-related tasks within the parameters set out in paragraphs 48 to 62 of the report of the Secretary-General, within its existing mandate, capabilities and areas of deployment and in the light of conditions on the ground, and decides that these tasks shall include:
(a) Assisting with logistic support to the National Electoral Commission of Sierra Leone for the transport of electoral materials and personnel, including the use of the air assets of the Mission to reach areas inaccessible by road, the storage and distribution of election materials prior to the elections, the movement of ballot papers after the elections, logistic assistance to international election observers and the use of the civilian communications facilities of the Mission in the provinces;
(b) Facilitating the free movement of people, goods and humanitarian assistance throughout the country;
(c) Providing wider security and deterrence, through its presence and within the framework of its mandate, throughout the period of preparation for the elections, the polling period itself and the period immediately after the announcement of the election results and, exceptionally, being prepared to respond to situations of public disorder, with the Sierra Leonean police taking the lead, especially in the vicinity of polling stations and the locations of other related activities;
2. Reiterates its authorization to the Mission, under Chapter VII of the Charter of the United Nations, as provided for in resolution 1270(1999) and resolution 1289(2000) of 7 February 2000, to take the necessary action to fulfil the tasks set out in paragraphs 1 (b) and (c) above, and reaffirms that, in the discharge of its mandate, the Mission may take the necessary action to ensure the security and freedom of movement of its personnel and, within its capabilities and areas of deployment, to afford protection to civilians under imminent threat of physical violence, taking into account the responsibilities of the Government of Sierra Leone, including the Sierra Leonean police;

3. Authorizes the increase in the United Nations civilian police proposed by the Secretary-General in his report, encourages him to request a further increase if appropriate, and endorses his recommendation that the United Nations civilian police should perform the following tasks:

(a) Advise and support the Sierra Leonean police in carrying out their election-related responsibilities;

(b) Assist the Sierra Leonean police to devise and implement an electoral training programme for their personnel, focused mainly on establishing security for public events, human rights and police conduct;

4. Welcomes the interim establishment of an electoral component in the Mission aimed at strengthening the contribution of the Mission to facilitating, in particular, the coordination of electoral activities between the National Electoral Commission, the Government of Sierra Leone and other national and international stakeholders;

5. Welcomes also the intention of the Mission, as indicated in the report of the Secretary-General, to establish in each electoral region an electoral office from which to monitor the electoral process, and to provide, within available resources, assistance to international election observers;

6. Notes with appreciation the ongoing support provided by the Public Information Section of the Mission to the National Electoral Commission in designing and implementing a civic education and public information strategy, and encourages the Mission to continue these efforts;

7. Underlines the responsibility of the Government of Sierra Leone and the National Electoral Commission for the holding of free and fair elections, and encourages the international community to provide generous support and assistance to that end;

8. Decides to remain actively seized of the matter.

Report of Secretary-General (March). On 14 March, the Secretary-General, in response to Security Council resolution 1370(2001) [YUN 2001, p. 169], submitted his thirteenth report on UNAMSIL [S/2002/267], covering the three months since his previous report [YUN 2001, p. 171]. During that time, the peace process in Sierra Leone continued to make encouraging progress. The disarmament of RUF and CDF combatants was completed on 11 January. The Government then launched a programme to collect illegal weapons from the civilian population and shotguns held mainly by CDF members, which had been excluded from the original disarmament programme. The resettlement of internally displaced persons commenced and more refugees were repatriated from Guinea and Liberia. In preparation for elections scheduled for 14 May, the National Electoral Commission successfully conducted the voter registration process. On 1 March, the President announced the lifting of the state of emergency [S/2002/228]. In the meantime, the Sierra Leone police and army deployed to more districts, and the Government took further steps to extend its authority to areas formerly controlled by RUF. Progress was also made towards the establishment of the Truth and Reconciliation Commission and the Special Court (see below). The process of reintegrating the disarmed combatants into civilian society, however, remained slow because of inadequate funding.

Former RUF leader Foday Sankoh, 49 other RUF members and more than 30 members of the Armed Forces Revolutionary Council (AFRC)/ex-Sierra Leone Army (SLA), a group known as the West Side Boys, were charged with murder and other offences by the courts on 4 and 11 March. The Attorney-General announced that the charges would not prejudice any case the Special Court might decide to bring against them.

The conflict in Liberia escalated during the reporting period, forcing large numbers of Sierra Leonean refugees to return to their home country and almost 10,000 Liberian refugees to flee into southern and eastern Sierra Leone. On two occasions, armed forces of Liberia crossed into Sierra Leone. In a positive development, the heads of State of the MRU countries met on 27 February (see p. 148).

On 10 February, the Special Representative of the Secretary-General, Oluwemi Adeniji, travelled to Abuja, Nigeria, to brief ECOWAS and the Nigerian President on the situation in Sierra Leone and to urge ECOWAS countries to contribute to the reintegration of ex-combatants.

The security situation remained generally stable, despite some violent clashes between former CDF and RUF combatants over mining disputes in the Kono district on 19 and 20 December 2001. The violence left 13 people dead and caused large-scale displacement of the local population. The Sierra Leone army, which was renamed the Republic of Sierra Leone Armed Forces on 1 April, further deployed to the Kailahun and Kono districts to secure the country’s borders.

UNAMSIL continued to conduct patrols throughout the country to deter violence and reassure the population. It also stepped up air and land patrols along the Sierra Leone/Liberia border in view of increased fighting in Liberia. Working with the Sierra Leone police and army,
it focused on ensuring security for the forthcoming elections by extending deployment to 39 locations throughout the country. Future phases of its military deployment involved covering as many locations as possible during the polling period and sustaining a secure environment for the crucial post-election period.

The Joint Committee on Disarmament, Demobilization and Reintegration, which comprised the Government, RUF and UNAMSIL, declared on 17 January that the disarmament process had been completed. A total of 47,076 combatants (19,183 RUF, 27,695 CDF and 198 AFRC/ex-SLA) had disarmed since 18 May 2001. UNAMSIL destroyed a total of 24,944 weapons, including 10,800 collected before May 2001. All disarmed combatants received an initial reinsertion payment to assist them in settling in their communities, but funding for the reintegration programme had a shortfall of $13.48 million for 2002. Various short-term reintegration projects absorbed 17,953 ex-combatants. Following the disarmament process, the Government began to extend its authority throughout the country; however, it faced constraints in efforts to restore civil administration and public services.

In preparation for the presidential and parliamentary elections, the Parliament adopted legislation establishing the National Electoral Commission; it also increased the number of seats from 80 to 124, of which 112 were elected seats and 12 were allocated to paramount chiefs, and set up a district block electoral system, which was criticized by 11 opposition political parties. The voter registration exercise, which was conducted from 24 January to 10 February and then extended, resulted in 2,276,518 voter registrations. Twenty-three political parties were officially formed, and registered. Civil society groups and political parties expressed concern at the lack of dialogue between them and the National Electoral Commission, and UNAMSIL encouraged the Commission to promote better communication with the parties and to address other electoral difficulties. UNAMSIL’s electoral component was established to monitor and assist the electoral process and advise the National Electoral Commission. The Mission deployed 30 additional civilian police advisers to support the Sierra Leone police in election-related duties, and provided technical support to the Commission on disseminating public information on the voter registration process.

The completion of the disarmament procedure resulted in a general improvement in the human rights situation. However, access to more areas in the east revealed more evidence of atrocities committed during the conflict. UNAMSIL investigated past human rights abuses and serious breaches of international humanitarian law in the Kono and Kailahun districts. Human rights officers tracked cases involving former child combatants and abducted women and children in Kailahun and conducted an investigation of allegations of sexual exploitation of children and women by UN personnel.

A planning mission from OHCHR visited Sierra Leone in January to discuss the establishment of the Truth and Reconciliation Commission and the Special Court (see p. 164). An agreement for the establishment of the Special Court was signed on 16 January.

The Secretary-General reported that approximately 107,000 Sierra Leonean refugees were being assisted by UNHCR in camps in the subregion, and an additional 80,000 unregistered refugees were living outside camps. Since September 2000, UNHCR had assisted the repatriation of 68,698 refugees, and an unknown number had returned spontaneously. A total of 17,846 displaced returnees had been assisted by UNHCR to resettle in their areas of origin. As of January, some 204,000 displaced persons were registered and being assisted by UN agencies.

The Secretary-General believed that the developments in the disarmament process and the improved security situation provided an opportunity for Sierra Leone to hold free, fair and credible elections, and to concentrate on national reconciliation and recovery. The most urgent priority for the country was to ensure that the elections were conducted in a credible manner and in a peaceful environment. The voter registration boded well for the next phases of the electoral process; however, organizational and management problems needed to be overcome and arrangements made for registering returning refugees. The recent public statements by RUF leaders expressing their commitment to transforming into a political party and to joining the democratic process were a welcome development, although the sincerity of those statements would be judged after the elections. At that point, the new Government and the international community would have to focus on peace consolidation, particularly regarding the extension of State authority, the reintegration of ex-combatants and the restoration of the Government’s control over diamond mining.

SECURITY COUNCIL ACTION (March)

The Security Council, recalling its resolutions and the statements by its President concerning the situation in Sierra Leone,

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Welcoming the summit meeting of the Mano River Union Presidents held in Rabat on 27 February 2002 at the invitation of the King of Morocco,

Welcoming also the further progress made in the peace process in Sierra Leone, including the lifting of the state of emergency, commending the positive role of the United Nations Mission in Sierra Leone in advancing the peace process, and calling for its further consolidation,

Encouraging the Mano River Union Women’s Peace Network and other civil society initiatives to continue their contribution towards regional peace,

Determining that the situation in Sierra Leone continues to constitute a threat to peace and security in this region,

Expressing its concern at the fragile situation in the Mano River region, the substantial increase in refugees and the humanitarian consequences for the civilian, refugee and internally displaced populations in the region,

Emphasizing the importance of free, fair, transparent and inclusive elections, and welcoming the progress made by the Government of Sierra Leone and the National Electoral Commission of Sierra Leone in preparing for elections, particularly with voter registration,

Reiterating the importance of the effective extension of State authority throughout the country, the reintegration of ex-combatants, the voluntary and unhindered return of refugees and internally displaced persons, full respect for human rights and the rule of law and effective action on impunity and accountability, paying special attention to the protection of women and children, and stressing continued United Nations support for the fulfilment of these objectives,

Welcoming the Agreement between the United Nations and the Government of Sierra Leone on the Establishment of a Special Court for Sierra Leone, signed on 16 January 2002, and the recommendations of the Planning Mission on the Establishment of the Special Court for Sierra Leone, and of the Secretary-General in his report of 14 March 2002 that the Mission should provide administrative and related support to the Special Court,

Emphasizing the importance of the continuing support of the Mission to the Government of Sierra Leone in the consolidation of peace and stability after the elections,

Having considered the report of the Secretary-General,

1. Decides that the mandate of the United Nations Mission in Sierra Leone shall be extended for a period of six months from 30 March 2002;

2. Expresses its appreciation to those Member States providing troops and support elements to the Mission and those which have made commitments to do so;

3. Welcomes the military concept of operations for the Mission for 2002 outlined in paragraph 10 of the report of the Secretary-General, and requests the Secretary-General to inform the Security Council at regular intervals of progress made by the Mission in the implementation of its key aspects and in the planning of its subsequent phases;

4. Encourages the Government of Sierra Leone and the Revolutionary United Front to strengthen their efforts towards full implementation of the Agreement on the Ceasefire and Cessation of Hostilities between the Government of the Republic of Sierra Leone and the Revolutionary United Front, signed in Abuja on 10 November 2000, and reaffirmed at the meeting of the Economic Community of West African States, the United Nations, the Government of Sierra Leone and the Revolutionary United Front held at Abuja on 2 May 2001;

5. Also encourages the Government of Sierra Leone and the Revolutionary United Front to continue to take steps towards the furthering of dialogue and national reconciliation, and in this regard stresses the importance of the reintegration of the Revolutionary United Front into Sierra Leonean society and its transformation into a political party, and demands the immediate and transparent dismantling of all non-government military structures;

6. Welcomes the formal completion of the disarmament process, expresses concern at the serious financial shortfall in the multi-donor trust fund for the disarmament, demobilization and reintegration programme, and urges the Government of Sierra Leone to seek actively the urgently needed additional resources for reintegration;

7. Emphasizes that the development of the administrative capacities of the Government of Sierra Leone is essential to sustainable peace and development and to the holding of free and fair elections, and therefore urges the Government of Sierra Leone, with the assistance of the Mission, in accordance with its mandate, to accelerate the restoration of civil authority and public services throughout the country, in particular in the diamond mining areas, including the deployment of key government personnel and police and the deployment of the Sierra Leone Army on border security tasks, and calls upon States, international organizations and non-governmental organizations to assist in the wide range of recovery efforts;

8. Welcomes the establishment of the electoral component of the Mission and the recruitment of thirty additional civilian police advisers to support the Government of Sierra Leone and the Sierra Leonean police in preparing for elections;

9. Welcomes also the signature of the Agreement between the United Nations and the Government of Sierra Leone on the Establishment of a Special Court for Sierra Leone, as envisaged by resolution 1315(2000) of 14 August 2000, urges donors urgently to disburse their pledges to the Trust Fund for the Special Court, looks forward to the Court expeditiously beginning its operations, and endorses the Mission providing, without prejudice to its capabilities to perform its specified mandate, administrative and related support to the Court on a cost-reimbursable basis;

10. Welcomes further the progress made by the Government of Sierra Leone, together with the Secretary-General, the United Nations High Commissioner for Human Rights and other relevant international actors, in establishing the Truth and Reconciliation Commission, and urges donors urgently to commit funds to it;
11. Welcome the summit meeting of the Mano River Union Presidents, urges the Presidents to continue dialogue and to implement their commitments to building regional peace and security, and encourages the ongoing efforts of the Economic Community of West African States towards a lasting and final settlement of the crisis in the Mano River region;

12. Expresses its serious concern at the violence, particularly sexual violence, suffered by women and children during the conflict in Sierra Leone, and emphasizes the importance of addressing these issues effectively;

13. Expresses its serious concern also at the evidence the Mission has found of human rights abuses and breaches of humanitarian law, set out in paragraphs 38 to 45 of the report of the Secretary-General, encourages the Mission to continue its work, and in this context requests the Secretary-General to provide a further assessment in his September report, particularly regarding the situation of women and children who have suffered during the conflict;

14. Expresses its serious concern further at allegations that some United Nations personnel may have been involved in sexual abuse of women and children in camps for refugees and internally displaced persons in the region, supports the policy of the Secretary-General of zero tolerance for such abuse, looks forward to the report of the Secretary-General on the outcome of the investigation into those allegations, and requests him to make recommendations on how to prevent any such crimes in future, while calling upon States concerned to take the necessary measures to bring to justice their own nationals responsible for such crimes;

15. Encourages the continued support of the Mission, within its capabilities and areas of deployment, for returning refugees and displaced persons, and urges all stakeholders to continue to cooperate to this end to fulfil their commitments under the Abuja Ceasefire Agreement;

16. Welcomes the intention of the Secretary-General to keep the security, political, humanitarian and human rights situation in Sierra Leone under close review and to report to the Council, after due consultations with troop-contributing countries, with any additional recommendations and, in particular, requests the Secretary-General to submit before 30 June 2002 an interim report assessing the post-electoral situation and the prospects for peace consolidation;

17. Decides to remain actively seized of the matter.

Elections

The Sierra Leone presidential and parliamentary elections were held on 14 May. A total of nine political parties, including the RUF Party, fielded presidential candidates, and 11 parties contested the parliamentary election. President Kabbah won 70.06 per cent of the presidential votes, Ernest Koroma of the All People’s Congress came in second with 22.35 per cent, and the former leader of APRC/ ex-SLA, Johnny Paul Koroma, came in third with 3 per cent. President Kabbah was sworn in on 19 May, and on 21 May he announced a new Cabinet, which consisted only of persons affiliated with his political party. Speaking after taking his oath of office [8/2002/57], the President said his principal objective during his second term was to focus on the basic human right to food.

Three parties won parliamentary seats. President Kabbah’s Sierra Leone People’s Party won 83 of the 124 seats, the All People’s Congress won 27 seats, and Mr. Koroma’s Peace and Liberation Party won 2 seats. The remaining 12 parliamentary seats were filled by representatives of paramount chiefs, who were elected on 10 June.

A total of 207 electoral observers from the Commonwealth, the EU, OAU, ECOWAS and the Carter Centre and some 3,500 local observers monitored the elections. They characterized the elections as free, transparent and generally violence-free. Some technical difficulties were cited, but they did not mar the elections. All opposition political parties accepted the results.

UNAMSIL temporarily redeployed 11,000 troops to some 200 high-risk areas and assisted the Sierra Leone police in deploying 4,400 police personnel to provide security for the elections. The Mission provided logistical support to the National Electoral Commission and to the electoral observers, and its electoral unit monitored the electoral process and reported on key issues. The public information section supplemented the national voter education efforts, and Radio UNAMSIL provided 24-hour coverage of the elections.

SECURITY COUNCIL ACTION (May)

On 22 May [meeting 4539], following consultations among Security Council members, the President made statement S/PRST/2002/14 on behalf of the Council:

The Security Council welcomes the elections held in Sierra Leone on 14 May 2002. It congratulates the people of Sierra Leone on the peaceful and orderly way in which the elections were held. It commends the National Electoral Commission and all those responsible for the successful management of the elections, and commends the United Nations Mission in Sierra Leone for its invaluable supporting role. The Council notes that the various electoral observation groups were impressed by the commitment to democracy and determination to vote of the people of Sierra Leone. The Council calls upon all political parties and their supporters to work together to strengthen democracy and thereby assure continuing peace.

The Council considers the elections an important milestone on the road to peace and security in Sierra Leone and the Mano River Region. The next challenge for Sierra Leone and the international community is the further consolidation of peace.

There is much still to do, including the extension of public services to make real the restoration of
government authority throughout the country, the further enhancement of the operational effectiveness of the security sector, and the effective reintegration of all ex-combatants. A sustained effort from the international community will be needed to achieve our shared objective of sustainable peace and security, which must be the basis for Sierra Leone’s economic regeneration and future development.

The Council urges all donors to contribute generously towards these ends, including by providing urgently needed funds to the Special Court for Sierra Leone and the Truth and Reconciliation Commission.

The Council will continue to pay close attention to developments in Sierra Leone and the Mano River region. The Council requests the Secretary-General to monitor the situation there closely and to keep the Council informed of any significant developments.

The Council, on 11 July [meeting 4570], held a closed meeting to consider the situation in Sierra Leone.

Report of Secretary-General (June). In response to resolution 1400(2002) (above), the Secretary-General, on 19 June, submitted his fourteenth report on UNAMSIL [S/2002/679]. He reported that the election campaign and the voting were conducted in a remarkably peaceful atmosphere, and 81 per cent of the registered voters cast votes.

The successful conduct of the elections marked the end of the second phase of UNAMSIL’s military concept of operations for 2002, the main objective of which was to provide security and logistical support for the elections. At the end of the elections, UNAMSIL troops redeployed to their previous locations and continued to mount robust patrols to deter any disturbances. The Mission began implementing the third phase of the concept of operations, focusing on sustaining the prevailing stability and monitoring how the newly elected Government, as well as the army and police, consolidated their authority. It was addressing the unfinished aspects of the peace process, including the reintegration of ex-combatants, the consolidation of State authority throughout the country and the promotion of justice, human rights and national reconciliation.

The overall security situation remained generally stable following the elections, despite continuing protests by ex-combatants, who were dissatisfied with the late payment of their allowances, and demands by CDF combatants for certain benefits. Other problems included disputes over illegally occupied houses and reports of harassment by ruling party members. The escalating conflict in Liberia (see p. 165) was affecting the stability of areas along the border and threatened to undermine the progress in Sierra Leone. The Sierra Leone army reinforced its deployments in the border areas to prevent incursions from Liberia by both the armed forces of Liberia and opposition elements. UNAMSIL was monitoring developments in the border areas and had initiated contacts with Liberian security officials and the leaders of the subregion, aimed at averting a spillover of the conflict into Sierra Leone.

In the post-election period, the UN country team addressed issues related to national recovery and building the Government’s capacity to deliver critical services. UNAMSIL concentrated on maintaining a security environment that would allow the Government to establish its authority. In anticipation of the gradual downsizing of the Mission and its eventual exit, the Secretariat dispatched a military team to Sierra Leone from 9 to 14 June to assist UNAMSIL in developing proposals in that regard.

At the time of the report, 6,490 former combatants had completed the reintegration process and an additional 20,028 were participating in reintegration projects in the agricultural sector and other training. Up to 7,000 former combatants were expected to join reintegration projects every six months. Despite contributions from UN bodies and several Governments, the programme had a $13.4 million shortfall. The restoration of local government structures remained a concern, and UNAMSIL, UNDP and international partners facilitated the deployment of government administrators and police in all districts. Most paramount chiefs also returned to their chieftdoms. Nevertheless, serious capacity constraints remained. A particular challenge that would need additional international assistance was the judicial system, where only 5 of the 14 magistrates courts were functioning. In addition to supporting rehabilitation of judicial infrastructures, UNAMSIL conducted investigations into past human rights abuses and grave breaches of international humanitarian law. It analysed testimony from more than 150 victims of war-related amputations, two thirds of whom had been purposefully mutilated. Preliminary investigations were made into mass graves in four districts.

In order to ensure a coordinated approach to the recovery process, the National Recovery Committee adopted in May the first volume of a national recovery strategy, covering the newly accessible districts in the eastern and northern parts of the country. It focused on immediate actions to address the essential needs of the population, while laying the foundation for the transition towards sustainable development. The strategy set priorities in the areas of restoration of civil authority, improvement in the delivery of basic social services, facilitating resettlement and reintegration, promotion of reconciliation and rights,
stabilizing economic revival and improving access.

The third phase of the national resettlement programme took place from 28 March to 30 April, during which some 120,000 internally displaced persons were resettled in the newly accessible areas, and the fourth phase, which began in June, was expected to resettle 13,000 people. UNHCR reported that some 30,000 returnees had been resettled since March and more than 15,500 Sierra Leonean refugees were repatriated (about 7,000 from Guinea and 8,500 from Liberia). It was estimated that about 165,000 Sierra Leonean refugees continued to receive asylum in the sub-region.

The Secretary-General viewed the prospects for strengthening the fragile peace as promising, provided that the Government, UNAMSIL and other international partners acted quickly to tackle priorities. He expressed concern, however, over two factors—the escalating conflict in Liberia and the need for the army and police to assume responsibility for the country’s security after UNAMSIL’s departure. A clear definition of Sierra Leone’s national security plan was crucial to the planning for the Mission’s drawdown. With regard to the police, the Secretary-General recommended that the 30 additional UN civilian police who were deployed during elections be retained in UNAMSIL to support the training of the Sierra Leone police. A gradual drawdown of UNAMSIL should be commensurate with the prevailing security conditions and the Government’s capacity to match them. The new Government needed to assume the leading role in addressing the challenges, while international partners should continue to provide support for rebuilding the capacities of the police and the army.

UNAMSIL extension and drawdown

Communication. On 28 August [S/2002/975], Sierra Leone transmitted to the Security Council President a letter of 8 August from President Kabbah to the Secretary-General, in which he expressed the hope that international peacekeepers should not be withdrawn prematurely from his country. He suggested commencing the phased withdrawal timetable not earlier than three months from the date of the extension of UNAMSIL’s current mandate.

Report of Secretary-General (September). In his fifteenth report on UNAMSIL, issued on 5 September [S/2002/987], the Secretary-General presented proposals for the drawdown of the Mission. Assessing the security situation, he stated that it remained generally stable, with the exception of raids on border villages by armed elements from Liberia, occasional clashes between youth groups in Kono district and Tongo Fields and the non-indigenous population of those diamond-rich areas, and a riot in Freetown on 18 July. The presence of UNAMSIL underpinned the stability, which, combined with the deployments of the Sierra Leone army and police to some parts of the country, had reassured the population and added momentum to the gradual return to normality. Consequently, freedom of movement was possible throughout the country and commercial activity had been revived. However, the large numbers of unemployed youths presented a problem and the 24,000 ex-combatants still awaiting reintegration were becoming restless. Some of the latter had reportedly been recruited by Liberian armed factions opposing the Liberian Government. Security also remained a concern in the diamond-producing areas. Thuggish youth groups were attempting to fill the vacuum created by the absence of firm government control, particularly in Kono district and Tongo Fields.

District administrations still lacked adequate capacity to deliver basic services to the population, and the administration of law and order in the districts was hampered by logistical challenges and by the inadequate strength of the police force and the limited coverage of the judicial and penal systems. Armed elements from Liberia continued to raid border areas in Sierra Leone for food and to abduct villagers. Some Liberian combatants had fled the fighting in their country and handed themselves over to the Sierra Leonean authorities, who had decided to construct a special camp for them. There were reports that former RUF field commander Sam Bockarie and his followers were active in some of Liberia’s security structures, which could pose a risk of violence, not only in Sierra Leone but also in the MRU sub-region.

The overall security situation since the elections had created new circumstances that made it possible to consider changes to UNAMSIL. The paramount concern in making adjustments to the Mission would be to avoid creating a security vacuum; therefore, security benchmarks related to the capacity of the police and army should determine the pace of the drawdown. Other benchmarks related to reintegration of ex-combatants, consolidating State authority throughout the country and restoring government control over diamond mining. With regard to reintegration, progress had been hampered primarily by financial constraints; some 30,000 former combatants had been absorbed in reintegration projects, while another 24,000 were waiting for openings. The illicit mining and trading of diamonds played a major role in
fuelling the war and remained a potential source of instability.

In order to safeguard the progress made in Sierra Leone, the international community needed to engage Liberia in a long-term manner and UNAMSIL troops needed to backstop the Sierra Leone army until a lasting solution was found to the Liberian conflict.

In view of the current circumstances, the Secretary-General made proposals to adjust the size and composition of the military component, civilian police and other civilian components of UNAMSIL, in a measured and phased way. His Special Representative had kept President Kabbah informed of the planning process, and the President had submitted ideas on benchmarks to be taken into account in downsizing [S/2002/975] (see also above). In addition, UNAMSIL had consulted with other partners on the ground, including ECOWAS, donors and the diplomatic community in Freetown.

The plan for downsizing the military component called for an initial phase of “pruning” of troops that were no longer operationally essential while maintaining a presence throughout the country, resulting in a reduction by some 600 troops by the end of 2002. Subsequently, the force would draw down in phases and vacate areas of the country that were identified through benchmarks as ready for handover to Sierra Leone’s security forces with minimum risk. Those phases would be interspersed with a period of stabilization and assessment. In the second phase, UNAMSIL troops would concentrate in the central part of the country, around key provincial towns, the main lines of communication, the principal diamond fields and the areas bordering Liberia. That could be completed by August 2003, and 4,000 troops would be withdrawn. The remaining 13,000 troops would dominate key terrain and threat areas. Under the third phase, the troops would be reduced to 5,000 by late 2004, if Sierra Leone police were able to assume their responsibilities in the vacated areas. UNAMSIL would pull back to the Freetown and Lungi peninsulas and hand over responsibility for security in the hinterland to the Government. In the final phase, a presence of some 2,000 military personnel was envisaged, and the Security Council might decide at that point if the benchmarks attained and the prevailing security situation warranted a final exit of UNAMSIL and consider successor arrangements.

UNAMSIL’s civilian police component could play an enhanced role in assisting in the recruitment of new police cadets, devising and delivering training programmes, training trainers and supporting a deployment plan. That role would require an increase in strength to 185 personnel from its authorized strength of 60. Coordination among the Sierra Leone police, UN civilian police and the Commonwealth team would be done through a steering committee, chaired by the Inspector General of the Sierra Leone police. Appropriate adjustments would also be made to the other civilian components of the Mission.

As one of the world’s poorest countries, Sierra Leone faced a number of problems that were not only the consequences of but also the root causes of the decade-long civil war—misgovernance, corruption and the erosion of fundamental human rights. While pursuing political reform and capacity-building, the Government also faced the challenge of addressing emergency relief needs and rebuilding the economy. The UN country team had developed a plan for supporting the national recovery strategy, focusing on coordination for recovery, facilitating the reintegration of returning populations, encouraging community reconciliation and promoting the protection of human rights, for which funds were needed. The Government and humanitarian agencies expected to complete the resettlement of the remaining 11,000 internally displaced persons by October 2002, at which point all camps of internally displaced persons would be closed. As at 31 August, UNHCR had registered 56,000 Liberian refugees in Sierra Leone, of whom 35,000 were living in poor conditions in camps.

The Secretary-General observed that since the completion of the disarmament process in January, Sierra Leone had seen progress in a number of areas, which had opened up peace-building opportunities. In the security sector, the initial deployments of the Sierra Leone army and police had prepared the ground for them to assume responsibilities from UNAMSIL, while, in the political area, the elections had laid a solid foundation for the Government to consolidate its authority, restore its control over natural resources and foster good governance. The Secretary-General welcomed the plan for the development and training of Sierra Leone police, the deployment of government officials in the districts, the planned local elections and the national recovery strategy. Those developments, along with the improved security situation, had created new circumstances that made it possible to consider beginning the phased drawdown of UNAMSIL. The pace of the drawdown would have to be governed by progress in achieving the benchmarks identified in the report. The beginning of the troop reduction would mark the final phase of the peacekeeping operation in Sierra Leone and its outcome would be critical in determining whether the efforts of the international community
could be considered a durable success. To safeguard its investment in Sierra Leone, the international community needed to provide the resources to complete the reintegration of ex-combatants, enhance the capacity of the Sierra Leone police, ensure the functioning of the Truth and Reconciliation Commission and support the transition to peace-building. The Government needed to consolidate its authority throughout the country and restore control over the natural resources, which should generate the revenue needed for sustainable recovery. The Secretary-General remained concerned about the conflict in Liberia, which could jeopardize the progress achieved in Sierra Leone and destabilize the subregion. He recommended that the mandate of UNAMSIL be extended for a further six months, in order to carry out the planned drawdown. Following the completion of the first phase of the plan, he would provide an assessment of its implementation and make further recommendations on the second phase.

The Council held a closed meeting on 18 September [meeting 4650] to exchange views with the troop-contributing countries to UNAMSIL.

SECURITY COUNCIL ACTION (September)


The Security Council,
Recalling its resolutions and the statements by its President concerning the situation in Sierra Leone,
Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,
Welcoming the peaceful elections held in Sierra Leone on 14 May 2002, and commending the United Nations Mission in Sierra Leone for the support it provided,
Expressing its concern at the continuing fragile security situation in the Mano River region, particularly the conflict in Liberia, and at the substantial number of refugees and the humanitarian consequences for the civilian, refugee and internally displaced populations in the region, and emphasizing the importance of cooperation among the countries of the Mano River Union,
Reiterating the importance of the effective consolidation of State authority throughout Sierra Leone, the extension of effective State control over and regulation of the diamond fields, the reintegration of ex-combatants, the voluntary and unhindered return of refugees and internally displaced persons, and full respect for human rights and the rule of law, with special attention to the protection of women and children, and stressing continued United Nations support to the Government of Sierra Leone in fulfilling these objectives,
Welcoming the launch of the Special Court for Sierra Leone and the Truth and Reconciliation Commission, and emphasizing their importance in taking effective action on impunity and accountability and in promoting reconciliation,
Welcoming also the progress made in developing the capacity of the Sierra Leone police and armed forces, but recognizing the need for their further strengthening to enable them to maintain security and stability independently,
Emphasizing the importance of the continuing support of the Mission to the Government of Sierra Leone in the consolidation of peace and stability,
Having considered the report of the Secretary-General of 5 September 2002, particularly the proposals contained therein for adjustments to the strength of the Mission, and stressing the need for the Mission to maintain an appropriate level of military capability and mobility while these adjustments are made,

1. Decides that the mandate of the United Nations Mission in Sierra Leone shall be extended for a period of six months from 30 September 2002;
2. Expresses its appreciation to those Member States providing troops, civilian police personnel and support elements to the Mission and to those who have made commitments to do so;
3. Takes note of the proposals of the Secretary-General for adjustments to the size, composition and deployment of the Mission, as outlined in paragraphs 26 to 58 of his report, and notes the improvements in the security situation in Sierra Leone;
4. Urges the Mission, guided by an evaluation of the security situation and of the capacity of the Sierra Leonean security sector to take responsibility for internal and external security, to complete phases 1 and 2 of the plan of the Secretary-General, including a reduction of 4,500 troops within eight months, taking into account the necessary arrangements that need to be completed, and requests the Secretary-General to report to the Council at the end of each phase, and at regular intervals, on the progress made by the Mission in implementing the adjustments and in planning the subsequent phases, and to make any necessary recommendations;
5. Expresses its concern at the continuing financial shortfall in the multi-donor trust fund for the disarmament, demobilization and reintegration programme, and urges the Government of Sierra Leone to seek actively the urgently needed additional resources for reintegration;
6. Welcomes the national recovery strategy of the Government of Sierra Leone, and calls upon States, international organizations and non-governmental organizations to assist in the wide range of recovery efforts and to pledge additional financial support in the context of the forthcoming Consultative Group meeting;
7. Emphasizes that the development of the administrative capacities of the Government of Sierra Leone, particularly an effective and sustainable police force, army, penal system and independent judiciary, is essential to long-term peace and development, and therefore urges the Government of Sierra Leone, with the assistance of donors and of the Mission in accordance with its mandate, to accelerate the consolidation of civil authority and public services throughout the country and to strengthen the operational effectiveness of the security sector.

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8. Notes the efforts made by the Government of Sierra Leone towards effective control of the diamond-mining areas, expresses concern about the continuing volatility there, and urges the Government of Sierra Leone to set out and implement urgently a policy to regulate and control diamond-mining activities;

9. Emphasizes the importance of a coordinated approach to strengthening the Sierra Leone Police, based on a detailed analysis of its training and development needs, led by a steering committee chaired by the Inspector General of the Sierra Leone Police, notes the recommendations of the Secretary-General on enhancing the role of the United Nations civilian police to support this process, supports the deployment of up to 170 civilian police in the Mission, to be recruited as necessary on the recommendation of the steering committee, and requests the Secretary-General to update the Council in his next report on the deployment of United Nations civilian police in the light of the decisions of the committee;

10. Reiterates its strong support for the Special Court for Sierra Leone, welcomes the start of the operations of the Court, encourages donors to contribute generously to the Trust Fund for the Special Court and to disburse existing pledges rapidly, and urges the Mission to negotiate rapidly a memorandum of understanding with the Court in order to provide all necessary administrative and related support promptly, as requested in paragraph 9 of resolution 1400 (2002) of 28 March 2002, including on the identification and securing of crime scenes;

11. Welcomes progress made in establishing the Truth and Reconciliation Commission, and urges donors urgently to commit funds to its revised budget;

12. Encourages the Presidents of the Mano River Union countries to continue dialogue and to implement their commitments to building regional peace and security, and encourages the renewed efforts of the Economic Community of West African States and of Morocco towards achieving a settlement of the crisis in the Mano River Union region;

13. Welcomes the commitment of the Secretary-General to finding a solution to the conflict in Liberia so as to build peace in the subregion, including through the establishment of a contact group, demands that the armed forces of Liberia and any armed groups refrain from illegal incursions into the territory of Sierra Leone, calls upon all States to comply fully with all relevant resolutions of the Security Council, including the embargo on all deliveries of weapons and military equipment to Liberia, and encourages the Sierra Leonean armed forces, together with the Mission, to maintain intensive patrolling of the border with Liberia;

14. Encourages the Government of Sierra Leone to pay special attention to the needs of women and children affected by the war, as outlined in paragraphs 47 to 48 of the report of the Secretary-General;

15. Welcomes the steps taken by the Mission to prevent sexual abuse and exploitation of women and children, and encourages the Mission to continue to enforce the policy of zero tolerance for any such acts perpetrated by anyone employed by it, while calling upon States concerned to take the necessary measures to bring to justice their own nationals responsible for such crimes;

16. Encourages the continued support of the Mission, within its capabilities and areas of deployment, for the voluntary return of refugees and displaced persons, and urges all stakeholders to continue to cooperate to this end to fulfil their commitments under the Agreement on the Ceasefire and Cessation of Hostilities, signed in Abuja on 10 November 2000;

17. Welcomes the intention of the Secretary-General to keep the security, political, humanitarian and human rights situation in Sierra Leone under close review and to report to the Council, after due consultations with troop-contributing countries and the Government of Sierra Leone, with any additional recommendations;

18. Decides to remain actively seized of the matter.

Report of Secretary-General (December). As requested in Security Council resolution 1436 (2002) (above), the Secretary-General submitted in December his sixteenth report on UNAMSIL (S/2002/117). Describing progress made in implementing the Mission’s drawdown plan, as set out in his previous report, he stated that the first phase of the drawdown had been completed, with the 8 November withdrawal of 600 troops from the Bangladeshi and Nigerian contingents. Implementation of the second phase, which envisaged the withdrawal of 3,900 troops, was in progress.

In order to evaluate the security situation, UNAMSIL and the Government had established joint mechanisms, including an integrated planning group and joint meetings of senior UNAMSIL military officers and the National Security Coordination Group. In addition, the Steering Committee, which was established to strengthen and coordinate the Sierra Leone police, was operational. The integrated planning group, which evaluated the situation on the ground and potential risk factors, found that, with the exception of the areas along the Sierra Leone/Liberia border, the internal security situation in Sierra Leone had remained generally stable. The conflict in Liberia remained a major concern for sustained stability in Sierra Leone. During November, there was an upsurge of raids by armed Liberians searching for food in Sierra Leonean villages in the border areas. There were reports of recruitment of former Sierra Leonean combatants by both the Liberians United for Reconciliation and Democracy and Liberian government forces.

Sierra Leone, UNAMSIL and the Commonwealth worked together to strengthen the Sierra Leone police force by focusing on recruiting new cadets and training both them and serving personnel, as well as providing the equipment and infrastructure needed. The Government intended to increase the national police force by 1,000 personnel in 2003. Nearly 400 new cadets
UNAMSIL continued to conduct joint patrols with the national police to maintain internal security in all districts and the national army in the border areas. The capacity of the national police to maintain internal security on their own in areas vacated by UNAMSIL remained to be tested; the second phase of the drawdown would require considerable redeployment of the existing police to fill the security vacuum that would be created by the departing UN troops.

The Republic of Sierra Leone Armed Forces continued to receive training and restructuring support from the United Kingdom–led International Military Advisory and Training Team. The restructuring process was expected to result in the reduction of the force from 14,000 to 10,500 troops, with measures for reinserting demobilized soldiers into the civilian community. The armed forces still lacked the necessary infrastructure for operating, including sufficient barracks. UNAMSIL continued to conduct joint patrols with the Sierra Leone police in all districts and the national army in the border areas. The capacity of the national police to maintain internal security on their own in areas vacated by UNAMSIL remained to be tested; the second phase of the drawdown would require considerable redeployment of the existing police to fill the security vacuum that would be created by the departing UN troops.

The Government had taken steps towards consolidating State authority throughout the country, such as deploying government officials to the districts and filling some of the 63 posts of Paramount Chiefs that fell vacant during the war. Approximately 90 per cent of government officials had returned to their posts in the districts and the Government intended to fill all vacant posts by March 2003. Local government elections were scheduled for early 2003. Some progress was being made to extend the court system throughout the country and reform the judiciary. Efforts were made to reintegrate former combatants, and some 38,850 ex-combatants had benefited from such projects, leaving a caseload of approximately 17,900 former combatants; the former combatants that had yet to participate in reintegration projects represented a serious security challenge. The restoration of government control over diamond mining had become more urgent as UNAMSIL was drawn down, as the competition for control by non-State actors in that sector was creating pressures at both national and local levels. The existence of strident youth groups and predatory traders in the diamond-producing areas created an atmosphere of distrust and tension.

In the human rights area, UNAMSIL continued investigations into past human rights abuses and breaches of international humanitarian law, and it encouraged the Government to facilitate the participation of victims of amputations in the truth and reconciliation process. The Mission participated in organizing a training programme for justices of the peace. The Special Court for Sierra Leone became operational in late 2002 (see p. 164).

Assistance was provided for repatriating and resettling Sierra Leonean refugees, for assisting Liberian refugees in Sierra Leone, and for assisting former child combatants and other separated children. Of the 6,845 former child combatants, 5,037 had been registered for support by child protection agencies, along with 2,097 other separated children. UNHCR’s efforts to repatriate and assist refugees were hindered by the global funding shortfall faced by the agency. The repatriation of Sierra Leonean refugees from Guinea and Liberia had been suspended on a number of occasions owing to lack of funding and substandard conditions existing in refugee camps. In late December, 23,000 Liberian refugees were in camps in Sierra Leone, while 8,500 were living in urban areas and 12,000 in border areas. UNHCR indicated that $28.2 million was needed to cover its operational costs in Sierra Leone in 2003. The programme to resettle internally displaced persons, with UNAMSIL providing support for transporting persons to resettlement areas, was completed in December, with some 11,000 persons resettled under the final phase. Approximately 220,000 internally displaced persons had been resettled since the programme began in April 2001. The Government’s national recovery strategy served as a short-term plan for the transition from peacekeeping to peace-building and from relief to development. On 13 and 14 November, the World Bank and UNDP convened a Consultative Group meeting in Paris between the Government and its humanitarian and development partners to agree on a framework for the transition to sustainable peace and development.

The Secretary-General observed that developments over the preceding few months had shown the prudence of pursuing a gradual drawdown of UNAMSIL. In particular, the coordinated...
efforts by the Government and UNAMSIL to evaluate risk factors and avoid a security vacuum in areas vacated by the Mission had ensured a stable environment, thus allowing the focus to be on national recovery. Of particular note were efforts of the Government and its development partners to support the reintegration of ex-combatants into civilian communities. The Secretary-General urged the Government to accomplish the benchmarks relating to security, poverty reduction, governance, economic performance and management issues, as set out in the Results Framework for 2003-2004 adopted at the Consultative Group meeting. The completion of the first phase of the drawdown plan and the progress made in implementing the second phase constituted an encouraging beginning, the Secretary-General said, although much needed to be done to strengthen the presence of the Sierra Leone police in areas to be vacated by UNAMSIL in the second and third phases. Although training arrangements were enhanced, mobilizing the requisite equipment and logistic support for the expansion of the police lagged behind. The efforts to address the conflict in Liberia and the threat it posed to stability in Sierra Leone might be gaining momentum owing to the work of the International Contact Group on Liberia, which held its first meeting in Dakar, Senegal, on 19 December. The dialogue among the MRU countries needed to be re-energized, as the conflict in Côte d’Ivoire, with reported involvement of elements from both Liberia and Sierra Leone, had complicated the regional situation and gave added urgency to the need for a comprehensive regional approach.

UNAMSIL financing

In February [A/56/833], the Secretary-General reported to the General Assembly on UNAMSIL’s financial performance for 1 July 2000 to 30 June 2001, for which the Assembly had provided a total of $577,672,651 gross ($570,329,861 net), exclusive of voluntary contributions in kind of $1,350,133. Expenditures for the period totalled $520,754,300 gross ($513,198,900 net), resulting in an unencumbered balance of $56,938,351 gross ($57,130,961 net) attributable mainly to the delayed deployment of military and civilian personnel and the repatriation of the contingents from two major troop-contributing countries.

The Secretary-General issued in March the proposed UNAMSIL budget for 1 July 2002 to 30 June 2003 [A/56/855], which amounted to $669,476,400 gross ($662,779,200 net), exclusive of $1,350,133 in budgeted voluntary contributions in kind. The budget was based on the Mission’s authorized force strength of 17,500 military personnel. Of the total budget, 73 per cent was for military personnel costs, 17 per cent for operational costs, 9 per cent for civilian personnel costs and 1 per cent for staff assessment.

In an April report [A/56/887/Add.3], ACABQ reviewed the two financial reports and recommended that the Assembly approve the appropriation suggested by the Secretary-General.

GENERAL ASSEMBLY ACTION (June)

On 27 June [meeting 105], the General Assembly, on the recommendation of the Fifth Committee [A/56/712/Add.1], adopted resolution 56/251 B without vote [agenda item 141].

Financing of the United Nations Mission in Sierra Leone

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Mission in Sierra Leone and the related reports of the Advisory Committee on Administrative and Budgetary Questions,

Bearing in mind Security Council resolution 1270 (1999) of 22 October 1999 regarding the establishment of the United Nations Mission in Sierra Leone, and the subsequent resolutions by which the Council revised and extended the mandate of the Mission, the latest of which was resolution 1400(2002) of 28 March 2002,

Recalling its resolution 55/29 of 20 November 1998 on the financing of the United Nations Observer Mission in Sierra Leone and subsequent resolutions on the financing of the United Nations Mission in Sierra Leone, the latest of which was resolution 56/251 A of 24 December 2001,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(AV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/253 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Mission,

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. Takes note of the status of contributions to the United Nations Observer Mission in Sierra Leone and the United Nations Mission in Sierra Leone as at 30 April 2002, including the contributions outstanding in the amount of 120.6 million United States dollars, representing some 9 per cent of the total assessed contributions, notes with concern that only thirty-six Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. Expresses its appreciation to those Member States which have paid their assessed contributions in full and on time, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the United Nations Mission in Sierra Leone in full and on time;
3. Expresses concern at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

4. Also expresses concern at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

5. Emphasizes that all future and existing peacekeeping missions shall be given equal and nondiscriminatory treatment in respect of financial and administrative arrangements;

6. Also emphasizes that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

7. Reiterates its request to the Secretary-General to make the fullest possible use of facilities and equipment for the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

8. Endorses the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the Secretary-General to ensure their full implementation;

9. Requests the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

10. Also requests the Secretary-General to ensure that no commercial alternative for transportation for official purposes is available before contracting services for the provision of executive jets;

11. Further requests the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

Financial performance report for the period from 1 July 2000 to 30 June 2001

12. Takes note of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2000 to 30 June 2001;

13. Decides to reduce the appropriation authorized for the Mission for the period from 1 July 2000 to 30 June 2001 under the terms of resolutions 54/241 B of 15 June 2000 and 55/251 A of 12 April 2001 from 577,672,651 dollars to 541,035,851 dollars, the amount apportioned among Member States in respect of the same period;

14. Decides also to approve the increase in the estimated staff assessment income for the period from 1 July 2000 to 30 June 2001 from 7,342,700 dollars to 7,598,190 dollars;

Budget estimates for the period from 1 July 2002 to 30 June 2003

15. Decides further to appropriate to the Special Account for the United Nations Mission in Sierra Leone the amount of 699,838,300 dollars for the period from 1 July 2002 to 30 June 2003, inclusive of 669,476,400 dollars for the maintenance of the Mission, 27,113,600 dollars for the support account for peacekeeping operations and 3,348,900 dollars for the United Nations Logistics Base;

Financing of the appropriation

16. Decides to apportion among Member States the amount of 532,469,200 dollars at a monthly rate of 44,372,433 dollars, in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolution 55/236 of 23 December 2000, and taking into account the scale of assessments for the years 2002 and 2003 as set out in its resolution 55/5 B of the same date, subject to a decision of the Security Council to extend the mandate of the Mission;

17. Decides also that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 16 above, their respective share in the Tax Equalization Fund of 9,004,200 dollars for the period from 1 July 2002 to 30 June 2003, at a monthly rate of 750,350 dollars, comprising the estimated staff assessment income of 3,022,900 dollars approved for the Mission for the period from 1 July 2002 to 30 June 2003, the prorated share of 3,692,100 dollars of the estimated staff assessment income approved for the support account for the period from 1 July 2002 to 30 June 2003 and the increase in staff assessment income of that account for the period from 1 July 2000 to 30 June 2001, and the prorated share of 289,200 dollars of the estimated staff assessment income approved for the United Nations Logistics Base for the period from 1 July 2002 to 30 June 2003 and the reduction in staff assessment income of that account for the period from 1 July 2000 to 30 June 2001;

18. Decides further that for Member States that have fulfilled their financial obligations to the Mission, their respective share of the unencumbered balance of 20,301,554 dollars and their respective share of other income of H,650,000 dollars in respect of the financial period ended 30 June 2001, in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolution 55/236, and taking into account the scale of assessments for the year 2001 as set out in its resolution 55/5 B;

19. Decides that for Member States that have not fulfilled their financial obligations to the Mission, their respective share of the unencumbered balance of 20,301,554 dollars and other income of 14,650,000 dollars in respect of the financial period ended 30 June 2001 shall be set off against their outstanding obligations in accordance with the scheme set out in paragraph 18 above;

20. Decides also that the increase in the staff assessment income of 192,600 dollars in respect of the financial period ended 30 June 2001 shall be set off against the credits from the unencumbered balance referred to in paragraphs 18 and 19 above;

21. Emphasizes that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

22. Encourages the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Mission;

23. Invites voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as
appropriate, in accordance with the procedure and practices established by the General Assembly.

24. **Decides** to include in the provisional agenda of its fifty-seventh session the item entitled “Financing of the United Nations Mission in Sierra Leone”.

By an 18 November note [A/57/689], the Secretary-General informed the Assembly that, based on the current status of expenditure for UNAMSIL, expenditures for 1 July 2002 to 30 June 2003 were estimated at $602,912,100 and related staff assessment income would amount to $6,293,700. In the light of the apportionment of $562,107,300 already approved in resolution 56/291 B (above), the Assembly was requested to apportion the difference of $100,804,800, should the Security Council extend the Mission’s mandate beyond 31 March 2003.

Having reviewed that note, ACABQ, in a 2 December report [A/57/635], stated that a brief note was not sufficient to justify an assessment of more than $100 million and requested that detailed information on financial performance and expenditures be provided. However, since the short time available was not sufficient to provide the necessary material, the Committee recommended an assessment of $90 million.

**GENERAL ASSEMBLY ACTION (December)**

On 20 December [meeting 78], the General Assembly, on the recommendation of the Fifth Committee (A/57/657), adopted resolution 57/291 A without vote [agenda item 134].

**Financing of the United Nations Mission in Sierra Leone**

*The General Assembly.*

**Having considered** the report of the Secretary-General on the financing of the United Nations Mission in Sierra Leone and the related report of the Advisory Committee on Administrative and Budgetary Questions,

**Bearing in mind** Security Council resolution 1270 (1999) of 22 October 1999 concerning the establishment of the United Nations Mission in Sierra Leone, and the subsequent resolutions by which the Council revised and extended the mandate of the Mission, the latest of which was resolution 1436(2002) of 21 September 2002,

**Recalling** its resolution 55/29 of 20 November 1999 on the financing of the United Nations Observer Mission in Sierra Leone and subsequent resolutions on the financing of the United Nations Mission in Sierra Leone, the latest of which was resolution 56/251 B of 27 June 2002,

**Mindful** of the fact that it is essential to provide the Mission with sufficient financial resources to enable it to fulfill its responsibilities under the relevant resolutions of the Security Council,

1. **Endorses** the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;

2. **Decides**, taking into account the amount of $532,469,200 United States dollars previously apportioned under the terms of General Assembly resolution 56/251 B, to apportion among Member States the additional amount of $90 million dollars at a monthly rate of 7.5 million dollars for the period from 1 July 2002 to 30 June 2003, comprising 67.5 million dollars for the period from 1 July 2002 to 30 June 2003, in accordance with the levels set out in General Assembly resolution 55/235 of 25 December 2000, as adjusted by the Assembly in its resolution 55/256 of the same date and its resolution 57/290 of 20 December 2002, and taking into account the scale of assessments for the years 2002 and 2003 as set out in its resolution 55/5 B of 25 December 2000, as adjusted by the Assembly in its resolution 57/4 B of 20 December 2002, subject to a decision of the Security Council to extend the mandate of the Mission;

3. **Decides also** that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 2 above, their respective share in the Tax Equalization Fund of $326,400 dollars for the period from 1 July 2002 to 30 June 2003, at a monthly rate of 27,200 dollars, comprising 214,800 dollars for the period from 1 July 2002 to 31 March 2003 and 81,600 dollars for the period from 1 April to 30 June 2003, in addition to the estimated staff assessment income in the amount of 9,004,200 dollars previously approved under the terms of Assembly resolution 56/251 B;

4. **Decides further** to keep under review during its fifty-seventh session the item entitled “Financing of the United Nations Mission in Sierra Leone”.

On 20 December, the Assembly decided that the agenda item on UNAMSIL financing would remain for consideration during its resumed fifty-seventh (2003) session (decision 57/585) and that the Fifth Committee should continue to consider the item at that session (decision 57/556).

**Sanctions and justice system**

**Sanctions Committee**

The Security Council Committee established pursuant to resolution 1132(1997) concerning Sierra Leone [YUN 1997, p. 155] continued to monitor arms and related materiel sanctions against that country. The original sanctions were revised by resolution 1171(1998) [YUN 1998, p. 169]. By resolution 1306(2000) [YUN 2000, p. 201], the Council requested Sierra Leone to establish a certificate-of-origin regime to control the export of its rough diamonds as a means of curtailing the sale of diamonds to fuel conflicts, and to report to the Sanctions Committee.

By a letter of 9 January [S/2002/38], the Chairman of the Sanctions Committee forwarded a communication from Sierra Leone enclosing its third review of the certificate-of-origin regime,
which had been in operation for just over a year. Sierra Leone reported that the disarmament and demobilization of ex-combatants was virtually complete, including in the main diamond areas, which had been occupied by rebels. The Government concluded that the regime had contributed to a significant reduction in trade in “conflict” (or “blood”) and illicit diamonds from the country.

In its fourth review of the certificate-of-origin regime, which was transmitted to the Council by the Committee Chairman on 29 July [S/2002/828], Sierra Leone reported that the control system included the electronic transfer of digital photographs of the diamonds to two importing countries, Belgium and Israel. Extension of that important element of the certification system to the United States had not materialized. Among other measures, surveillance and monitoring mechanisms had been installed in mining areas. The Government believed that while the illicit trade in Sierra Leone diamonds might no longer be playing a role in armed conflict in the country, illicit trade in diamonds continued to have a negative impact on its economic and social development programmes.

With regard to the arms embargo against Sierra Leone, the Chairman of the Committee, on 29 April [S/2002/498], informed the Council of a notification received from the United Kingdom that it had exported armoured vehicles for deployment with Ghanaian troops assigned to UNAMSIL.

On 20 December [S/2002/1414], the Chairman submitted to the Council an account of the Committee’s activities in 2002. The Committee had adopted revised guidelines for conducting its work and decided to exempt from its prohibition on the import of Sierra Leone rough diamonds those diamonds controlled by the Government through its certificate-of-origin regime. It investigated alleged breaches of the sanctions regime, participated in meetings of other committees concerned with controlling the illegal sale of diamonds, and reviewed the Government’s efforts to monitor diamond production and sales. The Committee Chairman visited Sierra Leone, Liberia and Guinea (22 June–4 July) to consider problems encountered in implementing the sanctions and improving their effectiveness. In the absence of a monitoring mechanism to ensure implementation of the sanctions regime, the Committee urged States and organizations to provide it with pertinent information and called on ECOWAS to facilitate the Committee’s work.

SECURITY COUNCIL ACTION (December)


The Security Council,


Afirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Welcoming the end of the conflict in Sierra Leone, the significant progress made in the peace process and the improvements in the overall security situation in the country, including in the diamond-producing areas, with the assistance of the United Nations Mission in Sierra Leone,

Emphasizing that the Government must strengthen its efforts to extend its authority throughout Sierra Leone, including the diamond-producing areas, and that the international community should continue providing assistance in the reintegration of former combatants, and noting with concern that the situation in Liberia remains a threat to security in Sierra Leone, especially the diamond-mining areas, and to other countries in the region.

Recalling the role played by illicit trade in diamonds in fuelling the recent conflict in Sierra Leone, and expressing its concern at the current large volume of illicit trade in diamonds and its potentially negative impact on the fragile situation in Sierra Leone,

Welcoming General Assembly resolution 56/263 of 13 March 2002, as well as ongoing efforts by interested States, the diamond industry, in particular the World Diamond Council, and non-governmental organizations to break the link between illicit trade in rough diamonds and armed conflict, particularly through the significant progress made by the Kimberley Process, and encouraging further progress in this regard,

Emphasizing the responsibility of all Member States, including diamond-importing countries, for fully implementing the measures set out in resolution 1385(2001),

Taking note of the views of the Government of Sierra Leone on the extension of the measures imposed by paragraph 1 of resolution 1306(2000),

Determining that the situation in the region continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. Welcomes the latest report of the Government of Sierra Leone entitled “Fourth review of the certificate-of-origin regime for the export of Sierra Leone diamonds”, of 22 July 2002, including the assessment contained therein that the regime is helping to curb the illicit trade in diamonds from Sierra Leone;

2. Decides that the measures imposed by paragraph 1 of resolution 1306(2000) shall remain in force for a new period of six months from 5 December 2002, except that, pursuant to paragraph 5 of resolution 1306(2000), rough diamonds controlled by the Government of Sierra Leone under the certificate-of-origin regime shall continue to be exempt from those meas-
ures, and affirms that at the end of this period it will review the situation in Sierra Leone, including the extent of the authority of the Government over the diamond-producing areas, in order to decide whether to extend those measures for a further period and, if necessary, to modify them or to adopt further measures;

3. **Decides also** that the measures imposed by paragraph 1 of resolution 1306(2000), as extended by paragraph 2 above, shall be terminated immediately if the Security Council determines that it would be appropriate to do so;

4. **Decides further** that the Security Council Committee established pursuant to resolution 1132(1997) shall continue its consideration of the measures referred to in paragraphs 2, 4 and 5 of resolution 1171(1998) and present its views to the Council;

5. **Requests** the Secretary-General to publicize the provisions of the present resolution and the obligations imposed by it;

6. **Decides** to remain actively seized of the matter.

**Establishment of Special Court**

As requested in Security Council resolution 1315(2000) [YUN 2000, p. 205], the Secretary-General pursued efforts to establish a Special Court for Sierra Leone to try those accused of crimes against humanity, war crimes and other serious violations of international humanitarian law.

The Special Court became fully operational in late 2002 and its Registry was expanding its activities throughout Sierra Leone. On 2 December, the swearing-in of the judges took place and the judges of the Trial and Appeals Chambers elected their respective presiding judges. Justice Geoffrey Robertson (United Kingdom) was elected presiding judge of the Appeals Chamber and President of the Court, while Judge Bankole Thompson (Sierra Leone) was elected presiding judge of the Trial Chamber. The Special Court and UNAMSIL signed a memorandum of understanding covering areas of general assistance, including security and support for the Court’s outreach programme, and technical and administrative assistance. In October, UNAMSIL handed over to the Court a preliminary inventory of war-related killings and grave sites that had been investigated by the Mission.

In preparation for the establishment of the Special Court, the Secretary-General sent a planning mission to Sierra Leone from 7 to 19 January, which submitted a report in March to the Security Council [S/2002/216 & Corr.1-3]. Practical arrangements addressed in the report for the establishment and operation of the Special Court included the question of premises, the provision of local personnel and services, and the launching of the investigative and prosecutorial processes. The Agreement between the United Nations and the Government of Sierra Leone on the Establishment of a Special Court for Sierra Leone (contained in an appendix) was signed on 16 January. The UN Office of Legal Affairs consulted with the Attorney-General of Sierra Leone on the candidates for judges, the Prosecutor and the Deputy Prosecutor, and discussed the practical implementation of the Agreement within Sierra Leone’s legal system.

The Special Court’s jurisdiction covered primarily those in political and military leadership positions, but did not exclude others in command authority singled out by the gravity of the crime, its massive scale or heinous nature. Two other categories of persons never before prosecuted by an international jurisdiction also fell within the jurisdiction of the Special Court, namely, peacekeepers and juveniles. The prosecutorial strategy would be to reconstruct the history of the hostilities and study the command structure of the different factions to identify those who bore the greatest responsibility. The Office of the Prosecutor would comprise a Trial Section and an Investigations Section, both to be serviced by an Evidence and Analysis Section. The Registry of the Special Court would be responsible for administrative and judicial services to the Court, such as personnel, finance, procurement, information technology, transportation, buildings management, detention facilities, and security and safety. UNAMSIL infrastructure would be used for the Court’s services in personnel administration, communication, transport, finance and procurement. A Security Office within the Registry would be responsible for external and internal security, detention facilities, and personal and residential protection. The Management Committee, composed largely of major donors to the Special Court (Canada, Lesotho, Netherlands, Nigeria, United Kingdom, United States), would review periodically all non-judicial operations of the Court and exercise an oversight role.

The report described the relationship between the Court and the Truth and Reconciliation Commission, which was established in 2000 by the Government [YUN 2000, p. 209]. The two bodies had distinct purposes and different legal bases and mandates, yet their subject matter and personal and temporal jurisdiction intersected. A group of experts, at meetings in New York in December 2001 and in Freetown in January 2002, identified areas of cooperation and potential conflict and analysed the different legal bases for the establishment of the two institutions, their mandates and jurisdictional scope, and their implications for the relationship between them.

The Secretary-General reported in June [S/2002/679] that progress was made on the estab-
lishment of the Truth and Reconciliation Commission. The interim secretariat of the Commission, headed by an Executive Secretary, three international advisers and six national advisers, began functioning on 25 May. On 13 May, the President announced the appointment of the four national and three international Commissioners. However, the inauguration of the Commission, which was supposed to take place on 1 June, had to be postponed because of lack of funding. Of the $10 million budgeted, only $1.2 million had been pledged.

The Special Court for Sierra Leone began its activities with the arrival in early July of the Registrar (Robin Vincent (United Kingdom)), the Prosecutor (David Crane (United States)) and their advance teams [S/2002/987]. In a letter of 26 June [S/2002/741], the Registrar raised some administrative and financial questions. On 25 July, the appointments of eight judges to serve in the Trial Chamber and the Appeals Chamber were announced. In laying the administrative and financial bases for the operation of the Special Court, the recruitment process for both international and local staff was begun.

**Liberia**

The conflict in Liberia between government forces and armed dissidents escalated in 2002 and increasingly affected regional stability. Large numbers of Sierra Leonean refugees returned home and almost 10,000 Liberians fled into southern and eastern Sierra Leone. Elements from both the armed forces of Liberia and the opposition were reported to have crossed into Sierra Leone foraging for food and seeking refuge.

Regional aspects of the conflict were discussed by the heads of State of the MRU countries (Guinea, Liberia, Sierra Leone) at a meeting in Rabat, Morocco, in February. Follow-up meetings under the Rabat process discussed, among other issues, a legal framework for dealing with dissident groups.

The Panel of Experts set up by the Security Council in resolution 1343(2001) [YUN 2001, p. 161] to investigate violations of the arms embargo against Liberia, the ban on Liberian support for RUF and the ban on the export of rough diamonds from Sierra Leone [YUN 2000, p. 204] was reactivated in 2002. In April and October, it reported on the flow of arms into the country and use of air transportation, the smuggling of rough diamonds and the travel ban on key officials, and made recommendations in each of those areas.

In May, the Security Council, deciding that the Government had not complied fully with the Council’s demands that it halt support for RUF, extended the sanctions against Liberia for another 12 months. The Council called on the Government to establish a certificate-of-origin regime for Liberian rough diamonds, and requested the Secretary-General to establish another panel of experts to investigate Liberia’s compliance with earlier requests.

At the end of the year, the Council expressed concern about the situation in Liberia and the threat it posed to peace and security in the region as the result of the Government’s activities and the continuing internal conflict, including the armed attacks by the opposition group, Liberians United for Reconciliation and Democracy (LURD).

The United Nations Peace-building Support Office in Liberia (UNOL) continued to work towards peace in the country, to assist in providing humanitarian aid to the people and to monitor the situation. By resolution 57/151 (see p. 977), the General Assembly called for special assistance for the rehabilitation and reconstruction of Liberia.

**Security Council workshop.** At its 18 July workshop on MRU (see also p. 147), the Security Council discussed peace-building in Liberia. On 26 July, the United Kingdom, as Council President, submitted a summary of the key themes discussed at the workshop [S/2002/806]. The workshop agreed that peace in Liberia was a prerequisite for stability in the MRU subregion and was essential to protect the investment the international community had made in Sierra Leone. Reconciliation talks within Liberia and between Liberia and its neighbours, which should be encouraged and coordinated, should aim first at a ceasefire and then at a wider programme, including disarmament, demobilization and reintegration, free, fair and inclusive elections, improved governance and respect for human rights. The workshop noted that the sanctions on Liberia had helped to cut President Charles Taylor’s links to RUF and restore peace to Sierra Leone. It was necessary to make clear that sanctions were mechanisms for contributing to peace and security, not instruments of reprisal. Efforts to stop the flow of small arms into West Africa had to be reinforced and the source of arms supplies identified. Illegal exploitation of economic resources like diamonds also had to be stopped, backed by global efforts such as the Kimberley Process (see p. 43). UN efforts should include action by the Bretton Woods institutions, among others; a further Security Council mission to the region; an audit of armed groups by the UN Office for West Africa; the establishment of a contact group on MRU; and cooperation between the Security...
Council’s new ad hoc group on Africa and the new Economic and Social Council ad hoc advisory group on African countries emerging from conflict.

Internal conflict

In early 2002, the conflict in Liberia escalated, forcing large numbers of Sierra Leonean refugees living there to return to their country and almost 10,000 Liberian refugees to flee into southern and eastern Sierra Leone. On two occasions, elements of the Armed Forces of Liberia (AFL), fleeing from the fighting, crossed into Sierra Leone. On both occasions, Liberian soldiers voluntarily agreed to return to their country. The Secretary-General stated in March [S/2002/267] that there were persistent reports that the former Sierra Leone RUF field commander, Sam Bockarie, remained active in the region and that both the Government of Liberia and dissident forces fighting in Liberia might have recruited some disarmed Sierra Leonean combatants.

In a press release of 11 February [SG/SM/8121], the Secretary-General expressed concern about the recent upsurge of fighting in Liberia and appealed to all parties to resolve their differences through dialogue. He called on the States concerned to prevent armed groups and individuals from using their territory to prepare and launch attacks on neighbouring countries. On 13 February [SC/7301], the President of the Security Council said the Council reiterated that position and called on Liberia to ensure respect for human rights and to provide access for relief workers and humanitarian agencies. Likewise, it called on armed insurgents to respect human life and called on President Taylor to honour his pledge not to use the declaration of a state of emergency to curtail civil liberties.

Regional aspects of security problems were discussed by the heads of MRU States at a meeting in Rabat on 27 February [A/56/556-S/2002/231] (see also p. 148). They condemned all dissident activities in the MRU subregion and agreed to work towards curbing the activities of armed groups operating there. They also proposed that legal experts work on a legal framework for dealing with dissident groups. A follow-up meeting and further contacts among themselves were also planned.

Liberia, on 20 March [S/2002/30], referring to the February statements made by the Council and the Secretary-General, stated that it had taken measures in self-defence in the wake of armed attacks against its territory. The Government assured the Council that it would comply with the Council’s demands outlined in resolution 1343 (2001) [YUN 2001, p. 181].

In June [S/2002/679], the Secretary-General reported that the escalating conflict was increasingly affecting the stability of the areas along the border with Sierra Leone. On several occasions, elements from both AFL and LURD raided Sierra Leonean villages while foraging for food. A number of Liberian soldiers approached UNAMSIL and Sierra Leonean army deployment locations to seek refuge from the fighting in Liberia. In addition, the Government of Sierra Leone expressed concern about the possible existence of armed Liberian elements among the large number of refugees fleeing into the southern and eastern districts of the country. In September [S/2002/987], the Secretary-General warned that the interaction of developments in Liberia and Sierra Leone would affect the planned reduction of UNAMSIL forces. Measures needed to be taken to ensure that the Sierra Leonean army had the means to deter border incursions by armed Liberian elements. It was imperative that the international community, particularly the Security Council, urgently engage Liberia in a substantive, long-term manner, with a view to safeguarding the progress made in Sierra Leone and achieving regional stability.

The Security Council, in resolution 1436 (2002) of 24 September (see p. 157), demanded that the AFL and armed groups refrain from illegal incursions into Sierra Leone, called for compliance with the arms embargo against Liberia, and encouraged the Sierra Leonean armed forces and UNAMSIL to maintain intensive patrolling of the border with Liberia.

During November [S/2002/1417], there was an upsurge of raids by armed Liberians searching for food in Sierra Leonean villages in the border areas. Although unconfirmed, reports abounded of recruitment of former Sierra Leonean combatants by both LURD and Liberian government forces. At the same time, the camp created by the Government of Sierra Leone to accommodate Liberian combatants fleeing from both LURD and government forces became operational and, by December, it held 64 inmates, of whom 56 were former AFL members and 8 were former LURD members.

Sanctions

By a 16 January letter [S/2002/83], the Chairman of the Security Council Committee established pursuant to resolution 1343(2001) [YUN 2001, p. 181] concerning Liberia transmitted the Committee’s report on its activities from 7 March to 31 December 2001 [ibid., p. 187]. The Committee described information it had received on violations and alleged violations of the sanctions regime against Liberia. In the absence of any specific monitor-
ing mechanism to supervise the sanctions, the Committee urged States and organizations to provide it with pertinent information.

SECURITY COUNCIL ACTION


The Security Council,

Reaffirming its resolution 1343(2001) of 7 March 2001,

Noting that the next six-monthly review by the Council of the measures imposed by paragraphs 5 to 7 of resolution 1343(2001) is scheduled to take place on or before 6 May 2002,

Recognizing the importance of monitoring the implementation of the procedures contained in resolution 1343(2001),

1. Takes note of the report of the Panel of Experts concerning Liberia of 26 October 2001, submitted pursuant to paragraph 19 of resolution 1343(2001);

2. Expresses its intention to give full consideration to the report;

3. Decides, in the meanwhile, to re-establish the Panel of Experts for a further period of five weeks commencing no later than 11 March 2002;

4. Requests the Panel of Experts to conduct a follow-up assessment mission to Liberia and neighbouring States in order to investigate and compile a brief independent audit of the compliance by the Government of Liberia with paragraph 2 of any violations of paragraphs 5 to 7 of resolution 1343(2001), and to report to the Council through the Security Council Committee established by paragraph 14 of resolution 1343(2001) no later than 8 April 2002 with the observations and recommendations of the Panel in relation to the tasks set out herein;

5. Requests the Secretary-General, upon the adoption of the present resolution and acting in consultation with the Committee established pursuant to resolution 1343(2001), to appoint no more than five experts, drawing as much as possible and as appropriate on the expertise of the members of the Panel of Experts, and also requests the Secretary-General to make the necessary financial arrangements to support the work of the Panel;

6. Calls upon all States to cooperate fully with the Panel of Experts appointed pursuant to paragraph 5 above, in the discharge of its mandate;

7. Decides to remain actively seized of the matter.

Panel of Experts

The Secretary-General, in a 5 March letter [S/2002/257], referred to resolution 1395(2002) (above), by which the Security Council decided to re-establish the Panel of Experts on Liberia for a further period of five weeks, and informed the Council of his appointment of four experts to the Panel.

Report of Panel (April). The Panel of Experts appointed pursuant to Security Council resolution 1395(2002) transmitted its report to the Council on 19 April [S/2002/470]. Since the Panel’s previous report in October 2001 [YUN 2001, p. 186], the war in Liberia’s Lofa County had spread towards Monrovia and a state of emergency was declared in February. In contrast, the peace process in Sierra Leone was proceeding, and in January President Kabbah declared the conflict over.

During its investigation, the Panel tried to assess whether any renegade RUF structures remained intact in Liberia that could pose a threat to the election process and its aftermath in Sierra Leone. Although the Panel found credible evidence of small clusters of ex-RUF combatants fighting in Liberia as guns for hire for both the Government and rebels, there did not seem to be a connection with the RUF Party. The Panel also attempted to locate the last unaccounted-for key RUF military commander, Sam “Maskita” (or “Mosquito”) Bockarie. Despite rumours that he was active in Liberia, the Panel could only confirm that he travelled under a false name to Ghana in 2001 and that his wife and mother were living in Monrovia.

The Panel found credible evidence that Liberia kept violating the arms embargo and that the numerous special units deployed by the Government carried new weaponry and ammunition. It expressed concern about the continuing arms build-up in neighbouring countries. In view of the volatile situation in the subregion, the Panel recommended that: the arms embargo on Liberia be continued and monitored for violations; the ECOWAS moratorium relating to small arms should be broadened to include an information exchange mechanism for all weapons types that would be binding on both supplying and receiving countries; all arms-producing and arms-exporting countries should abstain from supplying weapons to each MRU country; and an immediate embargo should be imposed on all non-State actors in the MRU countries, including the dissident groups constituting LURD. The Panel estimated that LURD had some 2,000 men fighting for it.

With regard to air transportation, the Panel reiterated the recommendations made in its previous report [YUN 2001, p. 186]. Noting that air transportation remained important for the violation of the arms embargo, the Panel described a series of suspicious flights to Monrovia, one of which crash-landed near Roberts International Airport on 15 February. In view of the flight irregularities, the Panel recommended that Liberia be requested to supply to the Sanctions Committee within three months a full report on basic facts about the crash; the nature of flights from and to N’Djamena, Chad, on 15 and 25 February and 5 March; and the irregularities relating to
the registration and flight plans of three flights, as well as other details on those flights. In addition, the Panel recommended that an independent investigation be conducted to verify the findings of that report.

The imposition of an embargo on the export of Liberian rough diamonds, coupled with progress in the Sierra Leone peace process, continued to ensure that “ Liberian”-labelled rough diamonds disappeared from official markets. The sanctions and the spreading internal conflict in Liberia had greatly affected domestic production. Fighting in the previous few months in the richest diamond-producing areas of western Liberia and rebel occupation of those areas had cut diamond production, thus causing a further decline in the supply of Liberian diamonds for smuggling, and the LURD rebels had begun trading in “conflict diamonds”. Diamonds were still smuggled into neighbouring countries, but the volume had declined recently because of the conflict. The Panel believed that Liberia should have its own credible certification scheme so that there was less incentive for Liberian rough diamonds to be deliberately mixed with those of neighbouring countries, and it recommended that the United Nations should urge Member States to assist the Liberian Government in setting up such a scheme, which would be independently audited in order to facilitate the Council’s consideration of a monitored suspension of the diamond ban.

In recent months, there had been better compliance by Liberian officials with the travel ban, the Panel reported. However, a small number of key individuals continued to violate it. Several of them had been issued Liberian passports with false names and the Ivorian authorities at Abidjan International Airport continued to turn a blind eye to arriving Liberian officials subject to the UN travel ban. The Panel believed that the current list of 129 names subject to the ban was too long and should be reduced to a list of all cabinet members, key government officials and individuals documented in Panel reports as having violated UN sanctions or consistently obstructed their investigation.

Both MRU and ECOWAS became engaged in seeking a peaceful solution to the Liberian conflict. Following the MRU heads of State meeting in February (see p. 166), the Joint Security Committee met from 5 to 7 March in Freetown for discussions on the problem of dissidents, the deployment of joint security and confidence-building units, proliferation of small arms and the need for intelligence-sharing. The Committee held a second meeting in Conakry, Guinea, on 25 March and a Committee of Legal Experts met in Freetown on 13 March. Also in March, ECOWAS sponsored a conference in Abuja, Nigeria, on political dialogue in Liberia, which the Government of Liberia, civil society and opposition groups attended. LURD was invited but did not attend. The eighth ministerial meeting of the ECOWAS Mediation and Security Council (Dakar, Senegal, 29 March) condemned the LURD attacks in Liberia and declared a ban on travel to and residence within Member States for the LURD leadership. A committee was set up to monitor the enforcement of those measures, comprising Guinea, Liberia, Mali, Senegal and Sierra Leone and the ECOWAS secretariat.

The perception of average Liberians was that sanctions were affecting them. Since May 2001, the Government had been conducting an anti-sanctions campaign, blaming the United States, the United Kingdom and the United Nations for the imposition of sanctions, while actively trying to keep the population ignorant about the sanctions and the work of the Panel.

Report of Secretary-General (May). In response to Security Council resolution 1343 (2001) [YUN 2001, p. 181], the Secretary-General submitted a 1 May report on Liberia [S/2002/494]. The report was his third on the issue of whether Liberia had complied with the Council’s demands that it cease support for RUF in Sierra Leone and for other armed rebel groups in the region, and it drew on information from all relevant sources, including UNOL, UNAMSIL and ECOWAS. It also included information from UNAMSIL on progress made in implementing paragraph 3 of the resolution, which asked the Sierra Leone President to help ensure that RUF allowed UNAMSIL free access throughout the country, released all abductees, entered its fighters in the disarmament, demobilization and reintegration process, and returned all weapons seized from UNAMSIL.

UNOL, which had limited capacity to confirm claims by the Government regarding its compliance with the resolution, transmitted information received from the Liberian Government, which reiterated its policy of disengagement with RUF. It also reaffirmed that Sam Bockarie was expelled from the country in 2001 and contended that the most significant illustration of its policy of disengagement was the phenomenal progress recorded in the peace process in Sierra Leone. The Government also pointed out that some progress had been achieved in the consolidation of peace and security among the MRU States. The Rabat process had already led to a meeting of the heads of State of Guinea, Liberia and Sierra Leone; the deployment of joint security border and confidence-building units; cross-border security cooperation; and an agree-
ment on the expulsion of dissidents from member countries. Further steps were anticipated. Liberia maintained that the ban on the importation of uncertified rough diamonds was vigorously enforced.

UNAMSIL reported that the former RUF leaders also affirmed that the group maintained no contact with the Government of Liberia. The whereabouts of Sam Bockarie remained unknown, but he was not in Sierra Leone, according to UNAMSIL. Furthermore, RUF had allowed UNAMSIL free access to all areas under its control, had released a total of 1,169 children to UNAMSIL, and a total of 19,183 RUF combatants were disarmed in the programme that lasted from 18 May 2001 to 17 January 2002. UNAMSIL pointed out that RUF had returned only 199 weapons.

For its part, ECOWAS reported that its Mediation and Verification Mission to Liberia (27 March–3 April) was told by the Government of Liberia that it had expelled all RUF rebels from Liberia and no longer had contact with that organization. There were no RUF assets in Liberia and the Government was not involved in the illegal trafficking of arms, the importation of rough diamonds from Sierra Leone was banned, and the Government had grounded all aircraft known to belong to the Liberian registry. With regard to the diamond trade, Liberia had taken measures towards establishing a certificate-of-origin regime based on the Kimberley Process, for which it had sought assistance from the United Kingdom and the EU. The ECOWAS Mission was of the view that it was difficult to verify the extent of the disengagement from RUF of the Government of Liberia.

The Secretary-General observed that the Government of Liberia had made efforts to improve relations with its MRU partners, citing the Rabat summit meeting on 27 February (see p. 166), which was followed by several meetings at the technical and ministerial levels with a view to finding a lasting solution to the crisis in the region. Moreover, efforts were being made to find a solution to the current fighting in Liberia, with a view to achieving national reconciliation and, ultimately, lasting peace. The pre-reconciliation conference, held in Abuja in March under ECOWAS auspices, brought together government representatives and members of opposition political parties, civil society representatives and religious and community leaders, in preparation for a national reconciliation conference in Monrovia in July.

SECURITY COUNCIL ACTION (May)


The Security Council,


Taking note of the report of the Secretary-General of 1 May 2002,

Taking note also of the reports of the Panel of Experts concerning Liberia of 26 October 2001 and 19 April 2002, submitted pursuant to paragraph 19 of resolution 1343(2001) and paragraph 4 of resolution 1395(2002) respectively,

Expressing serious concern at the findings of the Panel of Experts regarding the actions of the Government of Liberia, including the evidence that the Government of Liberia continues to breach the measures imposed pursuant to resolution 1343(2001), particularly through the acquisition of arms,

Welcoming General Assembly resolution 56/263 of 13 March 2002, looking forward to the full implementation of the international certification scheme proposed by the Kimberley Process as soon as possible, and recalling its concern at the role played by the illicit trade in diamonds in the conflict in the region,

Welcoming also the summit meeting of the Presidents of the Mano River Union, held in Rabat on 27 February 2002 at the invitation of the King of Morocco, and the continued efforts of the Economic Community of West African States to work towards the restoration of peace and stability in the region.

Welcoming further the conference sponsored by the Economic Community of West African States on political dialogue in Liberia held in Abuja on 14 March 2002, in particular the involvement of civil society, and encouraging the participation of all Liberian parties in the proposed Liberian National Conference on Peace and Reconciliation, to be held in Monrovia in July 2002, as a means of promoting the conditions for free, fair, transparent and inclusive elections in 2003,

Encouraging civil society initiatives in the region, including those of the Mano River Women’s Peace Network, to continue their contribution towards regional peace,

Calling upon the Government of Liberia to cooperate fully with the Special Court for Sierra Leone when it is established,

Recalling the Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa adopted in Abuja on 31 October 1998 by the heads of State and Government of the Economic Community of West African States, and its extension from 5 July 2001,

Determining that the active support provided by the Government of Liberia to armed rebel groups in the region, in particular to former combatants of the Revolutionary United Front who continue to destabilize the
region, constitutes a threat to international peace and security in the region.

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that the Government of Liberia has not complied fully with the demands set out in paragraphs 2 (a) to (d) of resolution 1343(2001);

2. Notes with satisfaction the updated information provided by the Government of Liberia to the Panel of Experts concerning the registration and ownership of each aircraft registered in Liberia and the steps taken by the Government of Liberia to update its register of aircraft pursuant to annex VII to the Convention on International Civil Aviation, signed at Chicago, United States of America, on 7 December 1944, in compliance with the demand set out in paragraph 2 (e) of resolution 1343(2001);

3. Stresses that the demands referred to in paragraph 1 above are intended to lead to consolidation of the peace process in Sierra Leone and to further progress in the peace process in the Mano River Union, and in that regard calls upon the President of Liberia to continue to participate in the meetings of the Presidents of the Mano River Union and to implement fully his commitments to building regional peace and security, as set out in the communique of the summit meeting of the Presidents of the Mano River Union;

4. Demands that all States in the region cease military support for armed groups in neighbouring countries, take action to prevent armed individuals and groups using their territory to prepare and commit attacks on neighbouring countries and refrain from any actions that might contribute to further destabilization of the situation on the borders between Guinea, Liberia and Sierra Leone;

5. Decides that the measures imposed by paragraphs 5 to 7 of resolution 1343(2001) shall remain in force for a further period of twelve months from 0001 hours eastern daylight time on 7 May 2002 and that, at the end of this period, the Security Council will decide whether the Government of Liberia has complied with the demands referred to in paragraph 1 above and, accordingly, whether to extend these measures for a further period with the same conditions;

6. Decides also that the measures referred to in paragraph 5 above shall be terminated immediately if the Council, taking into account, inter alia, the reports of the Panel of Experts referred to in paragraph 16 below and the report of the Secretary-General referred to in paragraph II below, input from the Economic Community of West African States, any relevant information provided by the Security Council Committee established pursuant to paragraph 14 of resolution 1343(2001) (the Committee) and the Security Council Committee established pursuant to resolution 1132 (1997) and any other relevant information, determines that the Government of Liberia has complied with the demands referred to in paragraph 1 above;

7. Reiterates its call upon the Government of Liberia to establish an effective certificate-of-origin regime for Liberian rough diamonds that is transparent and internationally verifiable, bearing in mind the plans for the international certification scheme under the Kimberley Process, and to provide the Committee with a detailed description of the proposed regime;

8. Decides, notwithstanding paragraph 15 of resolution 1343(2001), that rough diamonds controlled by the Government of Liberia through the certificate-of-origin regime shall be exempt from the measures imposed by paragraph 6 of resolution 1343(2001) when the Committee has reported to the Council, taking into account expert advice obtained through the Secretary-General that an effective and internationally verifiable regime is ready to become fully operational;

9. Calls again upon States, relevant international organizations and other bodies in a position to do so to offer assistance to the Government of Liberia and other diamond exporting countries in West Africa with their certificate-of-origin regimes;

10. Calls upon the Government of Liberia to take urgent steps, including through the establishment of transparent and internationally verifiable audit regimes, to ensure that revenue derived by the Government of Liberia from the Liberia Shipping Registry and the Liberian timber industry is used for legitimate social, humanitarian and development purposes, and that it is not used in violation of the present resolution, and to report back to the Committee on the steps taken and on the results of such audits no later than three months after the date of adoption of the present resolution;

11. Requests the Secretary-General to submit a report to the Council by 21 October 2002, and thereafter at six-monthly intervals, drawing on information from all relevant sources, including the United Nations Office in Liberia, the United Nations Mission in Sierra Leone and the Economic Community of West African States, on whether Liberia has complied with the demands referred to in paragraph 1 above, and calls upon the Government of Liberia to support United Nations efforts to verify all information on compliance which is brought to the notice of the United Nations;

12. Invites the Economic Community of West African States to report regularly to the Committee on all activities undertaken by its members pursuant to paragraph 5 above and in the implementation of the present resolution;

13. Requests the Committee to carry out the tasks set out in the present resolution and to continue with its mandate as set out in paragraphs 14 (a) to (i) of resolution 1343(2001);

14. Also requests the Committee to consider and take appropriate action on information brought to its attention concerning any alleged violations of the measures imposed by paragraph 8 of resolution 788(1992) while that resolution was in force;

15. Requests all States that have not reported pursuant to paragraph 18 of resolution 1343(2001) to report to the Committee within ninety days on the steps they have taken to implement the measures referred to in paragraph 5 above;

16. Requests the Secretary-General to establish, within three months from the date of adoption of the present resolution, in consultation with the Committee, for a period of three months, a Panel of Experts consisting of no more than five members, drawing, as much as possible and as appropriate, on the expertise of the members of the Panel of Experts established pursuant to resolution 1343(2001), to conduct a follow-up assessment mission to Liberia and neighbouring States in order to investigate and compile a report on...
the compliance of the Government of Liberia with the demands referred to in paragraph 1 above, on the potential economic, humanitarian and social impact on the Liberian population of the measures referred to in paragraph 5 above and on any violations of the measures referred to in paragraph 5 above, including any involving rebel movements, and to report to the Council through the Committee no later than 7 October 2002 with observations and recommendations, and also requests the Secretary-General to provide the necessary resources;

17. Requests the Panel of Experts referred to in paragraph 16 above, as far as possible, to bring any relevant information collected in the course of the investigations conducted in accordance with its mandate to the attention of the States concerned for prompt and thorough investigation and, where appropriate, corrective action, and to allow them the right of reply;

18. Calls upon all States to take appropriate measures to ensure that individuals and companies within their jurisdiction, in particular those referred to in the reports of the Panel of Experts established pursuant to resolutions 1343(2001) and 1395(2002), act in conformity with United Nations embargoes, in particular those established pursuant to resolutions 1171(1998), 1306 (2000) and 1343(2001), and, as appropriate, to take the necessary judicial and administrative action to end any illegal activities by those individuals and companies;

19. Requests all States, in particular arms exporting countries, to exercise the highest degree of responsibility in small arms and light weapons transactions to prevent the illegal diversion and re-export thereof, so as to stem the leakage of legal weapons to illegal markets in the region, in line with the statement by its President of 31 August 2001 (S/PRST/2001/21) and the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;

20. Decides to conduct reviews of the measures referred to in paragraph 5 above before 7 November 2002 and every six months thereafter;

21. Urges all States, relevant United Nations bodies and, as appropriate, other organizations and interested parties to cooperate fully with the Committee and with the Panel of Experts referred to in paragraph 16 above, including by supplying information on possible violations of the measures referred to in paragraph 5 above;

22. Decides to remain actively seized of the matter.

In response to Council resolution 1408(2002) (above), the Secretary-General, on 17 July [S/2002/ 774], notified the Council that he had appointed four members to the Panel of Experts to conduct a follow-up assessment mission to Liberia and neighbouring States.


UNOL reported that the Government of Liberia had reiterated its positions, as described in the Secretary-General’s May report (see p. 168), and noted further that Sierra Leone had just success-
Report of Panel (October). The Panel of Experts appointed pursuant to Security Council resolution 1408 (2002) (see p. 169) submitted its report [S/2002/115] to the Council on 24 October. Since its previous report in April, the Panel stated, Liberia’s internal conflict had continued to spread, with violence spilling over into Guinea and Sierra Leone. Recent events in Côte d’Ivoire (see p. 180) underscored how fragile the region remained. The multiparty elections in Sierra Leone, however, were a positive development.

The Panel continued to track the remnants of the armed RUF in an effort to assess its capabilities. Having met with a former RUF leader, Ibrahim Balde (also known as Bah), and the wife of Sam “Mosquito” Bockarie, among others, the Panel said that it estimated RUF strength in Liberia at between 1,250 and 1,500 men, operating in elite Liberian government military units. They represented the last coherent surviving structure of the armed RUF. They enjoyed the patronage of the Liberian Government and continued to play an important part in Liberia’s military capability. The Panel was unable to locate Sam Bockarie but believed that he was residing outside Liberia, possibly in Ghana.

The Panel uncovered new violations of the arms embargo against Liberia, including the delivery to Roberts International Airport of six cargo aircraft in June, July and August containing weapons and ammunition totalling over 200 tons. The weapons were mainly from old Yugoslav stocks and were supplied by an arms dealer based in Belgrade. To avoid detection of arms transfers, a sophisticated trail of double documentation was set up involving cooperation with the Nigerian authorities, a non-existent Nigerian company and a number of go-between companies and brokers. The Panel observed that arms also continued to reach LURD rebels through Sierra Leone, Côte d’Ivoire or Guinea. The Panel recommended that: the arms embargo on Liberia should continue and be regularly monitored; the arms embargo should be extended to all armed non-State actors in the region, including LURD; arms-exporting countries should abstain from supplying arms to MRU countries in line with the moratorium on small arms that applied for the whole ECOWAS region; a UN working group should be established to develop a standardized end-user certificate for arms sales, with basic information on the purchaser and the arms broker; and the moratorium on the importation, exportation and manufacture of small arms and light weapons in West Africa and its implementation mechanism, the Programme for Coordination and Assistance for Security and Development, should be more effectively used to monitor and combat illicit trafficking and sanctions busting. Under the existing requirements for the moratorium, the ECOWAS member States issued requests for exemptions to import arms, which had to be approved by the other members. There was no requirement to submit copies of the end-user certificates. The Panel also recommended that: all end-user certificates should be submitted to the ECOWAS secretariat as part of the exemption procedure for importing arms into West Africa; and the moratorium should be broadened and include an information exchange mechanism for all types of weapons procured by ECOWAS members.

With regard to civil aviation, Liberia had not registered any aircraft on its newly opened registry. Also, the Liberian authorities had shown no willingness to respond to the Panel’s request for information on the crash of an Antonov 12 cargo plane on 15 February, nor had they provided the required information to the International Civil Aviation Organization (ICAO). The Panel recommended that Liberia, in accordance with ICAO requirements, investigate the accident properly and present its findings, including those on the nature of the cargo, to the Security Council Committee on Liberia within three months.

The embargo on the export of Liberian rough diamonds, coupled with progress in the Sierra Leone peace process, continued to result in the disappearance of “Liberian”-labelled rough diamonds from official markets. Previously, “conflict” diamonds from other countries were exported through Liberia in order to use the country as a label of convenience. Smuggling of Liberian diamonds into neighbouring States also declined because production had been disrupted by the internal conflict in northern Liberian provinces. The Kimberley Process Certification Scheme for trade in rough diamonds was scheduled to be launched on 5 November, and both Guinea and Sierra Leone reported that their certification schemes worked well, although smuggling remained a problem. Liberia had yet to make real progress on establishing a credible certification system.

The Panel continued to investigate how the Government of Liberia funded its arms procurement. Nearly all income appeared to be used for military operations, thereby contributing to humanitarian hardship. An independent audit of key revenue sources, such as those from the corporate and maritime registry and timber industry, remained pressing. In both cases, the Panel found evidence of discrepancies of millions of dollars between the figures provided by the Ministry of Finance and the Central Bank and those of the Forestry Development Authority. In a wel-
come move, the Government, on 27 September, signed with an international auditing firm for a systems audit aimed at tracking the revenue and expenditure of proceeds derived from maritime and forestry activities. It would last for only 120 days, however. The Panel recommended that the Government publish the results of that audit and follow it up with an 18-month full financial audit by an international firm.

As to the travel ban, the Panel believed that it continued to be violated and had learned of individuals named on the list being sighted in various parts of the world. It appeared that local authorities at the Abidjan airport were relaxed about enforcing the ban.

Sanctions had had a negligible impact on the humanitarian situation, the Panel found. Lifting the arms embargo without reform of the security sector would leave the civilian population even more at the mercy of unconstitutional forces, armed militia and abusive security apparatus. Reform required a restructuring of the armed forces in Liberia to reconstitute an appropriate command and control structure and to ensure discipline and the rule of law. The Government used the sanctions as an excuse for its failure to improve services and to reform. It conducted a propaganda campaign and many Liberians believed that their marginalization and some of their economic woes were due in part to UN sanctions. The United Nations had done little to counter such propaganda.

Sierra Leone, in a letter transmitted to the Security Council by the Chairman of the Sanctions Committee on Liberia on 28 November [S/2002/1304], commented on parts of the report that related directly to it. As far as Sierra Leone was concerned, the Liberian Government had offered no credible evidence that it had taken action to expel all RUF members and prohibit all RUF activities on its territory, as the Security Council had demanded. A clear distinction should be made between the RUF Party in Sierra Leone and those armed members of RUF who refused to participate in the disarmament, demobilization and reintegration process, and who chose to settle outside the country, especially in Liberia. The existence of those hard-core remnants of RUF, especially in Liberia, remained a matter of serious concern for Sierra Leone.

SECURITY COUNCIL ACTION (December)

On 13 December [meeting 4665], following consultations among Security Council members, the President made statement S/PRST/2002/36 on behalf of the Council:

The international community and the Security Council have made joint and consistent efforts to promote peace and security in Western Africa, particularly in the Mano River Union region. Such efforts have represented a major investment of resources and capabilities. The peace process in Sierra Leone is the tangible result of those efforts. The Council will maintain its efforts and continue to promote understanding and peace in the region in order to guarantee that the peace process in Sierra Leone, which remains fragile, takes root and benefits the people of Sierra Leone and the entire Mano River Union region.

On the other hand, the Council is deeply concerned about the situation in Liberia and the threat it constitutes to international peace and security in the region as a result of the activities of the Government of Liberia and the continuing internal conflict in that country, including the armed attacks by Liberians United for Reconciliation and Democracy. The internal conflict and significant violence in Liberia are producing widespread flows of refugees and displacement of people in Liberia, exacerbating the humanitarian situation and fuelling the movement of irregular combatants and the flow of weapons throughout the region. The Council condemns the failure of the Government to comply with the demands set out in its resolution 1343(2001) of 7 March 2001, and the failure of the Government, other States and others, including Liberians United for Reconciliation and Democracy, to respect the measures imposed pursuant to that resolution, including the continuing import of weapons in breach of the arms embargo. All these developments threaten the peace process in Sierra Leone and the stability of the entire West African region and, most tragically, are causing great humanitarian suffering for the Liberian people themselves.

To address the situation in Liberia and the threat it poses to international peace and security in the region, the Council and the international community should cooperate on a comprehensive strategy that mobilizes international efforts to reach a ceasefire, resolve the internal conflict and establish an inclusive peace process; promotes peace and national reconciliation in Liberia and the development of a stable and democratic political process; addresses humanitarian issues; combats the illicit flow of weapons into the country; and guarantees human rights. The Council is committed to support the efforts of regional and other international actors to carry out such a strategy.

Such a strategy must be based on two fundamental principles. First, it must have the input of key regional actors and be part of a comprehensive approach to building an integrated system of regional peace and security. Secondly, peace and security in the Mano River Union region requires the President of the Republic of Liberia to engage constructively with the international community in working to achieve national reconciliation and political reform in Liberia.

With these principles in mind, the work of the Council on a coordinated strategy with the international community will promote the following objectives:

In terms of the regional perspective, the Council will maintain its support for the Rabat Process con-
ducted under the sponsorship of the King of Morocco and strongly encourage Guinea, Sierra Leone and Liberia to follow up on their commitments to undertake confidence-building measures and the establishment of security measures along their shared borders. In this connection, the Council considers that the initiative taken by the Presidents of the three countries to hold a direct dialogue in order to give impetus to the Rabat Process is a most desirable development. The Council urges the President of Liberia to participate actively in those meetings.

The Council expresses its strong support for the Economic Community of West African States Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa. The Council encourages members of the Economic Community of West African States to implement those commitments fully and to strengthen the implementation mechanisms in order to stop the illegal trade in arms, in particular the flow of small arms and light weapons into Liberia.

The Council commends the efforts, made by the Economic Community of West African States and the newly established International Contact Group on Liberia, to promote peace and stability in Liberia and in the Mano River Union region. The Council considers that the active involvement of those mechanisms is critical for national reconciliation and political reform.

In this regard, the Council encourages the African Union and members of the Economic Community of West African States to promote actively the full implementation of existing security arrangements as well as further initiatives designed to support such arrangements among the countries of the Mano River Union.

The Council reiterates its demands to the Government of Liberia to comply with resolution 1343 (2001) and resolution 1408 (2002) of 6 May 2002, and to all parties to respect the measures which those resolutions imposed and extended. The demands referred to in those resolutions must be met for the measures to be terminated in accordance with those resolutions. The Council takes note of the positions of the African Union and the Economic Community of West African States on the sanctions regime in Liberia. The Council will keep sanctions under review to ensure they are consistent with the present statement and with resolutions 1343 (2001) and 1408 (2002) and will continue to monitor whether sanctions are having any humanitarian impact on the population of Liberia.

The Council urges all States in the region to honour their commitments to prevent armed individuals using their national territory to prepare and launch attacks on neighbouring countries. The Council again reminds all States of their obligation to comply with the embargo on the sale or supply of arms and related materiel to Liberia imposed pursuant to resolution 1343 (2001). The Council underlines the fact that the embargo applies to all sales or supplies to any recipient in Liberia, including all non-State actors such as Liberians United for Reconciliation and Democracy.

In terms of a constructive engagement in Liberia, in particular by the President of Liberia on achieving the objectives of ending the violence and promoting national reconciliation, the Council is committed to promote an expanded role for the United Nations Peace-building Support Office in Liberia, as well as the more active participation of the recently created United Nations Office for West Africa. In this regard, the Council welcomes the appointment of the new Special Representative of the Secretary-General for Liberia and urges the Government of Liberia to cooperate fully with the activities of the United Nations Peace-building Support Office in Liberia. The Council would like the Office to carry out, inter alia, the following tasks:

— Offering assistance to the Liberian authorities and the public in strengthening democratic institutions and the rule of law, including the promotion of an independent press and an enabling environment for political parties to operate freely in Liberia;

— Contributing to and monitoring the preparation of free and fair elections in 2005, especially through the promotion of an independent electoral commission;

— Enhancing and monitoring respect for human rights in Liberia, including through constructive dialogue with the Government of Liberia, with particular attention to reaching out to local civil society groups and to encouraging the establishment of an independent and functional human rights commission;

— Promoting national reconciliation and the resolution of the conflict, including through support for initiatives on the ground;

— Supporting the Government of Liberia in the implementation of peace agreements to be adopted;

— Engaging in an educational campaign to present accurately United Nations policies and activities regarding Liberia.

The Council has written to the Secretary-General recommending such a strengthening of the mandate of the Office and requesting reports every three months.

The Council considers that an urgent effort is required to improve the serious humanitarian situation in Liberia, especially to address the needs of internally displaced persons and refugees. In that regard, the Council urges the Government of Liberia and the combatants, particularly the rebel group Liberians United for Reconciliation and Democracy, to provide unrestricted access by United Nations humanitarian agencies and non-governmental organizations to areas where refugees need to be assisted and human rights to be protected. Likewise, the Council encourages countries neighbouring Liberia to continue to grant access by international humanitarian relief to refugees and internally displaced persons.

The Council urges all humanitarian organizations and donor countries to continue to provide humanitarian relief to refugees and internally displaced persons.

The Council is committed to support efforts to promote national reconciliation, the restoration of peace and the creation of new conditions for internal
political stability. For that purpose, the Council urges the Government of Liberia and Liberians United for Reconciliation and Democracy to conclude a ceasefire agreement and a comprehensive peace process, including provisions for the disarmament and demobilization of combatants and for comprehensive security-sector reform. In this regard, the Council calls upon all States to refrain from providing any military support to any of the parties in Liberia, and from any act that might aggravate the situation on the borders between Liberia and its neighbours.

The Council calls upon the Government of Liberia to work to create a favourable environment so that a genuine national reconciliation conference can succeed, with the broad participation of all groups in Liberian society based inside the country and abroad.

The Council also calls upon the Government of Liberia to implement the necessary measures and political reforms which are a prerequisite for universal, free, fair, transparent and all-inclusive elections in 2003. The Council stresses the importance of broad and overall participation in this process by all political parties, and the return of all political leaders to the country.

The Council calls upon the international community to consider ways in which it can support through financial and technical assistance any disarmament and demobilization and reintegration programme that may be established as part of a cessation of hostilities and a commitment to political reform in Liberia. Special attention and resources should be given to assist women and children in the process of their reintegration and to provide opportunities for young ex-combatants and child soldiers to be fully reintegrated into society.

The Council recognizes that the success of a comprehensive international strategy for Liberia rests on the direct and active involvement of the African Union, the Economic Community of West African States and the International Contact Group, working with the United Nations in the region in accordance with their mandates.

The Council calls upon the Government of Liberia to cooperate in all these efforts as a means to find a peaceful solution to the conflict, to reform its political processes and to fulfil its humanitarian, social and economic responsibilities to the Liberian people. Liberia’s cooperation is also essential to the full restoration of relations with its neighbours and to the normalization of its relations with the international community.

As the Government of Liberia makes progress, working with the international community in achieving the objectives set out in the present statement, the Council calls upon the international community to consider how it might help future economic development in Liberia aimed at improving the welfare of the people of Liberia.

The Council will remain engaged with the Government and people of Liberia, given the conviction of the Council that peace in that country will put an end to the suffering of the Liberian people and form a basis for lasting peace in the region.

The Council requests the Secretary-General to monitor the situation in Liberia and to keep the Council informed of developments towards the fulfillment of the objectives described herein. The Council is considering sending a mission to the region, including to Liberia, to assess the situation during the first half of 2003.

Sanctions Committee activities

The Security Council Committee established pursuant to resolution 1343(2001) [YUN 2001, p. 181] concerning Liberia, reporting on its activities from 1 January to 20 December [S/2002/1394], stated that it had received 29 notifications of travel and considered 54 requests for travel ban waivers, of which 24 were granted. Two of the requests were still under consideration at the time of the report. The Committee reviewed 19 requests for names to be deleted from or added to the travel ban list and decided to retain the names of 17 persons, to remove the names of 13 and to add 1. The Committee received information from 32 States on action taken to enforce the arms sanctions, the ban on illegal diamond trade and the travel ban of certain rebel leaders. It discussed guidelines for the conduct of its work.

During the reporting period, the Committee received no information from States concerning violations of the sanctions regime. Any information in that regard had come to its attention through the Panel of Experts. As in previous reports, the Committee sought information from States alleged to have violated the sanctions regime.

In line with paragraph 10 of resolution 1408 (2002), Liberia reported to the Committee on the revenue it derived from its shipping registry and timber industry. The Committee decided that the information was inadequate and requested additional information.

The Committee participated in five joint informal meetings (between 24 April and 11 June) with the Sierra Leone Sanctions Committee (see p. 102) and the Angola Sanctions Committee (see p. 232) to consider topics of mutual interest, including cooperation with regional organizations, improved monitoring capacity, assistance to third States in implementing sanctions, and shared experiences on committee guidelines and working practices.

On 26 November, the Security Council completed its first review under paragraph 20 of resolution 1408(2002), at which it considered the report of the Panel of Experts (see p. 172), the Secretary-General’s October report (see p. 171) and relevant information provided by the Sanctions Committee. In a statement to the press, the President noted the Council members’ concern
that the Government of President Taylor continued to violate the sanctions, including by importing arms. Council members agreed that the Council should remain engaged with Liberia and its people and that it should elaborate a comprehensive approach to the situation in Liberia and the subregion. The members reaffirmed their support for regional initiatives, including through the Rabat process, ECOWAS and the recently established International Contact Group, to work towards the restoration of peace and stability in the MRU subregion.

UNOL

On 4 January [S/2002/28], the Security Council took note of the Secretary-General’s decision to appoint Haile Menkerios (Eritrea) as head of UNOL as from 1 February [S/2002/23]. By a 13 September letter [S/2002/1040], the Secretary-General informed the Council of his intention to appoint Abou Moussa (Chad) as his new Representative in Liberia and head of UNOL. On 18 September [S/2002/1041], the Council took note of his intention.

The Secretary-General, on 4 October [S/2002/1129], informed the Council that the current mandate of UNOL would expire on 31 December. Raising the fact that Liberia was going through a difficult political, security and humanitarian crisis and the situation posed a threat to peace and stability in the subregion, he expressed the belief that UNOL continued to contribute to national efforts at reconciliation while monitoring developments and promoting respect for human rights and the rule of law. Having consulted with the Liberian Government, the Secretary-General recommended that the UNOL mandate be extended by a year, to 31 December 2003. Should the ongoing discussions in the Council and elsewhere result in a different engagement with Liberia, he added, he would revert to the Council with a revised mandate for UNOL. On 9 October [S/2002/1130], the Council took note of the Secretary-General’s recommendation.

The President of the Council, in a 29 November letter to the Secretary-General [S/2002/1565], referred to the 9 October communication informing him that the Council had taken note of his intention to extend UNOL’s mandate by a year. The Council, welcoming the extension in the difficult context of peace consolidation in Liberia, affirmed that it was elaborating a comprehensive strategy on Liberia and that UNOL would have a role to play in that context. In particular, UNOL, with the consent of the Government, should work towards the following tasks: assisting the authorities and the public in strengthening democratic institutions and the rule of law; contributing to and monitoring the preparation of elections in 2003; enhancing and monitoring respect for human rights, with particular attention to reaching out to local civil society groups and to encouraging the establishment of an independent human rights commission; promoting national reconciliation and resolution of the conflict; supporting the Government in implementing peace agreements to be adopted; and engaging in an educational campaign to present UN policies and activities regarding Liberia. The President said that those changes to the UNOL mandate should increase its capacity for objective reporting on the situation in Liberia. The Office should report on a wide range of views, including those outside the Government (for example, opposition parties, non-State actors and civil society). The Council requested the Secretary-General to report every three months on the overall situation in Liberia, preparations and conditions for free and fair elections, and the human rights situation. In addition, the Council requested him to submit by 15 January 2003 recommendations for a revised mandate for UNOL, for the Council’s approval. The Council also welcomed Mr. Moussa’s appointment.

Financing of UNOMIL

By decision 56/487 of 6 September, the General Assembly included in the draft agenda of its fifty-seventh (2002) session the item on financing of the United Nations Observer Mission in Liberia (UNOMIL), whose mandate ended in 1997 [YUN 1997, p. 125]. On 20 December, the Assembly decided that the item would remain for consideration during its resumed fifty-seventh (2003) session (decision 57/585) and that the Fifth Committee should continue to consider the item at that session (decision 57/556).

Guinea-Bissau

The United Nations continued to use its good offices in connection with the volatile political, economic and social situation in Guinea-Bissau, most directly through the Secretary-General’s Representative and the United Nations Peace-building Support Office in Guinea-Bissau (UNOGBIS), which monitored developments within the country and the situation along the border with Senegal and Guinea. Although there was no resort to violence during the year, the Government under President Kumba Yalá, who was installed in 2000 (YUN 2000, p. 183), remained fragile. Although early 2002 saw some progress in the consolidation of the democratization process as the country’s nascent democratic system de-
developed, by the end of the year there were increased tensions among the branches of Government and between the two major political parties. In mid-November, the President dismissed the Prime Minister’s Government, dissolved Parliament and called for elections within 90 days.

Security conditions along Guinea-Bissau’s borders with Senegal and Guinea improved, and the demobilization programme of military personnel was resumed. Relations with Senegal were strengthened by an exchange of official visits, during which bilateral disputes were discussed.

Developments and UNOGBIS activities

The President of the Security Council, on 8 January, following Council discussions on developments in Guinea-Bissau and on UNOGBIS activities, issued a statement to the press [SC/7250], saying that Council members encouraged President Yalá in his pursuit of the policy of national reconciliation and dialogue, taking into account the established constitutional norms. Council members also encouraged the ECOWAS chairman and leaders of the subregion, as well as the friends of Guinea-Bissau, to continue playing an active role and to redouble their initiatives of good offices for economic and financial assistance. They welcomed the proposal for a round table, to be organized as soon as the political situation allowed, and called on donor countries to contribute generously.

Report of Secretary-General (March). The Secretary-General, in response to Security Council resolution 1233(1999) [YUN 1999, p. 140], reported on 26 March on developments in Guinea-Bissau and the activities of UNOGBIS [S/2002/312] since his previous report of December 2001 [YUN 2001, p. 89]. During that period, there had been progress in the consolidation of the democratization process, the Secretary-General stated. Guinea-Bissau’s nascent democratic system continued to function, with both the Partido da Renovação Social (PRS) of President Yalá and the former ruling party, Partido Africano da Independência da Guiné e Cabo Verde, holding their party congresses to elect new leaders and define their priorities in preparation for presidential elections scheduled for 2004.

Another important development was the resumption on 28 February of the work of the National Assembly, whose work programme for the year included preparations for elections for local authorities in June and the draft law on organizing the courts. Among other positive actions were the release on bail of three political opposition figures and the authorized resumption of publication of two independent newspapers.

Despite the progress made, the new Constitution had not been promulgated. More needed to be done to promote dialogue between the legislative and executive branches. The interference of the executive in judicial matters, the inertia of the judiciary, the stifling of the private media and the weakening of the Human Rights League, which had been tarnished by financial scandal and the arrest of its former Leaders, still generated concerns. President Yalá’s appointment of the new President of the Supreme Court prompted strong reaction from the opposition grouping of 20 parties; later, the President announced that the appointment was temporary, pending the election of the Supreme Court President by the Supreme Council of the Magistrates. The Prime Minister, on 13 March, summoned the diplomatic community to brief them on the Government’s programme and stressed the Government’s commitment to democratic norms and processes.

At the Government’s invitation, the Secretary-General’s Representative, together with members of the diplomatic community, visited Guinea-Bissau’s borders with Senegal and Guinea. The participants in the visit noted the need for the international community to embark on the post-conflict development process, for the authorities of Guinea-Bissau to take measures to eliminate sources of social and political tension, and for efforts to consolidate the nascent democracy.

Security conditions along the border with the Senegalese province of Casamance had improved, and periodic meetings were held between the army chiefs of staff of Senegal and Guinea-Bissau and between the commanders of their respective border military zones. The demining operation continued under the supervision of the Mine Action Centre and was expected to be completed by 2004. With regard to the demobilization, reinsertion and reintegra tion programme, a preliminary list of 2,738 eligible military personnel was compiled.

UNOGBIS observed the human rights situation and carried out training and awareness-raising programmes. In February, a human rights section was set up within the Ministry of Justice and it was working closely with UNOGBIS on reform of the judicial system. Particular attention was given to the rights of the 47 military personnel arrested following the alleged coup plot in December 2001 [YUN 2001, p. 89]. They were being held without trial and the military court lacked a code of procedure. Other issues receiving UN attention were refugee rights and women’s rights.

The country’s economy continued to suffer from cash flow problems in the private sector as
well as from disinvestments caused by the recent war. The leader of an IMF review mission that visited Guinea-Bissau in March indicated that the low revenue and the increasing wage and salary bill were causing the Government to build up arrears.

In general, the Secretary-General perceived a slight improvement in the political situation and governance. He applauded the pledges made by the Government of Prime Minister Alhamara N’Tchia Nhasse to promote human rights and the independence of the judiciary, and hoped they would be translated into reality and that an international community would provide appropriate support. Also on the positive side, the demobilization programme was resuming. However, the Government was confronted with three major challenges: to restore confidence among those who had voted for change in the post-conflict general elections; to reassure the international community by implementing the necessary economic, financial and social reforms; and to perform the sovereign functions of the State. The Secretary-General said that there was an urgent need for direct budgetary support to help offset the chronic deficit in public finances and to help rehabilitate the economic, social and cultural infrastructures; he called on the international community for assistance.

The Secretary-General suggested that future periodic reports to the Council be every six months instead of three.

**Report of Secretary-General (June).** On 13 June [S/2002/602], the Secretary-General reported that the overall situation remained calm despite political tensions. The agreement reached in late March between the Government and the opposition facilitated the National Assembly’s acceptance of the Government’s work programme and demonstrated openness to dialogue on the part of the Prime Minister. Since then, the dialogue between the legislature and the Government had continued, focusing on the Government’s draft budget. A major contentious issue was the Government’s retraction of a pledge to support a new minimum wage. Given the lack of adequate financial resources, the Government had difficulty in managing the budget, which led to criticism by the Bretton Woods institutions. Another challenge remained the continued inability of the Government to pay civil servants their accumulated salary arrears and regular wages in full and on time, thus heightening social tension and leading to a five-day strike of public sector workers on 29 April. The non-promulgation of the revised Constitution, due to differences of opinion between the President and the National Assembly, contributed to political tensions. In order to promote debate, UNOGIS organized in Bissau from 15 to 17 April a national dialogue on human rights and democracy for representatives of national institutions, including the armed forces, political parties and civil society. In its concluding document, the dialogue made recommendations on political, human rights and democracy issues.

On another UNOGIS initiative, 68 participants, including parliamentarians, attended a seminar on mechanisms of conflict prevention and resolution (Bissau, 21-22 May).

Security in the subregion improved as the Government pursued peaceful cooperation with neighbouring countries. Relations with Senegal were strengthened following a visit by its Minister of the Interior to Bissau on 28 May. Among issues discussed were recent incidents involving the navy of Guinea-Bissau and Senegalese fishing boats in the Bissau Guinean exclusive economic zone and the detention in March of Alexandre Djiba, spokesman of the Casamance separatist movement, the Movement of Democratic Forces of Casamance, by the Bissau Guinean authorities. Mr. Djiba was released on 29 May. The security situation along the border with Senegal remained stable, despite concern that periodic upsurges of violence in the Casamance region might impact on the security situation in Guinea-Bissau.

The implementation of the demobilization, reinsertion and reintegration programme had been delayed, although plans were drawn up for 15,000 ex-combatants to have completed the reinsertion phase by 2004. Internal security also remained an issue due to the institutional weakness of Guinea-Bissau’s police force.

In the area of human rights, UNOGIS reported that some family members of the 38 individuals still detained in connection with the attempted coup d’état of 3 December 2001 [YUN 2001, p. 190] had complained about detention conditions. When approached by the Secretary-General’s Representative about the long delay in bringing formal charges against those individuals, the Government replied that it lacked the means to proceed more rapidly. Meanwhile, trials were begun for key members of the former military junta who had been detained in connection with the coup attempt of 22 November 2000 [YUN 2000, p. 186]. UNOGIS would observe the trials.

The Secretary-General was encouraged by the fact that, despite serious economic difficulties, political leaders had pursued agreement through debate. He considered areas of priority to be: the reassertion of the independence of the judiciary; the modernization of the armed forces, including the demobilization and reintegration of for-
mer armed forces and liberation movement personnel; and a reduction in the level of small arms. He urged the executive and legislative branches of government to come together to reach a compromise soon on constitutional issues. The government’s efforts to build peace and democracy were handicapped by its limited resources, and he called on the international community to provide assistance.

Security Council consideration. The Security Council, at a closed meeting on 8 July [meeting 4567], discussed the situation in Guinea-Bissau and received a briefing from the Secretary-General’s Representative and Head of UNOGBIS, David Stephen (United Kingdom).

In a 29 August letter to the Council President [S/2002/979], the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa transmitted recommendations, which had been agreed to by Council members during informal consultations in July and August (see p. 94), some of which concerned Guinea-Bissau. The Working Group suggested that the Economic and Social Council be invited to play an important role in the peace-building process in Guinea-Bissau, including by conducting a diagnostic of priorities for long-term planning. The Security Council President could request IMF, the World Bank and the African Development Bank to show flexibility in providing assistance to Guinea-Bissau and assist in the political mobilization for funding by requesting the donor community to provide assistance on the basis of a step-by-step approach. Another suggestion was to have a strong nation as lead country in galvanizing support for Guinea-Bissau. The Council could encourage UNDP and the international financial institutions to consider ways to strengthen the capacities of the government in economic and financial management. The Council could call for the disbursement of pledges made at the last round-table meeting on assistance to Guinea-Bissau.

At the request of Council members, the United States wrote to the Executive Director of the World Bank on 7 August concerning the critical social and economic situation in Guinea-Bissau. In a 23 August response, transmitted to the Council on 27 September [S/2002/1155], the Executive Director said that the Bank was currently assisting Guinea-Bissau through a number of projects that it hoped could contribute to peace-building efforts. The Bank would continue to follow the macroeconomic situation and would assist the government in restoring macroeconomic stability while respecting its priorities of peace and stability.

Report of Secretary-General (December). The Secretary-General, on 13 December [S/2002/1367], reported on developments in Guinea-Bissau and UNOGBIS activities during the six months since his previous report, as the Council had requested at informal consultations on 8 July. During the period under review, the constitutional impasse had persisted, generating increased tensions among the various organs of government, especially between the executive, on the one hand, and the judiciary and legislature on the other. Tensions also deepened within the executive, especially when the then Prime Minister, Alhamara N’Tchia Nhasse, publicly accused President Yalá of being the person behind the instability in the country. A confrontation was averted after civil society leaders, military officers and the Secretary-General’s Representative in Guinea-Bissau worked with both leaders, who agreed to cooperate in the national interest. Meanwhile, several opposition politicians and some journalists and civil society leaders complained of heightened harassment by security officials.

On 15 November, the President, following consultations with the National Assembly and the Council of State, dismissed the Government of Prime Minister Nhasse and dissolved Parliament, announcing the holding of legislative elections within 90 days. He said he had acted within the framework of the Constitution because the prevailing situation, in his view, was indicative of a political, financial and economic crisis. The major opposition parties did not dispute the President’s move and, in a joint statement of 16 November, supported his decision to bring forward legislative elections, which would normally have been held in November 2003. However, they called on the international community to provide financial support and electoral observers to ensure free and fair polls. They also urged the President to organize urgent elections for the posts of President and Vice-President of the Supreme Court, as he had promised on 31 October.

On 16 November, President Yalá named Mario Pires as the new Prime Minister. Mr. Pires announced the composition of a 20-member Cabinet two days later. Dominated by the President’s party, PRS, the new Government’s political base was seen as reflecting the President’s determination to consolidate his grip on power.

Relations between Guinea-Bissau and the Gambia returned to normal after tensions developed in June over allegations by President Yalá that his opponents were preparing an attack from Gambian territory. The improvement in relations was facilitated by visits to the two countries, in July and August, and to the ECOWAS
Chairman, President Wade of Senegal, by the Secretary-General’s Special Envoy, James Victor Gbého, who contributed to the restoration of direct bilateral cooperation between the two countries.

The general security situation was affected by the political climate, leading to reports of alleged coup plots. The military authorities were called upon to mediate between the President and the Prime Minister. The demobilization phase of the Government’s programme of demobilization, reinsertion and reintegration, managed by the World Bank, was completed. About 4,500 of the 16,000 ex-combatants and other military personnel who participated had been demobilized. Due to budgetary constraints, not every candidate who expressed interest was included in the programme. The total cost of the programme was $19.6 million, to which the Government had yet to make its agreed contribution of $10.8 million. Demining continued, with 2,899 mines having been destroyed. A mechanism to collect small arms, which circulated among the civilian population, was initiated.

UNOGBIS continued to monitor human rights and maintain dialogue on the subject with the authorities and civil society. As a result of a general amnesty granted by Mr. Yalá in June, there were no political detainees in Guinea-Bissau at the end of the year. Concern remained, however, over reports of intimidation by security personnel of opposition leaders and journalists, and violence against women remained largely unpunished. Although donors had provided support, the justice system experienced operational shortcomings, due in particular to logistic and capacity constraints. Consequently, traditional leaders and police officers were frequently resorting to an informal system of justice that was largely arbitrary and devoid of due process. To strengthen the capacity of State institutions to uphold the rule of law and promote human rights, UNOGBIS and UNDP organized training seminars for 50 military officers, for representatives of 30 women’s organizations on women’s rights, for 65 magistrates and lawyers and for members of Parliament.

The socio-economic situation remained critical, due to widespread unemployment and months of unpaid salary arrears. Declining revenues from cashew nuts and fishery, Guinea-Bissau’s main income-generating sources, decreased the Government’s capacity to pay salaries and service the external debt.

The Secretary-General said that the new Government was essentially a caretaker administration, serving in the interim until elections were held. As urgent action was necessary to restore the checks and balances and separation of powers, he urged the President to move towards the promulgation of the Constitution.

Extension of UNOGBIS

The Secretary-General, on 5 August [S/2002/96], proposed to the Security Council that the UNOGBIS mandate, which was due to expire at the end of 2002, be extended to 31 December 2003. The Council President, in a response of 9 August [S/2002/97], said that the members took note of the proposal.

Côte d’Ivoire

In September, armed rebels in Côte d’Ivoire attempted unsuccessfully to overthrow the country’s elected Government. The two sides agreed to a ceasefire on 18 October and for an intervention force to supervise the truce. At the request of the Côte d’Ivoire Government, France sent troops to the country in October to prevent further fighting on a provisional basis pending the deployment of an ECOWAS Monitoring Group (ECOMOG) force. The Security Council, in December, expressed support for the planned deployment of an ECOMOG force under the command of Senegal, and called for a political solution. It expressed concern at reports of mass killings and serious violations of human rights in Côte d’Ivoire and welcomed the Secretary-General’s request to the High Commissioner for Human Rights to send a fact-finding mission to the country.

Coup attempt

The President of the Security Council, in a 31 October press statement [AFR/2002/SC/7558], said that Council members strongly condemned the attempt to overthrow the democratically elected Government of Côte d’Ivoire. The Council called for full respect of the constitutional order and emphasized support for the legitimate Government. All parties were urged to resolve the crisis peacefully, to recognize that only through a political solution could the crisis be solved, and to ensure respect for human rights. The international community was called on to support the UN flash appeal by providing humanitarian assistance to those in the subregion affected by the Ivorian crisis. The Council commended ECOWAS activities to promote a peaceful resolution of the conflict, supported the efforts of the ECOWAS Contact Group on Côte d’Ivoire, and called on the international community to provide assistance for the ECOMOG force agreed at the Contact Group summit meeting on 23 October.
South Africa, in its capacity as current chairman of the African Union (AU), transmitted on 20 September [S/2002/1098] a communiqué on the situation in Côte d’Ivoire, issued by the AU Central Organ of the Mechanism for Conflict Prevention, Management and Resolution, which met on 24 September in Addis Ababa. Expressing concern about the situation that caused considerable loss of human lives and the destruction of property, the Central Organ condemned the attempt to undermine constitutional legality in Côte d’Ivoire and appealed to the parties to seek a solution in conformity with constitutional legality; expressed satisfaction with the initiatives taken, including at the ECOWAS level, aimed at facilitating a resolution of the crisis; and encouraged the regional leaders to pool efforts with a view to promoting a peaceful solution.

**Peacekeeping forces**

On 19 November [S/2002/1256], Côte d’Ivoire notified the Security Council of its agreement to the deployment of the ECOWAS intervention force to replace the French forces, which had been deployed in Côte d’Ivoire at the request of the Government since 18 October. According to Côte d’Ivoire, an agreement for the cessation of hostilities went into force on 18 October and provided for the deployment of an intervention force to supervise the ceasefire. The ECOWAS members that had agreed to participate in the force were Benin, Ghana, Niger, Senegal and Togo. Once in place, the West African intervention force would relieve the French forces deployed to supervise the truce.

Senegal, on 2 December [S/2002/130], referred to the ceasefire agreement signed on 17 October in Bouaké, Côte d’Ivoire, and announced its intention to participate in the ECOWAS interposition force in Côte d’Ivoire and to command it, since Senegal would provide the largest contingent (650 soldiers). Senegal, the current ECOWAS Chairman, welcomed France’s rapid response to the situation in Côte d’Ivoire, which had helped to avoid a tragedy. Senegal counted on the United Nations, especially the Security Council and the Secretary-General, to support the joint efforts of Ivorians and ECOWAS so that the parties could restore peace.

On 19 December [S/2002/1386], Senegal transmitted the communiqué issued at the ECOWAS extraordinary summit on Côte d’Ivoire (Dakar, Senegal, 18 December). At the meeting, President Laurent Gbagbo of Côte d’Ivoire requested that the ECOWAS force be set up immediately and expressed appreciation to Senegal for agreeing to be the commander. The summit reaffirmed the legitimacy of President Gbagbo and requested the AU and the United Nations and its Secretary-General to assist in finding a solution to the crisis. It appealed to the Security Council to assist ECOWAS in finding a solution and urged France and the African Council members to call for a Council meeting without delay.

**SECURITY COUNCIL ACTION**

On 20 December [meeting 4680], following consultations among Security Council members, the President made statement S/PVST/2002/42 on behalf of the Council:

The Security Council expresses its grave concern at the situation in Côte d’Ivoire and its serious consequences for the population of this country and the region. The Council firmly condemns attempts to use force to influence the political situation in Côte d’Ivoire and to overthrow the elected Government. It calls for full respect for the constitutional order of Côte d’Ivoire and emphasizes its full support for the legitimate Government of the country. It stresses also the need to respect the sovereignty, political unity and territorial integrity of Côte d’Ivoire. It calls upon all States in the region to refrain from any interference in Côte d’Ivoire.

The Council stresses that the crisis in Côte d’Ivoire can be resolved only through a negotiated political solution. It calls upon all parties involved in the conflict to work actively to achieve such a solution and to abstain from any act or declaration that could jeopardize efforts to that end. Such a solution must address the underlying causes of the conflict.

The Council strongly supports the efforts of the Economic Community of West African States to continue their efforts in a coordinated manner. In this regard it welcomes the final communiqué adopted on 18 December 2002 at the extraordinary Summit of Heads of State and Government of the Economic Community of West African States in Dakar.

In particular, the Council welcomes the commitment by the President of the Republic of Côte d’Ivoire to present in the coming days a comprehensive plan to end the crisis. It stresses that such a plan is a crucial step towards achieving a peaceful solution and calls upon the President of Côte d’Ivoire to involve all parties fully and to seek consensus among them.

The Council also takes note of paragraph 18 of the final communiqué of the Dakar Summit, in which the Economic Community of West African States requests the United Nations and the Secretary-General to contribute to the resolution of the crisis in Côte d’Ivoire. The Council commends the Secretary-General for his efforts to promote a negotiated settlement, in coordination with the Economic Community of West African States. The Council requests him to continue those efforts, particularly by providing all necessary support and assistance to the mediation efforts of the Economic Community of West African States. The Council requests the
Secretary-General to keep it regularly informed about the situation.

The Council expresses its full support for the deployment of UNMEE in Ethiopia and Eritrea, under Senegalese command, by 31 December 2002, as called for in the final communiqué of the Dakar Summit. It commends all countries of the Economic Community of West African States which have decided to contribute troops to this force and calls upon the international community to provide assistance to it.

The Council also commends France for the efforts it has made, at the request of the Government of Côte d’Ivoire, to prevent further fighting, on a provisional basis pending the deployment of the Economic Community of West African States Monitoring Group force. It also expresses its appreciation for the efforts of France to contribute to a political solution of the crisis, including the possible hosting of meetings on the situation in Côte d’Ivoire. It also recognizes the efforts of the African Union to bring about a resolution of the crisis in Côte d’Ivoire.

The Council expresses its deepest concern at reports of mass killings and grave violations of human rights in Côte d’Ivoire. It calls upon all parties to ensure full respect for human rights and international humanitarian law, particularly with regard to the civilian population, regardless of its origin, and to bring to justice all those responsible for any violation thereof. The Council welcomes the decision by the Secretary-General to request the United Nations High Commissioner for Human Rights to gather information about violations of human rights in Côte d’Ivoire, including through the dispatch of a fact-finding mission to that country.

The Council also expresses its concern at the humanitarian consequences of the crisis in Côte d’Ivoire. It calls upon the international community to provide urgent humanitarian assistance to those in need in all the countries of the subregion that are affected by the Ivorian crisis. It also calls upon all parties to provide unhindered access to the affected populations.

Horn of Africa

Eritrea-Ethiopia

In 2002, the United Nations continued to oversee the implementation of the Algiers ceasefire and peace agreements signed by Eritrea and Ethiopia in 2000 [YUN 2000, p. 180] and to regulate their border dispute, which had erupted in armed conflict in 1998 and recurred sporadically since then. The Boundary Commission, established by the peace agreement, completed one of its major tasks in April—delimitation of the border—and began work on demarcation. The United Nations Mission in Ethiopia and Eritrea (UNMEE), also established in 2000, continued to monitor the border region inside the Temporary Security Zone and supported the work of the Commission. In March and again in September, the Security Council extended UNMEE’s mandate for six-month periods. Although able to carry out its monitoring functions, UNMEE was frequently hindered by lack of full cooperation by the two parties and by the extensive presence of landmines in the border area.

A Security Council mission, which visited the area in late February, commended the parties for resolving their differences through a conflict-solving mechanism and for agreeing to give the United Nations a central role in implementing the Boundary Commission’s delimitation decision. The Council, in March, emphasized that until the border demarcation was completed, UNMEE would continue to discharge its mandate.

Following the publication of the boundary delimitation, the Council, in August, adjusted UNMEE’s mandate to include assisting the Boundary Commission in implementing the delimitation decision, through demining activities and administrative and logistical support for the Commission’s Field Offices. The Commission, with UNMEE support, began work on demarcation by clearing access routes to boundary markers and carrying out aerial photography. In July, the Commission issued its demarcation directions.

In late December, the Secretary-General reported that the peace process had generally progressed steadily since the 2000 peace agreement was signed and that there had been no ceasefire violations since the establishment of the Temporary Security Zone. Despite some resistance to allowing UNMEE to operate freely and minor cross-border incidents in October and November, both Ethiopia and Eritrea were moving forward in the peace process.

Both countries continued to experience severe humanitarian problems, not only those brought about by years of hostilities, such as large numbers of refugees and displaced persons, but also by a recurrent drought. The General Assembly, in resolution 57/149, called on the international community to respond to the unfolding and imminent humanitarian crisis in Ethiopia, which could affect up to 15 million people (see p. 931).

Implementation of Algiers agreements

In response to Security Council resolution 1320(2000) [YUN 2000, p. 176], the Secretary-General submitted four reports on Ethiopia and Eritrea in 2002. Annexed to each report was a corresponding report of the Boundary Commission, which also submitted three additional reports during the year.
The Security Council mission to the region also reported on its visit to the area.

In addition to providing an update on political and humanitarian developments, UNMEE activities and the work of the Boundary Commission, the reports reviewed the implementation of the comprehensive Peace Agreement between the two countries, signed in Algiers in December 2000 [YUN 2000, p. 180], and the preceding Agreement on Cessation of Hostilities, signed in Algiers in June 2000 [ibid., p. 73], known collectively as the Algiers Agreements. Under the Peace Agreement, the parties committed themselves to accepting fully the determination of the Boundary Commission.

SECURITY COUNCIL ACTION (January)

On 16 January [meeting 4450], following consultations among Security Council members and their consideration of the Secretary-General’s December 2000 report [S/2001/1094] on Ethiopia and Eritrea [YUN 2001, p. 201], the President made statement S/PRST/2002/1 on behalf of the Council:

The Security Council, recalling all its resolutions and the statements by its President regarding the situation in Ethiopia and Eritrea, welcomes the progress report of the Secretary-General of 13 December 2001.

The Council reaffirms the commitment of all Member States to the sovereignty, independence and territorial integrity of Ethiopia and Eritrea. The Council also reaffirms its strong support for the comprehensive Peace Agreement between the Government of the State of Eritrea and the Government of the Federal Democratic Republic of Ethiopia signed in Algiers on 12 December 2000 and the preceding Agreement on Cessation of Hostilities signed in Algiers on 18 June 2000 (hereinafter referred to collectively as the “Algiers Agreements”). The Council reaffirms its unwavering commitment to contribute to the completion of the peace process.

The Council looks forward to the border delimitation determination by the Boundary Commission, which is final and binding. The Council stresses that in accordance with article 4, paragraph 15, of the comprehensive Peace Agreement, which has the full support of the international community, the parties have committed themselves to accepting fully the determination of the Boundary Commission.

The Council notes that, notwithstanding the outstanding issues, the situation in the Temporary Security Zone has remained calm, with the considerable progress made to date under the peace process preserved.

The Council reiterates its strong support for the United Nations Mission in Ethiopia and Eritrea and calls upon the parties to cooperate fully with the Mission.

The Council notes that the Mission has proved allegations made in the recent past by the parties, including concerning military build-up in the Temporary Security Zone and adjacent areas north of the Zone, to be unfounded. The Council welcomes the recent reduction in the use of rhetoric by the parties and encourages them to continue to defuse tension and exercise greater degrees of flexibility in their approaches to the peace process.

The Council notes that Eritrea has begun to allow the Mission to visit some locations in the adjacent area north of the Temporary Security Zone upon 24-hours notification and calls upon Eritrea to grant the Mission the full freedom of movement it requires in this area to allow, in particular, for monitoring of Eritrea’s redeployed forces and, hence, to facilitate expeditious responses to any allegations, thereby facilitating mutual confidence.

The Council reiterates its call upon Eritrea to disclose the number, strength and disposition of its militia and police inside the Temporary Security Zone and to refrain from deployment close to the southern boundary of the Zone, thereby facilitating mutual confidence.

The Council also reiterates its call upon Eritrea to conclude the status-of-forces agreement with the Secretary-General. The Council notes in this regard that the model status-of-forces agreement, as set out in resolution 1320(2000) of 15 September 2000, is in effect.

The Council notes the information provided by Ethiopia regarding mines and calls upon Ethiopia to provide the Mission with further details on the types of mines used in the Temporary Security Zone and adjacent areas, as well as more specific information on minefields already cleared by Ethiopian armed forces, with a view to facilitating the return home of internally displaced persons and the forthcoming border demarcation work.

The Council expresses its regret that there has been no progress regarding the establishment of a direct high-altitude flight route for the Mission between Asmara and Addis Ababa. It notes with deep concern that the current extended flight route for the Mission between the two capitals has significant security, logistical and financial implications. The Council calls upon the parties once again to work with the Special Representative of the Secretary-General in a spirit of compromise to settle the issue for the mutual benefit of all.

The Council, underlining the need for confidence-building measures, calls upon the parties to release and return unconditionally and without further delay, under the auspices of the International Committee of the Red Cross, all remaining prisoners of war and to release all other persons detained as a result of the armed conflict, in accordance with international humanitarian law and the Algiers Agreements. In this regard, the Council welcomes the repatriation yesterday of twenty-five Ethiopian prisoners of war from Eritrea under the auspices of the International Committee of the Red Cross. The Council encourages authorities and civil society in both Ethiopia and Eritrea to afford humane treatment, without discrimination, to each other’s nationals and persons of each other’s national origin within their respective territories.

The Council, inviting the parties to make further contributions to fulfill their financial responsibilities...
regarding the Boundary Commission, expresses its determination to support the practical demarcation of the border. It looks forward to the forthcoming recommendations by the Secretary-General in this regard.

The Council, expressing appreciation to those Member States that have already provided voluntary contributions, calls upon Member States in a position to do so to provide further support to the peace process and to alleviate the difficult humanitarian situation and, where conditions allow, to help to facilitate reconstruction and development in both countries, including by making contributions through the following channels:

(a) The United Nations consolidated appeals process for 2002;
(b) The United Nations Trust Fund to Support the Peace Process in Ethiopia-Eritrea; and

The Council confirms its intention to send a mission to the two countries in February 2002.

**Security Council mission.** The Security Council President, on 31 January [S/2002/120], informed the Secretary-General that the Council had decided to send a mission to Eritrea and Ethiopia from 21 to 25 February in support of the peace process and efforts to implement the Algiers Agreements and relevant Council resolutions. In accordance with its terms of reference, the mission would relay to the parties the importance of the international community attached to their embracing the Boundary Commission’s forthcoming border delimitation determination as the ultimate measure of their commitment to the peace process. The mission would also address the renewal of the UNMEE mandate and ways the Mission could assist in the demarcation process, including through mine clearance. The Council emphasized the need for confidence-building measures, such as the release of all prisoners of war and civilian internees and dialogue between religious leaders. The mission would also address the humanitarian situation resulting from the conflict, and stress that the overall objective of the peace process was to normalize relations between the two countries.

In its report [S/2002/205], the mission stated that, at meetings with Prime Minister Meles Zenawi in Addis Ababa, Ethiopia, and with President Isaias Afwerki in Asmara, Eritrea, it had commended both parties for having chosen to resolve their differences through an international conflict-solving mechanism and for having agreed to give the United Nations such a central role in implementing the decision of the Boundary Commission. The mission welcomed the increasingly constructive tone of the public statements made by the parties over the previous few months. In order to enhance popular understanding of UNMEE’s role, especially among those living in the Temporary Security Zone (TSZ), the mission encouraged the leaders to make arrangements for UNMEE radio broadcasts. It noted that the situation on the ground, and inside the TSZ in particular, remained calm and there had been few incidents.

The mission underlined its expectation that steps for implementing the Boundary Commission’s delimitation determination would commence immediately following the Commission’s announcement, expected in late March. Those steps would include technical arrangements to establish an aerial photo map to be used in the demarcation process. The mission welcomed the parties’ agreement to the establishment of field offices for the Commission. In order to facilitate implementation, it called for developing the institutional framework for the peace process by, for example, strengthening the Military Coordination Commission and establishing sector-level committees. A role for guarantors, witnesses and facilitators of the Algiers Agreements was also suggested. The mission urged the parties to refrain from destabilizing actions, such as population and troop movements, until procedures were agreed upon. The mission emphasized the need for demining as a prerequisite for border demarcation, particularly regarding the demining of access routes to the border areas, and for confidence-building measures.

With regard to the prior notification procedure introduced by Eritrea allowing UNMEE to visit locations north of the TSZ, the mission expected Eritrea to allow full freedom of movement for UNMEE to monitor Eritrea’s redeployed forces, to disclose the number, strength and disposition of its militia and police inside the TSZ, and to conclude the status-of-forces agreement with the Secretary-General. The mission expressed disappointment at the parties’ failure to establish a direct high-altitude flight route for UNMEE between Addis Ababa and Asmara.

The mission recommended that the Security Council consider how UNMEE could play an appropriate role in the demarcation process; the Boundary Commission should proceed with the physical demarcation on the ground immediately as stretches of the border were declared mine-free.

The guarantors, facilitators and witnesses of the peace process, OAU and the friends of Eritrea and Ethiopia were encouraged to intensify contacts with both countries in order to promote a constructive dialogue. The mission welcomed the efforts of NGOs in assisting both countries in de-
development and rehabilitation, and donors’ contributions to funds for that purpose.

On 6 March [meeting 4485], the Security Council considered the mission’s report. Addressing the meeting, the head of the mission, Ole Peter Kolby (Norway), said that the parties demonstrated commitment to the implementation of the Algiers Agreements. He stressed that UNMEE had to continue its work in security arrangements until the demarcation process had been completed. The mission, he said, had highlighted the parties’ obligation under international humanitarian law and under the Algiers Agreements to release all prisoners of war and civilian detainees.

**Report of Secretary-General (March).** In his 8 March progress report on Ethiopia and Eritrea [S/2002/245], the Secretary-General said that the situation in the TSZ had remained generally calm since his previous report of December 2001 [YUN 2001, p. 201] and that the work of the Boundary Commission was proceeding in accordance with its programme. Annexed to the report was the fourth report of the Boundary Commission, covering the period from 1 December 2001 to 28 February 2002.

The parties continued, with few exceptions, to respect the boundaries and integrity of the TSZ. Under the ceasefire agreement, security arrangements, with UNMEE monitoring the TSZ, were to remain in effect until delimitation and demarcation were completed. UNMEE intensified its monitoring of the redeployed forces of Eritrea outside the TSZ and improved its liaison relations with Eritrean officers at the local level. As a result, despite restrictions on its freedom of movement in the adjacent area north of the TSZ, UNMEE visited Eritrean positions north of the Zone, acquiring an understanding of developments both inside the Zone and in adjacent areas. The posture of both sides remained essentially defensive. Tension and suspicion continued to exist. Minor incidents had been reported, such as occasional accidental firing, alleged crossings of the boundary by the military of both sides, alleged cattle-rustling, and alleged abduction of villagers from the border areas.

Despite UNMEE’s requests, Eritrea did not provide information on the numbers, strength and disposition of its police or local militia inside the TSZ. Ethiopian military authorities continued to protest about the numbers of Eritrean militia and police, and to state that they were drawn from regular Eritrean Defence Force units. UNMEE estimated that the Eritrean police and local militia inside the Zone had remained roughly constant at 9,600. Eritrean police or militia units sometimes sought to deploy to new locations, which, in the Mission’s view, were located too close to the southern boundary of the Zone and could therefore destabilize the situation. One such attempt was made on 5 February by Eritrean police to establish a new observation post, a move that UNMEE protested.

Eritrea continued to restrict UNMEE’s freedom of movement. While the restrictions had eased in some areas, there was little change in Sector Centre. On the Ethiopian side, UNMEE enjoyed nearly total freedom of movement. There was no progress regarding the establishment of a direct high-altitude flight route for UNMEE aircraft between Asmara and Addis Ababa, resulting in additional expenses to the Mission of more than $1.4 million. Ethiopian senior liaison officers were available to UNMEE and accompanied UNMEE patrols. On the Eritrean side, the liaison system was effective only in Sectors East and West, but problems continued in Sector Centre. The Military Coordination Commission met on 5 February and received a briefing from the UNMEE Force Commander. During the period under review, there were no major changes in the UNMEE force deployment. The total strength of its military component was 3,962. At the time of the report, Eritrea had not signed the status-of-forces agreement, despite repeated requests from the Security Council and the Secretary-General.

Landmines and unexploded ordnance remained a major threat to the population of the two countries and to UN and other humanitarian personnel. From December 2001 to mid-February 2002, five civilians were killed and six injured in such incidents in the TSZ and northern adjacent areas. More than 1,100 Eritrean mine action personnel were working in the TSZ. In cooperation with other organizations, UNMEE continued mine-risk education programmes for the local population. Training of volunteer facilitators to conduct such education was continuing. The UN Mine Action Service and UNDP released a strategy on UN assistance for mine action in Eritrea. The demining of access routes to the border area was progressing under UNMEE’s Mine Action Coordination Centre.

The Boundary Commission, financed through voluntary contributions to the United Nations Trust Fund for the Delimitation and Demarcation of the Border, continued its work and was finalizing its decision on delimitation. Preliminary work was being carried out on the demarcation stage of its programme but demarcation could not proceed until locations of boundary markers had been cleared of landmines. Arrangements for the preparation of the 1:25,000 map on which the final demarcation would be marked were in hand.
The humanitarian situation in the TSZ and adjacent areas remained stable and humanitarian programmes were able to undertake both emergency interventions and reconstruction activities. More than 180,000 internally displaced persons and over 38,000 refugees had been assisted by Eritrea and the international community to return to their areas of origin inside the Zone, but 57,000 internally displaced persons were still unable to return to their homes due to the presence of mines, insecurity or the fact that several villages were under Ethiopian administration. Eritrean refugees were being repatriated from the Sudan and food assistance and clean water were being supplied to war-affected people. Because the situation had stabilized, emergency operations and recovery and development programmes were under way concurrently.

In the human rights area, UNMEE continued to investigate allegations of cross-border expulsions and abductions. Initial reports of the expulsion of civilians from Tigray State in Ethiopia proved unfounded. Information obtained pointed to continuing exclusion of Eritreans or persons of Eritrean descent from participation in community activities in Ethiopia and denial of access to social amenities, including food aid. Repatriated Ethiopians reported they had left voluntarily due to discrimination in Eritrea. On 15 January, Eritrea released 25 prisoners of war (POWs) and expressed a readiness to release all Ethiopian POWs in accordance with the Algiers Agreements, while Ethiopia released 58 POWs and 2 civilian internees. More than 1,560 POWs remained in Ethiopia and more than 320 in Eritrea.

The Mission’s public information office continued to report on the peace process and publicize its mandate and work. In view of the suspension in October 2001 of Radio UNMEE programmes by Eritrea, UNMEE was discussing with the Eritrean Ministry of Information the terms of an agreement to resume transmission. The programmes continued to be posted on the UN web site in English and six local languages.

The Secretary-General anticipated that the Boundary Commission’s delimitation decision would be issued within the next month. He recommended, in the meantime, that UNMEE’s mandate be extended for six months, until 15 September. He also recommended that a mechanism for problem-solving during implementation of the delimitation decision be established.

On 15 March [meeting 4494], the Security Council held an exchange of views with the troop-contributing countries.

SECURITY COUNCIL ACTION (March)

On 15 March [meeting 4494], the Council unanimously adopted resolution 1398(2002). The draft [S/2002/266] was prepared during consultations among Council members.


Recalling also the report of 27 February 2002 of the Security Council mission to Ethiopia and Eritrea undertaken in the period 21 to 25 February 2002,

Reaffirming the commitment of all Member States to the sovereignty, independence and territorial integrity of Ethiopia and Eritrea,

Reaffirming also the need for both parties to fulfil their obligations under international law, including international humanitarian law, human rights law and refugee law, and to ensure the safety of all personnel of the United Nations, the International Committee of the Red Cross and other humanitarian organizations,


Also reaffirming its strong support for the help in implementing the Algiers Agreements continuously provided by the Secretary-General and his Special Representative, including through their good offices,

Further reaffirming its strong support for the role played by the United Nations Mission in Ethiopia and Eritrea in the implementation of its mandate and the facilitation of a peaceful settlement of the dispute,

Reaffirming its strong support for the Organization of African Unity Liaison Mission in Ethiopia-Eritrea, and inviting the Secretary-General of the Organization of African Unity to continue to offer the full support of that organization for the peace process,

Having considered the report of the Secretary-General of 8 March 2002,

1. Decides to extend the mandate of the United Nations Mission in Ethiopia and Eritrea at the troop and military observer levels authorized by resolution 1320(2000) until 15 September 2002;
2. Expresses its satisfaction and anticipation that a final legal settlement of the border issues is about to be reached in accordance with the Algiers Agreements, and welcomes in this regard recent statements by both parties reaffirming that the upcoming border delimitation determination (hereinafter referred to as “the decision”) by the Boundary Commission is final and binding;
3. Commends the parties on the progress made thus far in implementing the Algiers Agreements, includ-
ing the continued observance of the Temporary Security Zone and the steps taken in cooperation with the United Nations Cartographer to prepare for the implementation of the decision by the Boundary Commission once it has been announced;

4. Calls upon the parties to cooperate fully and expeditiously with the Mission in the further implementation of its mandate, to abide scrupulously by the letter and spirit of their agreements and to engage closely with the Special Representative of the Secretary-General regarding the implementation of the decision by the Boundary Commission, including expeditiously engaging with the Mission in their plans for the demining necessary for demarcation;

5. Emphasizes the importance of expeditious implementation of the upcoming decision by the Boundary Commission while maintaining stability in all areas affected by the decision, and encourages the parties to consider further practical ways and means of conducting implementation with the Secretary-General, possibly through appropriate strengthening of the Military Coordination Commission and/or other arrangements with the support of the guarantors and facilitators of and witnesses to the Algiers Agreements;

6. Emphasizes also that in accordance with article 14 of the Agreement on Cessation of Hostilities, the security arrangements are to remain in effect, and that, accordingly, arrangements for the separation of forces, as achieved by the Temporary Security Zone, will continue to be of key importance;

7. Emphasizes further that any transfer of territory and civil authority, as well as population movements and movements of troops, pursuant to the decision by the Boundary Commission, should take place in an orderly manner through dialogue and modalities facilitated by the United Nations, in accordance with article 4, paragraph 16, of the comprehensive Peace Agreement, and without any unilateral actions;

8. Emphasizes that until the border demarcation has been completed, the Mission will continue to discharge its mandate;

9. Emphasizes its resolve to support the parties in the implementation of the decision by the Boundary Commission, and invites the Secretary-General to submit as soon as possible recommendations to the Council on ways in which the Mission can play an appropriate role in the border demarcation process, including with regard to demining for demarcation, taking into account the decision by the Boundary Commission, the contributions by the parties, the capacity of the Mission and the resources available in the United Nations Trust Fund in Support of the Delimitation and Demarcation of the Ethiopia-Eritrea Border;

10. Calls again upon Eritrea, notwithstanding the prior notification procedure, to allow the Mission full freedom of movement to monitor the redeployed forces, to disclose the number, strength and disposition of its militia and police inside the Temporary Security Zone, and to conclude the status-of-forces agreement with the Secretary-General;

11. Urges Ethiopia to provide the United Nations Mine Action Coordination Centre with clarifications to the information already put forward, as promised in this regard;

12. Expresses its concern that there has been no progress regarding the establishment of a direct high-altitude flight route for the Mission between Asmara and Addis Ababa, and calls again upon the parties to work with the Special Representative of the Secretary-General in a spirit of compromise to settle the issue for the mutual benefit of all;

13. Calls upon the parties to release and return without further delay all remaining prisoners of war and civilian internees under the auspices of the International Committee of the Red Cross in accordance with the Geneva Conventions of 12 August 1949 and the Algiers Agreements;

14. Also calls upon the parties to take other measures that will build confidence and promote reconciliation between the two peoples for their mutual benefit, including by affording humane treatment to each other’s nationals in accordance with the Algiers Agreements; facilitating sustainable reintegration of refugees, internally displaced persons and demobilized soldiers; promoting cross-border contacts at the local level aimed at resolving disputes and rebuilding community relations; and by facilitating further dialogue among civil society at all levels in the two countries, such as that recently undertaken by the religious leaders;

15. Encourages the parties to make arrangements to enable the Mission to disseminate information to relevant population groups in the Mission area about the delimitation and demarcation of the border between the two countries and the role of the United Nations in this regard;

16. Also encourages the parties to focus on reconstruction and development of their economies and on improving their relations, for the benefit of all the people and with the view to promoting regional peace and security;

17. Encourages the guarantors and facilitators of and witnesses to the Algiers Agreements to provide their continued support for the peace process, and invites all States and international organizations to support the process, including by exercising the highest degree of responsibility in discouraging arms flows to the region and by providing contributions to the Trust Fund to Support the Peace Process in Ethiopia and Eritrea, the Trust Fund in Support of the Delimitation and Demarcation of the Ethiopia-Eritrea Border and to the United Nations consolidated appeals process for 2002;

18. Decides to remain actively seized of the matter.

Boundary Commission decision

On 15 April [5/2002/425], the Eritrea-Ethiopia Boundary Commission transmitted its decision regarding delimitation to the parties involved and the Secretaries-General of the United Nations and OAU. Under the terms of the 2000 Algiers Agreements, the Boundary Commission’s mandate was to delimit and demarcate the colonial treaty border based on pertinent colonial treaties (1900, 1902 and 1908) and applicable international law. The UN Cartographer served as Secretary to the Commission and provided technical expertise. In its report, the Commission reviewed the history of the boundary dispute and the bases of its determination of the boundary. It
stated that the boundary had been determined by the unanimous decision of the five Commission members.

In a press statement of 16 April [SC/7362], the Security Council President said that Council members, having heard a briefing by the Secretary-General and his Special Representative, Legwaila Joseph Legwaila, welcomed the Commission’s decision announced in The Hague, Netherlands, on 13 April. Council members commended the commitment of Eritrea and Ethiopia to accept the decision as final and binding and called on them to cooperate with the Commission and UNMEE in implementing the decision and all aspects of the demarcation process, including demining. They urged both Governments to strengthen reconciliation by addressing the remaining issues, including the release of POWs. They called on the parties to provide full freedom of movement to UNMEE and to facilitate the establishment of a direct route for UNMEE between Asmara and Addis Ababa. In another press statement on 17 April [SC/7363], the President expressed members’ satisfaction that a final legal settlement of the border issues had been completed. Members underlined their commitment to support implementation of the decision and to contribute to the completion of the peace process. The President issued further press statements on 2 May [SC/7386] and 29 May [SC/7416], following briefings by the Secretariat on the peace process between Eritrea and Ethiopia. Council members reiterated the need for both parties to cooperate with the Commission and UNMEE in implementing the decision and encouraged an early establishment of a common framework for the demarcation process.

Also welcoming the decision, the EU, on 15 April [S/2002/426], stated that the final legal settlement of the border was a central element of the comprehensive peace agreement signed in 2000. Pledging its support for UNMEE and the Special Representative, the EU underlined that they required permanent access to the appropriate government authorities. The EU urged both sides to respect the TSZ, to maintain continued separation of forces and to ensure there was no unilateral movement of population or troops, as those arrangements would set the conditions necessary for demarcation to begin. It called on the parties to ensure an orderly transfer of territorial control in line with the Commission’s decision.

At private meetings with Eritrea and Ethiopia, respectively, on 13 May [meetings 4329 & 4350], the Security Council discussed the situation between Eritrea and Ethiopia. On 5 July [S/2002/732], the Secretary-General transmitted to the Council a reply from the Boundary Commission regarding Ethiopia’s “request for interpretation, correction and consultation” concerning the boundary decision. Ethiopia had raised questions in connection with towns and villages along the boundary, river boundaries, nature and variation of the terrain and several particular points along the boundary. Having considered the request, the Commission concluded that it was inadmissible and no further action would be taken on it. The document would, however, remain on the record as a statement of Ethiopia’s views, and the 14 June response from Eritrea would also remain on the record as a statement of Eritrea’s views on the matters raised in the Ethiopian request. To the extent that the Commission might deem appropriate, some of those matters might be considered further during the demarcation.

**Report of Secretary-General (July).** In a 10 July report on Ethiopia and Eritrea [S/2002/744], the Secretary-General described his efforts to engage the parties on the way forward. He stated that the parties had accepted the Boundary Commission’s delimitation decision as final and binding. Following the publication of the decision in April, Ethiopia notified the United Nations that it would prohibit UNMEE and Boundary Commission personnel from crossing from Eritrea into Ethiopia. Ethiopia said it had not been properly consulted regarding UNMEE logistical support for and transport of personnel of the Commission’s Secretary and Field Office; that UNMEE had not kept its personnel lists properly updated; that it had improperly transported international journalists from Asmara to Badme; and that the Commission had failed to open a field office on the Ethiopian side of the border. The Secretary-General assured Ethiopia that the Mission would maintain strict impartiality. UNMEE continued to monitor the area, which remained calm and stable, and to clear mines along access routes to the border area. To give additional momentum to the peace process, the Secretary-General dispatched the Under-Secretary-General for Peacekeeping Operations to the region from 17 to 21 June to discuss the next steps in the peace process and the role of UNMEE in those efforts. At that time, both parties emphasized their interest in the expeditious demarcation of the border. Consequently, the Secretary-General was able to make recommendations to the Security Council regarding adjustments to UNMEE’s mandate.

Concerning mine clearance, the Secretary-General said that UNMEE was prepared to clear the sites for demarcation pillars and other surveying sites. Civilian contractors would provide quality assurance and verification. The parties would continue to carry out humanitarian demining in the border area so that their respect-
ive peoples could inhabit and use the land. Other recommendations concerned modalities for transferring territorial control to ensure an orderly process, once an area had been demarcated. The withdrawing party would redeploy its civilian administration, local militia and police, and armed forces; UNMEE, with enhanced monitoring capabilities, would verify that the withdrawal was done correctly; and the incoming party would establish its civil administration prior to the return of the incoming population. UNMEE would supply administrative and logistical support for demarcation, by, for example, providing office space, communications, transport, medical evacuation services and liaison functions.

Until the completion of demarcation and the transfers of territorial control, the security arrangements maintained by UNMEE would be essential, the Secretary-General stated. In connection with the maintenance of stability in areas adjacent to the T52, he expressed concern about press reports regarding new settlements in the border area. Eritrea had requested the Boundary Commission to order interim measures of protection. The Secretary-General appealed to the parties, at that crucial juncture between delimitation and the completion of demarcation, to refrain from establishing any new settlements near the border until it had been demarcated and the orderly transfer of territorial control had been accomplished. In his view, the successful conclusion of the process, in which the parties had invested heavily, was within sight and the continuing exercise of statesmanship on both sides would ensure that it was reached.

Having issued its decision on 13 April, the Boundary Commission reported that preparatory work for the demarcation had begun with surveying and aerial photography of the border to construct the definitive 1:25,000 scale map of the border region. On 27 April, however, Ethiopia prohibited further work within the territory under its control, and later criticized UNMEE concerning logistical assistance given to the Chief Surveyor and expressed doubt about the neutrality of the Boundary Commission’s Field Office. At a 21 May meeting with the parties to discuss the procedure for demarcation, it was made clear to the parties that each was obliged to cooperate with the demarcation process and that neither could raise special conditions for its cooperation. At the time of the report, the ban had not been lifted.

On 13 May, within the 30-day period allowed for such steps, Ethiopia filed its “request for interpretation, correction and consultation” (see p. 188). Eritrea, on 17 May, raised four questions regarding the decision, to which the Boundary Commission President responded.

UNMEE and Boundary Commission activities

The Boundary Commission, by a letter that the Secretary-General forwarded to the Security Council on 29 July [S/2002/853], transmitted the text of its order to the parties concerning resettlement activities. By that order, the Commission rejected Eritrea’s request for interim measures and decided that any Ethiopian-sponsored resettlement of Ethiopian nationals in Dembe Mengul after 13 April should not have taken place. Ethiopia was ordered to arrange for the return to Ethiopian territory of those persons in Dembe Mengul who had gone there since 13 April. Each party was to ensure that no further population resettlement took place across the delimitation line.

The Security Council President, in a 12 July statement to the press [SC/7455-AFR/835], said that Council members noted that the Boundary Commission had adopted the demarcation directions containing the operational arrangements for the border demarcation, including appropriate support from UNMEE and its relationship with the Commission. Members expected that the 15 July meeting in The Hague between Eritrea and Ethiopia and the Commission would initiate full cooperation by the parties in order to ensure an expeditious and orderly process.

On 22 July [SC/7560], the Council President said that the members had discussed one aspect of the UNMEE mandate—demarcation of the boundary, with a need to focus on demining along demarcation lines.

SECURITY COUNCIL ACTION (August)

The Security Council, on 13 August [meeting 4599], held a private meeting with UNMEE troop-contributing countries.

On 14 August [meeting 4600], the Council unanimously adopted resolution 1430(2002). The draft [S/2002/924] was prepared in consultations among Council members.

The Security Council,

Recalling its relevant resolutions concerning the situation between Eritrea and Ethiopia, in particular resolution 1398(2002) of 15 March 2002,

Also recalling the report of 27 February 2002 of the Security Council mission to Ethiopia and Eritrea undertaken in the period from 21 to 25 February 2002,

Further recalling the Delimitation Decision of the Boundary Commission of 13 April 2002, subsequently embraced by the parties as final and binding in accordance with the comprehensive Peace Agreement signed in Algiers on 12 December 2000,

Reaffirming its strong support for the comprehensive Peace Agreement and the preceding Agreement on Cessation of Hostilities signed in Algiers on 18 June 2000.
Reaffirming its strong support also for the help in implementing the Algiers Agreements continuously provided by the Secretary-General and his Special Representative, including through their good offices, and for the role played by the United Nations Mission in Ethiopia and Eritrea in the implementation of its mandate, thereby contributing towards the completion of the peace process,

Reaffirming the need for both parties to fulfill their obligations under international law, including international humanitarian law, human rights law and refugee law, and to ensure the safety of all personnel of the United Nations, the International Committee of the Red Cross and other humanitarian organizations,

Reaffirming its strong support for the African Union Liaison Mission in Ethiopia-Eritrea, and inviting the President ad interim of the Commission of the African Union to continue actively the role of the former Organization of African Unity in support of the peace process,

Having considered the report of the Secretary-General of 10 July 2002,

1. Decides to adjust the mandate of the United Nations Mission in Ethiopia and Eritrea, in order to assist the Boundary Commission in the expeditious and orderly implementation of its Delimitation Decision, to include with immediate effect:
   (a) Demining in key areas to support demarcation, and
   (b) Administrative and logistical support for the Field Offices of the Boundary Commission, in accordance with the recommendations provided by the Secretary-General in paragraphs 13, 14 and 17 of his report, and resolution 1398(2002), the costs of civilian demining contractors and Field Office support to be funded as outlined in paragraphs 14 and 17 of the report;

2. Endorses the technical steps for territorial transfers as a broad framework for the process as recommended by the Secretary-General in his report, and decides to review, as necessary, the implications for the Mission in this regard, while strongly urging the parties to provide their full and prompt cooperation in the process with a view to ensuring an expeditious transition for the benefit of the affected populations;

3. Calls upon the parties to cooperate fully and expeditiously with the Mission in the implementation of its mandate, as adjusted by the present resolution, by abiding scrupulously by the letter and spirit of their agreements and by resolving all outstanding issues in accordance with the Algiers Agreements;

4. Encourages the parties to continue to cooperate fully and expeditiously with the Mission in providing the information and maps required by the Mission for the demining process;

5. Calls upon the parties to cooperate fully and promptly with the Boundary Commission, including by implementing without conditions its binding Demarcation Directions, by abiding promptly by all its Orders, including the two issued on 17 July 2002, and by taking all steps necessary to ensure the personal security of the staff of the Commission when operating in territories under their control;

6. Appeals to the parties to exercise restraint, and emphasizes that, in accordance with paragraph 14 of the Agreement on Cessation of Hostilities, the security arrangements are to remain in effect, and that, accordingly, arrangements for the separation of forces, as achieved by the Temporary Security Zone and through the contributions of the Mission, will continue to be of key importance;

7. Calls upon the parties to refrain from unilateral troop or population movements, including the establishment of any new settlements in areas near the border, until demarcation and orderly transfer of territorial control has been accomplished, in accordance with article 4, paragraph 16, of the comprehensive Peace Agreement;

8. Demands that the parties allow the Mission full freedom of movement and remove with immediate effect any and all restrictions on, and impediments to the work of, the Mission and its staff in the discharge of its mandate;

9. Expresses its disappointment that there has been no progress regarding the establishment of a direct high-altitude flight route for the Mission between Asmara and Addis Ababa, given the importance to the demarcation process of a direct flight route, and renews its appeal to the parties to work with the Special Representative of the Secretary-General in a spirit of compromise to settle the issue for the mutual benefit of all;

10. Calls again upon the parties to release and return without further delay all remaining prisoners of war and civilian internees under the auspices of the International Committee of the Red Cross in accordance with the Geneva Conventions of 12 August 1949 and the Algiers Agreements;

11. Further calls upon the parties to increase their efforts to take other measures that will build confidence and promote reconciliation between the two peoples for their mutual benefit, including in particular the areas listed in paragraph 14 of resolution 1398(2002);

12. Encourages the guarantors, facilitators and witnesses of the Algiers Agreements and the Friends of the United Nations Mission in Ethiopia and Eritrea to intensify their contacts with the authorities of both countries with the view to contributing to an expeditious demarcation process;

13. Strongly emphasizes the importance of an expeditious and orderly demarcation process in order to further peace and normalize the relations between the parties, to enable displaced persons to return home and in order for the parties to move completely beyond the border issue and pave the way for reconstruction and development as well as political and economic cooperation;

14. Decides to remain actively seized of the matter.

Report of Secretary-General (August). In a 30 August progress report on Ethiopia and Eritrea [S/2002/977], the Secretary-General said that, during the period under review, the situation in the Tigray remained generally calm and, on the whole, the armed forces of Ethiopia and Eritrea maintained a relatively good level of cooperation with UNMEE. Both sides continued to relocate heavy military equipment to rear areas and to construct
semi-permanent shelters near their deployment areas in anticipation of the rainy season. However, there had been an increase in the number of incidents and subsequent accusations and counter-accusations by the parties of physical assault and abduction of local populations on both sides of the southern boundary of the Zone. According to UNMEE, the origin of those incidents lay mostly in local disputes over grazing lands. In response, UN troops had intensified their monitoring activities in trouble areas.

Ethiopia, on 6 May, lifted its prohibition on UNMEE travel across the southern boundary of the TSZ. However, the tightening of immigration formalities by the Ethiopian authorities at the international airport at Addis Ababa and the imposition of security searches on UNMEE personnel continued to cause delays and constituted a violation of the status-of-forces agreement. On the Eritrean side, there had been a decrease in the previously reported restrictions on the Mission’s freedom of movement in the area adjacent to the TSZ, due in large part to the relocation of Eritrean forces in preparation for the rainy season. No progress was made in establishing a direct high-altitude UNMEE flight path between Asmara and Addis Ababa. Despite the repeated requests of the Security Council, Eritrea had not signed the status-of-forces agreement.

On 8 July, the Boundary Commission adopted demarcation directions to govern its forthcoming work. The Commission held a meeting with the parties (The Hague, 15-16 July) to discuss the directions and establishment of the Commission’s new Field Office at Adigrat, Ethiopia. That Office had already begun surveying activities.

Landmines and unexploded ordnance remained a serious threat to UN staff and humanitarian personnel. Between June and the end of August, four civilians were killed and 12 wounded in such incidents. UNMEE’s Mine Action Coordination Centre acted as the coordinating authority for mine clearance in support of boundary demarcation.

As at 15 August, approximately 57,000 internally displaced persons remained in camps in Eritrea, and 22,000 persons had been repatriated to Eritrea from the Sudan under a tripartite programme involving the two Governments and UNHCR. A serious drought in the region added to humanitarian concerns and increased the expected amounts needed for food aid. Reports of cases of cross-border harassment and abductions continued on both sides. Repatriations of both Eritreans and Ethiopians, assisted by the International Committee of the Red Cross (ICRC), continued, and more than 500 people were repatriated on both sides. Both countries continued to discriminate against each other’s citizens. In July and August, Eritrea released and repatriated 35 Ethiopian civilians who had been arrested during the conflict and were held in detention within Eritrea. After several months of no action, Eritrea released and repatriated 15 Ethiopian POWs on 2 August. ICRC later announced that Ethiopia and Eritrea had committed themselves to releasing all remaining POWs. Subsequently, on 29 August, Eritrea released and repatriated 29 Ethiopian POWs, the last of those known by ICRC to be held by Eritrea. Ethiopia was believed to be holding 1,300 Eritrean POWs.

The Mission’s public information office continued to report on developments in the peace process. Transmissions of weekly programmes continued to be broadcast by Radio Eritrea, but Ethiopia had not consented to a similar arrangement. Meanwhile, UNMEE broadcast its biweekly programmes on short-wave frequencies and posted them on its web site in six languages. Two UNMEE outreach centres were opened, one in Addis Ababa and one in Asmara.

The Secretary-General was encouraged by the fact that the parties remained committed to the peace process; he appealed to the two countries to sustain that course and extend the necessary cooperation to UNMEE and the Boundary Commission for the expeditious demarcation of the border. For its part, the United Nations would remain committed to playing its role through the demarcation phase, and the Secretary-General recommended that UNMEE’s mandate be extended for six months, until 15 March 2003.

The Boundary Commission reported that its staff had been working on the boundary map and the location and erection of the boundary markers. That had involved principally the emplacement of secondary datum markers and ground control points. The Chief Surveyor submitted to the parties several reports: a summary of the survey of the ground control points for satellite imagery; a summary of the specifications for primary and secondary data, offsite data processing and quality assurance; a summary of work to be undertaken before the placing of boundary markers could begin; and an amended field report of the primary datum observations. The demarcation directions issued on 8 July were binding on the parties and contained detailed rules governing the demarcation process.

SECURITY COUNCIL ACTION (September)

The Security Council,

Reaffirming all its previous resolutions and statements pertaining to the situation between Eritrea and Ethiopia, notably the requirements contained therein, including in particular its resolution 1430(2002) of 14 August 2002,

Reaffirming its unwavering support for the peace process and its commitment, including through the role played by the United Nations Mission in Ethiopia and Eritrea in the implementation of its mandate, to the full and expeditious implementation of the comprehensive Peace Agreement signed by the parties on 12 December 2000 and the preceding Agreement on Cessation of Hostilities of 18 June 2000 (hereinafter referred to collectively as “the Algiers Agreements”), the Delimitation Decision of the Boundary Commission of 13 April 2002, embraced by the parties as final and binding in accordance with the Algiers Agreements, including the Orders issued on 17 July 2002, and the ensuing binding Demarcation Directions.

Welcoming the recent confirmations by both parties to implement fully their commitments under article 2 of the comprehensive Peace Agreement, in accordance with the Geneva Conventions of 12 August 1949, and in so doing, welcoming the recent release and repatriation by Eritrea of 279 prisoners of war and strongly encouraging Ethiopia to follow through on its pledge relating to the release and repatriation of its prisoners of war and civilian internees, and calling upon both parties to continue to clarify the cases of any remaining prisoners of war and to resolve all other remaining issues in accordance with the Geneva Conventions, in cooperation with the International Committee of the Red Cross,

Expressing concern regarding reported incidents of cross-border harassment and abductions of civilians on both sides, referred to in the report of the Secretary-General of 30 August 2002, and calling upon both parties to ensure an immediate end to such incidents and to cooperate fully with investigations by the Mission in this regard,

Having considered the report of the Secretary-General,

1. Decides to extend the mandate of the United Nations Mission in Ethiopia and Eritrea until 15 March 2003 at the troop and military observer levels authorized by its resolution 1392(2000) of 15 September 2000;

2. Also decides to review frequently the progress made by the parties in the implementation of their commitments pursuant to the Algiers Agreements, including through the Boundary Commission, and to review any implications for the Mission, including with regard to the process of territorial transfers during the demarcation as outlined by the Secretary-General in his report of 10 July 2002;

3. Decides to remain actively seized of the matter.

Appointment. On 4 October [S/2002/1120], the Secretary-General notified the Security Council of his intention to appoint Major General Robert Gordon (United Kingdom) as the new Force Commander of UNMEE, with effect from 1 November. Major General Gordon would replace Major General Patrick C. Cammaert, whose two-year tour of duty would expire at the end of October. The Council took note of his intention on 8 October [S/2002/1121].

Communication. Eritrea, in a press statement forwarded to the Security Council on 31 October [S/2002/1218], claimed that Ethiopia had officially announced that it had established an axis with the Sudan and Yemen to carry out acts of aggression against Eritrea (see also p. 217), a violation of international law and the UN Charter and a development that would directly affect the entire Horn of Africa region. Each of those three countries, Eritrea said, had been individually pursuing bellicose policies of aggression and subversion against Eritrea for several years.

Boundary Commission. On 14 November [S/2002/1245], the Secretary-General transmitted to the Security Council the Boundary Commission’s determinations of 7 November. The Commission determined that its jurisdiction and powers extended to its taking cognizance of and, where necessary, making appropriate decisions on any matter it found necessary for the performance of its mandate. It was accordingly entitled to take cognizance of any population movement across the boundary as determined in the delimitation decision and to make such orders as it found necessary. With regard to the Commission’s order of 17 July, Ethiopia, having failed to remove from Eritrean territory Ethiopians who had moved into that territory after the delimitation decision, had not complied with its obligations. The Commission emphasized that any decision it made to inspect any location in the boundary area, and in particular Tserona or Zalambessa or their environs, had to be complied with.

Report of Secretary-General (December). On 20 December [S/2002/1393], the Secretary-General issued his last report of the year on Ethiopia and Eritrea, annexed to which was the seventh Boundary Commission report. During the four-month period of review, the situation in the TSZ remained generally calm, the armed forces of Ethiopia and Eritrea cooperated relatively well with UNMEE, and no significant military activities were observed on either side of the Zone. However, during September and October, a series of cross-border incidents occurred in Sector Centre, involving cattle-rustling, abductions and clashes over grazing land between residents in the border areas. The situation became especially tense on 4 October when Ethiopian militia and villagers threatened UNMEE peacekeepers. While the cross-border harassment and cattle-rustling were beyond the scope of the UNMEE mandate, the Secretary-General’s Special Representative encouraged both sides to find a solution to the problem of such incidents. UNMEE intensified its
patrols in the areas of concern and was in contact with local administrators so as to prevent future incidents.

As at 10 December, UNMEE military personnel totalled 4,140. With regard to freedom of movement of UNMEE personnel, there were no changes since the previous report (see p. 191) nor any progress in establishing a flight between the capitals of the two countries.

After a seven-month interlude, the Military Coordination Commission held its fourteenth meeting (Addis Ababa, 11 December), when it reviewed the military situation in the Mission area and discussed issues of coordination related to border incidents and modalities for demining for demarcation purposes.

In preparation for the demarcation process, the Boundary Commission held a meeting with the parties (London, 6-7 November), at which it issued a time frame for demarcation activities from 31 December 2002 to 31 August 2003. Actual demarcation was scheduled to commence in May 2003. The Commission also issued determinations regarding Ethiopian settlements across the delimitation line [S/2002/1245] (see above). The Special Representative initiated discussions with the parties on how the United Nations could facilitate resolution of problems due to the transfer of territorial control, as called for in the Algiers Peace Agreement of December 2000.

While the Boundary Commission was working on finalizing maps on which demarcation would be based, the UNMEE Mine Action Coordination Centre was planning for mine clearance in key border areas, including potential access routes to possible boundary pillar sites. UNMEE provided office space, communications and other logistical support for the Commission’s Field Offices in Addis Ababa, Adigrat and Asmara. As required by the demarcation directions, the parties designated their liaison representatives and field liaison officers. Meetings were held in Addis Ababa on 28 October and in Asmara on 31 October with representatives of each party to discuss the schedule of operations and other technical matters.

Landmines and unexploded ordnance remained a threat, killing two civilians and injuring six others in the TSZ during the reporting period. Eritrea established its own demining agency and assumed responsibility for humanitarian demining in the country on 31 August, leading to the departure of some international organizations involved in mine-action activities. As a result, humanitarian mine-action capacity in the Zone and adjacent areas was reduced. In view of the circumstances, the UN Mine Action Coordination Centre developed a revised work plan, focusing on UNMEE mine-action activities associated with the demarcation of the border. Good progress was made in clearing all routes in the Zone. On average, 20 kilometres were surveyed and 10 kilometres were cleared every day.

The humanitarian situation in Ethiopia and Eritrea was dire due to the effects of the drought. Both countries suffered massive crop failure and livestock losses. In Eritrea, the Government reported that 1.4 million people were directly affected by the drought, in addition to the thousands still recovering from the border conflict. Among those, internally displaced persons, refugees, expellees, vulnerable urban-dwellers, those affected by HIV/AIDS and soldiers awaiting demobilization were the more notable groups. The number of those considered vulnerable was estimated at 2.3 million. In Ethiopia, more than 6 million people were in need of food aid, and up to 14 million drought-affected persons could be in need of assistance, mainly food aid, in a worst-case scenario for 2003. The UN programme of quick-impact projects continued, with activities undertaken in the areas of water, sanitation, reconstruction, education and health. Rehabilitation needs in the TSZ and adjacent areas remained great, and additional funding was required in order for them to continue.

The repatriation of civilians by both Ethiopia and Eritrea continued under the auspices of ICRC. Eritrea repatriated 346 persons of Ethiopian origin during the reporting period, bringing the total in 2002 to 1,048. Ethiopia repatriated 328 persons of Eritrean origin during the year. In accordance with the Algiers Peace Agreement, Ethiopia had released the last Eritrean detainees who had been registered and visited by ICRC, among whom 1,130 POWs and 95 civilian internees returned to Eritrea on 29 November. Since the beginning of the war in 1998, 1,067 Ethiopian POWs, 3,055 Ethiopian civilian internees, 2,067 Eritrean POWs and 1,086 Eritrean civilian internees had been repatriated under ICRC auspices.

The Secretary-General reiterated his appeals to Eritrea to conclude a status-of-forces agreement with the United Nations and to the donor community to contribute to the Trust Fund for the Delimitation and Demarcation of the Border.

While the overall situation in the TSZ and adjacent areas had remained generally calm, the recent cross-border incidents had revealed a new dimension of the conflict between the two countries, namely, the local competition for scarce resources in the drought-affected border areas. The looming drought in the Horn of Africa, and particularly in Eritrea and Ethiopia, the Secretary-General remarked, was a source of
deep concern, and he appealed to Member States for support.

**UNMEE financing**

On 27 February, the Secretary-General reported on the financial performance of UNMEE for 31 July 2000 to 30 June 2001 [A/56/840]. The General Assembly had appropriated $189,190,200 gross ($186,608,500 net) for the operation of the Mission. Expenditures for the period totalled $164,106,000 gross ($162,204,000 net), resulting in an unencumbered balance of $25,084,200 gross ($24,404,500 net) that was mainly due to lower actual costs for military and civilian personnel owing to delayed deployment.

On 8 March, the Secretary-General issued a proposed budget for UNMEE for 1 July 2002 to 30 June 2003 [A/56/862], which amounted to $220,830,200 gross ($216,814,800 net). Of the total budget, 55 per cent related to military personnel, 29 per cent to operational costs, 13 per cent to civilian personnel, 2 per cent to other programmes and 2 per cent to staff assessment.

ACABQ reviewed both financial reports in a report of 5 April [A/56/887/Add.9]. In view of the likelihood that UNMEE might begin downsizing in 2003, ACABQ considered the decision to rent new premises to be without operational justification. It recommended that the Assembly approve an appropriation of $220,830,200 gross ($216,814,800 net) for 1 July 2002 to 30 June 2003.

**GENERAL ASSEMBLY ACTION**

On 27 June [meeting 105], the General Assembly, on the recommendation of the Fifth Committee [A/56/714/Add.1], adopted resolution 56/250 B without vote [agenda item 117].

**Financing of the United Nations Mission in Ethiopia and Eritrea**

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Mission in Ethiopia and Eritrea and the related reports of the Advisory Committee on Administrative and Budgetary Questions,

Bearing in mind Security Council resolution 1312 (2000) of 31 July 2000, by which the Council established the United Nations Mission in Ethiopia and Eritrea, and the subsequent resolutions by which the Council extended the mandate of the Mission, the latest of which was resolution 1398(2002) of 15 March 2002,

Recalling its resolution 55/237 of 23 December 2000 on the financing of the Mission and its subsequent resolutions thereon, the latest of which was resolution 56/250 A of 24 December 2001,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 48/101(S-IV) of 27 June 1993, 50/XXVIII of 11 December 1995 and 53/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Mission,

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. Takes note of the status of contributions to the United Nations Mission in Ethiopia and Eritrea as at 30 April 2002, including the contributions outstanding in the amount of 56.6 million United States dollars, representing some 14 per cent of the total assessed contributions, notes with concern that only seventeen Member States have paid their assessed contributions in full and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. Expresses its appreciation to those Member States which have paid their assessed contributions in full and on time, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full and on time;

3. Expresses concern at the financial situation with regard to peacekeeping activities, in particular regarding the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

4. Also expresses concern at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

5. Emphasizes that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

6. Also emphasizes that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

7. Reiterates its request to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

8. Endorses the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the Secretary-General to ensure their full implementation;

9. Requests the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

10. Also requests the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

**Financial performance report for the period 1 July 2000 to 30 June 2001**

11. Takes note of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2000 to 30 June 2001;
12. Approves, on an exceptional basis, the special arrangements for the Mission with regard to the application of article IV of the Financial Regulations of the United Nations, whereby appropriations required in respect of obligations owed to Governments providing contingents and/or logistic support to the Mission shall be retained beyond the period stipulated under financial regulations 4.3 and 4.4, as set out in the annex to the present resolution;

Budget estimates for the period 1 July 2002 to 30 June 2003

13. Decides to appropriate to the Special Account for the United Nations Mission in Ethiopia and Eritrea the amount of 290,845,500 dollars for the period from 1 July 2002 to 30 June 2003, inclusive of 220,000,000 dollars for the maintenance of the Mission, 8,943,600 dollars for the support account for peacekeeping operations and 1,071,500 dollars for the United Nations Logistics Base;

Financing of the appropriation

14. Decides also to apportion among Member States the amount of 290,845,500 dollars at a monthly rate of 19,237,108 dollars in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolution 55/236 of 23 December 2000, and taking into account the scale of assessments for the years 2002 and 2003 as set out in its resolution 55/5 B of the same date, subject to the decision of the Security Council to extend the mandate of the Mission;

15. Decides further that, in accordance with the provisions of its resolution 973(IX) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 14 above, their respective share in the Tax Equalization Fund of 5,328,800 dollars for the period from 1 July 2002 to 30 June 2003, at a monthly rate of 444,067 dollars, comprising the estimated staff assessment income of 4,015,400 dollars approved for the Mission for the period from 1 July 2002 to 30 June 2003, the prorated share of 1,217,900 dollars of the estimated staff assessment income approved for the United Nations Logistics Base for the period from 1 July 2002 to 30 June 2003, the prorated share of 95,500 dollars of the estimated staff assessment income of that account for the period from 1 July 2002 to 30 June 2003 and the reduction in staff assessment income approved for the United Nations Mission in Ethiopia and Eritrea for the period from 1 July 2002 to 30 June 2003 as set out in its resolution 55/5 B.

16. Decides that for Member States that have fulfilled their financial obligations to the Mission, there shall be set off against their apportionment, as provided for in paragraph 14 above, their respective share of the unencumbered balance of 25,084,290 dollars and other income of 858,000 dollars in respect of the financial period ended 30 June 2001, in accordance with levels set out in resolution 55/235, as adjusted by the General Assembly in its resolution 55/236, and taking into account the scale of assessments for 2001, as set out in its resolution 55/5 B;

17. Decides also that for Member States that have not fulfilled their financial obligations to the Mission, their respective share of the unencumbered balance of 25,084,290 dollars and other income of 858,000 dollars in respect of the financial period ended 30 June 2001 shall be surrendered.

18. Decides further that the decrease in the staff assessment income of 675,700 dollars shall be set off against the credits from the unencumbered balance in respect of the financial period ended 30 June 2001 referred to in paragraphs 16 and 17 above;

19. Emphasizes that no peacekeeping operation shall be financed by borrowing funds from other active peacekeeping operations;

20. Encourages the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in peacekeeping operations;

21. Invites voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

22. Decides to include in the provisional agenda of its fifty-seventh session the item entitled “Financing of the United Nations Mission in Ethiopia and Eritrea”.

ANNEX

Special arrangements with regard to the application of article IV of the Financial Regulations of the United Nations

1. At the end of the twelve-month period provided for in financial regulation 4.3, any unliquidated obligations of the financial period in question relating to goods supplied and services rendered by Governments for which claims have been received or which are covered by established reimbursement rates shall be transferred to accounts payable; such accounts shall remain recorded in the Special Account for the United Nations Mission in Ethiopia and Eritrea until payment is effected.

2. In addition:

(a) Any other unliquidated obligations of the financial period in question owed to Governments for provision of goods and services rendered but not yet verified as well as other obligations owed to Governments for which claims have not yet been received shall remain valid for an additional period of four years following the end of the twelve-month period provided for in financial regulation 4.3;

(b) Claims received during this four-year period as well as approved verification reports shall be treated as provided for under paragraph 1 of the present annex, if appropriate;

(c) At the end of the additional four-year period, any unliquidated obligations shall be cancelled and the remaining balance of any appropriations retained therefor shall be surrendered.

On 18 December [A/57/673], the Secretary-General submitted to the Assembly the budget for UNMEE for 1 July 2003 to 30 June 2004, which amounted to $198,553,200 gross. The budget provided for the deployment of 3,980 troops, 220 military observers, 256 international staff, 282 national staff and 88 United Nations Volunteers.
The Assembly, on 20 December, decided that the agenda item on UNMEE financing would remain for consideration during its resumed fifty-seventh (2003) session (decision 57/485) and that the Fifth Committee should continue to consider the item at that session (decision 57/556).

**Somalia**

Somalia’s Transitional National Government (TNG), established in 2000 following the Arta (Djibouti) peace conference [YUN 2000, p. 205], attempted in 2002 to bring together the Somali factions that had not become a part of the national reconciliation process and to halt the internal conflict. Two main factions—Puntland and Somaliland—remained outside the Arta process at the beginning of 2002, but Puntland joined during the year, leaving Somaliland as the major group outside the process. Somalia continued to suffer from factional and intra-clan fighting. Intense fighting occurred between militias loyal to TNG and the Somali Reconciliation and Restoration Council.

The Intergovernmental Authority on Development (IGAD) organized regional mediation efforts, while UN efforts to assist national reconciliation were led by the Secretary-General’s Representative and his Special Adviser. At the Security Council’s request, an inter-agency mission visited Somalia in January; it reported that Somalia remained one of the most dangerous environments in which the United Nations operated, and under those circumstances a comprehensive peace-building programme could not be launched. Although there was little change in the situation, the Council, in March, requested the Secretary-General to undertake preparatory activities on the ground for a peace-building mission in such areas as disarmament, demobilization, rehabilitation of militia members, combating trafficking of small arms, training police, dialogue on humanitarian and development issues, and HIV/AIDS education and prevention.

The United Nations Political Office for Somalia (UNPOS) continued to operate from Nairobi. After months of delay, the Somali national reconciliation process took a significant step forward in October at the Eldoret, Kenya, conference, held under IGAD auspices, which some 350 Somali leaders, political figures and civil society representatives attended. The conference culminated in the signing, on 27 October, of the Declaration on Cessation of Hostilities and the Structures and Principles of the Somalia National Reconciliation Process, by which the participants pledged to set up federal governance structures, cease hostilities and guarantee the security of all humanitarian and development personnel and installations. Although the IGAD initiative made commendable progress, Somalis undertook no significant reconciliation efforts at the local and regional levels and the internal political situation was marked by an increase in factional and intra-clan fighting.

In another positive development, Somali leaders in Mogadishu committed themselves, in early December, to ceasing hostilities and bringing an end to killings and abductions of innocent people, and to solving differences through dialogue and good will. Afterwards, however, serious hostilities occurred, involving the militias and supporters of some who had signed the Eldoret Declaration.

The Security Council Committee established in 1992 to monitor an arms embargo on Somalia became more active in 2002 as the Council expressed concern about the flow of weapons and ammunition to the warring factions and decided to set up a Panel of Experts to investigate the matter.

The humanitarian situation in Somalia, one of the poorest countries in the world, remained a serious concern due to the lack of access to humanitarian assistance of those most in need, the internal conflict, destitution and drought. In December, the General Assembly, in resolution 57/154, urged the international community to provide assistance for humanitarian relief and the rehabilitation of Somalia (see p. 896).

**Political and security situation**

**Report of Secretary-General (February).** The Secretary-General, in response to Security Council presidential statement S/PRST/2001/30 [YUN 2001, p. 210], submitted a 21 February report on the situation in Somalia covering the five-month period since his previous report [ibid., p. 209]. He provided an account of political developments, the humanitarian situation, activities of UN agencies, regional national reconciliation efforts and the results of consultations held by his Special Adviser, Mohamed Sahnoun (Algeria).

Mr. Sahnoun represented the Secretary-General at the IGAD Summit (Khartoum, Sudan, 10-11 January) and ascertained the views of member countries as to how the international community could support their efforts to foster national reconciliation in Somalia. That meeting called for Djibouti, Ethiopia and Kenya to coordinate efforts under the IGAD Chairman on holding a Somalia reconciliation conference in Nairobi, with President Daniel Arap Moi of Kenya as coordinator.

Mr. Sahnoun reported to the Secretary-General that the situation in Somalia had
changed considerably and that Somalis were tired of conflict and division. The IGAD countries realized that the existence of a failed State could inflame regional instability, possibly including terrorist activity in Somalia. The Ministers for Foreign Affairs of IGAD member States (Nairobi, 14 February) established a technical committee, composed of the front-line States (Djibouti, Ethiopia, Kenya) and the IGAD secretariat, to work out the modalities for the proposed national reconciliation conference for Somalia, to be convened by Kenya in late April. The conference would include TNG and all other Somali parties without conditionality. The Special Adviser also reported that there was support in principle by all concerned for re-establishing the Committee of Friends on Somalia, both in Nairobi and at UN Headquarters, to focus on drawing attention to Somalia’s needs in the area of national reconciliation and to help mobilize funds for rehabilitation and development. The United Nations, through UNPOS and its agencies, stood ready to support the IGAD initiative.

In response to a Security Council request, the United Nations sent an inter-agency mission to Somalia from 15 to 23 January to assess security conditions. It found that Somalia remained one of the most dangerous environments in which the United Nations operated. Conditions varied radically from place to place and were difficult to predict. The mission noted that, while TNG had expanded its influence, various de facto authorities continued to control most parts of the country, as well as sections of Mogadishu. The most obvious example was “Somaliland”, which had maintained a high degree of autonomy for six years. In places under TNG control, civilians were able to resume economic, social and, in some instances, political activities. However, the country remained highly militarized, and groups competed for the limited political, economic and social entitlements available, often resulting in violent clashes. The mission noted a trend towards improved security conditions in some regions, including “Somaliland”. The authorities in control of most of the areas surveyed provided verbal assurances for the protection of UN staff and assets. In Mogadishu, however, authorities provided inconclusive guarantees for staff security. The lack of a single authority through which the United Nations could engage within Mogadishu and the continued closure of the air and sea ports did not bode well for an increased UN presence there. Those issues needed to be addressed prior to considering further engagement by the United Nations.

The mission noted with concern the reported training of militia and plans for major offensives, and it believed that a high degree of caution should be exercised to ensure staff safety. It supported the continuation of the UN Security Management System in Somalia, which it found appropriate to the current level of threat and UN engagement. Under that regime, the UN practiced incremental engagement with Somali communities that were moving towards peace through evaluation of security conditions.

The humanitarian situation in Somalia remained grave. UN agencies had expanded their operations to deliver food to vulnerable populations, and had increased safe water supplies. However, destitution and displacement had prevented sustainable recovery. Numerous UN agencies carried out operational activities for assistance (see also p. 895). The Secretary-General called on the international community to increase its programmes of assistance to Somalia, wherever the security situation allowed, and on Somali leaders to assure the safety of UN and humanitarian workers.

Appointment. On 12 February [S/2002/176], the Secretary-General informed the Security Council of his intention to appoint Winston A. Tubman (Liberia) as his Representative in Somalia and Head of UNPOS, to succeed David Stephen (United Kingdom). The Council, on 19 February [S/2002/177], took note of his intention.

SECURITY COUNCIL ACTION (March)

On 28 March [meeting 4502], following consultations among Security Council members, the President made statement S/PRST/2002/8 on behalf of the Council:

The Security Council recalls the statements by its President of 11 January (S/PRST/2001/1) and 31 October 2001 (S/PRST/2001/30), and all other decisions concerning the situation in Somalia. The Council, having considered the report of the Secretary-General of 21 February 2002 and having held a public meeting on 11 March 2002, reaffirms its commitment to a comprehensive and lasting settlement of the situation in Somalia, reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of the country, consistent with the principles of the Charter of the United Nations.

The Council reiterates its support for the Arta peace process, which continues to be the most viable basis for peace and national reconciliation in Somalia. The Council urges the Transitional National Government, local authorities and political and traditional leaders in Somalia to make every effort to complete, without preconditions, the peace and reconciliation process through dialogue and involvement of all parties, in a spirit of mutual accommodation and tolerance, with the view to establishing an all-inclusive government in Somalia based on the sharing and devolution of power through the democratic process.
The Council strongly supports the decisions of the ninth Summit of the Intergovernmental Authority on Development, and by the Foreign Ministers Committee of the Intergovernmental Authority on Development on 14 February 2002 to convene a national reconciliation conference for Somalia in Nairobi in April 2002, including the Transitional National Government and all other Somali parties, without conditions. The Council strongly supports the call upon Kenya, Ethiopia and Djibouti (the front-line States) by the ninth Summit to coordinate their efforts for national reconciliation in Somalia under the supervision of the Chairman of the Intergovernmental Authority, and to hold the reconciliation conference under the auspices of President Daniel Arap Moi of Kenya, as the coordinator of the front-line States, to continue the peace process in Somalia and report to the Chairman of the Intergovernmental Authority. The Council will follow the further developments closely and emphasizes the constructive and coordinated involvement by all front-line States is crucial for the restoration of peace and stability in Somalia. The Council calls upon all States in the region, including States that are not members of the Intergovernmental Authority, to contribute constructively to the peace efforts for Somalia, including by using their influence to bring on board Somali groups that have thus far not joined the peace process. The Council encourages the Secretary-General, through his Special Adviser and the United Nations Political Office for Somalia, to support actively the initiative of the Intergovernmental Authority in the important period ahead.

The Council, underlining the fact that the future of Somalia depends, first of all, on the commitment of Somali leaders to end the suffering of their people by negotiating a peaceful end to the conflict, strongly urges all parties to participate at the decision-making level in the Reconciliation Conference. The Council expresses its intention to consider the situation in Somalia taking into account the outcome of the Reconciliation Conference upon its conclusion, including with regard to participation in a constructive manner by the respective parties or any lack thereof.

The Council, deeply concerned about the recent fighting in Mogadishu and in the Gedeo region, calls for an immediate end to all acts of violence in Somalia. The Council condemns the leaders of those armed factions that continue to be obstacles to peace and stability in Somalia. The Council emphasizes that the efforts for peace in the country should not be held hostage to deliberate acts of violence or other acts aimed at preventing the country from returning to normalcy and the setting up and rehabilitation of its governing structures.

The Council notes with serious concern the continued flow of weapons and ammunition supplies to Somalia from other countries, the reported training of militia and plans for major offensives in southern and north-eastern parts of the country. The Council is also concerned about the illicit trafficking and trade in small arms in the entire subregion. The Council insists that no State, in particular those of the region, should interfere in the internal affairs of Somalia. Such interference only further destabilizes Somalia, contributes to a climate of fear, impacts adversely on individual human rights and could jeopardize the sovereignty, territorial integrity, political independence and unity of the country. The Council insists that the territory of Somalia should not be used to undermine stability in the subregion.

The Council emphasizes that the situation in Somalia and the objective of long-term regional stability can most effectively be addressed if all States in the region play a positive role, including in the process of rebuilding national institutions in Somalia.

The Council calls upon all States and other actors to comply scrupulously with the arms embargo established pursuant to resolution 751(1992) of 23 January 1992 and to report all information on any violations to the Security Council Committee established pursuant to resolution 751(1992) of 24 April 1992. The Council expresses its determination to put in place concrete arrangements and/or mechanisms, by 30 April 2002, for the generation of independent information on violations and for improving the enforcement of the embargo.

The Council emphasizes the necessity for further efforts against international terrorism in accordance with resolution 1373(2001) of 28 September 2001. The Council notes the commitment of the Transitional National Government to combat international terrorism and welcomes the report submitted in this regard. The Council further notes the stated intentions of local authorities in various parts of the country to take steps pursuant to resolution 1373 (2001). The Council, insisting that persons and entities must not be allowed to take advantage of the situation in Somalia to finance, plan, facilitate, support or commit terrorist acts from the country, emphasizes that efforts to combat terrorism in Somalia are inseparable from the establishment of peace and governance in the country. In this spirit, the Council urges the international community to provide assistance to Somalia for the further and comprehensive implementation of resolution 1373(2001).

The Council notes that the downturn in remittances and freezing of accounts of individuals following the closing of the offices of the Al-Barakaat Group reduced household incomes in Somalia. The Council underlines, as a matter of urgency, the necessity to develop mechanisms that facilitate legitimate financial transfer to and from Somalia while preventing further financial flows to terrorists and terrorist groups, taking fully into account the different concerns involved. The Council is encouraged by the initiative by the United Nations Development Programme to establish a monitoring and regulatory framework for money transfer companies to facilitate their operations locally and internationally.

The Council expresses concern about the humanitarian situation in Somalia, particularly in the Gedeo and Bari regions. The Council draws attention to the urgent need for international assistance, inter alia, in covering food and water shortfalls, thereby also combating potentially further destabilizing migration and the outbreak of disease. It further underlines that longer-term intervention is required to stimulate economic recovery, rebuild household asset bases and promote sustained productivity. The Council calls upon Member States to respond ur-
The Council, noting that problems in livestock exports have severely affected the humanitarian and economic situation in Somalia, welcomes the lifting of the ban on exports from Somalia by some States, and calls upon States that maintain the ban to take active steps towards the resumption of livestock imports from Somalia. The Council appreciates the efforts by the United Nations Development Programme and the Food and Agriculture Organization of the United Nations to promote the lifting of the ban imposed by a number of States.

The Council notes the recent security assessment of the inter-agency mission to Somalia. The Council further notes that the security situation will follow the United Nations practice of incremental engagement with Somali communities that are moving towards peace, through constant evaluation of security conditions. The Council requests the Secretary-General to keep the security situation under review, including through regular inter-agency headquarters assessment missions.

The Council notes with satisfaction that, in spite of the difficult security conditions, the United Nations, the Red Cross and Red Crescent Movements and non-governmental organizations continue to provide humanitarian and development assistance to all areas of Somalia. The Council condemns attacks on humanitarian personnel and calls upon all parties in Somalia to respect fully the security and safety of personnel of the United Nations, the International Committee of the Red Cross and non-governmental organizations, and to guarantee their complete freedom of movement and access throughout Somalia.

The Council values the desire of the Transitional National Government and various local authorities in Somalia to cooperate with the United Nations in creating an enabling environment for humanitarian and development assistance, and commends the peace-building activities currently implemented by United Nations agencies in the country. The Council notes that safe access for staff and assets of the United Nations, the Red Cross and Red Crescent Movements and non-governmental organizations already exists in a number of areas. It further notes the trend towards improved security conditions in a number of areas in the north, middle and south of Somalia, in accordance with the report of the Secretary-General.

The Council values the recommendation by the Secretary-General that the international community must increase its programmes of assistance to Somalia in creative and innovative ways, wherever the security situation allows, including by making greater efforts to ensure that the peace dividend aspect of targeted assistance is fully exploited. The Council reiterates that a comprehensive post-conflict peace-building mission should be deployed once security conditions permit.

The Council requests the Secretary-General, as a matter of urgency and under the current circumstances, to utilize to the fullest his Representative, in close cooperation with the United Nations Resident Coordinator for Somalia, to coordinate ongoing peace-building activities and provide for their incremental expansion, including strengthening the staff in a coherent manner and in accordance with the security arrangements. Preparatory activities on the ground for a comprehensive peace-building mission should take the following elements into account, while also considering other proposals for post-conflict peace-building activities:

(a) Community-based peace-building;
(b) Disarmament, demobilization, rehabilitation and reintegration of militia, including in particular child soldiers;
(c) Assessing and combating illicit trade and trafficking of small arms;
(d) Training of police with a view to establishing uniform standards of law enforcement throughout Somalia;
(e) Quick-impact projects aimed at improving security;
(f) Intensifying women’s participation at all levels in peace-building;
(g) Intensifying dialogue on humanitarian and development issues, including resolution of land claims at the local level;
(h) AIDS education and prevention.

The Council requests the Secretary-General to establish, without further delay, a trust fund for peace-building in Somalia to support the preparatory activities on the ground for a comprehensive peace-building mission and supplement the United Nations Consolidated Inter-Agency Appeal, as envisaged in his report of 19 December 2000 and as indicated through the statements by its President of 11 January (S/PRST/2001/1) and 31 October 2001 (S/PRST/2001/30), and invites donors to come forward and make contributions at an early stage.

The Council, underlining its strong resolve to support in a practical manner the United Nations system in its incremental approach to peace-building in Somalia in line with the present statement, endorses a working mission to the region, at the appropriate level, consisting of interested members of the Council and Secretariat staff. It would welcome the facilitation and inputs by the United Nations Political Office for Somalia and the United Nations country team for Somalia in this regard. The Council expresses its determination to address, based on the report to be submitted by the mission and the upcoming report by the Secretary-General, how it may further support in a practical and concrete manner the peace efforts in Somalia on a comprehensive basis.

The Council endorses the establishment of the Somalia Contact Group, to operate in Nairobi and New York. The Council invites the Nairobi branch of the Contact Group, inter alia, to promote the completion of the Arta peace process, including through the Intergovernmental Authority on Development initiative referred to above; to support the implementation of the pilot peace-building programme, as stipulated above; and to elaborate practical ways and means of facilitating exchange of information through engaging various actors in the region, including the community of non-governmental organizations. The Council further underlines that the primary purpose of the New York branch of the Con-
tact Group should be to support the work of the Secretary-General and Head of the United Nations Political Office for Somalia and his assumption of duties in Nairobi in April 2002. The Council expresses its gratitude to the departing Representative, Mr. David Stephen, for his tireless efforts over four years in support of national reconciliation in Somalia.

The Council requests the Secretary-General to address fully the requirements of the present statement in his report due on 30 June 2002.

The Council remains seized of the matter.

Communications (May). Somalia, in a 16 May letter to the Security Council [S/2002/530], claimed that Ethiopia was interfering in its national affairs and that Ethiopian military forces, on 15 May, had invaded the southern Somali towns of Bulo Hawo and Garbaharey in the Gedo region, killing many people. The Ethiopians, having shelled those towns, reportedly forced hundreds to flee to Kenya. TNG of Somalia called on the Security Council, among others, to condemn the aggression and to call on Ethiopia to stop its cross-border terrorism.

Ethiopia, in a 21 May response [S/2002/562], rejected the claims of an Ethiopian invasion and said that TNG was attempting to use Ethiopia as a scapegoat because it was unwilling to face the impending Somalia peace process by IGAD in Nairobi. What happened in Gedo was a fight between a group armed by TNG and supporters of the Somali Reconstruction and Reconciliation Council, among others, to condemn the aggression and to call on Ethiopia to stop its cross-border terrorism.

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The IGAD Technical Committee on Somalia, comprising the front-line States of Djibouti, Ethiopia and Kenya and the IGAD secretariat, met in Nairobi from 3 to 5 April to discuss the terms of reference for a conference. It sent a subcommittee to Somalia from 17 to 20 April, which Djibouti declined to join, stating later that its decision was because of Ethiopia’s military presence in Somalia. Two opposing views emerged over participation in the IGAD conference. While TNG and Djibouti insisted that the outcome of the Arta Conference be built upon, that TNG be accepted as the Government and that the other Somali parties participate in the conference as the opposition, the Somali Restoration and Reconciliation Council and Ethiopia were of the view that all the Somali parties should participate on the basis of equality.

The Secretary-General’s Special Adviser, Mohamed Sahnoun, and his Representative for Somalia, Winston Tubman, participated in the IGAD Partner Forum (Rome, 11 April), which supported IGAD’s efforts to prepare the conference. They urged all Somali parties to participate.

The report also covered internal political situation, security developments, the humanitarian situation, UN activities, the arms embargo and operational activities by UN agencies in support of peace.

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The IGAD Technical Committee on Somalia, comprising the front-line States of Djibouti, Ethiopia and Kenya and the IGAD secretariat, met in Nairobi from 3 to 5 April to discuss the terms of reference for a conference. It sent a subcommittee to Somalia from 17 to 20 April, which Djibouti declined to join, stating later that its decision was because of Ethiopia’s military presence in Somalia. Two opposing views emerged over participation in the IGAD conference. While TNG and Djibouti insisted that the outcome of the Arta Conference be built upon, that TNG be accepted as the Government and that the other Somali parties participate in the conference as the opposition, the Somali Restoration and Reconciliation Council and Ethiopia were of the view that all the Somali parties should participate on the basis of equality.

The Secretary-General’s Special Adviser, Mohamed Sahnoun, and his Representative for Somalia, Winston Tubman, participated in the IGAD Partner Forum (Rome, 11 April), which supported IGAD’s efforts to prepare the conference. They urged all Somali parties to participate.
in the conference constructively and without pre-
conditions.

During the four-month review period, TNG ex-
pressed concern over Ethiopia’s alleged inter-
vention in Somalia on several occasions. Ethiopia,
it said, was supplying arms and ammunition to
Somali groups opposing TNG. TNG also called
for Ethiopia’s exclusion from the IGAD Technical
Committee charged with preparing the confer-
ence. Ethiopia rejected those accusations.

The Secretary-General’s Representative and
Head of UNPOS, appointed in April, consulted
Somali parties, the UN country team for Somalia
and the international community in Nairobi, and
held talks with regional leaders and others.
Prime Minister Meles Zenawi of Ethiopia in-
formed the Representative that his country had
withdrawn its support from the Arta process be-
cause of TNG’s links with Al-Itihaad, a terrorist
group. He added that Ethiopia was involved dip-
loantically and politically in Somalia and would
continue to be involved, not least to protect its
national security interests. The OAU Secretary-
General pledged closer monitoring of and assist-
ance for the peace process in Somalia.

Despite the efforts of Kenya in coordinating
the IGAD initiative to convene the national recon-
ciliation conference for Somalia, the conference
was not held in April as anticipated. The Secretary-General described the IGAD peace pro-
cess as at an impasse because of differences on
how to proceed on national reconciliation.

The environment of apparent suspicion, both among
regional countries and inside Somalia, needed to
be defused urgently if a productive conference
was to be held. Consensus among the IGAD front-
line States was essential for the IGAD effort to
succeed. The Secretary-General hoped that the
establishment of the Somalia Contact Group
in Nairobi and in New York, as endorsed by the
Security Council in presidential statement
S/PRST/2002/8, which would be convened in the
coming weeks, would prove to be a useful fo-
rum for the exchange of information and coordi-
nation of peacemaking efforts among external
actors. In his view, those efforts should focus on
helping the IGAD member States to reach a com-
mon approach to national reconciliation in So-
malia. His Representative and his Adviser could
focus on strengthening collaboration among the
IGAD front-line States and other neighbouring
countries.

Somalia had witnessed an escalation of vio-
ence in recent months, particularly in Mo-
gadishu and Gedo. The Secretary-General urged
Somali leaders to refrain from military action
and violence and to participate constructively in
the peace process. The IGAD peace initiative pre-
sented an important opportunity and it was the
duty of leaders to lead, not to pursue narrow par-
tisan advantage.

The humanitarian situation remained precari-
ous. The best intentions and plans of UN agen-
cies and their partners were hostage to those
who held power in different parts of Somalia; nevertheless, they were putting in place some
unique programmes of capacity-building in vari-
ous parts of the country. The Secretary-General
appealed to Member States to contribute to hu-
manitarian and recovery efforts in Somalia.

**Report of Secretary-General (October).** On
25 October [S/2002/1201], the Secretary-General
submitted a report on the situation in Somalia,
covering developments since his June report.
During that period, although the IGAD peace ini-
tiative made commendable progress, Somalis
made no significant reconciliation efforts at the
local and regional levels. Instead, the internal
political situation was marked by the reiteration
of positions and an increase in factional and
inter- and intra-clan fighting.

At a press conference in Mogadishu on 29
June, the Prime Minister of TNG, Hassan Abshir
Farah, said that the Government wanted the
Security Council to send troops to Somalia to as-
sist with disarmament and help establish a stable
government. He also requested that the League
of Arab States (LAS), the United States and the EU
be included in mediation efforts. Some Somali
leaders, however, particularly those allied to the
Somali Restoration and Reconciliation Council,
opposed the request and stated that the Gov-
ernment did not represent the people of Somalia.

With regard to the Eldoret Conference (see be-
low), TNG was of the view that the participants
should include representatives from those fac-
tions that did not attend the Arta Conference, as
well as representatives of Somaliland, Puntland,
the Bay and Bakool regions, the signatories of the
peace agreement reached at Nakuru, Kenya, in
December 2001 [YUN 2001, p. 212], and a limited
number of traditional elders, women, youth and
Somalis in the diaspora. TNG also said that the
United Nations, the EU, the AU, LAS, the Organi-
zation of the Islamic Conference and the five per-
manent members of the Security Council should
participate in and be co-signatories to any agree-
ment reached at Eldoret, and the international
community should be responsible for enforcing
the agreements and providing financial and ma-
terial assistance for disarmament and rehabilita-
tion in Somalia.

The report described the security situation, in
particular where fighting had occurred between
clans and sub-clans (north Mogadishu, Gedo,
Baidoa, Puntland). The security situation in
Mogadishu continued to deteriorate and several UN national staff were kidnapped. Increasing instability throughout the country continued to impede humanitarian access.

The Secretary-General’s Representative for Somalia continued his contacts with Somali leaders both in Nairobi and in Somalia. Three meetings of the Somalia Contact Group were held during the reporting period (New York, 5 July; Nairobi, 25 July and 5 October). Numerous operational activities in support of peace were carried out by UN agencies, despite areas of instability in north-eastern, central and southern Somalia, which caused considerable disruption to programmes. In September, the UN country team finalized a common strategic framework for humanitarian and development activities. In addition to coordination of development activities, organizations of the UN system focused on the participation of women in peace-building, demobilization of military forces, civil protection through the rule of law, the return of refugees, raising awareness of HIV/AIDS and respect for human rights.

The Secretary-General commended IGAD for the regional approach towards national reconciliation in Somalia. The international community welcomed the opening of the Conference at Eldoret on 15 October (see below).

Somalia had experienced an escalation of violence in recent months, resulting in the loss of human lives, further deterioration of the humanitarian situation and a worsening of the fragile economy. Concerted international action was needed to put an end to the impunity with which armed groups harassed humanitarian and development agencies in their work and caused suffering to communities in need. More than 400,000 Somalis were living in exile; with the help of UNHCR and local authorities, a good number were gradually returning to Somalia, and assistance was needed for their reintegration, as well as for humanitarian and recovery work. The United Nations would do all it could to help the Somali people, including through the deployment of a post-conflict peace-building mission as soon as security conditions permitted.

IGAD peace initiative

After months of delay, IGAD was able to bring the parties together for the Somali National Reconciliation Conference. President Daniel Arap Moi inaugurated the IGAD-sponsored Conference at Eldoret, Kenya, on 15 October. The Somali delegations attending included TNG, Puntland and the Somali Restoration and Reconciliation Council, as well as its allied faction—the Somali National Front. The Conference culminated in the signing of the Eldoret Declaration on 27 October (see below).

The IGAD Ministerial Committee on Somalia, prior to the opening of the Conference, agreed on a three-phased approach to the national reconciliation process [S/2002/1301]. The first phase would involve some 300 participants in the Eldoret Conference, who would agree to be bound by the agreements reached, and 75 selected individuals to serve on committees on reconciliation issues. Participants were expected to sign a ceasefire agreement and guarantee access for humanitarian assistance. The second phase would entail committee work on drafting a constitution and agreements on the Somali economy. The third phase would lead to agreement on the committees’ recommendations and the inauguration of an all-inclusive government.

The Security Council President, in a 24 September press statement [SC/7523-488], stated that the members reaffirmed their support for the IGAD-sponsored reconciliation process. In another statement of 14 October [SC/7525-AFR/496], the President welcomed the launching of the process and encouraged the Somali and regional parties to participate constructively. Members recognized the crucial role played by the IGAD Technical Committee in laying the foundations for the process. On 3 September [S/2002/1077], LAS welcomed the forthcoming conference, as did the EU on 4 October [S/2002/1127].

Eldoret Declaration

On 27 October, representatives of 22 parties or groups at the Conference signed the Declaration on Cessation of Hostilities and the Structures and Principles of the Somalia National Reconciliation Process (the Eldoret Declaration), which was forwarded to the Security Council by Kenya on 11 December [S/2002/1359]. Under its terms, the parties agreed to create federal governance structures for Somalia, embodied in a charter or constitution and acceptable to all the parties; to endorse decentralization of Somalia’s governance structures; and to ensure the rights, representation and protection of all Somali individuals and groups. In addition to a ceasefire agreement, they agreed to implement the UN arms embargo on Somalia and allow its monitoring. They also agreed to guarantee the security of humanitarian and development assistance personnel. For the future of the peace process, they would undertake political negotiations and technical discussions during each phase of the national reconciliation process. They would combat all forms of terrorism and prevent the use of Somali territory as a base for any terrorist activities. IGAD, the AU and the international community were invited to
support and monitor the implementation of the Declaration.

SECURITY COUNCIL ACTION (December)

On 12 December 2002, following consultations among Security Council members, the President made statement S/PRST/2002/35 on behalf of the Council:


The Council firmly supports the unified approach of the Intergovernmental Authority on Development to national reconciliation in Somalia, and reiterates its strong support for the Somalia National Reconciliation Process and the ongoing Somalia National Reconciliation Conference in Eldoret, Kenya, as sponsored by the Intergovernmental Authority. The Council urges all parties throughout Somalia to participate in the process in accordance with the framework established by the Intergovernmental Authority, and expects the decisions adopted throughout the process to be abided by and implemented expeditiously, including the Declaration on Cessation of Hostilities and the Structures and Principles of the Somalia National Reconciliation Process, signed by all delegates in Eldoret on 27 October 2002 (hereinafter referred to as “the Eldoret Declaration”).

The Council welcomes the Eldoret Declaration as an important step towards the overriding objective of ending the violence and the suffering of the Somali people and bringing them the peace they so dearly deserve. The Council calls upon all parties to cease all acts of violence and to respect the cessation of hostilities.

The Council also welcomes the Joint Declaration issued by the involved parties in Mogadishu on 2 December 2002 (hereinafter referred to as “the Mogadishu Declaration”), including their stated commitment to cease all hostilities and jointly bring to an end all killings and abductions of innocent people and hijacking of public transportation in the city, as well as to solve all differences through dialogue and goodwill. The Council notes the further agreement reached on 4 December 2002 by involved parties to cooperate through peaceful means in order, inter alia, to reopen the international airport and seaport in Mogadishu and to restore public services in the city.

The Council notes with satisfaction the commencement of the second phase of the Somalia National Reconciliation Process in Eldoret on 2 December 2002 and welcomes this as a significant step forward. The Council will continue to follow this process with keen interest and strongly encourages all parties to continue to participate constructively, in accordance with the framework established by the Technical Committee of the Intergovernmental Authority, in a spirit of tolerance and mutual accommodation during each phase of the process.

The Council commends the Government of Kenya for its special commitment as host and the Technical Committee of the Intergovernmental Authority comprising the three front-line States, Djibouti, Ethiopia and Kenya, for its crucial role in facilitating the process. The Council strongly encourages their continued active and positive role in promoting the process.

The Council encourages Member States in a position to do so urgently to provide further contributions in support of the process through the Technical Committee of the Intergovernmental Authority.

The Council, condemning recent attacks on humanitarian personnel and civilians in Somalia, welcomes the agreement by all delegates in Eldoret to guarantee the security of all humanitarian and development personnel and installations, and urges them to take practical steps to grant safe and unfettered access to humanitarian personnel in their efforts to deliver assistance throughout Somalia.

The Council expresses serious concern regarding the situation of displaced persons in Somalia and urges relevant authorities and Member States to provide support for the return and reintegration of Somali refugees and the provision of urgent humanitarian assistance to, and protection for, those who have been internally displaced. It notes with particular concern the situation of 150,000 internally displaced persons in areas of Mogadishu that remain inaccessible to humanitarian workers. The Council calls upon the armed factions to provide immediate safe access to these and other vulnerable populations throughout the country, consistent with the Eldoret Declaration and the Mogadishu Declaration.

The Council calls again upon all Member States, entities and individuals to respect fully the arms embargo established by resolution 733(1992), as strengthened by resolution 1425(2002), and urges all Somali and regional parties as well as government officials and other actors contacted outside the region to cooperate fully with the Panel of Experts in its quest for information related to the embargo, in accordance with resolution 1425(2002) and article 2, paragraph 5, of the Eldoret Declaration. The Council appreciates the oral briefing by the Panel on 14 November 2002 to the Council, through the Security Council Committee established pursuant to resolution 751(1992) concerning Somalia, and looks forward to the written report of the Panel at the end of its mandated period.

The Council requests the Secretary-General to continue putting in place, in a coherent manner, preparatory activities on the ground for a comprehensive post-conflict peace-building mission in Somalia once security conditions permit, as stipulated in the statement by the President of the Security Council of 28 March 2002.

The Council recognizes that a comprehensive post-conflict programme for disarmament, demobilization, rehabilitation and reintegration will be an
important contribution for peace and stability in Somalia. The Council encourages the Secretary-General to support actively the Intergovernmental Authority-sponsored Somalia National Reconciliation Process and the ongoing Conference in Eldoret.

The Council expresses its commitment to assist the parties in the implementation of the steps and conclusions for peace, as adopted throughout the Somalia National Reconciliation Process.

Further developments. Despite the signing of the Eldoret Declaration, inter- and intra-clan fighting continued to break out in a number of places, and Somaliland remained the main group refusing to participate in the peace process [S/2003/291]. Inside Somalia, it had become increasingly clear that the continued outbreaks of hostilities were motivated by individual rivalries of faction leaders and criminal activities rather than wider issues. In Somaliland, security conditions remained generally calm despite some clashes with Puntland, and local and municipal elections took place in December.

The security situation in several parts of Somalia, particularly in the south and in and around Mogadishu and Baidoa, continued to pose difficulties for the delivery of humanitarian assistance. The provision of humanitarian and rehabilitation assistance to a significant proportion of the population, which was already facing destitution and malnutrition, was repeatedly disrupted. The seaport and airport in Mogadishu remained closed. The level of banditry and extortion was high and the kidnapping of Somalis working for international aid organizations remained a serious concern.

In a positive development on 2 December, five Mogadishu faction leaders and TNG signed an agreement in which they pledged to ensure peace and security in Mogadishu. Two days later, the five faction leaders signed another agreement that included a commitment to work towards reopening the Mogadishu seaport and airport and to restore public services in the city. Another encouraging development was that the work of the six Reconciliation Committees had continued despite controversy regarding representation at the plenary meeting of the Conference. However, following the signing of the December agreements, serious hostilities occurred involving the militias and supporters of some of the very leaders who had signed the Eldoret Declaration and the December agreements. As a result, the delivery of essential humanitarian and development assistance continued to be seriously affected, the Mogadishu seaport and airport remained closed and fighting in and around Baidoa had blocked off an essential port of entry for the delivery of humanitarian assistance.

Arms embargo

The Security Council, in presidential statement S/PRST/2002/8 of 28 March (see p. 197), called on all States and other actors to comply with the arms embargo against Somalia established by resolution 733(1992) [YUN 1992, p. 199] and to report information on violations to the Committee established pursuant to resolution 751(1992) [ibid., p. 202].

On 3 May (below), the Council requested the Secretary-General to appoint a team of experts to detail the resources and expertise required for a panel of experts to generate independent information on violations of the arms embargo.

SECURITY COUNCIL ACTION (May)


The Security Council,
Recalling its relevant resolutions concerning the situation in Somalia, in particular resolution 733(1992) of 23 January 1992,
Recalling also the statement by its President of 28 March 2002 (S/PRST/2002/8),
Noting with serious concern the continued flow of weapons and ammunition supplies to Somalia from other countries, undermining peace and security and the political efforts for national reconciliation in Somalia,
Welcoming the forthcoming visit of the Chairman of the Security Council Committee established pursuant to resolution 751(1992) of 24 April 1992 (hereinafter referred to as “the Committee”) to Somalia and States in the region in June 2002, and looking forward to his report in this regard,
Acting under Chapter VII of the Charter of the United Nations,
1. Requests the Secretary-General to establish, within one month from the date of adoption of the present resolution, in preparation for a panel of experts, a team of experts consisting of two members for a period of thirty days, to provide the Committee with an action plan detailing the resources and expertise that the panel of experts will require to be able to generate independent information on violations and for improving the enforcement of the weapons and military equipment embargo established by paragraph 5 of resolution 733(1992) (hereinafter referred to as “the arms embargo”), including by:
   — Investigating the violations of the arms embargo covering access to Somalia by land, air and sea, in particular by pursuing any sources that might reveal information related to violations, including relevant States, intergovernmental organizations and international law enforcement cooperation bodies, non-governmental organizations, financial institutions and intermediaries, other brokering agencies, civil aviation
companies and authorities, members of the Transitional National Government, local authorities, political and traditional leaders, civil society and the business community;

— Detailing information in relevant areas of expertise related to violations and enforcement of the arms embargo in its various aspects;
— Carrying out field-based research, where possible, in Somalia, States neighbouring Somalia and other States, as appropriate;
— Assessing the capacity of States in the region to implement fully the arms embargo, including through a review of national customs and border control regimes;
— Providing recommendations on possible practical steps for further strengthening the enforcement of the arms embargo;

2. Requests the Chairman of the Committee to forward the report of the Team of Experts, within two weeks of its reception, to the Security Council for its consideration;

3. Expresses its determination to examine the findings of the experts and the Chairman of the Committee and to take further action in follow-up to the statement by the President of the Security Council of 28 March 2002 (S/PRST/2002/8) and paragraph 1 above by the end of July 2002;

4. Calls upon all States and the Transitional National Government and local authorities in Somalia to cooperate fully with the Chairman of the Committee and the Team of Experts in their quests for information in accordance with the present resolution, including by facilitating visits to sites and actors and by providing full access to government officials and records, as requested by the Chairman of the Committee or the Team of Experts;

5. Urges all other individuals and entities contacted by the Chairman of the Committee or the Team of Experts to cooperate fully by providing relevant information and facilitating their investigations, including political and traditional leaders, members of civil society and the business community, financial institutions and intermediaries, other brokering agencies, civil aviation companies and authorities, non-governmental organizations, intergovernmental organizations and international law enforcement cooperation bodies;

6. Requests the Chairman of the Committee and the Team of Experts to notify the Council immediately, through the Committee, of any lack of cooperation by the authorities and entities referred to above;

7. Requests the Secretary-General to work actively through technical assistance and cooperation with the Transitional National Government, local authorities and traditional civil and religious leaders to enhance the administrative and judicial capacities throughout Somalia to contribute to the monitoring and enforcement of the arms embargo, in accordance with the statement by the President of the Security Council of 29 March 2002, and invites all humanitarian and developmental actors to promote and reinforce this objective in a coordinated manner through their programmes of assistance for Somalia;

8. Requests all States to report to the Committee no later than sixty days from the adoption of the present resolution and thereafter according to the timetable set by the Committee on measures they have in place to ensure the full and effective implementation of the arms embargo, and with the view to complementing the action taken by the Council pursuant to paragraph 5 above;

9. Calls upon all States, in particular those in the region, to provide the Committee with all available information on violations of the arms embargo;

10. Decides to remain actively seized of the matter.

The Secretary-General, in accordance with resolution 1407(2002) (above), informed the Security Council on 23 May [S/2002/375] of his appointment of the two members of the Team of Experts that would detail the resources and expertise needed for the Panel of Experts to generate independent information on violations of the arms embargo on Somalia and to recommend practical steps for implementing it. On 22 August [S/2002/951], the Secretary-General informed the Council of his appointment of the three members of the Panel of Experts.

Communications. In 2002, Somalia twice complained to the arms embargo Committee that Ethiopia was violating the embargo by supplying arms to opposition groups in Somalia. On 16 May [S/2002/750], it said Ethiopia was flooding arms, ammunition and landmines into several specific regions by supplying warlords who opposed both TNG and the national reconciliation process. On 17 June [S/2002/684], Somalia alleged that Ethiopia had sent a convoy of nine trucks with weapons and ammunition to Somalia. The continuous flow of arms, it said, constituted a threat to peace and security in the Horn of Africa.

Team of Experts. The Team of Experts appointed pursuant to Security Council resolution 1407(2002) submitted its report to the Council on 3 July [S/2002/722]. It described the general situation in Somalia, pointing out that the country had, since 1988, experienced a civil war that had driven millions of people abroad and killed and maimed hundreds of thousands more. No effective central government had been in place since 1991. A number of groupings in the country had significant military capacity that they sustained through acquisitions of arms and military equipment from outside the country. While there was currently a regional attempt to find a political solution leading to the creation of an effective government and administration, the failure to enforce the arms embargo threatened to undermine that attempt.

The Team of Experts noted the allegations that some Governments supplied arms to armed groupings in Somalia to further political objectives, that armed groupings in Somalia took advantage of illicit trafficking networks to meet their requirements, and that international net-
works motivated by political or ideological factors supplied arms to groupings in Somalia. According to the team, arms acquisitions were financed in different ways; through revenues from business activities, remittances from overseas Somali populations, and donations from other States and international agencies, from the proceeds of organized crime and through contact with terrorist networks. In the short term, the embargo’s effectiveness could be improved through direct intervention with States neighbouring Somalia. Among its recommendations, the Team suggested that the Security Council clarify the scope of the embargo to make clear that providing financing and services that supported military activities was a violation of the embargo. A regional monitoring system should be established in the region and sustained by local initiatives in cooperation with the United Nations. The Team also recommended the methodology to be used by the Panel of Experts, which was to be based in Nairobi.

SECURITY COUNCIL ACTION (July)


The Security Council,


Noting with serious concern the continued flow of weapons and ammunition supplies to and through Somalia from sources outside the country, in contravention of the arms embargo, which is severely undermining peace and security and the political efforts for national reconciliation in Somalia,

Reiterating its call upon all States and other actors to comply scrupulously with the arms embargo and its insistence that all States, in particular those of the region, should not interfere in the internal affairs of Somalia; such interference only further destabilizes Somalia, contributes to a climate of fear, impacts adversely on human rights and could jeopardize the sovereignty, territorial integrity, political independence and unity of Somalia,

Underlining the role of the Intergovernmental Authority for Development, in particular the front-line States (Djibouti, Ethiopia and Kenya), in bringing lasting peace to Somalia, and expressing its support and expectation that the planned national reconciliation conference for Somalia, to be held in Nairobi, will move forward as a matter of urgency and with the pragmatic and result-oriented involvement of the front-line States,

Welcoming the report of the Secretary-General of 27 June 2002 and the report of the Team of Experts appointed by the Secretary-General, detailing the resources and expertise required for a panel of experts to generate independent information on the violations and for improving the enforcement of the arms embargo, in accordance with resolution H407(2002),

Acting under Chapter VII of the Charter of the United Nations,

1. Stresses that the arms embargo on Somalia prohibits financing of all acquisitions and deliveries of weapons and military equipment;

2. Decides that the arms embargo prohibits the direct or indirect supply to Somalia of technical advice, financial and other assistance, and training related to military activities;

3. Requests the Secretary-General to establish, within one month from the date of adoption of the present resolution, in consultation with the Security Council Committee established pursuant to resolution 751 (1992) of 24 April 1992 (hereinafter referred to as “the Committee”), a panel of experts consisting of three members to be based in Nairobi for a period of six months, in order to generate independent information on violations of the arms embargo and as a step towards giving effect to and strengthening the embargo, with the following mandate:

— Investigating the violations of the embargo covering access to Somalia by land, air and sea, in particular by pursuing any sources that might reveal information related to violations, including relevant States, intergovernmental organizations and international law enforcement cooperation bodies, non-governmental organizations, financial institutions and intermediaries, other brokering agencies, civil aviation companies and authorities, members of the Transitional National Government, local authorities, political and traditional leaders, civil society and the business community;

— Detailing information in relevant areas of expertise related to violations and measures to give effect to and strengthen the arms embargo in its various aspects;

— Carrying out field based research, where possible, in Somalia, States neighbouring Somalia and other States, as appropriate;

— Assessing the capacity of States in the region to implement fully the arms embargo, including through a review of national customs and border control regimes;

— Providing recommendations on possible practical steps and measures for giving effect to and strengthening the arms embargo;

4. Also requests the Secretary-General to ensure that the Panel of Experts comprises, and has access to, sufficient expertise in the areas of armament and financing thereof, civil aviation, maritime transport and regional affairs, including specialized knowledge of Somalia, in accordance with the resource requirements and administrative and financial arrangements outlined in the report of the Team of Experts pursuant to resolution H407(2002);

5. Requests the Panel of Experts in its work in accordance with its mandate to take fully into account the recommendations provided in the report of the Team of Experts pursuant to resolution H407(2002), including regarding cooperative arrangements, methodology and issues related to the strengthening of the arms embargo.
6. Requests all States and the Transitional National Government and local authorities in Somalia to cooperate fully with the Panel of Experts in its quest for information in accordance with the present resolution, including by facilitating visits to sites and actors and by providing full access to government officials and records, as required by the Panel of Experts;
7. Calls again upon all States, in particular those in the region, to provide the Committee with all available information on violations of the arms embargo;
8. Urges all other individuals and entities contacted by the Panel of Experts to cooperate fully by providing relevant information and facilitating its investigations, including political and traditional leaders, members of civil society and the business community, financial institutions and intermediaries, other broker agencies, civil aviation companies and authorities, non-governmental organizations, intergovernmental organizations and international law enforcement cooperation bodies;
9. Requests the Panel of Experts to notify the Council immediately, through the Committee, of any lack of cooperation by the States, authorities, individuals and entities referred to in paragraphs 6 and 8 above;
10. Also requests the Panel of Experts to brief the Chairman of the Committee to inform his mission to the region, scheduled for October 2002, and to provide an oral briefing to the Council, through the Committee, in November 2002;
11. Further requests the Panel of Experts to submit a final report at the end of its mandated period to the Council, through the Committee, for its consideration;
12. Requests the Chairman of the Committee to forward the report of the Panel of Experts, within two weeks of its receipt, to the Council for its consideration;
13. Expresses its determination to consider the report of the Panel of Experts and any relevant proposals for follow-up action and recommendations on possible practical steps for strengthening the arms embargo;
14. Requests the Secretary-General in his next report, which is due on 31 October 2002, to include updates:
   — On the activities undertaken to coordinate ongoing peace-building initiatives and to provide for their incremental expansion, and on the preparatory activities undertaken on the ground in preparation for a comprehensive peace-building mission once security conditions permit, in accordance with the statement by the President of the Security Council of 28 March 2002;
   — On the technical assistance and cooperation provided to enhance the administrative and judicial capacities throughout Somalia to contribute to the monitoring of and giving full effect to the arms embargo, in accordance with the statement by its President of 28 March 2002 and resolution H07(2002);
   — On the reporting by States to the Committee on measures they have in place to ensure the full and effective implementation of the arms embargo, in accordance with resolution H07(2002);
15. Also requests the Secretary-General to invite Member States to make contributions to the United Nations Trust Fund for Peace-Building in Somalia, acknowledging any pledges already made, and to ensure proper coordination among the involved United Nations agencies in implementing the tasks to be carried out in accordance with the statement by the President of the Security Council of 28 March 2002;
16. Calls upon Member States to come forward with contributions to the United Nations activities in support of Somalia, including the Consolidated Inter-Agency Appeal for 2002;
17. Decides to remain actively seized of the matter.


In response to the Council's request contained in resolution 1407(2002) that all States report to the Committee on their measures to enforce the arms embargo, 38 Member States had replied by the end of the year.

In June, the Committee held informal consultations with the Team of Experts and, in November, it heard an oral briefing by the Panel of Experts. The Committee, in November and December, approved requests from the United Kingdom, on behalf of HALO Trust, to import humanitarian mine-clearance equipment to Somalia.

The Committee in 2002 markedly increased its level of activity compared with previous years, mainly as a result of increased attention given to the arms embargo by the Council and the Council's decision to set up a Panel of Experts on Somalia. The Committee continued to rely on States and organizations to provide information on embargo violations.

UNOSOM II financing


On 16 April 2002 [A/56/95], the Secretary-General issued the final performance report of UNOSOM II, which superseded the revised cost estimates and financial performance data presented in 1995 [YUN 1995, p. 404]. The report contained information on reimbursements to troop-contributing Governments, expenditure, cash position, outstanding liabilities and unpaid assessed contributions. The Secretary-General recommended that the General Assembly retain $19,616,000 gross and net from the balance of appropriations of $40,940,700 gross ($39,990,400 net) to meet the cost of outstanding government claims, and suspend temporarily financial regulations in respect of the remaining surplus of...
$21,324,700 gross ($20,374,400 net) in the light of the continuing cash shortage of the mission. ACABQ reviewed the report and, in its own report of 17 May [A/56/949], recommended that the Assembly accept the Secretary-General’s proposals.

GENERAL ASSEMBLY ACTION

On 27 June [meeting 105], the General Assembly, on the recommendation of the Fifth Committee [A/56/974], adopted resolution 56/501 without vote [agenda item 167].

Financing of the United Nations Operation in Somalia II

The General Assembly, having considered the report of the Secretary-General on the financing of the United Nations Operation in Somalia II and the related report of the Advisory Committee on Administrative and Budgetary Questions,

 recalling Security Council resolutions 751(1992) of 24 April 1992, by which the Council established the United Nations Operation in Somalia, and 847(1993) of 26 March 1993, by which the Council expanded the size of the Operation and authorized the mandate for the expanded Operation (United Nations Operation in Somalia II), and the subsequent resolutions of the Council that extended the mandate of the Operation, the latest of which was resolution 954(1994) of 4 November 1994, by which the Council extended the mandate of the Operation for a final period until 31 March 1995,

 recalling also its resolution 47/41 A of 1 December 1992 on the Financing of the Operation and its subsequent resolutions and decisions thereon, the latest of which was decision 53/477 of 8 June 1999,

 reaffirming that the costs of the Operation are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

 recalling its previous decisions regarding the fact that, in order to meet the expenditures caused by the Operation, a different procedure is required from that applied to meet expenditures of the regular budget of the United Nations,

 taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such operations,

 bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874(S-IV) of 27 June 1963, in the financing of such operations,

 mindful of the fact that it is essential to provide the Operation with the necessary financial resources to enable it to meet its outstanding liabilities,

 takes note of the status of contributions to the United Nations Operation in Somalia II as at 30 April 2002, including the contributions outstanding in the amount of 60.8 million United States dollars, representing some 3 per cent of the total assessed contributions, notes with concern that only one hundred and forty-eight Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

 2. expresses its appreciation to those Member States which have paid their assessed contributions in full;

 3. expresses concern at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursement of troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

 4. also expresses concern at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

 5. emphasizes that all future and existing peacekeeping missions shall be given equal and nondiscriminatory treatment in respect of financial and administrative arrangements;

 6. also emphasizes that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

 7. endorses the recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;

 8. authorizes the Secretary-General to retain an amount of 19,616,000 dollars from the balance of appropriations of 40,940,700 dollars to meet the cost of outstanding Government claims;

 9. decides to suspend for the immediate future the provisions of regulations 4.3, 4.4 and 5.2 (d) of the Financial Regulations of the United Nations in respect of the remaining surplus of 21,324,700 dollars in order to allow for the reimbursement of troop contributors and in the light of the cash shortage of the Operation, and requests the Secretary-General to provide an updated report in one year;

 10. decides also to defer consideration of the treatment of the increase in staff assessment income of 950,300 dollars in respect of the surplus referred to in paragraph 9 above;

 11. emphasizes that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

 12. requests the Secretary-General to settle expeditiously the claims pending to troop-contributing countries, particularly claims towards write-offs;

 13. decides to include in the provisional agenda of its fifty-seventh session the item entitled “Financing of the United Nations Operation in Somalia II”.

On 20 December, the Assembly decided that the item on UNOSOM II financing would remain for consideration at its resumed fifty-seventh (2003) session (decision 57/385) and that the Fifth Committee should continue its consideration of the item at that session (decision 57/556).
North Africa

Western Sahara

The United Nations, in continuing its efforts to mediate in the situation in Western Sahara, in 2002 considered other options to holding a referendum for the people to decide between independence or integration of the Territory with Morocco, as first proposed in 1990. That settlement plan, approved by the Security Council in resolution 658(1990) [YUN 1990, p. 920], outlined terms for a referendum and was agreed to by both Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (POLISARIO). As the Secretary-General reported in February, the parties had not been willing to cooperate fully with the United Nations on implementing the settlement plan or finding another political solution.

The Secretary-General’s Personal Envoy visited the countries involved in the dispute in early 2002. Algeria joined POLISARIO in rejecting his 2001 proposal for a division of powers between a local administration for local issues and Morocco for foreign affairs, national security and defense. There were indications, however, that Algeria was prepared to discuss with POLISARIO a division of the Territory as a solution to the dispute. That proposition was unacceptable to Morocco, which also expressed unwillingness to go forward with the original settlement plan. In February, Algeria said it preferred an option whereby the settlement plan would be carried out without the concurrence of both parties.

The United Nations Mission for the Referendum in Western Sahara (MINURSO), established by Council resolution 690(1991) [YUN 1991, p. 794] to implement the settlement plan, continued to monitor the ceasefire between Morocco and POLISARIO and to report on developments. Meanwhile, the Identification Commission, established to identify eligible voters, collated and archived voter data, although it operated with a reduced staff as its work neared completion. On three occasions during the year, the Security Council extended MINURSO’s mandate.

Despite the stalled negotiations on a way forward, Morocco and POLISARIO agreed to some confidence-building measures, such as familial visits, exchange of communications and release of prisoners.

Report of Secretary-General (January). The Secretary-General, in response to Security Council resolution 1380(2001) [YUN 2001, p. 299], on 10 January submitted an interim report on the situation concerning Western Sahara [S/2002/41], which covered developments since his previous report of 20 June 2001 [YUN 2001, p. 295]. The Secretary-General described the efforts of his Personal Envoy, James A. Baker III (United States), to negotiate a solution among Algeria, Mauritania, Morocco and POLISARIO during the second half of 2001 [ibid., p. 299].

As at 4 January 2002, the strength of the civilian police component of MINURSO stood at 26 officers, who continued to protect files and sensitive materials at the Identification Commission centres at Laayoune and Tindouf and to undertake training and planning activities. The MINURSO military component stood at the authorized strength of 250 personnel. It continued to monitor the ceasefire between the Royal Moroccan Army and POLISARIO military forces. The Secretary-General stated his intention to provide, before the end of the current MINURSO mandate on 28 February, an assessment of the situation and recommendations on the future mandate and composition of the Mission.

The Secretary-General described the recent release of a number of Moroccan prisoners of war (POWs), as well as Saharan detainees [YUN 2001, p. 220], as a positive development, but added that the continued detention of over 1,350 prisoners of war, most of them for more than 20 years, was a serious humanitarian issue. He called on POLISARIO to release them without delay. The situation of the Saharan refugees in the Tindouf (Algeria) camps was also a matter of concern, and he appealed to the international community to provide support for their humanitarian needs until their voluntary and durable return to the Territory. He expected Morocco and POLISARIO to cooperate with UNHCR to implement confidence-building measures, as called for by the Security Council in resolution 1263(1999) [YUN 1999, p. 185].

Legal opinion. In response to a Security Council request, the Under-Secretary-General for Legal Affairs, the Legal Counsel, submitted a 29 January letter [S/2002/164] containing his opinion on the legality, in the context of international law, of actions by the Moroccan authorities in offering and signing contracts with foreign companies for the exploration of mineral resources in Western Sahara. Morocco had provided information on two contracts concluded in October 2001 with a French firm and a United States firm for oil exploration in areas offshore Western Sahara. The Legal Counsel reviewed the law applicable to mineral resource activities in Non-Self-Governing Territories (NSGTs), the case law of the International Court of Justice and the practice of States. He observed that the UN Charter...
recognized the principle that the interests of the peoples of such Territories were paramount and concluded that, while the specific contracts were not in themselves illegal, if further exploration and exploitation activities were to proceed in disregard of the interests and wishes of the people of Western Sahara, they would be in violation of the principles of international law applicable to mineral resource activities in NSGTs.

Algeria, reacting to the Legal Counsel’s opinion on 1 February [A/56/869-S/2002/144], noted his affirmation that Morocco was not listed as the administering Power of Western Sahara in the UN list of NSGTs. Algeria therefore drew the Secretariat’s attention to the fact that it should not use the term “administering Power” in relation to Morocco, as it had in past reports of the Secretary-General. On 8 February [S/2002/153], Morocco said the opinion confirmed that Morocco had acted in complete legality. In addition, it stated that the Secretary-General had referred to Morocco as the “administrative Power” in his report of 24 April 2001.

**Report of Secretary-General (February).** In response to resolution 1380(2001) [YUN 2001, p. 219], the Secretary-General reported in February [S/2002/78] on developments in Western Sahara since his January interim report.

On 24 and 25 January, his Personal Envoy visited Morocco to inform the authorities of the rejection by Algeria and POLISARIO of the draft framework agreement he had drawn up in 2001 [YUN 2001, p. 216], by which Morocco would have competence over foreign relations, national security and defence, and internal issues such as executive, legislative and judicial functions would be governed by the population of Western Sahara. In Mr. Baker’s view, Algeria and POLISARIO would be prepared to discuss a division of the Territory as a political solution to the dispute over Western Sahara. The Personal Envoy also visited MINURSO headquarters in Laayoune, where he met with the Secretary-General’s recently appointed Special Representative, William Lacy Swing.

The Special Representative, following introductory meetings with Moroccan authorities and the POLISARIO leadership, visited Algeria from 14 to 17 January for meetings with President Abdelaziz Bouteflika and senior officials, followed by meetings with the POLISARIO Secretary-General in the Tindouf area. On 13 and 14 February, he met with President Maaouya Ould Sid Ahmed Taya and senior officials of Mauritania in Nouakchott.

The Identification Commission, established to identify eligible voters, continued to consolidate and collate all data on applicants to the referendum, collected during their identification and the submission of appeals. Having reduced its staff to 40, the Commission proceeded with the electronic archiving of individual files. As at 31 January, the total number of files electronically archived exceeded 43,000. The Commission initiated a technical review of the logistical requirements in the event of a resumption of the appeals process.

The military component of MINURSO stood at the authorized strength of 230 as at 7 February. During early 2002, MINURSO continued discussions with POLISARIO at various levels, with a view to easing or lifting the restrictions imposed by the latter on the freedom of movement of UN military observers east of the defensive sandwall (berm) since January 2001 [YUN 2001, p. 215]. No progress was reported in that area. On the western side of the berm, MINURSO patrols continued to visit Moroccan army facilities, in accordance with the ceasefire arrangements. The strength of the civilian police component of MINURSO stood at 25 officers.

UNHCR continued to carry out its mandated responsibilities for the Western Saharan refugees in camps in Tindouf. After discussions with MINURSO, Algeria, Morocco and POLISARIO, UNHCR proposed cross-border confidence-building measures for Saharan refugees. Algeria and Morocco indicated that they were prepared in principle to accept the proposals under certain conditions. UNHCR remained concerned about financial constraints, which caused frequent shortages in food for Saharan refugees. It conducted food assessment missions in the Tindouf camps and monitored the Saharan refugee situation in northern Mauritania.

In January, POLISARIO released 115 of the Moroccan POWs it was holding, leaving 1,362 in custody. Those released were repatriated under the auspices of ICRC on 17 January.

The Secretary-General assessed UN attempts to mediate in the Western Sahara dispute, particularly the efforts of Mr. Baker since he accepted the role of Personal Envoy in 1997. The Personal Envoy had recently expressed his disappointment at the lack of progress towards finding a solution. Despite assertions to the contrary, the parties had not been willing to cooperate fully with the United Nations on implementing the settlement plan or finding a political solution. Mr. Baker believed that, notwithstanding indications from Morocco of a willingness to negotiate, it was pointless to pursue, at that time, any more discussion on the draft framework agreement, as neither Algeria nor POLISARIO was willing to engage in discussing it. He also believed that, notwithstanding indications from Algeria and
POLISARIO of a willingness to negotiate a possible division of the Territory, it was pointless to pursue any such discussion as Morocco was unwilling to discuss such an approach. The Secretary-General concurred with those views.

Faced with that bleak situation, the Secretary-General and his Personal Envoy believed there were four options for the Security Council’s consideration. Under the first option, the United Nations could resume trying to implement the settlement plan, but without requiring the concurrence of both parties before action could be taken. Morocco had expressed unwillingness to go forward with the settlement plan; the United Nations might not be able to hold a referendum whose results were acceptable to both sides; and there would be no mechanism to enforce the results. As a second option, the Personal Envoy could revise the draft framework agreement; however, he would not seek the concurrence of the parties as he had done in the past. The revised framework agreement would be presented by the Council to the parties on a non-negotiable basis. The third option would call for the Personal Envoy to explore one final time with the parties whether or not they would be willing to discuss a division of the Territory, with the understanding that nothing would be decided until everything was decided. A proposal on division would be drawn up by the Personal Envoy and submitted to the parties by the Council on a non-negotiable basis. As a fourth option, the Council could decide to terminate MINURSO.

In order to give the Council time to decide, the Secretary-General recommended that the mandate of MINURSO be extended for two months, until 30 April.

Communications (February). On 21 February [A/56/828-S/2002/188], Algeria referred to the four options presented in the Secretary-General’s last report (see above) and proclaimed its preference for the first, adding that the settlement plan could be implemented and the decolonization process completed if only the United Nations would demonstrate the necessary commitment. Algeria believed that the proposal not to require the concurrence of both parties would permit an orderly implementation of the plan. It objected to the draft framework agreement because it would give one country sovereignty over a territory that it occupied unlawfully. On 25 February [A/56/858-S/2002/197], Algeria said that Morocco was attempting to mislead the world as to the real issues in Western Sahara, which was essentially a decolonization problem. Algeria continued to support the right of the Saharan people to self-determination. The only thing still missing in achieving that goal was the political will of Morocco, it added.

Morocco, on 25 February [S/2002/192], rejected a division of Western Sahara, which it claimed would undermine the territorial integrity of Morocco and its sovereignty over its southern provinces. Morocco called on the Council to delink humanitarian issues from the political settlement and to demand the release of the 1,362 Moroccans still held in Algerian territory after 20 years.

The Security Council,
Reaffirming its resolutions on the question of Western Sahara and its commitment to assist the parties to achieve a just, lasting and mutually acceptable solution,

Taking note of the report of the Secretary-General of 19 February 2002,
1. Decides, as recommended by the Secretary-General in his report, to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 30 April 2002 and to consider actively the options described in his report, addressing this issue in its programme of work;
2. Requests the Secretary-General to submit a report on the situation before the end of the present mandate;
3. Decides to remain seized of the matter.

Report of Secretary-General (April). The Secretary-General, in response to resolution 1394(2002) (above), reported on 19 April on the situation concerning Western Sahara [S/2002/467], covering developments since his February report. During that period, the Special Representative maintained regular contacts with the parties. However, the Secretary-General’s Personal Envoy had suspended direct contact with the parties until such time as the Council had taken a decision on how it wished him to proceed. The Identification Commission continued its work in its offices in both Laayoune and Tindouf on electronic archiving of individual files of all persons who had applied to be included in the list of voters. As at 15 April, 71,736 files out of a total of 244,643 had been processed. On 21 March, POLISARIO informed the Special Representative of its decision to lift, from the end of April, the restrictions it had imposed on the freedom of movement of UN military observers east of the defensive berm since January 2001. On the western side of the berm, MINURSO continued to visit Royal Moroccan Army ground units. Despite the Special Representative’s efforts in pursuit of cross-border confidence-building measures, no
progress was reported due to a lack of consensus on the issue.

UNHCR and WFP coordinated a donor visit to the Tindouf camps on 10 and 11 April. On 14 April, WFP announced a two-year, $30 million aid project for the refugees. On 27 February, President Bouteflika of Algeria visited the refugee camps in the Tindouf area, where he met with the POLISARIO leadership. That was the first reported visit to the camps by an Algerian head of State since their establishment in 1976. On 5 and 6 March, King Mohammed VI of Morocco visited the towns of Dakhla and Laayoune in the Territory. During his visit, he announced the creation of a new agency for the social and economic development of the Territory. POLISARIO protested the King’s visit in a 4 March letter to the Security Council.

Given the current low level of food in the refugee camps, the Secretary-General urged the international community to extend financial support to enable UNHCR and WFP to meet the humanitarian needs of the refugees.

The Secretary-General expressed the hope that the Council would decide how it would proceed with the peace process and that it would take appropriate action on MINURSO’s mandate. His Personal Envoy was prepared to undertake activities that the Council proposed towards a resolution of the dispute, provided that it did not support any changes to the first three options that would require the concurrence of the parties. Such changes would simply encourage a continuation of the conflict and the current stalemate.

SECURITY COUNCIL ACTION (April)

On 30 April [meeting 4325], the Security Council unanimously adopted resolution 1406(2002). The draft [S/2002/492] was submitted by the United States.

The Security Council,
Recalling all its resolutions on the question of Western Sahara, in particular resolution 1394(2002) of 27 February 2002,
1. Decides to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 31 July 2002 in order to consider further the report of the Secretary-General of 19 February 2002;
2. Decides to remain seized of the matter.

Communications (July). In July, the Security Council received a number of communications from the parties to the dispute, providing their views on the proposed peace options. POLISARIO, in a letter forwarded by Namibia on 11 July [S/2002/799], reviewed the history of the dispute and commented on the draft framework agreement, which it described as planned integration of the Territory into Morocco and an attempt to legitimize Morocco’s illegal occupation. POLISARIO could not accept the framework agreement as an alternative to the settlement plan since it would deprive the Sahrawi people of the right to self-determination. On 18 July [S/2002/782], Algeria also rejected the draft plan and stated that it was the responsibility of the United Nations to complete the process of decolonization in the Territory, to let the people choose their destiny and to ensure that international law prevailed over the policy of fait accompli and occupation of territory by force. Morocco, on the other hand, in letters of 15 and 23 July [S/2002/758, S/2002/823], expressed its willingness to negotiate on the basis of the draft framework agreement in order to achieve a solution to the dispute and urged the Council to allow Mr. Baker to carry on his task of political mediation.

On 22 July [S/2002/807], Algeria, reaffirming its support for the settlement plan as the only framework agreed to by the two parties and the most appropriate tool for finding a lasting solution, expressed its opposition to a draft resolution circulating among Security Council members that supported the second option. Morocco commented on an amendment to the draft, which proposed a fifth option by combining option 1 (settlement plan) and option 2 (framework agreement) [S/2002/832]. Morocco said that the new tactic was doomed to failure and could only jeopardize the opportunity to reach a lasting settlement. Algeria noted the changes to the draft and affirmed that the new approach was promising [S/2002/835].

SECURITY COUNCIL ACTION (July)


The Security Council,
Recalling all its resolutions on the question of Western Sahara, in particular resolutions 1394(2001) of 29 June 2001 and 1394(2002) of 27 February 2002,
Stressing that in view of lack of progress in the settlement of the dispute over Western Sahara, the search for a political solution is critically needed,
Concerned that this lack of progress continues to cause suffering to the people of Western Sahara, remains a source of potential instability in the region and obstructs the economic development of the Maghreb region,
Reaffirming its commitment to assist the parties to achieve a just, lasting and mutually acceptable political solution which would be of benefit to the Maghreb region,
Seeking to alleviate the consequences of conflict in Western Sahara and, accordingly, to secure the immediate release of prisoners of war and other detainees,
to establish the fate of persons unaccounted for, and to repatriate refugees, determined to secure a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the purposes and principles of the Charter of the United Nations,

Expressing its continuing full support for the role and work of the Secretary-General and his Personal Envoy,

Commending the parties for their continuing commitment to the ceasefire and welcoming the essential contribution which the United Nations Mission for the Referendum in Western Sahara is making in that regard,

Having considered the report of the Secretary-General of 19 February 2002 and the four options contained therein,

Underlining the validity of the settlement plan, while noting the fundamental differences between the parties in implementing the plan,

Noting the fundamental differences with regard to the four options contained in the report of the Secretary-General,

1. Continues to support strongly the efforts of the Secretary-General and his Personal Envoy to find a political solution to this long-standing dispute, invites the Personal Envoy to pursue these efforts taking into account the concerns expressed by the parties, and expresses its readiness to consider any approach which provides for self-determination that may be proposed by the Secretary-General and his Personal Envoy, consulting, as appropriate, others with relevant experience;

2. Calls upon all the parties and the States of the region to cooperate fully with the Secretary-General and his Personal Envoy;

3. Calls upon the parties to collaborate with the Office of the United Nations High Commissioner for Refugees in the implementation of confidence-building measures, and urges the international community to provide generous support to the Office of the High Commissioner and the World Food Programme in order to help them to overcome the deteriorating food situation among the refugees;

4. Calls upon Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro to continue to cooperate with the efforts of the International Committee of the Red Cross to resolve the problem of the fate of all those unaccounted for since the beginning of the conflict;

5. Welcomes the release of 101 Moroccan prisoners of war, and calls upon the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro to release without further delay all remaining prisoners of war in compliance with international humanitarian law;

6. Decides to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 31 January 2003;

7. Requests the Secretary-General to submit a report on the situation, before the end of the present mandate, that contains any further proposal from the Secretary-General and his Personal Envoy together with recommendations pertaining to the most appropriate configuration of the Mission;

8. Decides to remain seized of the matter.

Further developments. The Special Representative and a senior UNHCR official held consultations with the parties and neighbouring States in November and December on implementing confidence-building measures [S/2003/59]. UNHCR proposed measures for the establishment of telephone, mail and e-mail services between the territory west of the berm and the Tindouf refugee camps and some parts of Mauritania, as well as for exchange visits of separated Saharan family members between those locations. The measures also provided for the holding of non-political seminars in neutral venues with Saharan participants from both sides of the berm, and for a UNHCR information campaign on those measures. The parties agreed in principle to the measures. As for neighbouring States, Mauritania pledged support for the measures, while Algeria expressed readiness to support them provided they were approved by POLISARIO. Morocco, however, raised objections to the modalities for the selection of participants for family visits and other issues. Prospects for such measures remained clouded by the end of the year.

On 7 July, POLISARIO released 100 of the 1,361 POWs it held at that time, and ICRC repatriated them to Morocco, bringing the total number of those released in 2002 to 216, with 1,260 still held. All of the POWs had been detained for more than 10 years after the cessation of active hostilities, in contravention of international humanitarian law, and most (816) had been detained for more than 20 years. ICRC continued to exchange information with the parties to determine the fate of persons unaccounted for since the beginning of the conflict.

GENERAL ASSEMBLY ACTION

The General Assembly had before it the Secretary-General’s July report summarizing developments in Western Sahara from 1 July 2001 to 30 June 2002 [A/57/206]. A May working paper prepared by the Secretariat also summarized recent developments in Western Sahara [A/AC.109/2002/90]. The latter study was submitted to the Assembly through the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples [A/57/25].

On 11 December [meeting 73], the Assembly, on the recommendation of the Fourth (Special Political and Decolonization) Committee [A/57/328], adopted resolution 57/135 without vote [agenda item 19].

Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara.
Having examined the report of the Secretary-General;

1. Takes note of the report of the Secretary-General;
2. Commends the Secretary-General and his Personal Envoy for their outstanding efforts and the two parties for the spirit of cooperation they have shown in the support they provide for those efforts;
3. Takes note of the agreements reached between the Kingdom of Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro for the implementation of the settlement plan during their private direct talks under the auspices of James Baker III, the Personal Envoy of the Secretary-General, and urges the parties to implement those agreements fully and in good faith;
4. Urges the two parties to implement faithfully and loyally the Secretary-General’s package of measures relating to the identification of voters and the appeals process;
5. Reaffirms the responsibility of the United Nations towards the people of Western Sahara, as provided for in the settlement plan;
6. Reiterates its support for further efforts of the Secretary-General for the organization and supervision by the United Nations, in cooperation with the African Union, of a referendum for self-determination of the people of Western Sahara that is impartial and free of all constraints, in conformity with Security Council resolutions 658(1990) and 690(1991), by which the Council approved the settlement plan;
7. Notes the fundamental differences between the parties in implementing the main provisions of the settlement plan;
8. Supports the efforts undertaken by the Secretary-General and his Personal Envoy to reach a political solution to the dispute on Western Sahara which will provide for self-determination for the people of Western Sahara;
9. Urges, in this regard, the two parties to continue their cooperation with the Secretary-General and his Personal Envoy with a view to reaching a mutually acceptable political solution to this dispute;
11. Calls upon the parties to cooperate with the International Committee of the Red Cross in its efforts to solve the problem of the fate of people unaccounted for, and calls upon the parties to abide by their obligations under international humanitarian law to release without further delay all those held since the start of the conflict;
12. Requests 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, bearing in mind the implementation of the settlement plan, and to report thereon to the General Assembly at its fifty-eighth session;
13. Invites the Secretary-General to submit to the General Assembly at its fifty-eighth session a report on the application of the present resolution.
MINURSO

The military component of the United Nations Mission for the Referendum in Western Sahara (MINURSO), which, at year’s end, was under the command of Major General Gyorgy Száraz (Hungary), who succeeded Brigadier General Claude Buze (Belgium) on 11 August, continued to monitor the ceasefire between the Royal Moroccan Army and the POLISARIO military forces that came into effect in 1991 [YUN 1991, p. 796]. The Secretary-General, on 10 July 2002 (S/2002/766), informed the Security Council of his intention to appoint Major General Száraz (Hungary) as Force Commander, and the Council, on 16 July (S/2002/767), took note of that intention. At the end of 2002, the Mission’s military component stood at 211, against an authorized strength of 230. The civilian police, under the command of Inspector General Om Prakash Rathor (India), remained at 26. The police contingent continued to protect files and materials at the Identification Commission centres in Laayoune and Tindouf. Training activities also continued.

MINURSO financing

In February [A/56/818], the Secretary-General reported to the General Assembly on MINURSO’s financial performance for the period 1 July 2000 to 30 June 2001. Expenditures totalled $45,989,300 gross ($42,215,900 net), resulting in an unencumbered balance of $3,327,737 gross ($2,862,202 net).

In April [A/56/886], the Secretary-General presented the proposed MINURSO budget for 1 July 2002 to 30 June 2003, which amounted to $41,529,500 gross ($38,488,500 net).

ACABQ reviewed those reports and, in May [A/56/946], issued its comments, including recommendations that the amount of $41,529,500 gross ($38,488,500 net) be approved for 2002/03. It recommended that the total be assessed at a monthly rate of $3,460,792 gross ($3,207,375 net) should the Security Council decide to extend MINURSO’s mandate beyond 31 July 2002.

GENERAL ASSEMBLY ACTION

On 27 June [meeting 105], the General Assembly, on the recommendation of the Fifth Committee [A/56/990], adopted resolution 56/298 without vote [agenda item 142].

Financing of the United Nations Mission for the Referendum in Western Sahara

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Mission for the Referendum in Western Sahara and the related reports of the Advisory Committee on Administrative and Budgetary Questions,


Recurring also its resolution 45/266 of 17 May 1991 on the financing of the Mission and its subsequent resolutions and decisions thereon, the latest of which was resolution 55/262 of 14 June 2001,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 57/4(S-IV) of 27 June 1992, 58/101(XXVIII) of 11 December 1993 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Mission,

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council:

1. Takes note of the status of contributions to the United Nations Mission for the Referendum in Western Sahara as at 30 April 2002, including the contributions outstanding in the amount of $30 million United States dollars, representing some 12 per cent of the total assessed contributions, notes with concern that only nineteen Member States have paid their assessed contributions in full; and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. Expresses its appreciation to those Member States which have paid their assessed contributions in full;

3. Expresses concern at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

4. Urges all Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full and on time;

5. Expresses concern at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

6. Emphasizes that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. Also emphasizes that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. Reiterates its request to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

9. Endorses the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the Secretary-General to ensure their full implementation;
10. Requests the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

11. Also requests the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

Financial performance report for the period from 1 July 2000 to 30 June 2001

12. Takes note of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2000 to 30 June 2001;

Budget estimates for the period from 1 July 2002 to 30 June 2003

13. Decides to appropriate to the Special Account for the United Nations Mission for the Referendum in Western Sahara the amount of 43,412,900 dollars for the period from 1 July 2002 to 30 June 2003, inclusive of 41,329,500 dollars for the maintenance of the Mission, 1,681,900 dollars for the support account for peacekeeping operations and 1,400,500 dollars for the United Nations Logistics Base;

Financing of the appropriation

14. Decides also to apportion among Member States the amount of 43,412,900 dollars at a monthly rate of 3,687,742 dollars, in accordance with the levels set out in resolution 55/235 of 25 December 2000, and taking into account the scale of assessments for the financial period ended 30 June 2001, their respective share in the Tax Equalization Fund and their respective share of the unencumbered balance of 3,327,737 dollars and other income of 2,482,000 dollars in respect of the financial period ended 30 June 2001 shall be set off against their outstanding obligations in accordance with the scheme set out in paragraph 16 above;

15. Decides further that the decrease in the staff assessment income of 465,500 dollars in respect of the financial period ended 30 June 2001 shall be set off against the credits from the unencumbered balance referred to in paragraphs 16 and 17 above;

16. Invites voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

17. Decides also that for Member States that have not fulfilled their financial obligations to the Mission, their respective share of the unencumbered balance of 3,327,737 dollars and other income of 2,482,000 dollars in respect of the financial period ended 30 June 2001 shall be set off against their outstanding obligations in accordance with the scheme set out in paragraph 16 above;

18. Decides further that the decrease in the staff assessment income of 465,500 dollars in respect of the financial period ended 30 June 2001 shall be set off against the credits from the unencumbered balance referred to in paragraphs 16 and 17 above;

19. Emphasizes that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

20. Encourages the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Mission;

21. Invites voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

22. Encourages the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Mission;

On 20 December, the General Assembly decided that the agenda item on MINURSO financing would remain for consideration at its resumed fifty-seventh (2002) session (decision 57/358) and that the Fifth Committee should continue its consideration of the item at that session (decision 57/356).

Libyan Arab Jamahiriya

 Lockerbie question

The League of Arab States (LAS), in two letters to the Security Council, made statements on its position on the consequences of the 2001 trial of two Libyan nationals accused of plotting the 1988 bombing of Pan Am Flight 103 over Lockerbie, Scotland [YUN 2001, p. 222].

On 23 September [S/2002/1080], LAS transmitted a resolution on measures imposed on the Libyan Arab Jamahiriya by the United States and the United Kingdom as a result of the dispute over the Lockerbie question. The text was adopted at the regular session of the Council of the League at the level of Foreign Minister (Cairo, Egypt, 4-5 September). LAS voiced regret at the conviction of one of the Libyan nationals, and further regretted that the Scottish Appeal Court rejected his appeal of the decision on 14 March. The League reaffirmed its rejection of efforts to block the lifting of the sanctions imposed on Libya, which, it said, had satisfied all
the requirements of relevant Security Council resolutions. The League also expressed regret that, on 7 January, the United States renewed the economic embargo it had maintained against Libya under the National Emergencies Act, first applied in 1986. Furthermore, it supported Libya’s right to receive compensation for the damage done to it by the sanctions.

The League, on 24 September [S/2002/1074], forwarded a statement noting that contacts were in progress between Libya, the United Kingdom and the United States regarding a joint formulation to be submitted to the Council with a view to lifting completely the sanctions against Libya. It reiterated its view that Libya should receive a sympathetic response to its sincere wishes to reach a final solution to the affair.

1986 attack against Libya

The General Assembly, by decision 57/518 of 4 December, deferred consideration of the item “Declaration of the Assembly of Heads of State and Government of the Organization of African Unity on the aerial and naval military attack against the Socialist People’s Libyan Arab Jamahiriya by the present United States Administration in April 1986” and included it in the provisional agenda of its fifty-eighth (2003) session.

Sudan

For the nineteenth consecutive year, the Sudan suffered from an internal conflict, which intensified in the early months of 2002. According to reports submitted to the Commission on Human Rights, military activities, including aerial bombing in May and June, led to increased casualties and hampered the delivery of humanitarian aid to the most needy areas. The issue of access to those areas was personally brought up by the Secretary-General during his visit to Khartoum in July.

On 22 July, an agreement was signed between the Government and the rebel group known as the Sudan People’s Liberation Movement/Army (SPLM/A), which, it was hoped, would open the way for successful peace negotiations.

In October, the Sudan accused Eritrea of supporting a rebel attack on its territory. In contrast, the Sudan’s relations with Uganda improved in 2002, and the two countries issued joint statements on their efforts to cooperate on security issues.

(For information on the human rights situation in the Sudan, see p. 781.)

Internal situation

On 24 July [SC/7466-AFR/443], the Security Council President issued a statement in which he said that Members of the Council welcomed the 20 July signing of the Machakos (Kenya) Protocol between the Government of the Sudan and SPLM/A. The agreement represented a significant breakthrough on major issues and a major step towards the realization of a just and lasting peace. In connection with that signing, members paid tribute to President Daniel Arap Moi of Kenya and his special envoy, Lieutenant General Sumbeiywo, on behalf of the Intergovernmental Authority on Development (IGAD), for their efforts in finding a peaceful solution to the conflict. Members appealed to the parties to work for a successful conclusion of a global and definitive agreement during 2002.

The EU, in a statement issued by the Presidency on 23 July [S/2002/838], welcomed the Machakos Protocol, which addressed the two most contentious issues, namely, the right to self-determination for the people of south Sudan and State and religion. The EU urged all parties to the conflict to adhere to the agreement and to work towards a comprehensive peace agreement when negotiations resumed in mid-August. It confirmed its support for the IGAD peace process, the role of Kenya therein and those external partners who had played a role in achieving results.

On 23 September [S/2002/1078], LAS transmitted to the Security Council President a resolution on the Sudan, adopted by the ministerial-level Council (Cairo, 3-5 September). The Council affirmed the League’s commitment to the unity of the territory and people of the Sudan and to the maintenance of its sovereignty and territorial integrity, rejecting any attempts to dismember the country. It called for international support for the peace-making efforts. The Council decided to establish a ministerial committee, comprising nine nations, to monitor the peace process in the Sudan. It invited member States to contribute to the fund to assist the Sudan in developing the south, and called on the United States to lift the unilateral economic sanctions it had imposed on the Sudan.

Sudan-Eritrea

The Sudan, on 7 October [S/2002/117], said that, on 3 October, along a 180-kilometre-long front on the Sudan’s boundary with Eritrea, eight Sudanese border towns came under coordinated and simultaneous ground attack from inside Eritrean territory, with artillery support from the Eritrean side. The SPLM/A rebel movement announced from Asmara, Eritrea, that the attack had taken place, and warned the inhabit-
ants of Kassala, a town close to the border, to evacuate within 24 hours. The core of the attacking force, according to the Sudan, was provided by the Eritrean army, which had financed, supplied, recruited and trained the rebels. Such a large-scale aggression would not have been possible without direct backing from Eritrea. The opposition had made Asmara a centre for its political and diplomatic activities and a base for its leadership and official spokesman. Despite the Sudan’s efforts to normalize its relations with Eritrea, Eritrea had responded with hostility. The Sudan affirmed its right to defend its territory in accordance with the UN Charter and requested the Security Council to require Eritrea to preserve peace and security in the region (see also p. 192).

**Sudan-Uganda**

The Sudan and Uganda, in a joint statement of 13 March [S/2002/269], said that since the conclusion of the Nairobi Agreement of December 1999 ([YUN 1999], p. 176), both Governments had worked to solve the problems of insecurity, violence and abduction of children by the Ugandan Lord's Resistance Army across the Sudanese-Ugandan border. Concerned parties, such as the Carter Center, the United Nations Children’s Fund (UNICEF), the Save the Children Organization and friendly Governments, were involved in those efforts.

According to the statement, President Omar Hassan Ahmed el-Bashir of the Sudan and President Yoweri Kaguta Museveni of Uganda met in Khartoum, on 12 January. Subsequent meetings followed between the two parties on implementing the Nairobi Agreement and fostering peace and security across their common border. As a consequence of those meetings, the Sudan provided access for Ugandan forces to execute a limited military operation within the Sudan to deal with the Lord’s Resistance Army.

The two Governments issued a joint communique on 27 April [S/2002/512], in which they stated their agreement to expand cooperation within IGAD to work towards regional peace and economic development. Refirming their commitments under the Nairobi Agreement, they agreed to upgrade the level of diplomatic representation between their countries to the ambassadorial level and to establish a Joint Ministerial Committee to develop bilateral relations. During a visit of the Sudanese Foreign Minister to Uganda, the two sides discussed the prospects of a peaceful solution to the conflict in southern Sudan, and Uganda agreed to support the realization of a sustainable peace in southern Sudan under IGAD auspices.

**Southern Africa**

**Angola**

The political and military situation in Angola evolved rapidly in 2002 towards a peaceful settlement between the Government and the National Union for the Total Independence of Angola (UNITA). Relations between the two parties took a dramatic new direction with their 4 April signing of a memorandum of understanding (MOU), which followed the death in February of Jonas Savimbi, the UNITA military leader. Previously, progress towards implementation of the 1994 Lusaka Protocol for the Cessation of Hostilities and the Resolution of Outstanding Military Issues ([YUN 1994], p. 346), the political-judicial instrument for the resolution of the Angolan conflict, had remained stalled. By the MOU, the Government and UNITA agreed to a general ceasefire, the quartering and demilitarization of UNITA forces, the formation of a new Angolan army and police, the role of the United Nations in the peace process, and the electoral process and national reconciliation.

Following the MOU signing, fighting stopped in the entire country and UNITA forces began arriving at 36 quartering areas. The United Nations responded to new requests for further involvement in the peace process by expanding the tasks of the United Nations Office in Angola, renaming it the United Nations Mission in Angola (UNMA). In August, the two sides signed a Memorandum of Commitment for the final implementation of the Lusaka Protocol dealing with national reconciliation, reintegration of UNITA forces, establishment of UNITA as a political party and the electoral process.

At the end of the year, the Secretary-General affirmed that, after 27 years of war, there were at last real prospects for lasting peace in Angola, as both sides had demonstrated the will to end the suffering and to work towards restoring the stability necessary for sustainable development. While significant progress had been made on the political track, there were still obstacles to overcome and there remained major challenges in the humanitarian and developmental sectors.

During 2002, the Security Council continued to monitor sanctions against UNITA, mainly through the Monitoring Mechanism on Sanctions against UNITA, which was established in 2000 to investigate violations. The original sanctions on arms and petroleum had been expanded to include bans on diamond trading and travel by certain UNITA officials and their families. The
Monitoring Mechanism reported extensively on sanctions violations throughout the year, and concluded that those measures had contributed significantly to the downfall of UNITA. The Security Council, in December, abolished the sanctions.

**Political and military developments**

The Security Council met on 13 February [meeting 4472] to consider the situation in Angola, focusing on humanitarian issues. The Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Kenzo Oshima, said that the humanitarian conditions in Angola were among the worst in the world and that the war was the root cause of the crisis. Life expectancy stood at 44 years, and 63 per cent of all households lived below the poverty line. Since 1999, the number of displaced persons had doubled, to over 4 million. Despite being weakened by sanctions imposed by the Council, UNITA continued to destabilize large parts of the country-side, to disrupt normal economic and social activities and to use guerrilla warfare, attacking the civilian population and key infrastructure. Humanitarian assistance was limited by insecurity, mines, poor infrastructure, lack of capacity and lack of funding.

Also addressing the meeting, Angola urged the international community to maintain and strengthen the sanctions against UNITA, which had made it more difficult for it to pursue its military option. To counter UNITA’s terrorist activities, the Government had undertaken measures to take control of its national territory and to extend the State’s authority. Angola was facing constraints in the areas of food, infrastructure and social services.

On 17 July [meeting 4575], the Council again considered the humanitarian situation in Angola, and Mr. Oshima, having returned from a mission to the region, said that the United Nations and its partners had a unique opportunity to address both humanitarian needs and reconstruction and development issues.

**Communication (March).** In a 28 February statement transmitted to the Secretary-General on 1 March [S/2002/227], the EU Presidency, having learned of the recent death of Jonas Savimbi, leader of the UNITA military wing, reaffirmed the urgent need to put an end to the internal conflict. In the EU’s view, a resolution could be achieved only through engagement of all in national reconciliation, on the basis of the Lusaka Protocol. It welcomed the Government’s engagement to implement the Protocol and encouraged the United Nations in promoting the peace process. It hoped that conditions would be created for holding elections, thereby reinforcing the democratic process in Angola.

**Ceasefire**

Angola, in a 13 March statement transmitted to the Security Council on the following day [S/2002/270], said that the Government considered the country to be living in a unique moment that would lead definitively to the end of the current armed conflict. With the objective of promoting trust, the Government had instructed the Angolan Armed Forces (FAA) to cease all offensive movements as of 14 March, thus permitting contacts in the field between the military commands of FAA and UNITA forces so that a general ceasefire could be worked out in the shortest possible time. There would also be a freezing of movement of all forces seeking to reinforce or occupy new positions; acts of violence against civilians; the destruction of public or private goods; and the obstruction of the free circulation of citizens. Stating its belief that UNITA’s demilitarization under the terms of law was fundamental, the Government affirmed that it would present a programme for the incorporation of UNITA forces into national life. The Government intended to contribute to the creation of conditions that would permit UNITA to resolve the problem of its leadership and its reorganization and functioning as a political party. It would propose an amnesty for crimes committed within the context of the armed conflict. The extension and installation of State administration throughout the country and the nomination of UNITA personnel to political positions would be concluded, in conformity with administrative tasks contained in the Lusaka Protocol. Simultaneously, secure conditions would be created for the return of displaced citizens. With international assistance, the Government would promote a demining programme.

The Government stated that, in order to find a political and legal solution to the electoral process that was not completed in 1992, political, legal and administrative measures for the organization of elections would be implemented. In addition to completing the process of approving a new constitution, the Government would engage in revising electoral legislation, the resettlement of displaced populations and electoral registration and census-taking processes. It would work with all society during the entire process. Humanitarian assistance was needed, and the Government was preparing an emergency programme to support the reintegration and resettlement of 4 million displaced persons, the return to society of 150,000 combatants, the reintegration of 100,000 wounded and the shel-
tering of 50,000 war orphans. As part of its programme for a way out of the crisis, the Government was preparing a reconstruction plan—the Public Investment Programme (PIP)—to revitalize the economy, deliver medical assistance to the people, raise education levels and move people and goods.

On 16 March [S/2002/297], the Presidency of the European Council expressed its satisfaction at Angola’s announcement of the cessation of hostilities with a view to achieving a ceasefire. The Council welcomed the Government’s intention to permit the political reorganization of UNITA and the election of its new leadership. It encouraged the parties to implement the Lusaka Protocol through political dialogue under the aegis of the United Nations.

Angola, in a letter of 20 March [S/2002/300], reaffirmed its commitments under the Lusaka Protocol and the relevant Security Council resolutions. It viewed the United Nations and the Troika of observer States to the Protocol (Portugal, Russian Federation, United States) as partners in the resolution of the conflict, and it recognized the role of civil society in the reconciliation process. In order to seize the opportunity for peace, the Government had instructed FA A to establish contact with the UNITA military leadership to negotiate a general ceasefire, indispensable for UNITA’s participation in the political process to follow. An initial meeting took place on 15 March in Cassamba, Moxico province, Angola, at which participants reaffirmed their commitment to the Lusaka Protocol and agreed on an agenda for further meetings focusing on UNITA’s demilitarization, the partial integration of UNITA forces into FA A, and the demobilization and reintegration of the remaining soldiers into civil society. To implement those objectives, the parties would establish a mechanism, framework and timetable. The Government believed that sanctions remained an important instrument in the resolution of the conflict and served as a deterrent against UNITA’s rearmament. Upon the establishment of a general ceasefire and a mechanism for verification, Angola would work with the Monitoring Mechanism on Sanctions against UNITA to propose appropriate revisions.

SECURITY COUNCIL ACTION (March)

On 28 March [meeting 4899], following consultations among Security Council members, the President made statement S/PRST/2002/7 on behalf of the Council:

The Security Council welcomes the communiqué issued by the Government of Angola on 13 March 2002 as a positive, constructive and forward-looking approach to ending the conflict and resuming the process of national reconciliation, and calls upon the União Nacional para a Independência Total de Angola to show that it shares a similar position, with the aim of achieving national reconciliation, including through a general ceasefire in Angola.

The Council urges the União Nacional para a Independência Total de Angola to recognize the historic nature of this opportunity to end the conflict with dignity, to give a clear, positive response to the Government’s offer of peace, to implement fully the Lusaka Protocol, including by dismantling the use of arms and demilitarizing completely, and to re-enter political life to pursue its ideals as an important contributor to the process of national reconciliation towards a fully democratic Angola.

The Council recognizes the positive initiatives of the Government of Angola in this process. It also recognizes the vital role to be played by a peaceful União Nacional para a Independência Total de Angola and stresses the importance of the role of other political parties and civil society, including the churches, all supported by the international community.

The Council expects that the Government of Angola will fulfil its commitments as rapidly as circumstances permit, and notes that the response of the international community, including the provision of assistance, with the exception of humanitarian assistance, would be positively encouraged by the efforts and actions of the Government.

The Council calls upon the Government of Angola to ensure further the transparency and credibility of the peace process, including by cooperating with the United Nations, in the first phase and beyond. The Council looks forward to discussions between the Special Adviser for Africa and the Government of Angola to clarify the role of the United Nations.

The Council stresses the active role that the United Nations is expected to play in the implementation of the Lusaka Protocol, in close cooperation with the Government of Angola, and notes the need to renew and possibly redefine the mandate of the United Nations Office in Angola by 15 April 2002, taking into account recent developments in Angola, in consultation with the Government of Angola.

The Council declares its support for the full implementation of the Lusaka Protocol and its willingness to work with all parties in this endeavour, and stresses the importance of the re-commencement of the Joint Commission as soon as the União Nacional para a Independência Total de Angola is ready to name its members. It calls upon the Government to facilitate the União Nacional para a Independência Total de Angola retaining its place on the Commission, while noting that it might be necessary for the parties to build upon the Lusaka Protocol, by common agreement, as appropriate to current circumstances without altering the fundamental nature and principles of the accord.

The Council stands ready to consider appropriate and specific exemptions from and amendments to the measures imposed by paragraph 4 (a) of Security Council resolution 1127 (1997) of 28 August 1997, in consultation with the Government of Angola and with a view to facilitating the peace negotiations.
The Council welcomes the statement by the Government of Angola on facilitation of the political reorganization of the União Nacional para a Independência Total de Angola and the choice of its leadership in complete freedom, in order to have a legitimate interlocutor for national reconciliation.

The Council underlines that the legitimacy of the peace process depends upon a genuine role for, and full participation of, political parties and civil society without interference, as well as flexibility in approaching questions of national reconciliation.

The Council expresses its concern that the grave humanitarian situation, especially that of internally displaced persons, continues to deteriorate and calls upon the Government of Angola to accelerate full and immediate access to all those in need of humanitarian assistance. It welcomes the decision by the Government of Angola to include humanitarian assistance in its plans to extend territorial administration throughout Angola, and expects that the Government of Angola will cooperate fully through an agreed coordinating mechanism with the international donors in developing swiftly an appropriate and effective humanitarian response, including demining activities.

The Council invites the Government of Angola to brief it at the earliest opportunity on the peace process in all its aspects, as well as national reconciliation and the humanitarian situation.

Angola, by a 1 April letter [S/2002/346], forwarded the text of the Government’s 30 March statement on its ceasefire settlement with UNITA general military staff. Congratulating the military leadership of FAN and of UNITA’s forces for the understanding reached on a general ceasefire and the implementation of the remaining military tasks under the Lusaka Protocol, the Government said that the milestone created the conditions for the conclusion of the implementation of the Protocol and for the definitive end of the armed conflict. The talks between the two armed forces had included the issues of demobilization, quartering and conclusion of UNITA’s armed forces and to assist in the quartering, demilitarization and the incorporation of its staff into FAN and the national police. In that context, the Cabinet approved a draft for the amnesty law to be submitted to the National Assembly to address crimes of military nature and against the security of the State that had been committed during the armed conflict.

Upon resolving the military issues, it would be possible to proceed to the second phase: that of addressing the political items covered in the Lusaka Protocol and creating the necessary mechanisms that required UNITA to reach consensus on the appointment of its participants. The cooperation of the international community, represented by the Troika of observers, was fundamental, the Government said, for the active role it would play in implementing the Lusaka Protocol, particularly in assisting demobilization and halting the UNITA military organization, in humanitarian assistance to populations in need and in other decisive tasks for the normalization of the life of the nation.

The Troika of observers transmitted to the Council a joint statement of 23 April [S/2002/355], in which it said that the ceasefire agreement was a turning point in Angolan history, and it called on UNITA supporters to take the next step—to rebuild their party and pursue political aims peacefully. Welcoming the Government’s intention to provide conditions for UNITA to resolve internally the issues of its leadership and reorganization, the Troika added that national reconciliation should encompass all of society. It called on the Government to put in place quickly the cantonnement areas for UNITA troops. The three countries welcomed the reconstitution of the Joint Military Commission to oversee the ceasefire and looked forward to the reconstitution of the Joint Political Commission. They were prepared to continue to assist national reconciliation in Angola.

The UN Standing Advisory Committee on Security Questions in Central Africa, at its seventeenth ministerial meeting (Kinshasa, DRC, 22-26 April) [A/57/79-S/2002/551], welcomed the ceasefire agreement and commended the Angolan Government on its efforts to create conditions for the resumption of the peace process and national reconciliation.

Memorandum of understanding

The Secretary-General, in an 11 April letter to the Security Council [S/2002/411], affirmed that the situation in Angola had changed dramatically in recent months. He noted that the Chiefs of Staff of FAN and UNITA signed a memorandum of understanding on 4 April as an addendum to the Lusaka Protocol [YUN 1994, p. 346], paving the way for a general ceasefire. According to the MOU, the United Nations was expected to provide military observers and technical and material support for the quartering, demilitarization and reintegration of UNITA military forces. In addition, it had been asked to provide initial emergency assistance to the families of demobilized troops and to assist in the quartering, disarming and repatriation of foreign troops. The text of the MOU was forwarded to the Council by Angola on 25 April [S/2002/483].

The Government indicated that the signing of the MOU marked the beginning of the second phase of the peace process dealing with the remaining political items of the Lusaka Protocol. The Secretary-General’s Adviser for Special Assignments in Africa, Under-Secretary-General Ibrahim A. Gambari, who witnessed the signing...
ceremony and initialled the MOU, would discuss with the Angolan parties the second phase of the peace process and clarify the UN role in that regard. The Secretary-General would report on those discussions and make recommendations to the Council. In the meantime, he recommended that the Council extend the mandate of the United Nations Office in Angola (UNOA) at the current strength for three months, until 15 July, in order to allow time for further discussion with the Government and UNITA, and for the preparation of a comprehensive report on the situation in Angola and the future role of the United Nations in the country. The Council, on 12 April [S/2002/412], concurred with the recommendation.

Mr. Gambari, addressing the Council on 23 April [meeting 437], said that as a result of his discussions in Angola, there was greater clarity concerning the future UN role. The signing of the MOU, he observed, had brought a halt to the hostilities in one of Africa's longest-running wars. Mr. Gambari stated that the Angolan Government had undertaken the following tasks in the MOU: to provide assistance to UNITA soldiers; to manage the quartering areas; to select and reincorporate about 5,000 UNITA fighters into FAA and the police; and to demobilize over 50,000 UNITA soldiers. The estimated time frame for those tasks was 292 days as from 4 April. The Government was also committed to assisting the families of UNITA soldiers, numbering some 300,000 persons, and to providing vocational training for and reintegration of former combatants into civilian life. Moreover, in its 15-point peace plan, which had been announced earlier, the Government pledged to give assistance to demobilized soldiers, estimated at 150,000, to take care of the disabled, orphaned and widowed, and to resettle approximately 4.5 million internally displaced persons. In signing the MOU on behalf of the United Nations, Mr. Gambari had expressed a reservation concerning the non-recognition by the United Nations of any general amnesty that included genocide, crimes against humanity and war crimes.

In Mr. Gambari's view, chances of returning to large-scale fighting were negligible due primarily to the military debility of UNITA, to which effective UN sanctions had contributed. Other factors were war fatigue on both sides and in the general population; the adherence of all UNITA regional commanders to the MOU; and the physical presence in Luanda of the Chief of Staff of UNITA military forces, his deputy and other senior military officers, as well as the full backing given to the MOU by the political leadership of UNITA under its Secretary-General, Lukamba Paulo Gato, who had been based in Luanda since 3 April. However, the irreversibility of the peace process would depend on a number of factors: UNITA soldiers should be quartered on schedule; the humanitarian requirements of their families needed to be met; conditions had to be met for national reconciliation and reconstruction; and UNITA should emerge as a united political party and an interlocutor in the peace process and democratization.

Concerning the UN role in the peace process, Mr. Gambari said that the Organization was expected to provide technical assistance in the quartering areas, of which there were currently 36; assist FAA in managing those areas; assist in the demobilization and reintegration of ex-combatants and their families; and provide humanitarian assistance to the families of UNITA military forces and to about 4.5 million internally displaced persons. The United Nations was expected to chair the Joint Commission during the second phase of the peace process, when political issues, such as the second round of presidential elections, the appointment of some high officials, and establishment of new democratic processes, would be discussed. The Government had assumed primary responsibility for the funding and management of the quartering areas and for providing assistance to family members of UNITA military forces in the quartering areas.

On sanctions (see p. 227), there was consensus that the lifting of the travel ban on UNITA officials was in order, but it was premature to talk of lifting others, especially those associated with the military, such as the arms embargo, fuel, diamond sales, funds and bank accounts.

The Government had agreed in principle that the mandate of UNOA needed to be adjusted to allow it to support the peace process.

The Secretary-General, on 25 June [S/2002/714], informed the Council that President José Eduardo dos Santos of Angola had requested the United Nations to provide assistance in the organization and management of the quartering areas and in the reintegration of UNITA soldiers. The Secretary-General would present recommendations to the Council on the UN tasks to support the MOU, but, in the meantime, he sought the Council’s approval for deploying up to 10 military liaison officers to Angola to assist in implementing the MOU, for an initial period of three months. On 28 June [S/2002/715], the Coun-
cil agreed with the proposal. While Mr. Gambari was conducting an assessment mission to Angola to prepare recommendations, the Secretary-General, on 11 July [S/2002/768], requested the Council to extend the mandate of UNOA for one month, until 15 August. The Council concurred on 16 July [S/2002/769].


The Secretary-General described developments leading to the signing of the MOU, beginning with his efforts in December 2001 to contact Mr. Savimbi. Mr. Savimbi was killed in combat on 22 February, however, and FAA quickly established contacts with UNITA commanders with a view to ending hostilities. On 13 March, the Government unveiled its 15-point Agenda for Peace, which included an immediate cessation of all military offensives by FAA (see above). The first official contacts between the commanders of FAA and UNITA took place on 15 March and, in a joint communiqué issued afterwards, the two sides reaffirmed their commitment to the Lusaka Protocol. After two weeks of talks, they signed, on 4 April, an MOU on the cessation of hostilities and the resolution of remaining issues under the Lusaka Protocol (see above). That document was intended to replace the Lusaka Protocol (see above).

The Joint Military Commission, which was re-instituted as the main body supervising the implementation of the MOU, included military officers/observers from FAA, UNITA, the United Nations and the Troika countries. It was supported by a Technical Group. The Commission established eight regional technical groups, consisting of 24 FAA and UNITA staff personnel, responsible for implementing the MOU in their respective regions. All the quartering areas were managed by the UNITA military but with financial resources provided by the Government. On 7 June, the Government declared that the quartering process had been completed, but extended the period by a few days to allow UNITA military personnel in isolated areas to arrive in the designated quartering areas. The Government projected a total of 262 days from 4 April to complete the MOU’s implementation, after which it intended to initiate the second phase of the peace process. That would include the re-establishment of the Joint Commission, to be chaired by the United Nations, to implement the outstanding political issues. Following the signing of the MOU, fighting stopped in the whole country. As at 2 July, more than 84,000 UNITA personnel, including 658 foreign soldiers, had arrived in 36 quartering areas, accompanied by close to 240,000 family members. A World Bank mission to Angola (14 May–4 June) identified three groups of former combatants needing assistance in reintegration: about 79,000 from UNITA, 33,000 from FAA and 160,000 from former caseloads.

Among other challenges to the Government was the need to restore the rule of law and State administration throughout the country. The Government planned to hold general elections after the conclusion of the peace process and President dos Santos had requested UN support in organizing those elections; consequently, the Secretary-General dispatched a technical team to clarify the assistance needed for that process. The team identified a number of challenges in that regard, including the need to establish an appropriate legal framework (revision of the Constitution, electoral law, and appointment of an Independent Electoral Commission), voter registration and education, confidence-building and national reconciliation programmes.

The report described other areas where Angola needed significant international assistance, in particular for human rights protection and education, protection and rehabilitation of children, humanitarian assistance, especially for demobilized UNITA soldiers and their families, and demining. To determine the extent to which the UN system could support Angola in the consolidation of peace, the Secretary-General requested his Special Adviser for Special Assignments in Africa to lead a multidisciplinary team to Angola, comprising representatives of humanitarian and development agencies, as well as political, military, logistical and public information personnel.

Based on the team’s findings, the Secretary-General outlined the tasks before the United Nations in support of consolidation of peace and national reconciliation and noted that the initial focus would be on the continuing delivery of humanitarian assistance throughout the country, and on assisting in the MOU implementation, in particular the demobilization and reintegation of ex-combatants. The main tasks of UN support would be to: facilitate and coordinate the delivery of humanitarian assistance to vulnerable groups; provide technical advice and support for mine action; liaise with the parties through the Joint Military Commission and other relevant bodies on MOU implementation; advise and observe the quartering, demobilization and reintegration process, if requested by the Government; chair the Joint Commission and promote national reconciliation; assist in the protection and promotion of human rights and building of institutions...
to consolidate peace and the rule of law; mobilize resources in support of the peace process; promote economic recovery through UN agencies; and provide technical advice in preparing and conducting elections.

To implement those tasks effectively, the mandate of UNOA would have to be adjusted. The expanded mandate would require a new mission to succeed UNOA, headed by a Special Representative of the Secretary-General who would assume the lead in providing UN support for the political and military functions envisaged in the first and second phases of the peace process, and help conclude the implementation of the Lusaka Protocol. For military tasks, the new mission would require an increase in personnel, including 11 military liaison officers to liaise with FAA and UNITA military components. A few political affairs officers would be required for assignment to the Joint Commission when it was re-established, and 16 additional human rights officers would be required for deployment to key provinces. The deployment of a child protection adviser would also be considered and logistical and administrative capacity would need to be augmented. Meanwhile, the most urgent task of the UN system with regard to the consolidation of peace remained the delivery of humanitarian assistance to the 3 million Angolans in need—food delivery, support for resettlement and return, provision of health care, safe water and sanitation systems, education and mine action—for which additional resources were urgently required.

The Secretary-General remarked that the signing of the MOU marked a new era in the Angolan peace process and presented new challenges for the UN presence in the country. It was encouraging to note that the prospects for long-term peace were better than at any time before. More than 84,000 UNITA troops had been quartered and the ceasefire was holding. The United Nations was required to play an important role in the consolidation of peace in Angola, given the complex and difficult tasks assigned to it by the Lusaka Protocol, the Government’s Agenda for Peace and the MOU. Accordingly, the Secretary-General recommended that the Council establish a new mission in Angola, to be called the United Nations Mission in Angola (UNMA), for an initial period of six months, from 16 August 2002 to 16 February 2003, with a midterm report to be submitted to the Council.

Communication (August). On 15 August [S/2002/888], Portugal transmitted to the Security Council President a statement of the Troika of Observer States to the Lusaka Protocol, expressing their satisfaction that lasting peace and a political settlement finally seemed at hand in Angola due to the wisdom being shown by both the Government and UNITA. Since the MOU signing, some 82,320 UNITA military personnel had assembles in quartering areas, accompanied at nearby sites by nearly 250,000 family members, a demonstration of both sides’ willingness to put the past behind them. Welcoming the Secretary-General’s report (above), the Troika supported his decision to continue the UN presence in Angola. It urged the parties to reconstitute the Joint Commission as soon as possible, and urged UNITA to reconstitute itself as a peaceful political party.

Establishment of UNMA
SECURITY COUNCIL ACTION (August)


The Security Council,
Reaffirming its resolution 696(1991) of 30 May 1991 and all its subsequent resolutions on the situation in Angola, in particular resolution 1268(1999) of 15 October 1999,
Emphasizing its commitment to preserve the unity, sovereignty and territorial integrity of Angola,
Reaffirming the importance of the “Acordos de Paz”, the Lusaka Protocol and the Complementary Memorandum of Understanding to the Lusaka Protocol for the Cessation of Hostilities and the Resolution of the Remaining Outstanding Military Issues Pending under the Lusaka Protocol, as well as relevant Security Council resolutions,
Recalling the statement by its President of 28 March 2002, which, in particular, stresses the willingness of the Council to support adjustments to the mandate of the United Nations Office in Angola, which should take into account recent developments in Angola,
Welcoming the report of the Secretary-General of 26 July 2002,
Expressing its appreciation for the work of the Office in support of the people of Angola,
Expressing its view that the presence of the United Nations in Angola can contribute to the consolidation of peace through the promotion of political, military, human rights, humanitarian and economic goals, as set out in the report of the Secretary-General,

1. Authorizes the establishment, as a follow-on mission to the United Nations Office in Angola, of the United Nations Mission in Angola for a period of six months, until 15 February 2003, to pursue the objectives and to perform the tasks recommended by the Secretary-General in his report and reflected in paragraph 3 below, and expresses its intention, in determining whether to extend, adjust or curtail the Mission, to take into account the recommendations of the Secretary-General based on the assessment of his Special Representative of progress made in completing the Lusaka Protocol;
2. Welcomes the appointment of a resident Special Representative of the Secretary-General to serve as the head of the Mission and to oversee a coordinated and integrated approach to United Nations activities in Angola, as reflected in the mandate of the Mission described in paragraph 3 below;

3. Endorses the staffing of the Mission, as appropriate and as recommended by the Secretary-General in his report, including the recommendation for a child protection adviser, with the following mandate:

(a) To assist the parties in concluding the Lusaka Protocol by:
   (i) Chairing the Joint Commission;
   (ii) Leading the completion of the agreed list of tasks which remain pending under the Lusaka Protocol;
   (b) To assist the Government of Angola in undertaking the following tasks:
      (i) Protection and promotion of human rights and the building of institutions to consolidate peace and to enhance the rule of law;
      (ii) Provision of technical advice and support for mine action;
      (iii) Facilitation and coordination of delivery of humanitarian assistance to vulnerable groups, including internally displaced persons and families in quartering areas, with special concern for children and women;
      (iv) Support for social and professional reintegration of demobilized personnel through appropriate United Nations agencies;
      (v) Promotion of economic recovery through relevant United Nations agencies;
      (vi) Mobilization of the resources of the international community, to include international donors conferences, as appropriate; and
      (vii) Provision of technical assistance to the Government of Angola in the preparation of elections;

4. Requests the Secretary-General to report to the Security Council when his Special Representative confirms that the Joint Commission has determined that all remaining tasks under the Lusaka Protocol have been completed, and notes that, upon the conclusion of the mandate of the Mission, the United Nations Resident Coordinator will resume authority for supervising the above tasks, as appropriate;

5. Also requests the Secretary-General to provide an interim report to enable a three-month review of the work of the Mission by the Council;

6. Decides to remain actively seized of the matter.

Appointment. The Secretary-General, on 10 September [S/2002/1026], informed the Security Council of his intention to appoint Ibrahim Gambari (Nigeria) as his Special Representative for Angola. In that capacity, he would also serve as Chairman of the recently re-established Joint Commission for the Angolan peace process. The Council, on 12 September [S/2002/1027], took note of his intention.

General Assembly action. On 25 November, the General Assembly, by resolution 57/102 (see p. 913), appealed to Member States to support projects foreseen in the review of the UN Consolidated Inter-Agency Appeal for 2002, which were to be completed by December in order to assist the 4 million internally displaced people in Angola.

Communications (October/December). On 18 October [S/2002/1277], Angola forwarded to the Security Council President the final communiqué of the summit of the Southern African Development Community (SADC) (Luanda, 1-3 October), which welcomed the return of peace in Angola, a development that added stability to the Southern and Central African regions.

Angola, on 6 December [S/2002/1337], transmitted its 19 November declaration on the peace process, in which it affirmed its belief that conditions were set for all political parties to develop their political activities. The Government recognized the importance of continuing to work closely with UNITA in a bilateral forum, and the usefulness for the peace process of the contribution of other political forces and that of civil and professional associations.

Report of Secretary-General (December). In December [S/2002/1555], the Secretary-General, pursuant to Security Council resolution 1433 (2002) (above), issued an interim report on the implementation of UNMA’s mandate. During the period since his July report, there had been significant developments, in particular the end of the armed conflict, the signing of the Memorandum of Commitment for the Final Implementation of the Lusaka Protocol between the Government and UNITA, UNITA’s efforts to unite and transform itself into a political party, and the completion of the work of the Joint Commission. The Secretary-General had witnessed the signing of the Memorandum of Commitment on 26 August during his visit to Angola (25-27 August), when he held discussions on a number of key issues with President dos Santos and senior government and UNITA officials.

On 2 August, the Government declared that the process of disarmament and disbanding of UNITA forces was complete. In accordance with the MOU, 5,007 UNITA ex-combatants were being integrated into the national army and 40 UNITA personnel were being inducted into the police. In addition, 658 foreign ex-combatants from Rwanda and the DRC, who were disarmed and demobilized along with 253 of their dependants, were awaiting repatriation. The Joint Military Commission, established to oversee the pending military aspects of the MOU, was renamed the Military Commission following the integration of UNITA military personnel into the army, and was expected to remain in session until the
completion of the resettlement process for ex-combatants.

Under the terms of the Memorandum of Commitment, the parties agreed to implement, within 45 days, the remaining tasks under the Lusaka Protocol: national reconciliation, including the social reintegration of UNITA ex-combatants; allocation of facilities for UNITA and residences for the party leadership; submission of UNITA’s nominees for positions in a Government of Unity and National Reconciliation and the public service; establishment of UNITA as a political party and reinstating the status of the leader of the largest opposition party; review of the symbols of the Republic of Angola; and the electoral process.

Following efforts by its leadership to unite the various factions of the party, UNITA, on 8 October, swore in its political commission at the National Assembly, formally marking its inauguration as a political party. It moved into new national headquarters in Luanda, allocated to it by the Government. On 19 November, the Government declared that legal conditions had been fulfilled for all political parties, including UNITA, to operate freely throughout the country.

The re-established Joint Commission on the peace process, chaired by the Special Representative, commenced work on 26 September and held its seventh and final regular session on 19 and 20 November. UNITA submitted to the Commission a list of its nominees for government positions and the Government handed over the keys to three houses and two apartments to UNITA, in accordance with the terms of the Memorandum of Commitment. The Government paid UNITA the first instalment of the State subsidy allocated to it as a political party, and appointed UNITA nominees to government positions. The Government requested the United Nations to assist in the electoral process, which was envisaged to take place in 2004. In its final declaration, forwarded to the Security Council on 22 November [S/2002/1274], the Commission determined that the main tasks of the Lusaka Protocol had been concluded and decided to dissolve itself accordingly. The remaining medium-term and long-term tasks would be dealt with on a continuing basis, throughout the national reconciliation process, between the Government and UNITA. Accordingly, the Commission recognized that the reasons to support the maintenance of sanctions against UNITA had ceased to exist, and recommended that the Security Council consider, with the closure of the Joint Commission, the immediate lifting of all sanctions imposed on UNITA (see below).

UNMA assisted the Government in the protection and promotion of human rights and in building national institutions to consolidate peace and enhance the rule of law. Under its six-month strategy, the Mission set up human rights task forces in seven provinces, prior to the deployment of human rights officers to those provinces. It initiated a number of activities, including enhancing government capacity in human rights, community empowerment and participation, and human rights monitoring. In addition, UNMA integrated conflict management mechanisms into all its capacity-building activities and carried out work in the areas of child protection, mine action, humanitarian operations and development.

The Secretary-General noted that neither the Memorandum of Commitment nor the MOU addressed all the remaining tasks under the Lusaka Protocol, including the provision by the Government and UNITA of all information on the location of mines to the United Nations; verification of the neutrality of the national police and the disarming of all civilians; provision of guarantees of basic freedom and human rights within the national reconciliation process; and the implementation of administrative decentralization programmes. The Protocol also foresaw extension of State administration throughout the country and the integration of UNITA members at all levels of Government, as well as access by all Angolans to social services in all parts of the country. As no consensus had been reached on many of those issues in the framework of the Joint Commission, the parties agreed to establish a bilateral mechanism to address the medium-term and long-term tasks, following the dissolution of the Joint Commission. Disarmament of the civilian population remained central to the consolidation of peace and security in Angola, and, as Angola remained heavily mined, there was an urgent need to accelerate demining activities. Further work on the election process was another key aspect of the post-Joint Commission period.

The Secretary-General observed that there were at last real prospects for lasting peace in Angola. Both the Government and UNITA had demonstrated the will to work towards restoring the stability and security necessary for sustainable development. While significant progress had been made on the political track, the major remaining challenges were in the humanitarian and developmental sectors.

Security Council consideration. The Security Council, on 17 December [meeting 4671], considered the Secretary-General’s report and heard a statement by the Special Representative. Mr. Gambari reported that, from 2 to 5 December, the ruling politburo of the Movimento Popular
da Liberdade de Angola (MPLA), the ruling party, and the UNITA Political Commission met for the first time to discuss common issues, including the revision of the Constitution as a prelude to the holding of national elections. Drawing attention to the difficult humanitarian situation, the Special Representative remarked on the launch of the consolidated inter-agency appeal for 2003, which it was hoped would be the last emergency appeal for Angola. It required some $384 million to fund the agencies’ activities (see p. 894).

**Sanctions**

In 2002, the Security Council continued to monitor sanctions against UNITA through the Committee established pursuant to resolution 864(1993) [YUN 1993, p. 256] and its Monitoring Mechanism on Sanctions against UNITA, which was established by resolution 1295(2000) [YUN 2000, p. 155] to investigate violations of the sanctions. The original set of sanctions on arms and petroleum embargoes was expanded several times to include bans on illegal diamond trading and travel by high UNITA officials and their families. In 2002, the Monitoring Mechanism reported three times on sanctions violations, and concluded that sanctions had contributed significantly to the downfall of UNITA. On 18 April, the Council extended the Monitoring Mechanism for six months until 19 October. In May, the Council suspended the travel restrictions on UNITA officials for a 90-day period and, in August, instituted a further 90-day suspension. On 18 October, the Council extended the Monitoring Mechanism for two months until 19 December. On 9 December, the sanctions against UNITA were lifted and the Council dissolved the Committee responsible for monitoring them.

**Monitoring Mechanism**

*April report.* In response to resolution 1574(2001) [YUN 2001, p. 232], the Monitoring Mechanism provided an update of its findings since its October 2001 report [ibid.]. During that period, the Mechanism investigated allegations of sanctions violations and the role of criminal elements that had been crucial in sustaining UNITA’s capacity to wage war through the purchasing of arms and the smuggling of diamonds. In addition, it devoted considerable attention to the issue of financial sanctions and analysed various systems and legislative procedures in place in a number of countries.

The report described the military situation, which had recently changed significantly due to UNITA’s lack of resources and loss of personnel and leaders, notably Jonas Savimbi. At the time of the report, expectations were high that the conflict would end (see above). UNITA’s debilitated physical and military state suggested that the monitoring of sanctions compliance and investigation of violations had contributed to the movement’s diminished capacity to rearm and resupply. In addition to identifying violators, the Mechanism had used good offices and quiet diplomacy to encourage Governments to reverse their policies.

The Mechanism noted that, even before Mr. Savimbi’s death, a number of Governments mentioned in its previous reports had taken decisive steps to curtail UNITA’s activities, diamond smuggling and arms and equipment purchasing. The report described investigations into the movement of funds related to arms deals and activities of arms brokering companies. With regard to diamond trading, the report focused on case studies of violations of the UN sanction on diamond trading under Security Council resolution 1173(1998) [YUN 1998, p. 108] and on the use of countries surrounding Angola to provide a false provenance for embargoed Angolan gems. Despite the existence of sanctions for nearly four years, no concrete steps had been taken to control the trade in embargoed gems beyond the implementation of the certificate-of-origin system and related measures in Angola. The lack of transparency within the diamond industry was found to limit information about diamond transactions, and, according to a report issued by the United States Senate, the nature of the diamond trade created opportunities for illicit trade, including the use of diamonds as currency in arms deals, money-laundering and other types of crime. Diamonds remained untraceable to their source and the burden of implementing the sanction had fallen on producer countries rather than on diamond markets, pending the implementation of the Kimberley Process certificate (see p. 43). While some measures had been taken to regulate the industry, stronger procedures were required. For example, under the relevant sanction, the responsibility was on the importer to ensure that the declaration of origin of diamonds was genuine, yet that requirement was widely flouted as Angolan diamonds entered markets with impunity. The report identified several companies involved in sanctions violations and described the path of embargoed Angolan diamonds reaching markets. However, the recapture of UNITA mining regions by FAA had radically reduced the capacity of UNITA to mine diamonds, and the death of Jonas Savimbi was the greatest factor in limiting UNITA’s diamond trading. Mr. Savimbi
personally held the reins of the trade, aided by his wife, Sandra Saikata. Nevertheless, diamonds remained the sole source of income for UNITA military bands until disarmament was complete and UNITA stockpiles still existed. The Mechanism concluded that UNITA was also involved in mining operations and had the capacity to trade significant quantities of diamonds until mid-2001, with an ever-decreasing volume since then. The Angolan Government was in the process of setting up a new diamond security structure, the Diamond Inspection and Security Corps, to monitor all aspects of diamond production and sales, to intercept smuggling operations, and to register and license diamond buyers.

The Mechanism evaluated measures undertaken by selected States to implement the financial sanctions, and it chose six countries (Belgium, Côte d’Ivoire, Ireland, Portugal, South Africa, Switzerland) that were seen as important to UNITA operations in terms of representation, alleged diamond trading activities and findings from initial asset searches. It called for Member States to develop some form of national authority to freeze the financial resources of targeted persons and to report on measures taken to enforce financial sanctions in their national territories. The extent to which UNITA funds had entered any national banking and financial system would only be determined through an official inquiry carried out in the system or territory.

The Mechanism concluded that the case of Angola was a clear example of how a sanctions regime, when duly monitored, could be a real instrument of peace as the Security Council had intended. The Council had imposed sanctions on UNITA with a view to inducing the movement to abandon war, rather than as punitive action. The monitoring of violations and the improved enforcement at national levels had contributed to exhausting the movement’s decade-long easy access to weapons through the illicit trade of diamonds and the role of sanctions in weakening UNITA was recognized by its Secretary-General, General Paulo Lukamba Gato. The Mechanism emphasized the importance of the cooperation of Member States, particularly those of the region, in making sanctions work towards peace in Angola.

SECURITY COUNCIL ACTION (April)

On 18 April [meeting 4312], the Security Council unanimously adopted resolution 1404(2002). The draft (S/2002/437) was prepared in consultations among Council members.

The Security Council,


Recalling the statement by its President of 28 March 2002, in particular the Council’s readiness to consider appropriate and specific exemptions from and amendments to the measures imposed by paragraph 4(a) of resolution 1127(1997), in consultation with the Government of Angola and with a view to facilitating the peace negotiations,

Reaffirming its commitment to preserve the sovereignty and territorial integrity of Angola,

Expressing once again its concern regarding the humanitarian effects of the present situation on the civilian population of Angola,

Welcoming the ceasefire agreement signed in Luanda on 4 April 2002,

Recognizing the importance attached, inter alia, to the monitoring, for as long as it is necessary, of the implementation of the provisions contained in resolutions 864(1993), 1127(1997) and 1173(1998),

Determining that the situation in Angola continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. Looks forward to receiving the additional report of the monitoring mechanism established pursuant to resolution 1295(2000), to be submitted pursuant to paragraph 8 of resolution 1574(2001);
2. Expresses its intention to give full consideration to this additional report;
3. Decides to extend the mandate of the monitoring mechanism for a further period of six months, ending on 19 October 2002;
4. Requests the monitoring mechanism to provide the Security Council Committee established pursuant to resolution 864(1993), hereinafter referred to as “the Committee”, within thirty days of the adoption of the present resolution, with a detailed action plan for its future work, in particular, but not exclusively, on the financial measures and on the measures concerning the trade in diamonds and the trade in arms against the União Nacional para a Independência Total de Angola;
5. Requests the monitoring mechanism to report periodically to the Committee and to provide a further additional report to the Committee by 15 October 2002;
6. Requests the Secretary-General, upon adoption of this resolution and acting in consultation with the Committee, to appoint four experts to serve on the monitoring mechanism, and also requests the Secretary-General to make the necessary financial arrangements to support the work of the monitoring mechanism;
7. Requests the Chairman of the Committee to submit the additional report to the Council by 19 October 2002;
8. Calls upon all States to cooperate fully with the monitoring mechanism in the discharge of its mandate;
9. Decides to remain actively seized of the matter.
**Suspension of travel restrictions**

**SECURITY COUNCIL ACTION (May/August)**


The Security Council,

- **Recalling** the statement by its President of 28 March 2002, which, in particular, expressed the Council’s readiness to consider appropriate and specific exemptions from and amendments to the measures imposed by paragraph 4(a) of resolution 1127(1997),
- **Welcoming** the historic step taken by the Government of Angola and the União Nacional para a Independência Total de Angola, on 4 April 2002, in signing the Memorandum of Understanding Addendum to the Lusaka Protocol for the Cessation of Hostilities and the Resolution of the Outstanding Military Issues under the Lusaka Protocol,
- **Welcoming in particular** the efforts of the Government of Angola to restore peaceful and secure conditions in the country and to re-establish effective administration and the efforts of all Angolans to promote national reconciliation,
- **Reaffirming** its commitment to preserve the sovereignty and territorial integrity of Angola,
- **Emphasizing** the importance of the full implementation of the “Acordos de Paz”, the Lusaka Protocol, and the relevant Security Council resolutions, in close cooperation with the United Nations and the troika of observers,
- **Reaffirming** the need for the União Nacional para a Independência Total de Angola to cooperate fully in the demobilization and quartering of soldiers of the União Nacional para a Independência Total de Angola and their reintegration into the armed forces, police and civil society of Angola, as specified in the Memorandum of Understanding,
- **Recognizing** the need for the facilitation of travel by members of the União Nacional para a Independência Total de Angola in order for the peace process and national reconciliation to advance, including to enable reorganization of the União Nacional para a Independência Total de Angola with the goal of rapid reintegration into national life and fulfillment of all peace accords,

Acting under Chapter VII of the Charter of the United Nations,

1. **Decides** that the measures imposed by paragraphs 4(a) and (b) of resolution 1127(1997) are suspended for a period of ninety days from the date of the present resolution;
2. **Decides** that prior to the end of this period the Council will decide whether to extend the suspension of the measures referred to in paragraph 1 above, taking into account all available information, including from the Government of Angola, on the continuing progress of the process of national reconciliation in Angola;
3. **Decides** to remain actively seized of the matter.

On 15 August [meeting 4605], the Council unanimously adopted resolution 1432(2002). The draft [S/2002/934] was prepared during consultations among Council members.

The Security Council,

- **Reaffirming** all its previous resolutions, in particular resolution 1127(1997) of 28 August 1997 and resolution 1412(2002) of 17 May 2002, and the statements by its President on the situation in Angola, in particular the statement of 28 March 2002,
- **Welcoming** the historic step taken by the Government of Angola and the União Nacional para a Independência Total de Angola on 4 April 2002, by signing the Complementary Memorandum of Understanding to the Lusaka Protocol for the Cessation of Hostilities and the Resolution of the Remaining Military Issues under the Lusaka Protocol (S/1994/141, annex),
- **Welcoming also** the efforts made by the Government of Angola to restore peaceful and secure conditions in the country, to re-establish effective administration and to promote national reconciliation,
- **Welcoming further** the ongoing efforts of the União Nacional para a Independência Total de Angola to become an active participant in the democratic political process of Angola, in particular the demobilization and quartering of soldiers of the União Nacional para a Independência Total de Angola, as well as the disbanding of its military wing on 2 August 2002,
- **Reaffirming** its commitment to preserve the sovereignty and territorial integrity of Angola,
- **Emphasizing** the importance of the full implementation of the “Acordos de Paz”, the Lusaka Protocol, the Complementary Memorandum of Understanding and the relevant Security Council resolutions, in close cooperation with the United Nations and the troika of observers,
- **Recalling** its decision in resolution 1412(2002) to suspend for a period of ninety days the measures imposed by paragraphs 4(a) and (b) of resolution 1127(1997) so as to facilitate travel by members of the União Nacional para a Independência Total de Angola in order for the peace process and national reconciliation to advance,

Acting under Chapter VII of the Charter of the United Nations,

1. **Decides** to suspend the measures imposed by paragraphs 4(a) and (b) of resolution 1127(1997) for an additional period of ninety days from the date of adoption of the present resolution, with a view to encouraging further the peace process and national reconciliation in Angola;
2. Decides also that, prior to the end of that period, the Council may consider reviewing the measures referred to in paragraph 1 above, taking into account all available information, including from the Government of Angola, on the implementation of the peace accords;

3. Decides to remain actively seized of the matter.

October report. The Monitoring Mechanism, on 14 October [S/2002/1109], submitted to the Council an additional report, the sixth in a series since the Mechanism’s appointment in 2000 [YUN 2000, p. 158]. During the reporting period, the Mechanism pursued enquiries and investigations that it had initiated during previous mandates, following up on investigations pertaining to the activities of individuals, private companies, government officials and institutions believed to be violating sanctions. It enquired about measures and legislation enacted to increase compliance, and official investigations into illicit activities. The Mechanism continued to rely on the cooperation of several regional organizations and intergovernmental institutions.

The Mechanism noted that, since 2000, the pattern of sanctions violations had changed. Under increased international vigilance, a number of individuals who aided and abetted the UNITA war were no longer active. However, the criminal networks that profited from the conflict had not been fully identified, prosecuted or eliminated, but had gone underground and were probably operating from countries still embroiled in conflict. While the general situation in Angola encouraged optimism, there were challenges ahead.

With regard to the arms component of the sanctions regime, the Mechanism said that weaknesses still existed in the export/import chain and could be attributed to factors such as the absence of regulation of brokering companies, insufficient control and verification of end-user certificates, and the lack of security features in the format of end-user certificates issued by relevant African importing countries. Much of the pattern of flow of arms destined for UNITA had been identified, as outlined in the report.

UNITA’s representational activities, carried out in contravention of the sanctions regime, remained a concern. Although UNITA offices in foreign countries, mostly in Africa and Europe, were officially closed, they were converted into different kinds of front organizations that performed functions specifically forbidden under Council resolution 1127(1997) [YUN 1997, p. 106]. UNITA representatives were active in the media of certain countries, where they took advantage of all facilities to promote the rebel movement.

UNITA had also developed an electronic communications network to disseminate all types of information and propaganda concerning the civil and military actions of the organization.

The Mechanism reported on the progress of its investigations into violations of diamond sanctions, focusing on UNITA diamond mining and trading activities, the Angolan certificate-of-origin scheme, relevant diamond markets and third-party countries, activities of diamond companies, and State actors. It stated that UNITA diamonds were smuggled through a system in which the sales were primarily for cash, and diamonds were traded for arms or supplies. It had not been possible to identify companies involved in UNITA diamonds-for-arms trades. One effect of the sanction on diamond trading was the production of more sophisticated forged or falsified documents to conceal the origin of the diamonds.

The financial sanctions against UNITA had become more effective after the Mechanism investigated the assets of senior UNITA officials, which allowed the Mechanism to put pressure on some key countries and to request an investigation that could only be conducted by the national authorities. In that respect, the Mechanism emphasized the importance of the cooperation of Member States in implementing financial sanctions, considering that it rested entirely in the domestic jurisdiction. During the period under review, the Mechanism had not received any reports of newly located financial assets. The Mechanism concluded that the measures concerning the financial freeze against UNITA would have been more effective if they had been accompanied by guidelines providing clear definitions of procedures and the scope of measures, including a definition of financial assets.

The Mechanism further concluded that, when monitored, sanctions had an effective impact. It warned that while the conflict in Angola was over, the criminal networks were still there, looking for new opportunities from which to profit.

Annexed to the report was a summary of the activities of the OAU Ad Hoc Committee on the Implementation of Sanctions against UNITA and an assessment of its collaboration with the Monitoring Mechanism.

SECURITY COUNCIL ACTION (October)

On 18 October [meeting 4628], the Security Council unanimously adopted resolution 1439 (2002). The draft [S/2002/1168] was submitted by Bulgaria, France, Ireland, Norway, the United Kingdom and the United States.
The Security Council,
Reaffirming also its commitment to preserve the sovereignty and territorial integrity of Angola,
Welcoming the steps taken by the Government of Angola and the União Nacional para a Independência Total de Angola toward the full implementation of the “Acordos de Paz”, the Lusaka Protocol, the Complementary Memorandum of Understanding and on the implementation of the provisions contained in resolutions 864(1993), 1127(1997) and 1173(1998),
Expressing once again its concern regarding the humanitarian effects of the present situation on the civilian population of Angola,
Recognizing the importance attached, inter alia, to the monitoring, for as long as it is necessary, of the implementation of the provisions contained in resolutions 864(1993), 1127(1997) and 1173(1998),
Noting the existence of continued challenges to the stability of Angola and determining that ensuring the stability of Angola is necessary for the maintenance of peace and security in the region,
Acting under Chapter VII of the Charter of the United Nations,
1. Expresses its intention to give full consideration to the additional report of the monitoring mechanism established pursuant to resolution 1295(2000) submitted pursuant to paragraph 7 of resolution H04(2002);
2. Decides to extend the mandate of the monitoring mechanism for a further period of two months, ending on 19 December 2002, subject to review by the Council;
3. Requests the monitoring mechanism to provide the Security Council Committee established pursuant to resolution 864(1993) (hereinafter referred to as “the Committee”), within ten days from the date of adoption of the present resolution, with an action plan for its future work, to include:
(a) Plans for ample consultations in Angola between members of the monitoring mechanism and representatives of both the Government of Angola and the União Nacional para a Independência Total de Angola, with a view to assessing the situation and to contributing towards a full review by the Council of the measures imposed against the União Nacional para a Independência Total de Angola, once the peace process has been completed;
(b) An assessment of possible violations of existing measures imposed against the União Nacional para a Independência Total de Angola that may have occurred since the signing of the Complementary Memorandum of Understanding;
(c) Details on renewed efforts to locate funds and financial resources of the União Nacional para a Independência Total de Angola currently frozen pursuant to existing measures;
(d) The development of possible recommendations with regard to the issue of funds and financial resources which were located by Member States and subsequently frozen pursuant to existing measures;
(e) Details on the ongoing monitoring and investigation of possible violations of the arms embargo established pursuant to resolution 864(1993) and prohibitions against the import from Angola of diamonds not controlled by the certificate-of-origin scheme of the Government of Angola, as called for pursuant to resolution 1173(1998);
4. Also requests the monitoring mechanism to provide a further additional report to the Committee, by 15 December 2002, focusing in particular on possible violations of measures imposed against the União Nacional para a Independência Total de Angola that may have occurred since the signing of the Complementary Memorandum of Understanding and on the identification of funds and financial resources of the União Nacional para a Independência Total de Angola frozen pursuant to paragraph 11 of resolution 1173(1998);
5. Requests the Secretary-General, upon adoption of the present resolution and acting in consultation with the Committee, to appoint two experts to serve on the monitoring mechanism, and also requests him to make the necessary financial arrangements to support the work of the monitoring mechanism;
6. Requests the Chairman of the Committee to submit the additional report to the Council by 19 December 2002;
7. Calls upon all States to cooperate fully with the monitoring mechanism in the discharge of its mandate;
8. Decides that the provisions of paragraph 4 (a) and 4 (b) of resolution 1127(1997) shall cease to have effect from 0001 hours eastern standard time on 14 November 2002, following the expiration of the suspension of the measures as set out in paragraph 1 of resolution 1432(2002);
9. Decides also to review, with a view to their possible lifting, all the measures contained in resolutions 864(1993), 1127(1997) and 1173(1998), by 19 November 2002, taking into account all available information, including from the Government of Angola and all other parties involved, on the implementation of the peace accords;
10. Decides to remain actively seized of the matter.

Appointments. On 28 October [S/2002/1294], the Secretary-General informed the Security Council that, in accordance with resolution 1439(2002) (above), he had appointed two experts to serve on the Monitoring Mechanism. He requested Juan Larraín to continue to chair the Mechanism.


The Mechanism, during its visit to Angola from 4 to 9 November, met with representatives of the Government and the UNITA leadership, in-
cluding its Secretary-General, Paulo Lukamba Gato, who stressed that UNITA had abandoned the use of force and that, consequently, it was imperative to lift sanctions so as to permit the movement to operate fully as a legitimate political party. On the basis of the positive developments relating to the peace process and having found no evidence of sanctions violations, the Mechanism, on 12 November, requested the Chairman of the Security Council Committee established pursuant to resolution 864(1993) [YUN 1993, p. 256] to convene a meeting. The Chairman of the Monitoring Mechanism informed the Committee on 20 November that the objectives of resolutions establishing arms and petroleum sanctions (resolution 864(1993)), banning UNITA representation (resolution 1127(1997)) [YUN 1997, p. 106], and banning the illegal diamond trade and flow of UNITA funds (resolution 1173(1998)) [YUN 1998, p. 308] had been met. Given that UNITA was fulfilling its obligations within the context of the peace process, the Mechanism recommended that the Council lift all sanctions against UNITA, at the earliest opportunity.

According to information from the Government, UNITA had surrendered approximately 95 per cent of its weapons. While the presence of small arms in Angola remained a problem, the use of such weapons for organized military purposes was unlikely. With regard to the diamond trade, new governmental procedures and rules had curtailed illicit activities. The Mechanism received assurances that UNITA, as an organization, was no longer involved in trading diamonds for weapons. Frozen accounts of senior UNITA officials had been identified in Belgium, Côte d’Ivoire, France, Ireland, Portugal, Switzerland and the United Kingdom, but specific financial data were difficult to obtain.

Lifting of sanctions

SECURITY COUNCIL ACTION (December)

On 9 December [meeting 4657], the Security Council unanimously adopted resolution 1448 (2002). The draft [S/2002/150] was prepared during consultations among Council members.

The Security Council,


Reaffirming also its commitment to preserve the sovereignty and territorial integrity of Angola, Welcoming the steps taken by the Government of Angola and the União Nacional para a Independência Total de Angola toward the full implementation of the “Acordos de Paz”, the Lusaka Protocol, the Complementary Memorandum of Understanding to the Lusaka Protocol for the Cessation of Hostilities and the Resolution of the Remaining Military Issues Pending under the Lusaka Protocol, of 4 April 2002, relevant Security Council resolutions, the declaration on the peace process issued by the Government of Angola on 19 November 2002 and the completion of the work of the Joint Commission, as expressed in the Declaration by the Joint Commission on the Peace Process, signed at Luanda on 20 November 2002,

Expressing once again its concern regarding the humanitarian effects of the present situation on the civilian population of Angola, Acting under Chapter VII of the Charter of the United Nations,

1. Expresses its intention to give full consideration to the additional report of the monitoring mechanism established pursuant to resolution 1295(2000);
2. Decides that the measures imposed by paragraph 19 of resolution 864(1993), paragraphs 4 (c) and (d) of resolution 1127(1997) and paragraphs 11 and 12 of resolution 1173(1998) shall cease to have effect from the date of adoption of the present resolution;
3. Decides also to dissolve the Security Council Committee established pursuant to paragraph 22 of resolution 864(1993) with immediate effect;
4. Decides further to request that the Secretary-General close the United Nations Trust Fund established pursuant to paragraph 11 of resolution 1257(1999) and to make the necessary arrangements to reimburse, on a proportionate basis and in accordance with relevant financial procedures, those Member States that provided voluntary contributions to the Trust Fund.

Committee report. On 19 December [S/2002/143], the Security Council Committee established pursuant to resolution 864(1993) concerning the situation in Angola submitted its final report covering its activities from 1 January to 9 December 2002. During the year, the Committee held four formal meetings and several informal meetings. Five joint informal meetings were held with the Security Council Committees established pursuant to resolution 1127(1997) concerning Sierra Leone (see p. 162) and resolution 1343(2001) concerning Liberia (see p. 175). The report gave background information on the sanctions, first imposed against UNITA in 1993, and provided a summary of the Mechanism’s activities as well.

On 6 March, the Committee announced that two names had been deleted from its list of senior UNITA officials, together with immediate adult family members, who were not allowed to travel to other States. In April, the Committee began consideration of the Mechanism’s reports on sanctions violations, and members agreed with
the Mechanism’s conclusion that sanctions had been an asset in pursuing peace. At an 8 May meeting, the Chairman of the Mechanism emphasized the need for Member States to adopt regulations at the national level to enforce financial sanctions and the need to differentiate conflict diamonds from illicit diamonds and distributed the Mechanism’s plan of action for its new six-month mandate to the members. In October, he pointed out the need to complete the search for unaccounted UNIT A arms caches. At the end of the year, the Committee members were generally supportive of the Mechanism’s recommendation that the sanctions against UNIT A be lifted as their objectives had been met. The Chairman finally suggested that the planned revision of the UNIT A list be abandoned in the light of recent developments in Angola.

The Committee observed that sanctions might not have had a direct role in the peace process, but it had been generally recognized that they had considerably weakened UNIT A’s military potential. The Monitoring Mechanism, partly by identifying the sources of sanctions violations, and partly through quiet diplomacy, proved helpful to the Committee in ensuring the effectiveness of the sanctions. The Committee drew some lessons from its experience during the decade of UNIT A sanctions: the establishment of the Panel of Experts and the subsequent Monitoring Mechanism, working on the basis of the highest evidentiary and investigative standards, significantly enhanced the effectiveness of the sanctions; States often required assistance in enacting necessary legislation and technical assistance to implement sanctions; reporting by Member States on sanctions violations had been invaluable for monitoring purposes; Committee missions to the region for familiarization and direct contact with Governments and other interested parties had been extremely useful; and use of the Internet had been useful in maintaining a degree of transparency in the Committee’s work, especially with regard to the list of senior UNIT A officials and their families. The Committee, noting the valuable body of knowledge and experience that had been accumulated, suggested that it would be useful to collate the experience gained in order to enhance the effectiveness of current and future sanctions regimes.

Financing of MONUA

In April [A/56/900], the Secretary-General reported on the final disposition of the assets of the United Nations Observer Mission in Angola (MONUA), whose mandate expired in February 1999 [YUN 1999, p. 106]. The inventory value of the assets of the Mission as at 20 June 2000 totalled $89,315 million, 33 per cent ($29,052,100) of which had been transferred to the United Nations Logistics Base at Brindisi, Italy, for storage. The remaining 67 per cent related to assets that had been disposed of in the Mission area ($31,888,200) and reported as written-off/lost ($28,372,700). The Secretary-General suggested that the General Assembly approve the donations of assets with a total inventory value of $293,800 and corresponding residual value of $81,700 to various UN agencies and non-governmental bodies, as detailed in the report.

Having considered the Secretary-General’s report, ACABQ, in May [A/56/948], requested information on the status of settlement of assets to be provided to the Fifth Committee, and recommended approval of the Secretary-General’s requests.

The Assembly, by decision 56/472 of 27 June, took note of the Secretary-General’s report and the related ACABQ report and approved the donation of assets as proposed by the Secretary-General.

On 20 December, the Assembly decided that the agenda item on the financing of MONUA and the United Nations Angola Verification Mission (UNAVEM) would remain for consideration at its resumed fifty-seventh (2003) session (decision 57/585) and that the Fifth Committee should continue to consider the item at that session (decision 57/556).

Other questions

Comoros

The League of Arab States (LAS), in a 23 September letter to the Security Council President [S/2002/1079], transmitted a resolution on support for the Republic of the Comoros adopted by its Ministerial-level Council of Foreign Ministers (Cairo, Egypt, 3-5 September). The Council expressed satisfaction with the implementation of the 2001 Framework Agreement for Reconciliation in the Comoros and the election of a State president and of governors of the three Comorian islands, while maintaining the country’s unity and territorial integrity. It decided to open an LAS liaison office in the Comoros to support the League’s role in achieving stability and to supervise the implementation of inter-Arab projects in the country.
On 16 October, the General Assembly deferred consideration of the item “Question of the Comorian island of Mayotte” and included it in the agenda of its fifty-eighth (2003) session (decision 57/503).

Mozambique


On 6 September, the Assembly included the item in the draft agenda of its fifty-seventh session (decision 56/486).

On 20 December, the Assembly decided that the item would remain for consideration at the resumed fifty-seventh (2003) session (decision 57/585) and that the Fifth Committee should continue to consider the item at that session (decision 57/556).

The Assembly, in resolution 57/104 of 25 November, urged the international community to render assistance and support for the special needs of Mozambique in the wake of natural disasters (see p. 917).

Cooperation between OAU/AU and the UN system

Coming into force of African Union

The Secretary-General, in a 12 August note to the General Assembly [A/56/1024], briefly reviewed cooperation between the United Nations and the Organization of African Unity (OAU) since 1965 when the Assembly, by resolution 2011(XX) [YUN 1965, p. 139], invited OAU to participate in Assembly sessions as an observer. He reported that, by a 7 August letter, the Interim Chairperson of the Commission of the African Union (AU) and former OAU Secretary-General, Amara Essy, had informed him that, as of 8 July 2002, OAU had ceased to exist and that the AU had come into force the following day, for an interim period of one year. The new body had four main organs—the Assembly, the Executive Council, the Committee of Permanent Representatives and the Commission. In the light of those developments, AU requested the United Nations to review the cooperation agreement between the United Nations and OAU. The Secretary-General concluded that the changes implied that the AU would assume the rights and responsibilities of OAU to participate in UN meetings and conferences as an observer, in accordance with General Assembly resolution 2011(XX) and the cooperation agreement.

On 15 August, the General Assembly, by decision 56/475, decided that the African Union would assume the rights and responsibilities of the Organization of African Unity as an observer, invited in accordance with General Assembly resolution 2011(XX) and the cooperation agreement between the United Nations and the Organization of African Unity.

Inter-organizational cooperation

In response to Assembly resolution 56/48 [YUN 2001, p. 236], the Secretary-General submitted a 26 August report on cooperation between the United Nations and OAU [A/57/334]. He noted that the year under review witnessed the final transformation of OAU to the AU. The process of establishing a new organization necessitated the development of new organs and structures, and the drafting of terms of reference and rules of procedure. The United Nations supported those efforts by dispatching experts to assist OAU in that task.

As in the past, cooperation between the two organizations involved many programmes and agencies of the UN system, and collaboration was especially close in dealing with conflict situations affecting Africa. The Secretary-General reviewed cooperation between OAU and the Department of Political Affairs, through the United Nations Liaison Office based in Addis Ababa, on the conflict situations in Burundi, the Central African Republic, the Comoros, the DRC and Madagascar. He also described the work of the Department of Peacekeeping Operations with OAU to resolve issues in the DRC, Eritrea and Ethiopia, Sierra Leone and Western Sahara. The Economic Commission for Africa worked closely with OAU on regional economic cooperation and integration, trade promotion, gender and development, information technology, pandemic diseases, the environment and population. Other UN bodies that had collaborated with OAU were the Office for the Coordination of Humanitarian Affairs, the Department of Public Information, the United Nations Development Programme, the United Nations Population Fund, the Joint United Nations Programme on HIV/AIDS, and the Office of the United Nations High Commissioner for Human Rights.

The Secretary-General concluded that the AU’s coming into force and its establishment of an interim secretariat and interim chairperson should call for a complete review of the programme of cooperation between the two organizations. Under
the previous biennial programme, the UN/OAU programme of cooperation, adopted in April 2000 [YUN 2000, p. 250], was due for review in 2002. However, OAU was of the view that, given its transition to the AU and the need to develop the structure and mandates of its new institutions, such a review would be best conducted after the governing bodies had agreed to the structure and functions. The United Nations stood ready to work with the AU in developing new structures and programmes and implementing its new agenda, including the New Partnership for Africa’s Development (see p. 907) and the Conference on Security, Stability, Development and Cooperation in Africa. The Secretary-General concluded that the full integration of the regional economic community into the new AU should also call for rationalization and streamlining of the programmes of cooperation between the United Nations and some of the subregional groupings.

The EU Presidency, in a statement forwarded to the Security Council on 10 July [S/2002/718], welcomed the inauguration of the AU and said that, by taking that step, African nations were creating a stronger and more coherent framework for peace, stability, good governance and economic development in Africa.

GENERAL ASSEMBLY ACTION

On 21 November [meeting 56], the General Assembly adopted resolution 57/48 [draft A/57/L.39 & Add.1] without vote [agenda item 22 (m)].

Cooperation between the United Nations and the African Union

The General Assembly,

Having considered the report of the Secretary-General,

Recalling the provisions of Chapter VIII of the Charter of the United Nations, as well as all its resolutions on cooperation between the United Nations and the Organization of African Unity, including resolutions 55/218 of 21 December 2000 and 56/48 of 7 December 2001,

Bearing in mind the decisions and declarations adopted by the Assembly of the African Union at its first ordinary session, held in Durban, South Africa, on 9 and 10 July 2002,

Taking note of declaration ASS/AU/Decl. 1 (1), adopted on 10 July 2002 by the Assembly of the African Union at its first ordinary session, on the implementation of the New Partnership for Africa’s Development, mandating the Implementation Committee of the New Partnership and its Steering Committee to elaborate further the Framework for the New Partnership to ensure the implementation of the Initial Action Plan,

Bearing in mind the United Nations Declaration on the New Partnership for Africa’s Development, contained in its resolution 57/2 of 16 September 2002, and its resolution 57/7 of 4 November 2002, and welcoming the strong support the New Partnership has received on various occasions, in particular at the summit meeting of the Group of Eight, held in Kananaskis, Canada, on 26 and 27 June 2002, as a framework for promoting sustainable development and growth in Africa,

Taking note of decision AHG/Dec. 175(XXXVIII), adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-eighth ordinary session, held in Algiers on 8 July 2002, approving the Memorandum of Understanding on Security, Stability, Development and Cooperation in Africa, thereby affirming the centrality of the process of the Conference on Security, Stability, Development and Cooperation in Africa as a policy development forum, a framework for the advancement of common values and as a monitoring and evaluation mechanism for the African Union,

Acknowledging the need for continuing and closer cooperation between the United Nations system and the African Union in peace and security, political, economic, technical, cultural and administrative matters,

Emphasizing the importance of the effective, coordinated and integrated implementation of the United Nations Millennium Declaration, and welcoming in this regard the commitments of Member States to respond to the special needs of Africa,

Stressing the importance of the Doha Development Agenda adopted at the Fourth Ministerial Conference of the World Trade Organization, held in Doha from 9 to 13 November 2001, the Monterrey Consensus of the International Conference on Financing for Development and the Plan of Implementation of the World Summit on Sustainable Development (“Johannesburg Plan of Implementation”) for the attainment of the United Nations millennium development goals and the reduction of poverty in Africa,

Welcoming the close collaboration between the African Union, the United Nations and the international community in the global fight against terrorism, leading to the convening by the African Union of a high-level intergovernmental meeting on the prevention and combating of terrorism in Africa, which was held in Algiers from 11 to 14 September 2002,

Noting, in this regard, the proposed entry into force of the 1999 Algiers Convention on the Prevention and Combating of Terrorism,

Emphasizing the need to implement the ministerial declaration of the high-level segment of the substantive session of 2001 of the Economic and Social Council, on the role of the United Nations in support of the efforts of African countries to achieve sustainable development, adopted on 18 July 2001,

Taking note of the declaration of the extraordinary summit meeting of the Assembly of Heads of State and Government of the Organization of African Unity on HIV/AIDS, tuberculosis and other related infectious diseases, held in Abuja from 24 to 27 April 2001, and noting the mechanisms for monitoring and reporting on its implementation,

Emphasizing the need to implement urgently its resolution S-26/2 of 27 June 2001 containing the Declaration of Commitment on HIV/AIDS, adopted at its special session on HIV/AIDS, and acknowledging in this respect the commitments of Member States to address the special needs of Africa,

Taking note of the Plan of Action for the African Decade of Disabled Persons, endorsed by the Council of Ministers of the Organization of African Unity at its seventy-sixth ordinary session, held in Durban from 28 June to 6 July 2002,

Also taking note of the Plan of Action on Drug Control and Illicit Drugs Trafficking and Abuse in Africa, endorsed by the Council of Ministers of the Organization of African Unity at its seventy-sixth ordinary session,

Acknowledging the contribution of the United Nations Liaison Office in strengthening coordination and cooperation between the African Union and the United Nations, as well as the need to consolidate it so as to enhance its performance,

Noting the efforts to be undertaken by the African Union and its organs and States members of regional economic bodies in the area of economic integration, and the need to accelerate the process of the full establishment and consolidation of the African Union so as to achieve sustainable development,

Noting also the progress made by the Organization of African Unity in developing the capacity of its Mechanism for Conflict Prevention, Management and Resolution, and acknowledging in this regard the assistance of the United Nations and the international community,

Noting further that the Protocol relating to the Establishment of the Peace and Security Council was adopted by the Assembly of the African Union at its first ordinary session, and that it was decided by the Assembly that, pending the ratification and entry into force of the Protocol, the Mechanism for Conflict Prevention, Management and Resolution should remain valid,

Stressing the urgent need to address the plight of refugees and internally displaced persons in Africa, and noting in this context the efforts made to implement the recommendations of the Ministerial Meeting of the Organization of African Unity on Refugees, Returnees and Displaced Persons in Africa, held in Khartoum on 13 and 14 December 1998, as well as the endorsement by the Council of Ministers of the Organization of African Unity at its seventy-second ordinary session of the Comprehensive Implementation Plan, adopted at the Special Meeting of Governmental and Non-Governmental Technical Experts, organized by the Organization of African Unity and the Office of the United Nations High Commissioner for Refugees, which was held in Conakry from 27 to 29 March 2000,

Recognizing the importance of developing and maintaining a culture of peace, tolerance and harmonious relationships based on the promotion of economic development, democratic principles, good governance, the rule of law, human rights, social justice and international cooperation, as reflected in the Constitutive Act of the African Union and the Declaration on Democracy, Political, Economic and Corporate Governance of the New Partnership for Africa’s Development,

Stressing the need to strengthen the African human rights system, and noting in this context the need to provide adequate support to the African Commission on Human and Peoples’ Rights, to finalize the process leading to the establishment of the African Court on Human and Peoples’ Rights, and the implementation of the 1999 Grand Baie Declaration and Plan of Action on Human Rights in Africa,

Welcoming the continuing mobilization of resources by African countries and other sources for the activities of the African Union, and encouraging Member States to continue to cooperate with the African Union in that regard,

Recognizing the need to improve the coordination and harmonization of initiatives taken by the United Nations system relating to the development of Africa,

1. Takes note with satisfaction of the report of the Secretary-General;

2. Welcomes the cooperation between the African Union and the United Nations and, in this respect, the continuing participation in and constructive contribution of the African Union and its specialized agencies to the work of the United Nations, and calls upon the two organizations to enhance the involvement of the African Union in all United Nations activities concerning Africa;

3. Calls upon the Secretary-General of the United Nations and the Interim Chairman of the African Union to review the Cooperation Agreement between the United Nations and the Organization of African Unity with a view to reflecting the establishment of the African Union;

4. Also calls upon the Secretary-General to involve the African Union and its organs closely in the implementation of the commitments contained in the United Nations Millennium Declaration, especially those that relate to addressing the special needs of Africa;

5. Encourages the Secretary-General to strengthen the capacity of the United Nations Liaison Office with the African Union;

6. Stresses the need for closer cooperation and coordination between the African Union and the United Nations, and calls upon the United Nations system to continue to support the African Union on an ongoing basis in accordance with the Cooperation Agreement between the two organizations;

7. Requests the United Nations system, while acknowledging its primary role in the promotion of international peace and security, to intensify its assistance to the African Union, as appropriate, in strengthening the institutional and operational capacity of the Peace and Security Council of the African Union, in particular in the following areas:

(a) Development of its early warning system, including the Situation Room of the Conflict Management Directorate;

(b) Training of civilian and military personnel, including a staff exchange programme;

(c) Regular and continued exchange and coordination of information, including between the early warning systems of the two organizations;

(d) Field missions of the African Union in its various member States, in particular in the area of communication and other related logistical support;
(e) Capacity-building for peace-building before and after the termination of hostilities on the continent;
(f) Support for the Peace and Security Council in taking humanitarian action on the continent in accordance with the Protocol relating to the Establishment of the Peace and Security Council;
8. Urges the United Nations system to examine the possibilities of assisting the African Union in the following areas:
   (a) Mobilization of financial resources to support the African Union Peace Fund;
   (b) Establishment of the Panel of the Wise;
   (c) Establishment of a military staff committee;
   (d) Creation of an African standby force;
9. Urges the United Nations to encourage donor countries to contribute to adequate funding, training and logistical support for African countries in their efforts to enhance their peacekeeping capabilities, with a view to ensuring that they can participate actively in peacekeeping operations within the framework of the United Nations;
10. Also urges the United Nations to contribute, where appropriate, to the enhancement of the capacity of the African Union to deploy peace support missions;
11. Requests the United Nations system to extend full cooperation and support, as appropriate, to the African Union in the implementation of the Memorandum of Understanding on Security, Stability, Development and Cooperation in Africa;
12. Requests the agencies of the United Nations system working in Africa to include in their programmes at the national, subregional and regional levels activities to support African countries in their efforts to enhance regional economic cooperation and integration;
13. Stresses the urgent need for the United Nations and the African Union to develop close cooperation and concrete programmes aimed at addressing the problems posed by the proliferation of small arms and light weapons and anti-personnel mines, within the framework of the relevant declarations and resolutions adopted by the two organizations, including the Plan of Action on Landmines, adopted at the First Continental Conference of African Experts on Landmines, held at Kempton Park, South Africa, from 19 to 21 May 1997, the Ramako Declaration of 1 December 2000 on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons and the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York from 9 to 20 July 2001;
14. Calls upon the United Nations system to continue to cooperate with the African Union in the creation of its organs and the implementation of the protocols to the Constitutive Act of the African Union and the Treaty Establishing the African Economic Community, to intensify the coordination of regional programmes in Africa to ensure the effective harmonization of programmes with those of the African regional and subregional economic organizations and to contribute to creating a positive environment for economic development and investment;
15. Calls upon the United Nations system and the international community to support the New Partnership for Africa’s Development and the ministerial declaration of the high-level segment of the substantive session of 2001 of the Economic and Social Council, and the enhancement of the capacity of African countries to take advantage of the opportunities offered by globalization and overcome the challenges it poses, as a means of ensuring sustained economic growth and sustainable development;
16. Calls upon the United Nations system, the African Union and the international community to intensify their cooperation in the global fight against terrorism through the implementation of the relevant international and regional treaties, protocols and other instruments on combating terrorism, noting in this regard the Plan of Action adopted in Algiers on 14 September 2002;
17. Encourages the United Nations system to effectively support the efforts of the African Union in urging the international community to duly implement the Doha Development Agenda, including negotiations aimed at substantial improvements in market access to promote sustainable growth in Africa;
18. Urges the United Nations system to increase its support for Africa in the implementation of the declaration of the extraordinary summit meeting of the Assembly of Heads of State and Government of the Organization of African Unity on HIV/AIDS, tuberculosis and other related infectious diseases, and the Declaration of Commitment on HIV/AIDS, so as to arrest the spread of these diseases, inter alia, through sound capacity-building in human resources;
19. Calls upon the United Nations system to implement the Plan of Action contained in the document entitled “A world fit for children”, adopted at the special session of the General Assembly on children, and to provide assistance, as appropriate, to the African Union and its member States in this regard;
20. Calls upon the United Nations system and other development partners to provide assistance, as appropriate, to the African Union and African Governments in the fight against the scourge of illicit drug trafficking and drug abuse;
21. Calls upon the United Nations system and the African Union to develop a coherent and effective strategy, including through joint programmes and activities, for the promotion and protection of human rights in Africa, within the framework of the implementation of regional and international treaties, resolutions and plans of action adopted by the two organizations;
22. Welcomes the adoption by the States members of the African Union of the protocol establishing an African Court on Human and Peoples’ Rights to complement the African Commission on Human and Peoples’ Rights, and encourages the finalization of the process leading to the establishment of the Court.
23. Calls upon all Member States and regional and international organizations, in particular those of the United Nations system, as well as non-governmental organizations, to provide additional assistance, as appropriate, to the African Union and those Governments in Africa concerned with the problems of refugees, returnees and displaced persons;
24. Urges the United Nations system to speedily implement resolution 56/135 of 19 December 2001, on assistance to refugees, returnees and displaced persons in Africa, and to effectively support African countries in their efforts to incorporate the problems of refugees into national and regional development plans;

25. Also urges the United Nations system to work towards ensuring the effective and equitable representation of African men and women at senior and policy levels at the respective headquarters of its organizations and in their regional fields of operation;

26. Requests the United Nations system to cooperate with the African Union and its member States in the implementation of appropriate policies for the promotion of the culture of democracy, good governance, respect for human rights and the rule of law, and the strengthening of democratic institutions which will enhance the popular participation of the peoples of the continent in these issues, in accordance with the purposes and principles of the Constitutive Act of the African Union and the New Partnership for Africa’s Development;

27. Calls upon the United Nations system and invites the Bretton Woods institutions to support, within their respective mandates, and where necessary and possible to assist in the establishment of appropriate institutional structures of the African Union, including the Pan-African Parliament, the Court of Justice, the Economic, Social and Cultural Council and the Financial Institutions;

28. Requests the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.