Chapter II

Africa

In 2003, Africa continued to be beset by conflicts and political dissension and the United Nations remained involved in the search for solutions. Two regions in particular were the focus of UN attention—the Great Lakes area and West Africa—and although some progress was achieved in peacemaking efforts, the conflicts raised tension and threatened to spread beyond national borders. During the year, the Security Council sent missions to both regions. The Council also examined the causes of conflict in Africa and ways to promote peace and security in order to prevent further hostilities, as did the General Assembly. The Secretary-General also sent a multidisciplinary mission to countries in the Great Lakes region in a renewed effort to move the peace process forward and to investigate the possibility of a comprehensive and integrated approach to peace, security and development. The mission found that the crisis of governance and widespread poverty were the two main underlying causes of conflict in that region.

In the Democratic Republic of the Congo (DRC), fighting between numerous armed militias, whose alliances were constantly shifting, intensified at the beginning of the year, despite signs in late 2002 of progress towards establishing a two-year transitional Government leading up to national elections. The presence of foreign troops in eastern DRC, the site of most of the fighting, further complicated the already tense situation and threatened the stability of the whole region. However, the United Nations, which had increased the size of its mission in the DRC to nearly 11,000 troops, and others continued mediation efforts. In April, participants in the Inter-Congolese Dialogue signed a Final Act endorsing measures to restore peace and national sovereignty, and agreeing to implement the framework for the transitional Government. As the parties agreed, President Joseph Kabila remained in office when a new Government was formed and some foreign troops were withdrawn. A pacification process was begun in eastern DRC, and the parties agreed to a plan for cantonment and demilitarization of their troops. The political institutions of the transitional Government began to function in late 2003, although progress remained slow.

Burundi’s Transitional Government witnessed a peaceful transition of power at the level of head of State in 2003. The African Union (AU) deployed a mission to Burundi to oversee the ceasefire agreements and the United Nations Office in Burundi continued to play a role in the peace process, which included agreement by most political parties on defence and security power-sharing.

In Rwanda, which still suffered from the effects of the 1994 genocide, the Government expressed determination to bring peace to the country through reconciliation and by bringing to justice the extremists who carried the greatest responsibility for the genocide. Presidential and parliamentary elections were held, and were, for the most part, orderly. A number of former combatants returned from the DRC during the year.

A coup d’état in the Central African Republic overturned the plans for a national dialogue under President-elect Félix Patassé. Led by General François Bozizé, the new authorities, as part of a transition period, organized a national dialogue that included all political opinions, and stated their intention to hold national elections in late 2004.

Conflicts continued in West Africa, and the concurrent fighting in Côte d’Ivoire, Liberia and Sierra Leone threatened the stability of the whole region. As did the movement of armed militias and individuals between countries to seek refuge, loot and/or serve as mercenaries. The United Nations, the AU, the Economic Community of West African States (ECOWAS) and the European Union (EU) were involved in mediating efforts in those countries and in Guinea-Bissau.

Political factions of Côte d’Ivoire reached an agreement in January, signed at Linas-Marcoussis, France, on a power-sharing mechanism to govern the country, but little progress was made in implementing its terms. The three main rebel movements (the Forces Nouvelles) seized control of the northern half of the country and the Government retained control of the south. In May, the Security Council created the United Nations Mission in Côte d’Ivoire (MINUCI), with an initial strength of 225 troops, to complement and eventually replace the ECOWAS and French forces already serving as peacekeepers. In May, the opposition parties withdrew from the Gov-
ernment of National Reconciliation and fighting resumed; however, the peace process took hold again in December when the two sides agreed to resume disarmament and demobilization of troops, and the opposition rejoined the Government.

In Liberia, rebel movements gained control of nearly two thirds of the country, and elections, originally scheduled for October, were postponed until 2004 due to the resumption of civil war. Although a ceasefire was signed in June by the Government and two rebel groups, it was soon violated and Liberia was plunged into a new cycle of violence. ECOWAS sent a vanguard peace-keeping force to the country in August, which was followed by a multinational force and, on 7 October, by the United Nations Mission in Liberia (UNMIL), which was established by the Security Council with a mandated maximum strength of 15,000 troops. Following the departure of President Charles Taylor from the country, a peace agreement was signed by the Government, two rebel groups, political parties and civil society leaders, providing for a national transitional Government. By the end of the year, some mechanisms for its implementation were set up, but the armed groups had not yet complied with its terms.

Sierra Leone remained relatively calm in 2003 as the Government continued, after 10 years of civil war, to disarm ex-combatants and reintegrate them into society. Having set benchmarks for the withdrawal of the United Nations Mission in Sierra Leone (UNAMSIL) peacekeeping troops, the Security Council approved the Mission's reduction from nearly 16,000 troops to 11,500 by the end of the year. Fighting continued to occur along the Sierra Leone/Liberia border, and fighting in Liberia caused thousands of refugees to flee to Sierra Leone, threatening the security on the Sierra Leonian side of the border. The Government made efforts to reduce tensions internally, in particular by establishing a special court to try war crimes and by regaining control of diamond mining.

Guinea-Bissau’s serious political and economic situation deteriorated in 2003. Opposition leaders accused the Government of arbitrary decision-making, restrictions on the media and harassment of political opponents. A non-violent coup d’état, led by the military, overthrew the Government in September. An agreement was reached on a transitional Government, which pledged to hold legislative and presidential elections within 6 and 18 months, respectively.

The United Nations continued to mediate in the Eritrea-Ethiopia border dispute and in monitoring the implementation of the 2000 Algiers Agreements on a ceasefire and solving the border issue. Following the completion in 2002 of the border’s delimitation, efforts focused in 2003 on demarcation of the border. Both sides were presented with maps of the delimited border and asked for comments. Ethiopia, which had previously accepted the delimitation decision, questioned the boundary, leaving the path for future progress unclear at the end of the year. The situation on the ground remained calm, despite some restrictions on the movement of the United Nations Mission in Ethiopia and Eritrea (UNMEE). Progress was made in the release of the remaining prisoners of war.

The parties to the national reconciliation process in Somalia, begun in 2002 at the Eldoret (Kenya) Conference, continued to participate in discussions on setting up federal governance structures and establishing a ceasefire; the United Nations remained involved in the discussions. Nevertheless, fighting continued in parts of Somalia, especially in Mogadishu and Baidoa, blocking airports and seaports and thus slowing delivery of humanitarian aid.

The United Nations pursued efforts to hold a referendum in Western Sahara, which would give the people the right to decide the fate of the Territory, by electing either independence or integration with Morocco. The decision to hold a referendum was made in 1990 by the Government of Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (POLISARIO). In 2003, the Secretary-General’s Personal Envoy attempted to break the deadlock over the form of any future Government by proposing a new peace plan. POLISARIO eventually accepted the plan, but Morocco had not given a definitive response by the end of the year. The Identification Commission completed its work on the electronic archiving of the nearly 145,000 individual files of persons who applied to be included on the list of voters. During the year, POLISARIO released 643 Moroccan prisoners of war and continued to hold another 600 in detention.

Angola demonstrated in 2003 that it was firmly on the path of political, social and economic recovery, following the 2002 signing of a memorandum of understanding between the Government and the National Union for the Total Independence of Angola (UNITA). Discussions were held by the two sides in 2003 on the structure of the new Government, and agreement was reached on a basic framework. The Government announced that the next general elections would be held in 2004. The Secretary-General reported that the United Nations Mission in Angola (UNMA) had completed its political mandate, and
recommended that the UN Resident Coordinator take over responsibility for UN system activities in Angola.

In the Sudan, the situation improved following the 2002 signing of the Machakos Protocol by the Government and the rebel group, the Sudan People’s Liberation Movement/Army (SPLM/A), which provided for autonomy in SPLM/A territory in the south for six years and for holding negotiations on a comprehensive ceasefire. As security improved in 2003, delivery of humanitarian assistance increased; however, armed conflict and ethnic violence continued and natural calamities caused large-scale displacement of people. In September, the Government and SPLM/A signed an agreement on security arrangements, providing for the Sudan to have two armies under separate command and control during the six-year interim period.

The Libyan Arab Jamahiriya announced steps it had taken to comply with 1992 and 1993 Security Council resolutions, which had imposed sanctions against it. Actions taken concerned handing over the Libyan nationals charged with the 1988 bombing of Pan Am flight 103 to the appropriate authorities, payment of compensation to the families of the victims, and acceptance of responsibility for the action of Libyan officials. In September, the Council lifted its sanctions. Libya announced in December that it was halting its programmes for developing weapons of mass destruction.

**Promotion of peace in Africa**

The General Assembly and the Security Council continued, throughout 2003, to examine the causes of conflict in Africa and ways to promote sustainable peace and development on the continent. In January, Angola took over from Mauritius the chairmanship of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa; the Council agreed that the Working Group would continue its work until the end of the year. The Working Group reported in December on its consideration of: cooperation between the Security Council and the Economic and Social Council; confidence-building in African regions affected by conflict; enhancing the Security Council’s role in prevention and resolution of African conflicts; and enhancing cooperation with the African Union (AU) and subregional organizations.

The Security Council held a meeting in May to consider how Council missions and UN mechanisms could promote peace and security to prevent conflicts in Africa. The Council dispatched two missions to Africa—to Central Africa in June and to West Africa in June/July.

In December, the General Assembly adopted resolution 58/235 (see p. 106) on implementation of the Secretary-General’s 1998 recommendations dealing with the causes of conflict and the promotion of durable peace and sustainable development in Africa.

**Appointments.** The Secretary-General, on 27 January [S/2003/125], informed the Security Council of his decision to extend until February 2004 the mandate of Ibrahim Gambari as his Adviser for Special Assignments in Africa. Mr. Gambari was participating actively in promoting the peace process in Angola and was advising the Secretary-General on other issues relating to Africa and on the work of the Ad Hoc Open-ended Working Group on the Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa. The Secretary-General also intended to entrust Mr. Gambari with the coordination of the preparation of special reports on Africa in the Secretariat and to place under his responsibility the resources allocated to the Office of the Special Coordinator for Africa and the Least Developed Countries. On 31 January [S/2003/126], the council took note of the appointment.

The Council, on 7 January [S/2003/11], appointed Ismael Abraão Gaspar Martins, the Permanent Representative of Angola to the United Nations, as Chairman of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, established on 1 March 2002 [YUN 2002, p. 95], for a period ending 1 March 2003. On 28 February [S/2003/235], the Council agreed that the Working Group would continue its work until 31 December 2003 and that Mr. Gaspar Martins would continue as Chairman.

**Security Council consideration.** The Security Council, on 30 May [meeting 4766], discussed “Conflicts in Africa: Security Council missions and United Nations mechanisms to promote peace and security”, aimed at exploring how the UN system could promote durable solutions and peace and stability in Africa. As the Council President for May (Pakistan) explained in an August assessment of his presidency [S/2003/826], he had proposed, in a non-paper, that on the eve of Council missions to the Central and West African subregions in June and July, the Council should examine UN involvement with Africa and discuss the efficacy of missions and of other mechanisms for UN engagement with the continent, the imperative of moving from conflict management to conflict prevention and final resolution, the need...
to find further ways to deepen engagement with Africa, and the desirability of a comprehensive and integrated approach, including cooperation between the main UN organs.

Addressing the Council, the Secretary-General’s Adviser for Special Assignments in Africa said that Council missions to Africa were a clear demonstration of engagement with crises and conflicts on the continent. However, they needed to be effective instruments for conflict prevention, management and resolution. Mission locations, timing and expected accomplishments needed to be addressed, and the Council should explore linkages between peace and security, on the one hand, and social and economic development, on the other. He suggested that the Council apply lessons learned from previous missions, by using multidisciplinary UN expert support before and after missions, collaborating actively with regional and subregional organizations, taking regional and global dimensions into account, and planning post-conflict peace-building efforts involving the United Nations, the Bretton Woods institutions (the World Bank Group and the International Monetary Fund) and donor countries. The forthcoming missions to Central Africa (see p. 109) and West Africa (see p. 163) would enable the Council to evaluate the current mandate and resources of the various UN peace operations, to revisit the possibility of convening an international conference on the Great Lakes region, and to assess the capacity of regional organizations to participate in peace operations.

The Chairman of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa (see p. 104) focused on the need for enhancing the efficiency of the mechanisms currently used by the United Nations in its engagement with Africa, especially the growing role of ad hoc working groups, which, if properly used, could be important tools in promoting peace and dealing with crises. The working groups should cooperate and coordinate with sanctions committees, as sanctions were useful in guaranteeing compliance with internationally accepted norms, leading to the resolution of conflict, as had happened in Angola. The Chairman said the fact that recommendations made by the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa in 2002 [YUN 2002, p. 93] had not been implemented continued to be of great concern and indicated a need to make the recommendations of working groups more implementable and action-friendly.

The Council President for May issued on 11 July [S/2003/705] a summary of the suggestions made during the 30 May meeting on Africa. Among other things, members made general suggestions with regard to the need to take the regional and global dimensions of African conflicts fully into account; the importance of the “partnership” of the Security Council with African regional and subregional organizations and the requirement for greater balance and harmony between regional efforts and Council action; the need for the Council to back up regional initiatives with both political and financial support and to follow up on the implementation of its own decisions and resolutions; and the requirement for African capabilities in the fields of conflict prevention, management and resolution to be strengthened. Specific suggestions were made with regard to: Security Council missions as effective instruments for conflict prevention, management and resolution; conflict prevention measures; addressing the root causes of Africa’s conflicts; the illegal exploitation of resources; the proliferation of small arms and light weapons; illegal armed groups from neighbouring countries; sanctions; peacekeeping operations; disarmament, demobilization and reintegration; the humanitarian and human rights dimension; peace and development; other UN mechanisms; intra-United Nations coordination; and new mechanisms.

Working Group. On 22 December [S/2003/188], the Security Council President transmitted a letter from the Chairman of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, established by the Council in 2002 [YUN 2002, p. 93], by which he submitted the report on the Working Group’s activities. The Group’s work had focused on enhancing cooperation between the Security Council and the Economic and Social Council; promoting confidence-building in African regions affected by conflicts; enhancing the Security Council’s role in preventing and resolving conflicts in Africa; and enhancing cooperation with the AU and African subregional organizations.

The Working Group held two joint meetings with the Ad Hoc Advisory Group on Guinea-Bissau, established by the Economic and Social Council by decision 2002/304 [YUN 2002, p. 920], and the Group of Friends of Guinea-Bissau, prior to two Security Council meetings on Guinea-Bissau (see pp. 225 and 227). It also coordinated efforts with the Economic and Social Council Advisory Group on Burundi (see p. 947).

With regard to conflict prevention and resolution, the Working Group, in April, considered the situation in the Democratic Republic of the Congo (DRC), stressing the need for a firm commitment by the Security Council to prevent the events in the Ituri region from having an adverse impact on the peace process. Following the Council’s 20 November public briefing on preparations for convening an international conference on the Great Lakes region (see p. 112), the Working Group met with non-members of the Council to discuss the issue. The Working Group also undertook consultations with the AU and African subregional organizations to enhance cooperation between them and the United Nations in conflict prevention and resolution.

Report of Secretary-General. In response to General Assembly resolution 57/296 [YUN 2002, p. 97], the Secretary-General submitted a report in September [A/56/352] on implementation of the recommendations contained in his 1998 report on the causes of conflict and the promotion of durable peace and sustainable development in Africa [YUN 1998, p. 66]. The September report updated information contained in a 2002 follow-up report on the subject [YUN 2002, p. 95], discussing progress in implementing the recommendations concerning responding to conflict situations by appointing special mediators or special commissions to examine the sources of dispute and recommend solutions; stopping arms proliferation and halting increases in military expenditure; UN peacekeeping in Africa; UN support for African initiatives to resolve disputes; protecting civilians in conflict situations; refugees’ security issues; post-conflict reconstruction and development; and providing structural adjustment programmes. It also described action to build durable peace and encourage sustainable development: promoting good governance; securing respect for human rights and the rule of law; enhancing administrative capacity; creating a positive environment for investment and economic growth; emphasizing social development; investing in human resources; supporting 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.

Although progress had been made over the review period, it had been slow and uneven. The efforts of African countries and the international community needed to be accelerated in order to implement the recommendations in a timely manner. Among problems encountered were lack of political will, persistent conflicts, weak governance, weak human and institutional capacity for economic management and administration, and limited financial resources to tackle development challenges, particularly reconstruction and rehabilitation in post-conflict countries. In view of the multiplicity of reporting frameworks in which the UN system addressed the issues raised in the Secretary-General’s report and the numerous forums in which they were reviewed, it was proposed that the current format for reporting on implementation of the Secretary-General’s recommendations be discontinued. Instead, the follow-up and reporting on implementation should be mainstreamed in the existing reports of the Secretary-General and the UN subsidiary bodies.

GENERAL ASSEMBLY ACTION

On 23 December [meeting 78], the General Assembly adopted resolution 58/235 [draft: A/58/L.56 & Add.1] without vote (agenda item 39 (b)).

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

The General Assembly,


Recalling also, in this context, Security Council resolutions 1225(2000) of 31 October 2000 on women and peace and security, and 1366(2001) of 30 August 2001 on the prevention of armed conflicts,

Having considered the updated matrix for 2002 contained in the report of the Secretary-General on the 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,

Recalling its resolution 57/7 of 4 November 2002 on the final review and appraisal of the United Nations New Agenda for the Development of Africa in the 1990s and support for the New Partnership for Africa’s Development,

Noting that prevention of conflict must remain the fundamental focus of the work of the United Nations and that peace, security and development, in particular within post-conflict contexts, are inextricably linked,

Noting also that conflict prevention and the consolidation of peace require coordinated, sustained and integrated efforts from the United Nations system and Member States,

Recalling section VII of the United Nations Millennium Declaration, which highlights the special needs of Africa,

Reaffirming that the 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 must remain a priority on the agenda of the United Nations system and of the Member States.

Underscoring the fact that the responsibility for peace and security in Africa, including the capacity to address the root causes of conflict and to resolve conflicts in a peaceful manner, lies primarily with African countries themselves and with regional and subregional structures,

Underscoring also the need to strengthen further the political will to ensure the required political, financial, technical and support critical for the effective implementation of the recommendations in all of the areas included in the report of the Secretary-General,

Reaffirming that the General Assembly must continue to play the primary role in monitoring the implementation of the recommendations contained in the report of the Secretary-General and assessing the progress made,

1. Takes note with appreciation of the updated matrix for 2002 contained in the report of the Secretary-General on the 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, and the further advances in a wide range of areas made since the last progress report;

2. Notes with appreciation that many strides have been made in the prevention and settlement of disputes and that there have been sustained efforts by African regional and subregional initiatives of late to mediate and resolve conflicts;

3. Requests Member States to ensure that such initiatives continue to be taken in close consultation and coordination with the United Nations in order to ensure that the United Nations can have a clear role, as appropriate, in the subsequent implementation of such mediated settlements;

4. Welcomes the efforts undertaken by African countries towards the establishment of a Peace and Security Council within the African Union, and encourages the States members of the African Union that have not yet ratified the protocol relating to the establishment of the Council to do so;

5. Encourages African countries to continue their efforts to develop African capacity to undertake peace-support operations at the regional and subregional levels and the United Nations and donor countries to establish suitable mechanisms to assist African States in developing their capacity to undertake peace-support operations in a coherent and coordinated manner;

6. Welcomes the European Union decision to establish a peace facility to support the establishment of the African Peace and Security Mechanism and the implementation of peace initiatives undertaken by the African Union;

7. Also welcomes the establishment of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa of the Security Council and of the Ad Hoc Advisory Group on African Countries Emerging from Conflict, within the framework of the Economic and Social Council;

8. Notes with concern that progress in the implementation of the recommendations in the report of the Secretary-General remains slow and uneven;

9. Notes that conflict prevention and peace consolidation efforts, in particular efforts to eradicate poverty, promote respect for human rights, strengthen rule-of-law institutions, re-establish transparent and accountable public administration, encourage democratic reform and demobilize, disarm and reintegrate ex-combatants should be supported by Member States and the United Nations system through enhanced coordination, coherence and sustained financial and political support;

10. Decides to continue to monitor the 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;

11. Welcomes the designation of the Office of the Special Adviser on Africa as a focal point within the Secretariat which should continue to monitor, through the already established interdepartmental task force on Africa affairs, the 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, with special regard being given to preventive action and post-conflict peace consolidation, and make recommendations as to how the implementation of those recommendations could be further enhanced;

12. Calls upon Member States to provide financial and technical assistance in a coordinated and sustained way in order to support activities to eradicate poverty, promote respect for human rights, strengthen rule-of-law institutions and promote transparent and accountable public administration;

13. Encourages the Secretary-General to explore and recommend suitable arrangements and mechanisms through which Member States could more effectively address the multidisciplinary causes of conflict, including their regional dimensions, and strengthen the coordinated and sustained manner in which they could provide financial and technical assistance in preventive action as well as post-conflict peace-building;

14. Requests the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution, taking into account recent developments related to the cooperation of Africa with the international community on these matters.

The Economic and Social Council, in follow-up to resolution 2002/1 [YUN 2002, p. 99], stressed the need to assess progress made in the implementation of recommendations made by ad hoc advisory groups on African countries emerging from conflict (resolution 2003/50) (see p. 947).

Central Africa and Great Lakes region

In 2003, both the Security Council and the Secretary-General sent missions to Central Af-
Africa in an effort to move the peace process forward in the countries of the region. In the DRC, the Council encouraged the Congolese parties to put into practice the agreement reached in December 2002 (the All-Inclusive Agreement) on a two-year transition period, to be followed by national elections. Its focus in Burundi was to urge the parties to carry forward with the second phase of the transition under its new President, with assistance from the regional mediators and the African peacekeeping mission. The Secretary-General’s multidisciplinary mission determined that the major underlying causes of conflict in the subregion were the crisis of governance and widespread poverty.

The UN Standing Advisory Committee on Security Questions in Central Africa held two sessions in 2003 (see pp. 111 and 573), at which it reviewed the geopolitical and security situation in the subregion, evaluated implementation of its previous decisions and recommendations, and made new recommendations.

The United Nations and the AU began preparations for holding in 2004 an international conference on the Great Lakes region, which would aim to agree on a set of principles to help end the cycle of conflict and ensure peace, security, democracy and good governance and development in that region. The Security Council considered that such a conference would help build on the progress made in the DRC and Burundi peace processes to promote the national reconciliation process in all countries of the region.

Within the region, the DRC faced the most intractable problems, particularly at the beginning of the year when there was an upsurge of violence in the eastern parts of the country. The presence of foreign troops contributed to the confusing situation of warfare among numerous armed militias. The United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) remained in the country to assist in the implementation of the 1999 Lusaka Ceasefire Agreement, among other tasks, and the Security Council increased its size to a maximum of 10,800 troops. During the period of heightened conflict, the United Nations remained involved in mediation efforts, in coordination with others, especially Angola and South Africa. In April, the participants in the Inter-Congolese Dialogue signed a Final Act endorsing a package of agreements on restoring peace and national sovereignty, including the All-Inclusive Agreement of December 2002. As provided for under its terms, Joseph Kabila was sworn in as President when the new transitional Government was formed. The principal political institutions of the transition began to function in late 2003. However, the political parties remained unable to overcome their mutual distrust and progress remained slow.

After 10 years of conflict, developments in Burundi in 2003 followed a mostly positive trajectory towards fulfilling the terms of the 2000 Arusha Agreement on Peace and Reconciliation, by which the signatories outlined plans for a three-year transitional Government and the eventual integration of the Burundi national defence force, with equal numbers of Hutu and Tutsi troops. Although not signed by all the armed groups, much of the Agreement was implemented or was under discussion in 2003. Among the most significant positive developments during the year were the decision by President Buyoya to step down on 1 May under arrangements for the transitional Government, the deployment of an African mission in Burundi to oversee ceasefire agreements, and the signing in November of a comprehensive ceasefire implementation document. The United Nations Office in Burundi remained involved in the peace process, and the Secretary-General enlarged it by adding five specialized staff and other support personnel.

At the time when peace processes in the DRC and Burundi were showing signs of progress, Rwanda was emerging from the shadow of the 1994 genocide and the Government expressed its determination to bring lasting peace to the country and the region, noting that former combatants were returning from the DRC. Presidential and parliamentary elections were held in a mostly orderly manner. As proposed by the AU, the General Assembly decided to designate 7 April 2004 as the International Day of Reflection on the Genocide in Rwanda.

In the Central African Republic, a coup d’etat in March, led by General François Bozizé, preempted the expected installation of President-elect Félix Patassé and interrupted plans for a national dialogue. Nevertheless, the new authorities pledged to organize the national dialogue during a transition period leading up to national elections in 2004. An interim Government under the National Transition Council would reportedly include all political parties, including that of former President Patassé. The Central African Economic and Monetary Community sent a multinational force to the country, which was later joined by French forces, to help the new administration restore stability. Held in late 2003 at the Government’s initiative, a national dialogue drew up recommendations on a new constitution and electoral procedure.
On 30 October [S/2003/1066], the Secretary-General informed the Security Council that the mandate of his Special Representative for the Great Lakes Region, Ibrahim Fall, would expire on 31 December 2003 and that he intended to extend the mandate until 31 December 2004. He remarked that Mr. Fall had pursued consultations on the international conference on the Great Lakes region (see p. 111) which had led to the launching of the preparatory process of that conference. The Council, on 4 November [S/2003/1067], took note of the intention.

Security Council mission. On 21 May [S/2003/558], the Security Council President informed the Secretary-General of the Council’s decision to send a mission to Central Africa in June and of the mission’s composition and terms of reference. In the DRC (see p. 127), the mission would emphasize the need to take the peace process forward and would invite the Congolese parties to implement their commitments in the framework of the Joint Ceasefire Commission, and would also express support for the second phase of the transition and the new President, the regional mediators and the African peacekeeping mission, as well as the Implementation Monitoring Committee and the Joint Ceasefire Commission, and would assess the future of the relationship between the United Nations and the African peacekeeping mission.

The mission travelled to the region from 7 to 16 June, visiting Pretoria, South Africa; Luanda, Angola; Kinshasa and Bunia, DRC; Bujumbura, Burundi; Kigali, Rwanda; Dar es Salaam, United Republic of Tanzania; and Entebbe, Uganda. It issued its report on 17 June [S/2003/653]. The mission made recommendations on both the DRC and Burundi (see below under country headings), which were considered by the Council on 25 July.

Security Council action

On 25 July [meeting 4794], following consultations among Security Council members, the President made statement S/PRST/2003/12, which also dealt with the Council’s mission to West Africa (see p. 162), on behalf of the Council:

The Security Council welcomes the recommendations made in the reports of its mission to Central Africa undertaken from 7 to 16 June 2003 and its mission to West Africa undertaken from 26 June to 5 July 2003.

The Council endorses the recommendations which fall within its area of responsibility and wishes to see them implemented. It has already taken the relevant recommendations into account in preparing its resolution renewing and strengthening the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo.

Where responsibility for implementation falls to others, the Council looks forward to working in partnership with them, including United Nations agencies and programmes; Governments in Central and West Africa; regional and subregional organizations, notably the Economic Community of West African States; donor countries; non-governmental organizations and civil society. The Council invites them to keep it informed of their efforts at implementation, so that the Council can support them and take any further action necessary.

The Council emphasizes the importance of a subregional approach to issues such as small arms and light weapons, mercenaries, child soldiers and humanitarian access. It stresses that follow-up activity by the United Nations will require close cooperation and coordination throughout the United Nations system. Action in these areas should also involve the appropriate organizations, especially in West Africa.

The Council invites the Secretary-General to follow up those recommendations which lie within his responsibility, and would be grateful for a report on progress by 30 November 2003.

The Council recognizes that resources may be needed to implement its recommendations. Therefore it will continue to encourage donor countries in a position to do so to support such efforts, and to assist regional and subregional organizations in this respect.

The Council intends to review progress in implementing the recommendations in December 2003.

Multidisciplinary mission. The President of the Security Council announced on 17 April [SC/7735] that Council members welcomed the Secretary-General’s intention to dispatch a multidisciplinary mission to Central Africa to assess the implementation of a comprehensive, integrated, resolute and concerted approach to peace, security and development in Central Africa, as requested by the Council in presidential statement S/PRST/2002/31 [YUN 2002, p. 101]. The Council welcomed the ongoing consultations between the Secretariat and the Economic Community of Central African States (ECCAS) on the preparations for the mission and the decision to associate ECCAS with the mission. It expressed support for the Secretary-General’s proposals to strengthen the coordination between the diverse UN structures in the countries of the subregion and to promote the strengthening of the partner-
ship between the UN system and Central African States.

The Secretary-General dispatched the multidisciplinary mission to the 11 ECCAS member States (Angola, Burundi, Cameroon, the Central African Republic, Chad, the Congo, the DRC, Equatorial Guinea, Gabon, Rwanda, Sao Tome and Principe) from 8 to 22 June. The mission’s report was forwarded to the Council on 10 November [S/2003/1077].

The mission observed that the subregion, while rich in a wide variety of natural resources, contained the largest number of countries that ranked lowest in almost all of the human development indices. It was also characterized by the recurrence of armed rebellions and conflicts that had hampered its development for decades; seven of the countries were either in conflict or in post-conflict situations, the most recent outbreaks being the coup d’état in the Central African Republic in March and the attempted coup in Sao Tome and Principe in July. The root causes of the current situation in the subregion could be traced to two main internal sources, namely, the crisis of governance and widespread poverty.

The mission’s report went on to discuss peace and security issues, the challenges of poverty, humanitarian issues, human rights, HIV/AIDS, the work of subregional institutions and the United Nations in the subregion, and the question of regional integration.

The mission observed that the issues of peace and security lay at the core of the challenges confronting the subregion. While UN offices and missions in Burundi, the Central African Republic and the DRC were focused on country-specific problems of peace consolidation and peacekeeping, there was an urgent need for the United Nations to help implement subregional policies to address cross-cutting challenges, including the promotion of good governance, and to stem the illegal flow of arms, drugs and militia. Because of the close linkage between poverty and conflict, it was essential for the UN system to develop a holistic and integrated approach to the problems of Central Africa, to address conflicts at their core, and to enhance the ability of national, subregional and international actors to be more proactive in identifying and preventing future threats. Cross-border challenges, such as population movements, drugs and small arms trafficking, and transnational movements of mercenaries and militias, should be addressed more vigorously with UN support. Joint activities in border areas, such as health, education and disarmament, demobilization and reintegration programmes, could combat such phenomena. The liberalization of cross-border trade, especially in agricultural products, would help to improve market access and promote relationships between border populations. Policies to promote respect for human rights, the rule of law and the development of inclusive and responsive governance would facilitate peace and stability, as would strengthening institutional capacities of governance at the national, subregional and regional levels and of justice systems to ensure predictability and reliability in the discharge of justice. Human rights protection systems should be strengthened by enhancing national institutional capacity, human rights education, and a mechanism to address the fate of victims of conflicts, including by providing compensation and rehabilitation. Efforts to prevent and fight HIV/AIDS should be intensified and coordinated at the subregional level. Central African subregional institutions, including ECCAS, the Central African Economic and Monetary Community and the Economic Community of the Great Lakes Countries, should integrate the problem of HIV/AIDS into the agenda of peace, security, and political, economic and social issues. The Organisation de coordination pour la lutte contre les endémies en Afrique centrale should ensure the coordination of the subregional monitoring of health issues in order to establish a regional HIV/AIDS strategy, develop a UN assistance programme and integrate HIV/AIDS issues into the concept of peacekeeping operations in the region, specifically in Burundi, the Central African Republic and the DRC, and into the demobilization programmes in Angola, Burundi, the Central African Republic, Chad, the Republic of the Congo and the DRC.

In his letter transmitting the mission’s report, the Secretary-General stated that he was in general agreement with the mission’s assessment. He had requested a thorough review of UN programmes with a view to enhancing their coherence and effectiveness and would keep the Council informed. Although most Governments in the subregion had expressed their desire for a UN office, the Secretary-General was concerned about the proliferation of offices; there were already a number of UN structures in the subregion, including three offices headed by Special Representatives of the Secretary-General. However, he proposed the appointment of a special envoy to work on political issues with Governments in the subregion and to interface with the UN entities involved in development and humanitarian activities in Central Africa.

The Central African Republic, in a 25 November letter [S/2003/1077], stressed that it supported the establishment of a UN office in the subregion in order to centralize and analyse the activities of UN agencies. That proposal was endorsed by the
Central African country. It took note with satisfaction of the need for such an office despite the Secretary-General’s proposal to appoint a special envoy.

Security Council consideration. On 24 November [meeting 4871], the Security Council considered the multidisciplinary mission’s report and was briefed by the mission leader, Tuliameni Kalomoh, Assistant Secretary-General for Political Affairs. The mission report stressed the need for the United Nations to help the subregion implement subregional policies and to support efforts directed at addressing cross-cutting challenges, including the promotion of good governance. It emphasized the interlinkages between poverty and conflict and called on the intergovernmental cooperation in security matters, aimed at lessening tensions, combating insecurity in the border areas, and facilitating exchanges between the various national structures dealing with those questions. It recommended continued cooperation among the security forces of the Central African countries, particularly within the framework of periodic meetings and joint operations. The Committee expressed concern at the persistence of organized crime and insecurity in countries of the subregion, and particularly at the phenomenon of roadblocks. It recommended the intensification of information sharing and the organization of large-scale joint operations to combat the phenomenon. It also called on countries that had not done so to sign and/or ratify the Protocol on the Council for Peace and Security in Central Africa, the Mutual Assistance Pact [YUN 2000, p. 328] and the Non-Aggression Pact between the countries of Central Africa.

The Committee, in May, reiterated its commitment to organize, in cooperation with ECCAS, a military peacekeeping exercise involving the armed forces of its members. It took note of the strengthening of relations between the United Nations and ECCAS since the signing in 2000 of the Memorandum of Cooperation between the two organizations, and noted, in particular, the forthcoming Security Council mission to the region (see p. 109). The Committee also reiterated the need to undertake a study to evaluate the costs and modalities of implementing the early warning mechanism for the region.

The Committee, in October, expressed the view that the outcomes of the UN multidisciplinary mission should include the establishment of a subregional bureau in Central Africa.

Advisory Committee on Security Questions. The nineteenth and twentieth ministerial meetings of the United Nations Standing Advisory Committee on Security Questions in Central Africa were held in 2003 (Brazzaville, Congo, 14-17 May [A/57/825-S/2003/660]; Malabo, Equatorial Guinea, 27-31 October [A/58/560-S/2003/1075]). In addition to the member States (Angola, Burundi, Cameroon, Central African Republic, Chad, Congo, DRC, Equatorial Guinea, Gabon, Rwanda, Sao Tome and Principe), representatives of the United Nations and ECCAS participated in the meetings. The nineteenth meeting was preceded by a seminar (12-14 May) on the implementation in Central Africa of the Programme of Action adopted by the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects [YUN 2003, p. 497].

At both meetings, the Committee reviewed the geopolitical and security situation in each Central African country. It took note with satisfaction of the intensification of action by the ECCAS member States within the framework of cooperation in security matters, aimed at lessening tensions, combating insecurity in the border areas, and facilitating exchanges between the various national structures dealing with those questions. It recommended continued cooperation among the security forces of the Central African countries, particularly within the framework of periodic meetings and joint operations. The Committee expressed concern at the persistence
would be to initiate a process that would bring together the leaders of the countries of the Great Lakes region to reach an agreed set of principles (good-neighbourly relations, stability, peace, development, etc.) and launch action to help end the cycle of conflict and ensure durable peace, stability, security, democracy, good governance and development. Participation would also include other stakeholders, including representatives of civil society in the core countries, neighbouring countries and friends of the region, and international development partners. The conference would not be a one-time event but a multi-stage process culminating in two ministerial summits to adopt a declaration of principles and concrete plans of action, which together would constitute the Stability, Security and Development Pact. The preparatory process would involve meetings of national preparatory committees and a regional preparatory committee, and a set of thematic meetings (subregional organizations, women, youth). A self-constituted Group of Friends of the Great Lakes region was being established under Canada’s facilitation to work out coordinated ways of providing political, diplomatic, financial and technical support to the conference. Within the UN system, the Special Representative was coordinating with relevant UN agencies, through the inter-agency steering group that he had established in Nairobi. The target date for the first summit was June 2004.

The Secretary-General expressed the view that the stage had been set for the preparations for the conference to proceed. There was a new momentum in the region, as witnessed by the transitional DRC Government, the forward movement of the Burundi peace process and general elections in Rwanda, which made it an opportune time to proceed. To ensure the success of the conference, he urged the core countries to focus on the conference’s priorities in order to formulate concrete and feasible policies and activities in the proposed thematic areas. The Secretary-General would seek the political commitment and financial support of the international community.

The Security Council considered the Secretary-General’s report on 20 November [meeting 4865]. Addressing the Council, the Secretary-General said that the idea of an international conference had been revived by recent developments, including the adoption, in September, by the countries of the region of the Declaration of Principles on Good-neighbourly Relations and Cooperation. The Special Representative of the Secretary-General for the Great Lakes region, Ibrahima Fall, described the structure of the organizational process for the conference.

SECURITY COUNCIL ACTION

On 20 November [meeting 4865], following consultations among Security Council members, the President made statement S/PRST/2003/23 on behalf of the Council:

The Security Council recalls its presidential statement of 24 April 1997 (S/PRST/1997/22) and its other relevant statements and resolutions calling for the holding at an appropriate time of an international conference on peace, security, democracy and development in the Great Lakes region of Africa, with the participation of all Governments of the region of the Great Lakes and Central Africa and all others concerned, to be organized under the aegis of the United Nations and the African Union, with a view to achieving a sustainable peace, security and stability for all countries in the region, in particular through the full normalization of their relations and the establishment of confidence-building measures and mechanisms.

The Council considers that the holding of the proposed conference will help build on the progress made in the Democratic Republic of the Congo and Burundi peace processes to achieve lasting peace and promote the national reconciliation processes in all countries concerned in the region.

The Council welcomes the progress made towards the convening of the proposed conference, expresses satisfaction at the fact that the countries of the region have launched the preparatory process for the conference with the first meeting of their national coordinators, held in Nairobi in June 2003, and considers it now crucial to follow up this initial step with intensified efforts. It takes note with appreciation of the briefing by the Special Representative of the Secretary-General for the Great Lakes region, Mr. Ibrahima Fall, and welcomes the offer made by the Government of Tanzania to host a summit during the year 2004.

The Council encourages the Governments concerned, with the support of their civil societies, their neighbours and development partners, to continue their efforts to bring about a successful conference, based on a regional, all-inclusive and action-oriented approach. It stresses the importance of the participation in this conference of all States concerned, in particular those neighbouring the Democratic Republic of the Congo or Burundi, and encourages the States in the region to reach early agreement on participation in the conference.

2003, as well as of the framework of the New Partnership for Africa’s Development.

The Council appeals to the countries of the region and to the international community to provide sustained political and diplomatic support as well as adequate technical and financial assistance so that the conference is well prepared and timely, and so that effective follow-up actions are taken. It commends the active partnership between the United Nations and the African Union in all aspects relating to the preparation of the proposed conference, and welcomes the appointment of Mr. Koki Walubita as Special Envoy of the Chairperson of the African Union Commission for the Great Lakes region.

The Council calls on the countries of the region and the members of the international community to support the efforts of the Special Representative of the Secretary-General for the Great Lakes region and the Special Envoy of the Chairperson of the African Union Commission for the Great Lakes region, expresses its gratitude to the Secretary-General for keeping it informed of developments in the region and requests him to continue to do so on a regular basis.

Democratic Republic of the Congo

In early 2003, the situation in the Democratic Republic of the Congo (DRC) deteriorated, despite positive developments in late 2002 indicating progress in implementing the 1999 Lusaka Ceasefire Agreement [YUN 1999, p. 87], the withdrawal of large numbers of foreign forces from the country [YUN 2002, p. 129] and the signature in December 2002 of the Global and All-Inclusive Agreement on the Transition in the DRC [ibid., p. 125], which provided for a two-year transitional Government followed by national elections. As provided for in that Agreement, President Joseph Kabila remained in office and continued as Supreme Commander of the Armed Forces.

As allegiances among the warring parties shifted, a new scale of violence emerged, characterized by the use of looting, rape and summary execution as tools of warfare. Also, Ugandan troops that had remained in the DRC retook Bunia in March, thereby reinforcing their presence in the eastern region. The situation in eastern DRC, in particular in the Ituri region, was threatening peace and stability throughout the DRC and the Great Lakes region. Against that background, the United Nations continued to press the parties to end hostilities and establish the Ituri Pacification Committee as envisaged in the 2002 Lusaka Agreement [ibid., p. 116] between the DRC and Uganda, and the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) pursued its peacekeeping activities, in particular by assisting in disarmament efforts. With the mediation of South Africa and the Special Envoy of the Secretary-General, the Congolese parties reached agreement in Pretoria on 6 March on transitional arrangements for the DRC Government.

On 2 April in Sun City, South Africa, the participants in the Inter-Congolese Dialogue signed the Final Act of the Inter-Congolese political negotiations that had started in October 2001 [YUN 2001, p. 131], thereby endorsing a package of agreements that constituted a comprehensive programme for the restoration of peace and national sovereignty during a two-year transition period. The agreements concluded the 2002 All-Inclusive Agreement, the Transitional Constitution, a 6 March memorandum on military and security issues, and the resolutions adopted in 2002 by the Inter-Congolese Dialogue. The Congolese parties took the first steps towards the establishment of the transitional Government—Joseph Kabila was sworn in as President for that period, amnesty was granted for certain actions relating to war, and the military court was abolished. Ugandan troops began returning home in late April, and some Rwandan combatants were also repatriated. Following the Ugandan withdrawal from Ituri province, hostilities again broke out causing flows of refugees into Uganda.

In May, the Security Council authorized the short-term deployment of an interim emergency multinational force in Bunia, Ituri province, in coordination with MONUC, which was already deployed in the town, to help stabilize conditions and to contribute to the security of the civilian population and UN and humanitarian staff. The interim force, sent by the European Union (EU) and replaced in September by MONUC, was able to restore stability to Bunia.

On 30 June, President Kabila announced the formation of the Government of National Unity and Transition, which was made up of all parties participating in the dialogue and was designed to function until elections could be organized and concluded. Welcoming the transitional Government, the Security Council extended MONUC’s mandate until 30 July 2004 and authorized an increase in size to 10,800 military personnel.

Under the aegis of the Secretary-General, a meeting of regional heads of State concluded on 25 September with the adoption of the Principles on Good-neighbourly Relations and Cooperation between the DRC and Burundi, Rwanda and Uganda. In that document, the four States, recognizing that the establishment of the DRC Government was essential for the peace and security necessary to ensure good-neighbourly relations, reaffirmed their commitment to respect the sovereignty, territorial integrity and political independence of one another; prevent the supply of arms and support to armed groups in eastern Africa.
DRC; pursue peaceful means to resolve their disputes; and normalize their bilateral relations.

Although the principal political institutions of the transition began to function in late 2003 and several steps were taken towards implementing the All-Inclusive Agreement, progress remained slow and challenges remained. The inability of the transitional leaders to act as a truly unified government and to overcome the atmosphere of distrust remained among major obstacles, as did the continued, though diminished, fighting in eastern DRC.

In January, the Secretary-General extended the mandate of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo and expanded its role. The Panel reported in October that illegal exploitation remained one of the main sources of funding for groups involved in perpetuating conflict, especially in eastern DRC. The Security Council, in November, condemned the continuing illegal exploitation of natural resources and urged States to take steps to end those activities.

Appointment. On 16 May [S/2003/562], the Secretary-General informed the Security Council that the current Special Representative for the DRC, Amos Namanga Ngongi (Cameroon), would conclude his assignment on 30 June. Consequently, he intended to appoint William Lacy Swing (United States) as his successor, effective 1 July. Mr. Swing had previously served as his Special Representative for Western Sahara. The Council, on 22 May [S/2003/565], took note of the Secretary-General’s intention.

Political and military situation

In a 15 January press statement [SC/7654-AFR/543], the Security Council called on all Congolese parties to implement without delay the 2002 All-Inclusive Agreement [YUN 202, p. 125] in order to establish a transitional Government that would lead to elections in the DRC and stressed the need to resolve the key outstanding issues, especially the question of security for all parties in Kinshasa. The Council members expressed deep concern at the resumption of fighting in eastern DRC and instability in the north-east. They urged the parties to abide by the terms of the Gbadolite agreement, signed on 30 December 2002 [ibid.], on the withdrawal of forces in the Beni area, and in particular to cease all military activities there. The members strongly condemned the massacres and systematic violations of human rights perpetrated by the Movement for the Liberation of the Congo (MLC) and the Congolese Rally for Democracy/National (RCD/N) troops in Ituri, stating that Jean-Pierre Bemba, the MLC leader, bore the responsibility for the security of civilian populations in the territory under his control. The members demanded that Mr. Bemba ensure that those massacres and violations ceased immediately and hold the perpetrators accountable. MONUC and the Office of the United Nations High Commissioner for Human Rights (OHCHR) would continue to monitor the situation. The Council stressed the importance of implementation by both Rwanda and the DRC of their commitments under the 2002 Pretoria Agreement [YUN 2002, p. 115] on the withdrawal of Rwandan troops from DRC territory, and encouraged further efforts by MONUC and the Third Party Verification Mechanism to continue to verify implementation of those commitments, in particular the full withdrawal of Rwandan forces and the absence of all forms of support to the foreign armed groups by the Government of the DRC. The Council members expressed concern at reports of continuing sponsorship of proxy groups in the DRC, and called on both sides to cooperate with the verification efforts of MONUC and the Third Party Verification Mechanism.

Communications (January/February). In a 16 January letter [S/2003/32], the DRC thanked the Security Council for the 15 January statement (above). It stated that in north-eastern DRC, particularly in Ituri, adults and children had been murdered and mutilated, and others were victims of cannibalism, among other atrocities. Those intolerable acts were acknowledged by the person chiefly responsible, namely the MLC President, Mr. Bemba. MLC and RCD/N had aimed their attacks in particular at indigenous Pygmies and the Nande ethnic group, which could be qualified as genocide and ethnic cleansing under international law. With a view to ending impunity and ensuring that Mr. Bemba and others responsible for the abuses in Orientale province, particularly in Ituri, were brought to justice, the DRC requested the Council to establish an international criminal court to try all persons alleged to have committed serious violations of international humanitarian law there.

Rwanda, on 16 January [S/2003/33], complained that the DRC had wrongly accused it of failing to withdraw its troops from the DRC, whereas it was the DRC that had not complied with its commitments under the 2002 Pretoria Agreement. Rwanda called on the Council to demand that the DRC respect those commitments, especially the provisions relating to the disarmament and de-mobilization of the former Rwandan Army forces (ex-FAR) and Interahamwe militiamen responsible for the 1994 genocide of Rwandans [YUN 1994, p. 281]. On 31 January [S/2003/134], the DRC said...
that a concentration of forces of the Rwandan Patriotic Army had been observed in Kanyabayonga, a DRC town near the Rwandan and Ugandan borders, and that the town might become the point of confrontation between troops from the Rwandan and Ugandan armies in DRC territory. Responding on 4 February [S/2003/149], Rwanda denied the allegations and said that the Rwanda Defence Forces (RDF) had completely withdrawn from the DRC, in conformity with the Pretoria Agreement.

In another letter of 16 January [S/2003/64], the DRC, referring to its complaint in December 2002 [YUN 2002, p. 125] that the Libyan Arab Jamahiriya had been aiding MLC, said that the misunderstanding had been resolved.

**Security Council consideration.** The Security Council, on 13 February [meeting 4705], considered the situation in the DRC and was briefed by Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, who updated the Council on the military situation in the north-east and efforts to achieve a peaceful settlement. He noted that there had been continuous heavy fighting in and around the Ituri region since October 2002, despite the signing of the All-Inclusive Agreement. Following the signing of the Gbadolite ceasefire agreement on 30 December 2002 [YUN 2002, p. 125], MLC began its withdrawal from the Mambasa-Komanda area, which was completed on 3 February. Subsequently, the Union de patriotes congolais (UPC), which was not a signatory to the Gbadolite agreement, had aligned itself with the Goma faction of RCD (RCD-Goma) and took over Komanda, establishing 14 checkpoints. A new Hema-Lendu grouping, the Front for Integration and Peace, opposed UPC and called for the retention of Ugandan forces in Ituri.

MONUC was working to defuse tensions and recommend peace-building mechanisms and to organize a local ceasefire leading up to the convening of the Ituri Pacification Committee (IPC), as stipulated in the 2002 Luanda Agreement [ibid., p. 116]. On 10 February, DRC President Kabila, Ugandan President Yoweri Kaguta Museveni and Angolan President José Eduardo Dos Santos signed an amendment to the Luanda accord, which allowed for a new timetable for the work of the envisaged IPC—composed of two representatives each from MONUC and from the DRC and Uganda Governments and four representatives from the parties represented on the ground in Ituri. IPC was expected to conclude its work on 20 March, and the total withdrawal of Ugandan troops from the DRC would follow (see also p. 120).

Briefing the Council, the United Nations High Commissioner for Human Rights, Sergio Vieira de Mello, said that the impunity with which the Government and other parties to the conflict continued to commit grave violations of human rights represented a major obstacle to lasting peace. The humanitarian situation was deteriorating further because the warring parties were not allowing access by humanitarian workers to impoverished populations, many of whom (estimated at 100,000 persons) had been forced to flee their homes. The economic interests that were at the root of the continued plundering of natural resources and of State revenues were contributing to conditions of anarchy and grave violations of human rights in eastern DRC, as was the rapid deterioration of the economy. In addition, widespread corruption within the judicial system, the armed forces and the police, among others, made public administration ineffective. A mission to Bunia had confirmed gross violations of human rights, and in areas controlled by UPC since August 2002 the human rights situation had also deteriorated significantly. Recent events included persecution on ethnic and tribal grounds, extortion of property, rape, and the forced recruitment of children by military personnel, causing thousands of civilians to flee. The High Commissioner recommended that the Pretoria peace process be based on solid human rights grounds and that effective judicial and national human rights protection systems be created.

**Report of Secretary-General (February).** The Secretary-General, in response to Security Council resolution 1477(2002) [YUN 2002, p. 112], submitted on 21 February [S/2003/211] his thirteenth report on MONUC and the situation in the DRC, covering developments since his 18 October 2002 report [YUN 2002, p.120]. Despite the signing of the All-Inclusive Agreement, which established the structure of the transitional Government, and the Gbadolite ceasefire agreement, military activities continued. In the Ituri region of eastern DRC, there was widespread insecurity, massive displacement and severely restricted humanitarian access. The neutral Facilitator of the Inter-Congolese Dialogue, Sir Ketumile Masire, was expected to convene the final session of the Dialogue in the coming weeks. At that session, the parties were expected to endorse the All-Inclusive Agreement and adopt the transitional constitution. In the meantime, the Facilitator was consulting with the Congolese parties on preparations for that session, in particular on the formation of a national army, security in Kinshasa and finalization of the draft constitution. The Secretary-General’s Special Envoy for the Inter-
demobilization, repatriation, resettlement or reintegration (DDRRL)—MONUC made efforts to engage the DRC Government, MONUC called for FAC to withdraw to the defensive positions outlined in the Harare sub-plans and reiterated in Security Council resolution 1199(2002) [YUN 2002, p. 106].

Under its main operational activity—disarmament, demobilization, repatriation, resettlement or reintegration (DDRRL)—MONUC made efforts to ensure that information on DDRRL reached the rank and file. Interahamwe/ex-FAR combatants deep in the forest, in the face of obstruction by hard-line leaders and the de facto authorities. As at 20 February, the total number of Rwandans repatriated by MONUC stood at over 1,000. Working with South Africa in the Third Party Verification Mechanism established pursuant to the 2002 Pretoria Agreement [YUN 2002, p. 115], MONUC also sought to address the situation of the Armée pour la libération de Rwanda (ex-FAR/Interahamwe) leaders apprehended by the DRC Government. Ultimately, 11 of the 19 leaders apprehended in Kinshasa voluntarily agreed to be repatriated and were returned to Rwanda on 22 January. On 15 January, military sector boundaries were redrawn to facilitate DDRRL operations.

At the time of the report, MONUC had trained a total of 161 civilian police officers and had conducted a training programme in criminal law, criminal procedure and human rights for 55 judicial police officers in Kinsangani, among other training activities. MONUC’s other operations were in the area of public information, human rights, child protection, mainstreaming gender issues, HIV/AIDS, humanitarian assistance, demining and quick-impact projects.

The Secretary-General, while welcoming the signing of the All-Inclusive Agreement in 2002, said that the Congolese leaders had not taken the steps required to implement it and continued to engage in military confrontation. Despite the declared withdrawal of most of the foreign forces and the commencement of DDRRL, the military situation on the ground, particularly in the Ituri region and the Kivus, continued to be volatile. He warned that prompt inauguration of the transitional Government was critical if the political momentum created by the Pretoria Agreement was not to be lost. He called on all parties to cooperate with his Special Envoy and the neutral Facilitator to resolve the remaining issues, convene expeditiously the final session of the Inter-Congolese Dialogue, ratify the All-Inclusive Agreement and adopt the transitional constitution. MONUC had been hampered by security conditions in its efforts to verify the reports on the presence of foreign forces. The Secretary-General urged the DRC and neighbouring countries to build regional mechanisms to resolve such issues. Equally important for the peace process, he said, was the establishment of IPC. The potentially explosive nature of the military and political situation in the north-east, and the risk that it could draw in military forces from neighbouring States, were sources of major concern. The importance of a political solution to underpin any military disengagement and ceasefire was key.

Since his previous report, MONUC had made progress in the voluntary repatriation of foreign armed groups, with significant numbers return-
The cooperation of the Rwandan authorities and the contribution of South Africa had been crucial in that regard. In that same period, over 100,000 persons in the north-east around Beni had been displaced as a result of military offensives in which horrendous human rights abuses were perpetrated. Some Congolese leaders had been implicated in those abuses and that impunity had to end.

The Special Representative, Amos Namanga Ngongi, and MONUC were in a position to support the transitional arrangements and to coordinate assistance during the transition period. In addition to its observation and peacemaking efforts, MONUC would be able to help create conditions for holding free and fair elections, including in the areas of security sector reform, rule of law and technical assistance for elections. MONUC was currently exploring those areas.

Communications (February/March). In letters of 3 and 7 February [S/2003/156, S/2003/157], Rwanda protested the issuance by MONUC of press releases indicating that reports had been received regarding the presence of Rwandan troops in DRC territory. Rwanda pointed out that MONUC had not verified the presence of Rwandan troops in Ituri or eastern DRC and demanded to know the sources of the information.

On 12 February [S/2003/172], the DRC forwarded the joint communiqué of the consultative summit between Presidents Kabila of the DRC and Museveni of Uganda, signed in Dar es Salaam, United Republic of Tanzania, on 10 February on the complete withdrawal of Ugandan troops from the DRC, the normalization of relations and an amendment to the 2002 Luanda Agreement. The amendment specified a new timetable for establishing IPC. In the communiqué, the two leaders noted with concern the deterioration in the security and humanitarian situation in Ituri. They agreed to establish a standing consultation mechanism that would permit them to monitor developments in Ituri and take action for the maintenance of peace and security. Uganda also transmitted the texts to the Council [S/2003/215].

On 6 March [S/2003/291], the DRC issued a press release on the situation in Ituri, expressing concern over the rising violence, generated by UPC. Demanding implementation of the 2002 Luanda Agreement, it requested the parties to respect international humanitarian law by protecting the lives of civilians. The DRC called on the international community to demand that Rwanda and Uganda protect civilian populations in the territories under their control. Referring to that communication on 11 March [S/2003/303], Rwanda said that its troops had totally withdrawn from the DRC in 2002, and that the situation in Ituri was a creation of the United Nations, the DRC and Uganda. Rwanda called for the withdrawal of Ugandan forces from the DRC and called on the United Nations to demand that Ugandan forces and FAC leave the Ituri region. On 12 March [S/2003/316], Uganda transmitted an 11 March statement by its Minister of Defence on the situation in Ituri. The Minister said that Uganda would deploy adequate forces to stabilize Bunia and its environs, secure roads to Bunia to ensure a supply of food, facilitate the distribution of food and medicine by humanitarian agencies, and make preparations with MONUC to start IPC. Rwanda, on 14 March [S/2003/318], transmitted a government statement alleging that Ugandan forces had overrun Bunia on 6 March and continued to reinforce the Ituri region with heavy armaments. The DRC continued to supply the ex-FAR and Interahamwe, which were a threat to Rwanda’s borders, as were the Ugandan troops in eastern DRC.

Report of UN High Commissioner for Human Rights. In response to a request made by the Security Council during its 13 February meeting on the situation in the DRC [meeting 4705], the Council President circulated on 24 February the report of the UN High Commissioner for Human Rights on the human rights situation in the DRC [S/2003/216], covering the period from 18 July 2002 to 30 January 2003. The report, which was based on the joint efforts of OHCHR and MONUC and the High Commissioner’s visit to the country from 12 to 15 January, stated that the human rights situation remained grave throughout the DRC, and all parties to the conflict continued to commit gross violations of human rights with impunity. There had been a widespread failure to provide minimum guarantees to the particular needs of the most marginalized and vulnerable people—women, children, the internally displaced and those affected by HIV/AIDS. MONUC, OHCHR and the Special Rapporteur of the Commission on Human Rights on the situation of hu-
man rights in the DRC (see p. 810) continued to document massive violations of human rights in the country, especially in areas controlled by RCD-Goma, MLG and UPC. In Government-controlled territory, concerns continued over the administration of justice because of the weakness of the judicial system. The High Commissioner’s overall assessment was that the prevailing human rights situation was alarming and a threat to the fragile peace process. Despite the conclusion of the Pretoria and other peace agreements, the ongoing war in the east was causing massive violations of human rights and terrible suffering to thousands of civilians.

The report described some specific atrocities in the territories controlled by the Government and rebels, including arbitrary executions, killings, rape, mutilations, cannibalism, torture, abductions and looting. It also provided information on follow-up action with regard to the May 2002 massacres in Kisangani [YUN 2002, p. 109].

The High Commissioner concluded that there would be a continuing need for the Security Council to exert all possible pressure on the Government and other belligerents and their supporters, notably Rwanda and Uganda, to put an immediate end to the human rights violations and to the culture of impunity. All commanders had to be held responsible for gross violations committed by fighters under their control, and consideration should be given to establishing an international commission of inquiry to investigate violations by all sides. Having ratified the Rome Statute of the International Criminal Court [YUN 1998, p. 1299], the DRC should be pressed to pass the necessary legislation so that those who committed war crimes or crimes against humanity might be prosecuted by the Court, should national jurisdiction be unable to do so. The Truth Commission, to be established pursuant to a resolution adopted by all parties in the 2002 Inter-Congolese Dialogue [YUN 2002, p. 107], would be useful in promoting reconciliation. It could conduct investigations, take testimony from witnesses, victims and perpetrators, and recommend reforms needed to prevent the recurrence of abuses.

Security Council press statements (February/March). On 26 February, the Security Council President issued a press statement [SC/7674] in which Council members expressed their concern at the serious violations of human rights reported by the High Commissioner. They reiterated that there could be no impunity and that each party was responsible for maintaining law and order in the areas under its control. With regard to the Ituri situation, members called on UPC to cooperate with MONUC and humanitarian organizations and to facilitate the implementation of IPC. Regional Governments, in particular the DRC, Rwanda and Uganda, were urged to support the peace process in Ituri, and to refrain from taking or supporting any action that could aggravate the situation. The Congolese parties were urged to implement the 2002 All-Inclusive Agreement and to establish the transitional Government. Full access should be provided to MONUC to enable it to verify the implementation of the Pretoria Agreement. Members condemned the attack against a MONUC helicopter in Bunia and demanded that the perpetrators be brought to justice.

In a 10 March press statement [SC/7684-AFR/57], Council members welcomed the agreement reached on 6 March among Congolese parties in Pretoria on transitional arrangements and stressed the importance of the DRC transitional Government being established as soon as possible. They expressed their concern at the continuation of fighting in Bunia and demanded the immediate cessation of hostilities and that IPC be established immediately. They urged Uganda to abide by its commitment to withdraw its troops by 20 March and demanded that all parties ensure the security of civilian populations and guarantee humanitarian organizations full access to those in need.

SECURITY COUNCIL ACTION (March)


The Security Council,

Recalling its resolutions and the statements by its President regarding the Democratic Republic of the Congo,

Expressing its full support for the efforts of the United Nations High Commissioner for Human Rights and its appreciation of his report on the situation in Ituri, and recalling the previous report on the situation in Kisangani,

Welcoming the thirteenth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo,

Commending the Government of Angola for its efforts in ensuring the implementation by the parties of the Luanda Agreement, which establishes the basis for a settlement in the Ituri area, and expressing its gratitude to the Government of Angola for its readiness to continue these efforts,

Commending the Government of South Africa for its role in cooperation with the Special Envoy of the Secretary-General in helping the Congolese parties to reach an agreement on the transitional arrangements,

Commending the efforts of the Special Envoy of the Secretary-General, the Special Representative of the Secretary-General and their teams for helping to steer the negotiations in Pretoria to a successful conclusion,
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 agreement reached by the Congolese parties, in Pretoria on 6 March 2003, on the transitional arrangements, commends the Congolese parties, whose responsibility it is to implement fully the commitments they have made, for their efforts in settling the outstanding issues, and calls upon them to establish as soon as possible the Transitional Government in the Democratic Republic of the Congo, and stresses that any effort to undermine or delay its establishment would be unacceptable;

2. **Condemns** the massacres and other systematic violations of international humanitarian law and human rights perpetrated in the Democratic Republic of the Congo, in particular sexual violence against women and girls as a tool of warfare and atrocities perpetrated in the Ituri area by troops of the Mouvement de libération du Congo and the Rassemblement congolais pour la démocratie-National, as well as the acts of violence recently perpetrated by the forces of the Union des patriotes congolais, and reiterates that there will be no impunity for such acts and that the perpetrators will be held accountable;

3. **Stresses** that the military officers whose names are mentioned in the report of the United Nations High Commissioner for Human Rights in connection with serious violations of international humanitarian law and human rights should be brought to justice through further investigation and, if it is warranted by that investigation, be held accountable through a credible judicial process;

4. **Calls upon** the Congolese parties, when they are selecting individuals for key posts in the Transitional Government, to take into account the commitment and record of those individuals with regard to respect for international humanitarian law and human rights and the promotion of the well-being of all Congolese;

5. **Strongly encourages** the Congolese parties forming the Transitional Government to establish as soon as possible a truth and reconciliation commission charged with determining responsibility for serious violations of international humanitarian and human rights law, as set forth in the resolutions adopted within the framework of the Inter-Congolese Dialogue held in Sun City, South Africa, in April 2002;

6. **Reiterates** that all parties claiming a role in the future of the Democratic Republic of the Congo must demonstrate their respect for human rights and international humanitarian law, as well as the security and well-being of civilian populations, and emphasizes that the Transitional Government in the Democratic Republic of the Congo will have to restore law and order and respect for human rights and end impunity, across the entire country;

7. **Requests** the Secretary-General, in consultation with the High Commissioner, to make recommendations to the Secretary-General to increase the number of personnel in the human rights component of the United Nations Organization Mission in the Democratic Republic of the Congo to assist and enhance, in accordance with its current mandate, the capacity of the Congolese parties to investigate all serious violations of international humanitarian law and human rights perpetrated on the territory of the Democratic Republic of the Congo since the beginning of the conflict in August 1998, and also requests the Secretary-General, in consultation with the High Commissioner, to make recommendations to the Security Council on other ways to help the Transitional Government in the Democratic Republic of the Congo to address the issue of impunity;

8. **Expresses its deep concern** over the heavy fighting in Bunia, demands that all parties to the conflict in Ituri immediately cease the hostilities and that all parties sign an unconditional ceasefire agreement, stresses that they must cooperate with the Mission to set up without further delay the Ituri Pacification Commission, and also stresses that the necessary steps must be taken to restore public order in Bunia, in accordance with the agreements reached among the Congolese parties and within the framework of the Commission;

9. **Requests** the Secretary-General to increase the presence of the Mission in the Ituri area, as security conditions permit, in particular military observers and human rights personnel to monitor developments on the ground, including the use of airfields in the Ituri area, and also requests the Mission to provide further support and assistance to humanitarian efforts, as well as to facilitate the formation of the Ituri Pacification Commission and to assist the work of the Commission as consistent with the current mandate of the Mission, in consultation with all Congolese parties to the conflict;

10. **Encourages** the Mission in its efforts to consult with the relevant parties on possible options for addressing the immediate security situation in the Ituri area, and requests that the Mission keep the Council informed of its efforts in this regard;

11. **Demands** that all Governments in the Great Lakes region immediately cease military and financial support to all parties engaged in armed conflict in the Ituri region, stresses the need for all Congolese parties, including the Government of the Democratic Republic of the Congo, to respect their commitments under the Ceasefire Agreement signed at Lusaka on 10 July 1999, as well as the Kampala plan and the Harare sub-plans for disengagement and redeployment, and reiterates that all foreign troops must be withdrawn from the territory of the Democratic Republic of the Congo;

12. **Calls upon** the Government of Uganda to complete the withdrawal of all its troops without further delay and, in this regard, expresses its concern that the commitment of that Government to withdraw by 20 March 2003 has not been met, and concerned also at the statement of 14 March 2003 issued by the Ministry for Foreign Affairs and Regional Cooperation of Rwanda, calls upon the Government of Rwanda not to return any forces to the territory of the Democratic Republic of the Congo, and stresses that any renewal of the strengthening of a foreign military presence on the territory of the Democratic Republic of the Congo would be unacceptable and would undermine the progress achieved thus far in the peace process;

13. **Expresses its deep concern** at the rising tensions between Rwanda and Uganda and their proxies on the territory of the Democratic Republic of the Congo, and stresses that the Governments of those two countries must take steps to build mutual confidence, must settle their concerns through peaceful means, and without any interference in Congolese affairs, and
must refrain from any action that could undermine the peace process;

14. **Demands** that all parties to the conflict in the Democratic Republic of the Congo, and in particular in Ituri, ensure the security of civilian populations and grant to the Mission and to humanitarian organizations full and unimpeded access to the populations in need;

15. **Reiterates** the demand expressed in its resolution 1460(2003) of 30 January 2003 that all parties to the conflict provide information without delay on steps they have taken to halt the recruitment or use of children in armed conflict, in violation of the international obligations applicable to them, as well as its demands with regard to the protection of children contained in its resolutions 1261(1999) of 25 August 1999, 1314(2000) of 11 August 2000, 1379(2001) of 20 November 2001 and 1460(2003);

16. **Recalls** its demand that full and unimpeded access be granted to the Mission and the Third Party Verification Mechanism so that they could verify the implementation of the Peace Agreement signed at Pretoria on 30 July 2002 and investigate the allegations of the presence of Rwandan troops on the territory of the Democratic Republic of the Congo, as well as allegations of support by the Government of the Democratic Republic of the Congo to the armed groups in the east of the country, reiterates that both would be unacceptable and would undermine the continuation of the peace process, and stresses that any ongoing military activity in the east of the Democratic Republic of the Congo has a detrimental effect on Mission operations of disarmament, demobilization, repatriation, reintegration or resettlement of armed groups;

17. **Requests** that the Mission report as soon as possible to the Council on the results of its investigations referred to in paragraph 16 above;

18. **Expresses its support** to the broad orientations set out by the Secretary-General in paragraph 59 of his last report on the role of the Mission in support of the peace process, and expresses its intention to consider his recommendations in this regard;

19. **Reiterates its full support** for the Mission and the efforts it continues to deploy to help the parties in the Democratic Republic of the Congo and in the region to advance their peace process, and stresses the importance of the Mission moving forward with its phase III deployment, in accordance with resolution 1445(2002) of 4 December 2002;

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

**Communications (March/April).** Rwanda, in a 25 March letter [S/2003/369] to the Council President, welcomed resolution 1468(2003) and the recent progress made in the Inter-Congolese Dialogue, which brought together participants from numerous factions under the aegis of the neutral Facilitator. It hoped that the United Nations would continue to help Congolese parties overcome the few remaining obstacles, particularly the establishment of the security mechanisms for the transitional Government. It appreciated the Council’s concern at the rising tension between Rwanda and Uganda, supported the implementation of the Lusaka [YUN 1999, p. 87] and Pretoria [YUN 2002, p. 115] Agreements through the Dialogue, and called for an immediate withdrawal of Ugandan and Kinshasa forces from Ituri and a deployment of a neutral force in Bunia and at strategic points. The DRC, it said, continued to support the ex-FAR/Interahamwe, enabling them to take over most positions previously held by Rwandan forces, thus posing a threat to Rwanda.

On 8 April [S/2003/415], Uganda transmitted a 3 April statement on resolution 1468(2003), in which it welcomed recent progress by the Congolese parties with regard to transitional arrangements. Uganda shared the Security Council’s concern on the situation in Ituri, noting that it would be further aggravated if Ugandan troops were withdrawn without alternative arrangements. Following a ceasefire in Ituri province, which was signed on 18 March in Bunia, with only UPC not signing, IPC was officially inaugurated on 1 April. Uganda was therefore ready to withdraw its troops as soon as alternative security arrangements were put in place. Uganda expressed concern about Rwanda’s allegations against it but affirmed that it had no designs to harm Rwanda.

On 9 April [S/2003/415], Rwanda reported to the Security Council that it had observed the massacres of innocent populations on 3 March in parts of eastern DRC controlled by Ugandan forces and their allies. Rwanda disapproved of the mandate for security stewardship in the eastern DRC that the Council had given to Uganda only because its forces were deployed on the ground. It also reaffirmed its rejection of IPC, which was aimed at enabling Kinshasa to reassert its authority in Ituri, as long as the Inter-Congolese Dialogue had not been fully implemented. Rwanda further reaffirmed its view that a quick deployment of a neutral force in eastern DRC, especially in all strategic points held by the Ugandan troops and their allies, would be the best option for solving the crisis. In the meantime, MONUC and the Third Party Verification Mechanism should be enabled to take control of all airfields and ports in eastern DRC, in order to check resupplying and infiltration forces.

On 29 April [S/2003/544], Uganda transmitted a statement issued by the ministerial meeting of Angola, the DRC and Uganda, the signatories of the 2002 Luanda Agreement [YUN 2002, p. 116], with the participation of MONUC (Bunia, 15 April). The delegations expressed satisfaction with the results of IPC. The DRC urged Uganda to communicate its detailed plan of withdrawal, in accordance with the Luanda Agreement, and insisted on the deployment in Ituri of an international force, as well as the National Congolese Police. Uganda provided explanations regarding its
presence in Bunia and Ituri and confirmed the strength and location of troops, which would be conveyed to MONUC. It also recalled the presence of elements of Ugandan dissidents deployed in Ituri and reaffirmed its willingness to withdraw all troops by 24 April. It hoped an international force would be deployed in its place, in order to avoid any security vacuum. MONUC indicated that an assessment of the security context of Ituri was being made. The DRC and Uganda reiterated the need for implementation of the security mechanism regarding the western slopes of the Rwanzori Mountains and agreed that experts from both parties would examine modalities at a later date.

**Events in Drodro and Mambasa**

The Security Council President issued a press statement on 8 April [SC/7722-AFR/599] in which members condemned an offensive launched by RCD-Goma in eastern DRC, and urged it immediately to recall its troops to the agreed positions. Condemning the massacres in the Ituri area and calling for the perpetrators to be brought to justice, members requested the High Commissioner for Human Rights to investigate those events. They called on the Ugandan forces to withdraw from DRC territory without delay and recalled that so long as they were deployed on the ground, those forces had the responsibility to ensure the safety of the civilian population. They further called on all parties to cooperate fully with IPC. Council members demanded the immediate cessation of the fighting and massacres in eastern DRC and called on all Congolese parties to ensure that the transitional Government was established as soon as possible.

On 25 June [S/2003/674], the Secretary-General submitted to the Security Council a MONUC report on incidents that took place in Mambasa in late 2002 and early 2003 and a report of the High Commissioner for Human Rights on the events of 3 April in Drodro, Ituri, which he submitted in response to the request contained in the Council’s 8 April press statement (see above). From the testimonies of 503 people, the MONUC special investigation team determined that there was a pattern of looting, killing and violence against women, used as premeditated tools of war by MLC, RCD/N and UPC military forces in October and December 2002. Acts of cannibalism, preceded by corporal mutilations and sectioning of internal body parts, particularly concerning the internal body parts of Pygmies, could be considered to be pure fetishism. The fact of forcing family members to eat body parts of their loved ones could be considered as psychological torture. Most of those violations seemed to have been committed with the aim of taking revenge on the Nande and Pygmy populations perceived as assisting and supporting the RCD-Liberation Movement (ML) authorities.

The team made recommendations aimed at restoring justice and supporting the victims, including: follow-up of rape cases by a female human rights investigator; follow-up of forced disappearance cases; arranging psychological support for victims of rape and eyewitnesses of executions and cannibalism; sending a forensic team to analyse mass graves; providing emergency humanitarian assistance for schools and medical facilities; and providing trauma counselling for children affected by the violations.

In his report on the 3 April events in Drodro, the High Commissioner for Human Rights observed that the human rights situation in Ituri had been deteriorating for nearly five years. The armed conflict that broke out in August 1998 and continuing dissension, among the rebel movements and factions, coupled with the interference of neighbouring countries, had exacerbated the situation. As violence increased, the different ethnic groups of the region had organized themselves into militias or armed groups, with the aim, among other things, of influencing the DRC political process. The current cycle of violence began in August 2002, when a UPC faction captured Bunia. In January 2003, after the signing of the All-Inclusive Agreement [YUN 2002, p. 125], a political and military alliance was forged between UPC and RCD-Goma, which led to further deterioration in Bunia. That event, as well as dissent within UPC, led to the establishment of another armed faction, the Front pour l’intégration et la paix en Ituri, which, with support from foreign troops, seized Bunia on 6 March and forced the UPC leader, Thomas Lubanga, and his militias to fall back to Drodro (80 kilometres west of Bunia), where they came under armed attack on 3 April. The report, based on a mission to the area by a special investigation team (18 April-5 May), highlighted the human rights situation in Ituri following the 3 April events in Drodro.

The investigation team determined that about 408 people were summarily executed, including people burned alive. More than 80 others were badly wounded and/or mutilated, about 150 shops were looted and several dozen heads of livestock were stolen. Those events made the already precarious human rights situation throughout Ituri worse. Accounts received by the investigation team indicated that the attacks on Drodro were carried out by Lendu militias; witnesses also reported that some of the attackers wore olive-green mottled military uniforms like those of the Ugandan troops in the region. Fur-
tional workers were evacuated to Kisangani and Goma and were thereby prevented from assisting the affected population.

In general, the situation in Ituri, in particular in the Drodro area, was extremely threatening to stability in the DRC and the Great Lakes region, and required a response from the international community and the Congolese actors. The events in Drodro occurred during a conflict when various rebel movements were founded—movements backed by neighbouring countries and riven by internal dissension. The proliferation of rival factions and tribal armed groups, which were manipulated and run by a handful of warlords and certain neighbouring countries desirous of protecting their interests or influencing the political process in the DRC, largely explained the unprecedented violence that swept Ituri for months and was responsible for serious human rights violations and a disastrous humanitarian situation.

In the High Commissioner’s view, the underlying cause of the situation was a vicious cycle of grave human rights violations and vengeance, buttressed by impunity. He recommended that the future transitional Government establish an appropriate judicial body to try perpetrators of serious human rights violations and breaches of international humanitarian law, and affirmed his readiness to cooperate with the Prosecutor of the International Criminal Court in that regard. The High Commissioner urged the Security Council to strengthen the presence of military observers so that humanitarian organizations and human rights observers could move into Ituri and provide support for national human right institutions and for enhancing the judicial system.

The Security Council considered the report on 7 July [meeting 4784].

Press statements (May). In a 5 May press statement [SC/779-AFR/63], Security Council members expressed concern on the situation in Ituri. They urged all parties and regional States to support the IPC process and urged Uganda to fulfill its commitment to withdraw its forces from the area. Condemning all harassment of MONUC personnel and the violence that had taken place in the Kivus, they called for an end to support to armed militias and the fuelling of ethnic tensions. They reiterated that the leaders of all warring factions should be personally accountable for human rights violations.

Following a briefing by the Under-Secretary-General for Peacekeeping Operations, Jean-Marie Guéhenno, on the deteriorating situation in Bunia, the Council, on 9 May [SC/775-AFR/66], issued a press statement condemning attacks against MONUC headquarters in Bunia, where a 700-member guard contingent had been deployed in support of the IPC process. It called on the parties to cease aggression and violence, especially against the civilian population and MONUC.

Letter from Secretary-General (15 May). The Secretary-General, in a 15 May letter to the Security Council President [S/2003/574], expressed concern about the rapidly deteriorating situation in and around Bunia, which had become the site of major violent clashes between Hema- and Lendu-based militia groups, and which had been exacerbated by outside interference. Anticipating further worsening of the situation, he requested the Council to consider urgently his proposal for the rapid deployment to Bunia of a well-trained and well-equipped multinational force, under the leadership of a Member State, to provide security at the airport and other vital installations and to protect the civilian population. The force would be in place for a limited period until a reinforced UN presence could be deployed. All parties, in particular the States involved in the conflict in the DRC, should desist from interference in the affairs of the region. In the face of the current crisis in Ituri, the international community should act decisively to offset the looming humanitarian catastrophe in Bunia and rescue the nascent political process.

Dar es Salaam agreement. On 16 May in Dar es Salaam, the United Republic of Tanzania facilitated a summit between the protagonists in Ituri, all of whom signed a new commitment to restart pacification and proceed with the cantonment of their troops for the purpose of demilitarization. They also supported the Secretary-General’s efforts to obtain an international rapid reaction force for Ituri.

SECURITY COUNCIL ACTION (16 May)

On 16 May [meeting 4756], following consultations among Security Council members, the Pres-
ident made statement S/PRST/2003/6 on behalf of the Council:

The Security Council condemns the recent killings, violence and other human rights violations and atrocities in Bunia, as well as the attacks against the United Nations Organization Mission in the Democratic Republic of the Congo and the internally displaced persons who have sought refuge at the Mission premises, and reiterates that there will be no impunity for such acts and that the perpetrators will be held accountable. It demands that all hostilities in Ituri cease immediately. The fighting is unacceptable. It threatens the stability of the Ituri area and severely undermines the continuation of the peace process and the establishment of the Transitional National Government.

The Council fully supports the work initiated by the Ituri Pacification Commission, established by the Luanda Agreement of 6 September 2002, under which the Ituri interim administration was formed, encourages donors to provide additional funding and emphasizes that it is up to the various Congolese parties in Ituri to pursue an effective, inclusive political and security mechanism in this framework.

The Council welcomes the Agreement on the Engagement to Relaunch the Ituri Pacification Process, signed in Dar es Salaam on 16 May 2003, and calls upon the parties to implement it fully and without delay.

The Council calls upon all parties in the region to end all support to armed groups and to refrain from any action that might compromise the restoration of peace in Ituri, in particular the work of the Ituri interim administration, and reaffirms its strong commitment to the sovereignty of the Democratic Republic of the Congo over all its territory.

The Council expresses its concern at the deteriorating humanitarian situation in Bunia and demands that all parties grant full and unimpeded access for humanitarian aid and guarantee the safety and security of humanitarian personnel. It also calls upon the donor community to continue to support the humanitarian organizations.

The Council pays tribute to the work that has been achieved by the staff and contingents of the Mission in Ituri, in very difficult conditions, and fully supports them.

The Council welcomes the efforts by the Secretary-General to address the urgent humanitarian and security situation in Bunia, including options for sending an emergency international force, and encourages him to complete consultations to this end as a matter of urgency.

The Council demands that all Congolese parties and regional States involved in the conflict in the Democratic Republic of the Congo refrain from any action that could undermine the possible deployment of an international force, and support the deployment.

Communications (May). Uganda, on 16 May [S/2003/353], discussed developments in eastern DRC. Uganda had completed withdrawal of its forces from Bunia and was therefore no longer responsible for the maintenance of security in Ituri province. Uganda had warned the international community that withdrawal of its forces without deployment of adequate UN forces would create a security vacuum that would lead to renewal of the Lendu-Hema conflict, and indeed the level of deployment of MONUC and the Congolese police deployment had proved inadequate to cope with the situation that arose. Following Uganda's withdrawal, inter-ethnic conflict erupted, resulting in an influx of DRC citizens (estimated at 50,000 to 60,000 people), mostly Hema, to Uganda. The resulting humanitarian crisis brought about an urgent need for food, water and shelter for the refugees, for which Uganda appealed to the international community. Uganda also called on the Security Council to expand MONUC's role from peace monitoring to peace enforcement, under Chapter VII of the UN Charter, and to increase MONUC's deployment to fill the security vacuum in Ituri.

By another 16 May letter [S/2003/560], Uganda transmitted a press release following discussions held by its Third Deputy Prime Minister/Minister for Foreign Affairs, James Wapakhabulo, with French Foreign Minister Dominique de Villepin. The French Foreign Minister appreciated the gravity of the situation in north-eastern DRC and the need for a more robust MONUC deployment in Ituri.

Report of Secretary-General (May). In response to Security Council resolution 1417(2002) [YUN 2002, p. 112], the Secretary-General submitted, on 27 May, his second special report on MONUC [S/2003/566 & Corr.1]. The report also covered major developments in the DRC since his report in February (see p. 115). He said that on 2 April in Sun City, the participants in the Inter-Congolese Dialogue signed the Final Act of the inter-Congolese political negotiations that had started in October 2001 [YUN 2001, p. 131], by which they endorsed a package of agreements that constituted a comprehensive programme for the restoration of peace and national sovereignty during a transition period of two years. The agreements comprised the 2002 Global and All-Inclusive Agreement on the Transition in the DRC [YUN 2002, p. 125], the Transitional Constitution, the memorandum of 6 March on military and security issues, and the resolutions adopted in 2002 by the Inter-Congolese Dialogue in Sun City [YUN 2002, p. 107]. Since the signing of the Final Act, the Congolese parties had taken steps towards establishing the transitional Government: Mr. Kabila was sworn in as President for the transitional period on 7 April; amnesty was granted for certain actions relating to war; the military court was abolished; the Follow-up Commission held meetings to prepare for the new institutions;
and the Special Representative, on 10 April, convened the first meeting of the International Committee in Support of the Transition in Kinshasa (comprising representatives of the permanent members of the Security Council and Angola, Belgium, Canada, Gabon, Mozambique, South Africa and Zambia, plus the AU and the EU).

Despite political progress at the national level, hostilities, which were accompanied by widespread and gross violations of human rights, continued in the east, in particular between Lendu-based and Hema-based militias in Ituri, and between RCD-Goma, Mayi-Mayi and other armed groups in North and South Kivu. The root causes of the Ituri conflict, which related to an indigenous power struggle over land and resources, had been exacerbated by the protagonists of the wider conflict in the DRC. As a result of the proliferation of armed groups and their constantly shifting allegiances, the situation in the region had become volatile and unpredictable. UPC engaged in large-scale military operations in four localities in Ituri, resulting in killings, destruction of property and displacement of a large number of people. Since the first major fighting in 1999, the death toll was estimated at more than 60,000. Between 500,000 and 600,000 internally displaced persons—many of whom remained in hiding and could not be accounted for—were dispersed throughout the area, as were almost 100,000 refugees from the Sudan and Uganda.

On 6 March, Ugandan forces recaptured Bunia, which had been under UPC control since August 2002. Subsequently, the Ugandan presence in Ituri was reinforced to over 7,000 troops, who were deployed to strategic locations in the region. Their deployment did not stem the activities of armed militias, however.

In view of rising tensions between Rwanda and Uganda over the increased presence of the latter’s forces in the region, the Special Representative proposed a trilateral meeting of the heads of State of the DRC, Rwanda and Uganda, which was held on 9 April in Cape Town, South Africa, and hosted by President Thabo Mbeki. The three leaders confirmed the timetable for Ugandan withdrawal from Ituri, from 24 April to 14 May.

MONUC intensified its consultations with key players in early March, which led to the Governments of the DRC and Uganda and six armed groups (except for UPC, which had lost almost all of its territorial control) reaching a ceasefire agreement that paved the way for convening IPC. The 177 delegates who attended IPC (Bunia, 4-14 April) represented the main communities and groups in Ituri, including UPC. It was agreed to set up an interim administration, which began work on 25 April.

In order to assist in the political process initiated by IPC, MONUC increased its presence in the Bunia area and had 720 troops in place at the time of the report. Their tasks included a presence at the airfield and protection of UN personnel and facilities and sites of IPC meetings. The number of military observer teams in Ituri was also increased. On 26 April, one military observer was killed and another wounded in a landmine accident.

On 25 April, Uganda began withdrawing its troops from Ituri and had completed its withdrawal from Bunia by 6 May. Immediately after the departure of Ugandan troops from Bunia, Hema- and Lendu-based militia groups sought to establish control over the town, resulting in violent clashes and looting, including of UN premises. MONUC was forced to return fire to repel the aggressors. In talks with the Special Representative, President Kabila agreed to deploy troops to Bunia.

RCD-Goma continued to redeploy nearly all its military force away from positions on the disengagement line to conduct offensives in the North and South Kivu and Maniema provinces. Those offensives resulted in serious human rights violations, triggering new waves of population displacement.

The persistent outbreaks of fighting in eastern DRC continued to hamper and delay MONUC operations to disarm, demobilize and repatriate foreign ex-combatants, the main focus of the Mission. MONUC had repatriated more than 1,500 Rwandans, including both combatants and their dependants, since October 2002, while the Office of the United Nations High Commissioner for Refugees (UNHCR) had repatriated 3,021 Rwandan refugees. The voluntary DDRRR programme was hindered by the security situation and by lack of cooperation from the parties concerned. RCD-Goma had not offered its full cooperation and Mayi-Mayi representatives had proved to be unreliable. Nevertheless, MONUC persuaded some combatants to enter the DDRRR process. Progress was also made in reopening the Congo River; the first private commercial traffic allowed by RCD-Goma arrived in Kisangani in February.

MONUC reviewed its deployment strategy to readjust its structure from that based on the 1999 Lusaka Agreement [YUN 1999, p. 87] to one that met the needs of the changing political and military situation. It closed two coordination centres and 22 team sites and redeployed the troops to other priority areas.
The report outlined the responsibilities of the Congolese parties and the role of MONUC during the forthcoming two- to three-year transitional period. First, the transitional Government would have to put in place the transitional institutions and ensure their functioning, and lay the ground for the elected Government that would be established at the end of the transition by preparing for elections and drafting a new Constitution. It would also have to address security and military matters and economic development. The parties would have to observe a number of key benchmarks, including: cessation of hostilities and military support to armed groups; lifting of restrictions on the free movement of people and goods; the liberalization of political activity; the dismantling of armed groups, and taking steps to establish the high command of the national armed forces and to form the initial unit of the integrated police force.

MONUC’s priorities would be: to provide political support to the transition by assisting the Congolese parties in implementing their commitments, leading to the holding of elections; to contribute to local conflict resolution and the maintenance of security; to continue DDRRR of foreign armed groups and Congolese combatants; to promote the coordination of international political and donor efforts with regard to the transition; to contribute to confidence-building between the DRC and neighbouring States; and to continue activities in the areas of human rights, humanitarian affairs, child protection and gender affairs. The immediate goals were to help establish the transitional Government; contribute to security in Kinshasa; assist in reconciliation efforts in Ituri; contribute to local-level conflict resolution; and continue DDRRR of armed groups in the Kivus. Given MONUC’s new responsibilities, the leadership structure, both civilian and military, would need to be strengthened.

The Secretary-General observed that the DRC, after nearly five years of continuous fighting, found itself at an intersection of peace and war. The definitive and successful conclusion of the Inter-Congolese Dialogue was a crucial milestone and the definitive and successful conclusion of the Lusaka Ceasefire Agreement, MONUC’s primary role had been to facilitate the implementation of that document and supplementary bilateral agreements that provided the framework for addressing the military dimension of the conflict. Despite slow and partial compliance by the parties, there had been some major achievements, including the disengagement of foreign armed forces and their allies to defensive positions, the withdrawal of the majority of foreign troops from the DRC and initial progress in the ad hoc disarmament, demobilization and repatriation of Rwandan armed groups.

MONUC would be required to play a central role in facilitating the transition process and the Mission should be reconfigured and augmented accordingly. The All-Inclusive Agreement and President Kabila had requested the United Nations to deploy a force to participate in the proposed multi-layered confidence-building security system to give confidence to transitional leaders in Kinshasa. The proposed system would comprise the existing Congolese police structures to carry out normal law and order functions; the close protection corps to act as personal bodyguards for political leaders; and a MONUC military contingent of some 740 personnel. Any elements of the Congolese Armed Forces currently deployed in Kinshasa would be garrisoned and monitored by MONUC. A newly formed integrated police unit would be trained to take over security tasks from MONUC. Before the formation of the transitional Government, MONUC would redeploy two guard units, to be assisted by 30 additional military police personnel, to the security zone in the capital. In addition, MONUC civilian police officers would advise, monitor and report on the conduct of the various Congolese entities with security responsibilities. Those arrangements would last from six to nine months and would require 104 security personnel in addition to the MONUC military contingent.

MONUC had already established a Transition Support Unit, which would be supplemented by an electoral assistance cell to plan UN support for elections. The Secretary-General also recommended imposing an arms embargo in Ituri and the Kivus.

As for the MONUC military presence, it would be enhanced by the establishment of the IPC Support Unit, in which all MONUC substantive components would be represented (political affairs, human rights, humanitarian affairs, child protection, public information). MONUC would work closely with the humanitarian and development community in Ituri, which was designing a strategy for that long-inaccessible region. In order to provide protection to UN personnel and assets in Ituri and to establish a framework of security in support of the political process, it was assessed that a brigade-size formation (three battalions with support and totalling up to 3,800 personnel) would be necessary. The current deployment in Bunia of nearly 800 Uruguayan troops was the minimum that was militarily acceptable to establish security for UN operations at the Bunia airfield, protect UN personnel and...
resources, support the IPC peace process and prepare for follow-on deployments and logistic sustainment. Since the deployment of a large force would take some months, leaving a dangerous interim gap in a volatile area, the Secretary-General called on the Security Council to consider urgently the rapid deployment to Bunia of a highly trained and well-equipped force, under the leadership of a Member State, to provide security at the airport and other vital installations and to protect the civilian population, as a temporary arrangement before the deployment of a reinforced UN presence. Such a deployment—for a limited period—should be authorized under Chapter VII of the UN Charter.

In the Kivus, ongoing military offensives continued to cause widespread suffering and undermine DRRR activities. The Secretary-General called on RCD-Goma, various Mai-Mai groups and other local militias to cease hostilities immediately. MONUC had a role to play in encouraging and assisting local and international partners in conflict resolution in the Kivus by expanding the presence of its civilian personnel and military observers.

DDRRR of foreign armed groups remained an important goal, as that process lay at the heart of the Great Lakes conflict. However, equally important for the transition process in the DRC was the disarmament, demobilization and reintegration of Congolese armed and irregular forces. The Secretary-General proposed that MONUC’s mandate be expanded to assist the transitional Government in planning that task.

The Secretary-General stated that the priorities he had outlined would require further resources; he therefore recommended that MONUC’s mandate be extended for another year, until 30 June 2004, and that the authorized military strength be increased to 10,800 all ranks. He further recommended that civilian police personnel be increased from 100 to 134 police officers and that other specialized personnel be augmented.

The Secretary-General observed that the peace process could not move forward without the demonstrated commitment of the Congolese leaders and a number of key benchmarks had to be observed by the parties in that regard: immediate cessation of hostilities and of inflammatory rhetoric; lifting of restrictions on the free movement of goods and people; liberalization of political activity; disbandment of armed groups or their transformation into political parties; and taking steps to establish the high command of the integrated national armed forces and to form an initial unit of integrated police. In addition, the Government should be held accountable for the effective management of the natural resources of the DRC.

**Press statement (28 May).** The President of the Security Council issued a 28 May press statement [SC/7770-AFR/626] in which Council members condemned the recent violence and atrocities committed in the DRC, especially the murder of two MONUC military observers, as well as the looting of humanitarian and medical equipment. They called for full cooperation and restraint by all parties, including neighbouring States, and for them to refrain from arming the belligerents. There was unanimous support in the Council for the Secretary-General’s proposal to deploy a multinational force in Bunia.

**SECURITY COUNCIL ACTION (30 May and 4 June)**


The Security Council,

*Recalling* its resolutions and the statements by its President on the Democratic Republic of the Congo, in particular the statement of 16 May 2003,

*Determined* to promote the peace process at the national level, in particular to facilitate the early establishment of an inclusive Transitional Government in the Democratic Republic of the Congo,

*Expressing its utmost concern* at the fighting and atrocities in Ituri, as well as the gravity of the humanitarian situation in the town of Bunia,

*Reaffirming its full support* for the political process initiated by the Ituri Pacification Commission, calling for its swift resumption and for the establishment of an effective, inclusive security mechanism within this framework, to complement and support the existing Ituri interim administration,

*Recognizing* the urgent need for a secure base to allow the full functioning of the institutions of the Ituri interim administration, and recognizing that the Agreement on the Engagement to Relaunch the Ituri Pacification Process, signed in Dar es Salaam on 16 May 2003, reaffirms the commitment of the Ituri parties to the Ituri interim administration, and commits them to join a process of cantonment and demilitarization,

*Commending* the United Nations Organization Mission in the Democratic Republic of the Congo for its efforts to stabilize the situation in Bunia and to support the political process in Ituri, in particular the effective performance of the Uruguayan contingent deployed there, recognizing the need to support the work of the Mission in the field, and deploring attacks on the Mission and the consequent loss of life,

*Taking note* of the request of the Secretary-General addressed to the Security Council in his letter dated 15 May 2003, and taking note also of the support for this request expressed in the letter to the Secretary-General from the President of the Democratic Republic of the Congo, and also by the Ituri parties on 16 May 2003 in Dar es Salaam, as well as the support expressed
in the letters to the Secretary-General from the President of the Rwandese Republic and from the Minister of State for Foreign Affairs of Uganda, as requested by the Secretary-General, for the deployment of a multinational force in Bunia,

Determining that the situation in the Ituri region, in Bunia in particular, constitutes a threat to the peace process in the Democratic Republic of the Congo and to peace and security in the Great Lakes region,

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

1. Authorizes the deployment, until 1 September 2003, of an Interim Emergency Multinational Force in Bunia in close coordination with the United Nations Organization Mission in the Democratic Republic of the Congo, in particular its contingent currently deployed in the town, to contribute to the stabilization of the security conditions and the improvement of the humanitarian situation in Bunia, to ensure the protection of the airport and of the internally displaced persons in the camps in Bunia and, if the situation requires it, to contribute to the safety of the civilian population, United Nations personnel and the humanitarian presence in the town;

2. Stresses that this Multinational Force is to be deployed on a strictly temporary basis to allow the Secretary-General to reinforce the presence of the Mission in Bunia, and in this regard authorizes the Secretary-General to deploy, within the overall ceiling authorized for the Mission, a reinforced United Nations presence to Bunia, and requests him to do so by mid-August 2003;

3. Calls upon Member States to contribute personnel, equipment and other necessary financial and logistic resources to the Multinational Force, and invites contributing Member States to so inform the leadership of the Force and the Secretary-General;

4. Authorizes the Member States participating in the Multinational Force in Bunia to take all necessary measures to fulfill its mandate;

5. Demands that all parties to the conflict in Ituri, in particular in Bunia, cease hostilities immediately, and reiterates that international humanitarian law must be respected and that there will be no impunity for violators;

6. Strongly condemns the deliberate killing of unarmed personnel of the Mission and staff of humanitarian organizations in Ituri, and demands that the perpetrators be brought to justice;

7. Demands that all Congolese parties and all States in the Great Lakes region respect human rights, cooperate with the Multinational Force and with the Mission in the stabilization of the situation in Bunia and provide assistance, as appropriate, that they provide full freedom of movement to the Force and that they refrain from any military activity or from any activity that could further destabilize the situation in Ituri, and in this regard demands also the cessation of all support, in particular weapons and any other military materiel, to the armed groups and militias, and demands further that all Congolese parties and all States in the region actively prevent the supply of such support;

8. Calls upon all Member States, in particular those in the Great Lakes region, to provide all necessary support to facilitate the swift deployment in Bunia of the Multinational Force;

9. Requests the leadership of the Multinational Force in Bunia to report regularly to the Security Council, through the Secretary-General, on the implementation of its mandate;

10. Decides to remain actively seized of the matter.

The Security Council met on 4 June [meeting 4767] with the troop-contributing countries to MONUC and was briefed by Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations. Senegal, in a letter of 1 June [S/2003/611], said that it would participate in the Interim Emergency Multinational Force, pursuant to resolution 1484(2003) (above). On 2 June [S/2003/611], Morocco, as Chairman of the African Group, said that the Group supported the Secretary-General’s recommendation on increasing the number of MONUC staff. South Africa, as Chairman of the AU, transmitted on 16 June [S/2003/654] a communiqué issued by the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution (Addis Ababa, 12–13 June), which included a decision on the DRC. Welcoming resolution 1484(2003), the Central Organ recommended that MONUC’s mandate be extended to the disarmament of armed groups and demobilization of child soldiers.

Security Council mission

On 17 June [S/2003/653], the Security Council issued a report on its mission to Central Africa from 7 to 16 June (see also p. 149). In the light of the Secretary-General’s 27 May report (see p. 125), the mission chose to concentrate, with regard to the DRC, on the urgent questions of the installation of the transitional Government and the creation of a unified national army; the situation in Bunia; the situation in North Kivu; the need for regional countries to exert a positive influence on the situation; and the end of impunity.

The mission registered its expectation with all concerned parties in the DRC that a functioning transitional Government would be set up by 30 June, with a unified national army capable of defending its national borders and population, and a developing economy in control of the country’s natural resources. The mission recommended that the Security Council be prepared to pledge its support to the transitional Government and to call on donors to assist in the reconstruction of the country. The installation of the transitional Government and the conclusion of a ceasefire in Burundi (see p. 122) could clear the way for convening an international conference on the Great Lakes region. Having visited Bunia, the mission expressed concern about the possibility
of further fighting after the expiration of the mandate of the Interim Emergency Multinational Force on 1 September and suggested a more robust mandate for MONUC in order to avert further conflict and humanitarian catastrophe. The mission emphasized that the parties to the conflict in Ituri should understand that it was in their interest to find a solution to their disputes within the context of IPC, the only legitimate framework that included all the actors in Ituri. The mission heard allegations of the continued supply of arms to the belligerents by outside parties, including foreign parties, and discussed the possibility of imposing an arms embargo on Ituri, as proposed by the Secretary-General.

The mission noted the ongoing fighting in North Kivu, in particular the offensive launched by RCD-Goma. It deplored the impunity that characterized much of the fighting and the accompanying human rights abuses and humanitarian crises in eastern DRC. Noting that some progress had been made in establishing mechanisms to enforce international criminal justice, the mission recommended that consideration be given to practical steps to end impunity in the DRC and Burundi. As to reports of continuing illegal exploitation of natural resources, the mission recommended that the Council act on the recommendations to be made by the Expert Panel in its forthcoming report (see p. 140).

The Security Council considered the mission’s report on 18 June [meeting 4775] and the Secretary-General’s 27 May report on 26 June [meeting 4780]. At the 18 June meeting, the head of the Council’s mission said that both the DRC and Burundi were at a critical juncture in their history. Rwanda said that the DRC Government had maintained its support for the ex-FAR and Interahamwe militias and had spread the rumour that Rwandan Defence Forces had never fully withdrawn from the DRC to justify its reoccupation of South and North Kivu, with the support of the Interahamwe, the ex-FAR, the Mayi-Mayi rebels and RCD-Kisangani/ML. The DRC said that since the signing of the final document on the Inter-Congolese Dialogue, it had taken the necessary steps to install the transitional Government. However, the war hindered the search for a political solution, as did the lack of cooperation demonstrated by certain elements, in particular RCD-Goma, and the negative role that Rwanda played in eastern DRC. The political process undertaken by IPC had stagnated as a result of the renewed hostilities between the Hema and the Lendu in Bunia. The DRC urged the Council to extend and strengthen MONUC’s mandate.

Extension of MONUC mandate


The Security Council,
Reaffirming its commitment to the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and of all States of the region,
Deeply concerned over the continuation of hostilities in the eastern part of the Democratic Republic of the Congo, in particular in the province of North Kivu,
Taking note of the second special report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo, of 27 May 2003, and the recommendations contained therein,
Reaffirming its readiness to support the peace and national reconciliation process, in particular through the United Nations Organization Mission in the Democratic Republic of the Congo, in accordance with resolution 1291(2000),
1. Decides to extend the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo until 30 July 2003;
2. Decides to remain actively seized of the matter.

Press statement (26 June). On 26 June [SC/7801-AFR/663], the President of the Security Council issued a press statement on the DRC situation, in which Council members expressed their deep concern over the latest developments in the east, particularly in the Kivus. Condemning the recent escalation of fighting, especially the RCD-Goma offensives, which posed a threat to the political process, they called for an immediate cessation of hostilities and complete withdrawal to the previously agreed positions. All Congolese parties, including the Government, were urged to refrain from any new deployments or other provocative actions. Council members urged all parties to comply with all previous agreements and disengagement plans, and with the Acte d’Engagement for the cessation of hostilities in eastern and north-eastern DRC, signed in Bujumbura, Burundi, on 19 June. Expressing concern at the deteriorating humanitarian situation, they reiterated their call on the parties to provide safe access for international humanitarian assistance. They condemned the recent abduction of two MONUC military observers, welcomed their release and demanded that all parties abide by their obligation to provide un-
hindered access to MONUC to enable it to carry out its mandate.

**Installation of transitional Government**

On 30 June, President Kabila announced the composition of the Government of National Unity and Transition in the DRC. The President of the Security Council, in a 2 July press statement [SC/7805-AFR/654], said that Council members welcomed the announcement and encouraged the Congolese parties to allow the transitional institutions to begin functioning. They reiterated the terms of their press statement of 26 June (p. 128) and their concern over the latest developments in eastern DRC.

By a 14 July letter [S/2003/712], Italy transmitted to the Secretary-General a statement by the EU Presidency welcoming the formation of the transitional Government. It called on the new Government to take action to achieve the objectives laid down in the 2002 All-Inclusive Agreement [YUN 2002, p. 125], in particular the holding of free and transparent elections and the formation of a restructured and integrated national army.

At a meeting on 7 July [meeting 4784], the Security Council considered the reports from the United Nations High Commissioner for Human Rights and MONUC on the events that had taken place in Drodro and Mambasa [S/2003/674] (see p. 121). The Under-Secretary-General for Peacekeeping Operations, Mr. Guéhenno, reported that the installation of the DRC transitional Government had been delayed due to lack of agreement on the distribution of the military command posts. However, the matter was resolved on 29 June when the parties signed the Second Memorandum on the Army and Security. On 30 June, President Kabila announced the composition of the transitional Government, which would consist of 36 ministers and 25 deputy ministers representing the various components of the Inter-Congolese Dialogue. MONUC was consulting with the parties to ensure that the security concerns of the political leaders, especially MLC and RCD-Goma, were met.

In the Kivus, following the 19 June signing in Bujumbura of the Acte d’Engagement for a cessation of hostilities, the DRC Government, RCD-Kisangani/ML and RCD-Goma, under the mediation of MONUC, established on 26 June the Mission de Vérification Conjointe to verify the withdrawal of RCD-Goma to 15 kilometres south of their positions at Rwese and Kimbulu, as well as the maintenance of the current positions of RCD-Kisangani/ML and the cantonment of FARDC troops at Mavivi. MONUC had confirmed that the parties were complying with the initial phase of the ceasefire and withdrawal.

Meanwhile, the situation in Ituri was improving. In Bunia, the security situation was stable and the Interim Emergency Multinational Force (IEMF), with MONUC’s cooperation, was patrolling the town, which was declared a weapon-free zone as of 25 June. The two forces were also facilitating the return to town of Lendu inhabitants, and some 6,000 internally displaced persons had returned from camps and outlying areas. The deployment of IEMF in Bunia had begun to change the balance between the warring parties and the legitimate political actors in Ituri.

Reporting to the Council on 18 July [meeting 4790], Mr. Guéhenno said that the security situation in Bunia remained calm but tense following a military operation undertaken by IEMF against UPC on 11 July, in response to its continuing attempt to undermine the weapon-free-zone policy. The operation resulted in some UPC casualties and the confiscation of a large number of weapons. The increased number of returning displaced persons had required reinforced security measures in Bunia, and the humanitarian situation remained a concern. MONUC, with others, was involved in human rights training, recruitment of Iturian police for airport duties, preparing an interim disarmament and reintegration plan for child soldiers, and establishing a trust fund for the Ituri interim administration. Amos Namanga Ngongi, former Special Representative of the Secretary-General for the DRC, focused on the transitional process and problems encountered since the formation of the transitional Government, such as RCD-Goma’s unilateral decision to repartition three military regions. On 15 July, all parties except RCD agreed on the distribution of the military regions among the parties. The formal handover of power between the outgoing and incoming ministers and vice-ministers took place on 15 and 16 July. The European multinational force made it possible to stop the massacre there and helped to relaunch the stalled peace process. The rapid deployment of the European multinational force halted the spiral of violence in Ituri and made it possible to relaunch negotiations. The EU was committed to supporting the transition in the DRC until the holding of elections. In that context, Mr. Solana announced that the EU had, on 9 July, adopted a programme of support amounting to 205 million euros.
The EU General Affairs Council issued a 21 July statement [S/2005/772] indicating that, as stipulated in Security Council resolution 1484(2003) (see p. 126) the Artemis military operation would come to an end on 1 September. It asked the Secretary-General to consider certain measures to support the political process under way, including setting up an integrated police unit and support for the electoral process.

SECURITY COUNCIL ACTION (July)


The Security Council,

Recalling its resolutions and the statements by its President concerning the Democratic Republic of the Congo,

Reaffirming its commitment to respect for the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and of all the States of the region,

Reaffirming the obligations 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 incompatible with the purposes and principles of the United Nations,

Concerned by the continued illegal exploitation of the natural resources of the Democratic Republic of the Congo, and reaffirming in this regard its commitment to respect for the sovereignty of the Democratic Republic of the Congo over its natural resources,

Welcoming the conclusion of the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, signed in Pretoria on 17 December 2002, and the subsequent establishment of the Government of National Unity and Transition,

Deeply concerned by the continuation of hostilities in the eastern part of the Democratic Republic of the Congo, particularly in North and South Kivu and in Ituri, and by the grave violations of human rights and international humanitarian law that accompany them,

Recalling that it is incumbent upon all parties to cooperate in the overall deployment of the United Nations Organization Mission in the Democratic Republic of the Congo,

Renewing its support to the Interim Emergency Multinational Force deployed in Bunia, and stressing the need to ensure effective and timely replacement of the Force, as requested in resolution 1484(2003) of 30 May 2003, to contribute in the best way to the stabilization of Ituri,

Taking note of the second special report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo, of 27 May 2003, and of the recommendations contained therein,

Taking note also of the report of the Security Council mission to Central Africa, of 17 June 2003,

Noting that the situation in the Democratic Republic of the Congo 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. Expresses satisfaction at the promulgation, on 4 April 2003, of the Transitional Constitution in the Democratic Republic of the Congo and at the formation, announced on 30 June 2003, of the Government of National Unity and Transition, encourages the Congolese parties to take the necessary decisions in order to allow the transitional institutions to begin functioning effectively, and encourages them also in this regard to include representatives of the interim institutions that emerged from the Ituri Pacification Commission in the transitional institutions;

2. Decides to extend the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo until 30 July 2004;

3. Notes with appreciation the recommendations contained in the second special report of the Secretary-General, and authorizes increasing the military strength of the Mission to 10,800 personnel;

4. Requests the Secretary-General to ensure through his Special Representative for the Democratic Republic of the Congo, who convenes the International Committee in support of the Transition, the coordination of all the activities of the United Nations system in the Democratic Republic of the Congo and to facilitate coordination with other national and international actors of activities in support of the transition;

5. Encourages the Mission, in coordination with United Nations agencies, donors and non-governmental organizations, to provide assistance during the transition period for the reform of the security forces, the re-establishment of a State based on the rule of law and the preparation and holding of elections, throughout the territory of the Democratic Republic of the Congo, and welcomes in this regard the efforts of the Member States to support the transition and national reconciliation;

6. Approves the temporary deployment of Mission personnel intended, during the first months of the establishment of the transitional institutions, to participate in a multi-layer security system in Kinshasa in accordance with paragraphs 35 to 38 of the second special report of the Secretary-General, approves also the reconfiguration of the civilian police component of the Mission as outlined in paragraph 42 of that report, and encourages the Mission to continue to support police development in areas of urgent need;

7. Encourages donors to support the establishment of an integrated Congolese police unit and approves the provision by the Mission of the additional assistance that might be needed for its training;

8. Strongly condemns the acts of violence systematically perpetrated against civilians, including the massacres, as well as other atrocities and violations of international humanitarian law and human rights, in particular sexual violence against women and girls, stresses the need to bring to justice those responsible, including those at the command level, and urges all parties, including the Government of the Democratic Republic of the Congo, to take all necessary steps to prevent further violations of human rights and international humanitarian law, in particular those committed against civilians;

9. Reaffirms the importance of a gender perspective in peacekeeping operations in accordance with resolu-
tion 1325(2000) of 31 October 2000, recalls the need to address violence against women and girls as a tool of warfare, and in this respect encourages the Mission to continue to actively address this issue, and calls upon the Mission to increase the deployment of women as military observers as well as in other capacities;

10. Reaffirms that all Congolese parties have an obligation to respect human rights, international humanitarian law and the security and well-being of the civilian population;

11. Urges the Government of National Unity and Transition to ensure that the protection of human rights and the establishment of a State based on the rule of law and of an independent judiciary are among its highest priorities, including the establishment of the necessary institutions as reflected in the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, encourages the Secretary-General, through his Special Representative, and the United Nations High Commissioner for Human Rights to coordinate their efforts, in particular to assist the transitional authorities of the Democratic Republic of the Congo in order to put an end to impunity, and encourages also the African Union to play a role in this regard;

12. States that it is profoundly preoccupied by the humanitarian situation throughout the country, in particular in the eastern regions, and demands that all parties guarantee the security of the civilian population, thereby enabling the Mission and humanitarian organizations to have total, unrestricted and immediate access to the population groups in need;

13. Strongly condemns the continued recruitment and use of children in the hostilities in the Democratic Republic of the Congo, especially in North and South Kivu and in Ituri, and reiterates the request addressed to all parties in Security Council resolution 1460(2003) of 30 January 2003 to provide the Special Representative of the Secretary-General with information on the measures they have taken to put an end to the recruitment and use of children in their armed components, as well as the requests concerning the protection of children set forth in resolution 1261(1999) of 25 August 1999 and subsequent resolutions;

14. Strongly condemns also the continuing armed conflict in the eastern part of the Democratic Republic of the Congo, especially the serious ceasefire violations that occurred recently in North and South Kivu, including in particular the offensives by the Rassemblement congolais pour la democratie-Goma, demands that all parties, in compliance with the Acte d’Engagement for the cessation of hostilities in the eastern and north-eastern Democratic Republic of the Congo, signed in Bujumbura on 19 June 2003, establish without delay or precondition the full cessation of hostilities and withdraw to the positions agreed to in the Kampala plan and the Harare sub-plans for disengagement and redeployment, and that they refrain from any provocative action;

15. Demands that all parties desist from any interference with freedom of movement of United Nations personnel, recalls that all parties have the obligation to provide full and unhindered access to the Mission to allow it to carry out its mandate, and asks the Special Representative of the Secretary-General to report any failure to comply with this obligation;

16. Expresses concern at the fact that the continuing hostilities in the eastern part of the Democratic Republic of the Congo are seriously compromising Mission action in the process of the disarmament, demobilization, repatriation, reintegration or resettlement of the foreign armed groups referred to in chapter 9.1 of annex A to the Ceasefire Agreement signed at Lusaka on 10 July 1999, urges all parties concerned to cooperate with the Mission, and underscores the importance of making rapid and appreciable progress in that process;

17. Authorizes the Mission to assist the Government of National Unity and Transition in disarming and demobilizing those Congolese combatants who may voluntarily decide to enter the disarmament, demobilization and reintegration process within the framework of the Multi-Country Demobilization and Reintegration Programme, pending the establishment of a national disarmament, demobilization and reintegration programme in coordination with the United Nations Development Programme and other agencies concerned;

18. Demands that all States, in particular those in the region, including the Democratic Republic of the Congo, ensure that no direct or indirect assistance, especially military or financial assistance, is given to the movements and armed groups present in the Democratic Republic of the Congo;

19. Demands also that all parties provide full access to military observers from the Mission, including in ports, airports, airfields, military bases and border crossings, and requests the Secretary-General to deploy military observers from the Mission in North and South Kivu and in Ituri and to report to the Council regularly on the position of the movements and armed groups and on information concerning arms supply and the presence of foreign military, especially by monitoring the use of landing strips in that region;

20. Decides that all States, including the Democratic Republic of the Congo, shall, for an initial period of twelve months from the adoption of the present resolution, take the necessary measures to prevent the direct or indirect supply, sale or transfer, from their territories or by their nationals, or using their flag vessels or aircraft, of arms and any related materiel, and the provisioning of any assistance, advice or training related to military activities, to all foreign and Congolese armed groups and militias operating in the territory of North and South Kivu and of Ituri, and to groups not party to the Global and All-Inclusive Agreement, in the Democratic Republic of the Congo.

21. Decides also that the measures imposed by paragraph 20 above shall not apply to:

(a) Supplies to the Mission, the Interim Emergency Multinational Force deployed in Bunia and the integrated Congolese national army and police forces;

(b) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance and training as notified in advance to the Secretary-General through his Special Representative;

22. Decides further that, at the end of the initial twelve months, the Council will review the situation in the Democratic Republic of the Congo, in particular in the eastern part of the country, with a view to removing the measures stipulated in paragraph 20 above if no significant progress has been made in the peace pro-
cess, in particular an end to support for armed groups, 
an effective ceasefire and progress in the disarmament, 
demobilization, repatriation, reintegration or resettlement 
by foreign and Congolese armed groups;

23. Expresses its determination closely to monitor 
compliance with the measures laid down in para-
graph 20 above and to consider steps that are necessary 
to ensure the effective monitoring and implementa-
tion of those measures, including the possible estab-
ishment of a monitoring mechanism;

24. Urges the States neighbouring the Democratic 
Republic of the Congo, particularly Rwanda and 
Uganda, which have an influence over movements and 
armed groups operating in the territory of the Demo-
cratic Republic of the Congo, to exercise a positive in-
fluence on them to settle their disputes by peaceful 
means and join in the process of national reconcilia-
tion;

25. Authorizes the Mission to take the necessary 
measures in the areas of deployment of its armed 
units, and as it deems it within its capabilities:
   (a) To protect United Nations personnel, facilities, 
      installations and equipment;
   (b) To ensure the security and freedom of move-
      ment of its personnel, including in particular those en-
      gaged in missions of observation, verification or dis-
      armament, demobilization, repatriation, reintegration 
or resettlement;
   (c) To protect civilians and humanitarian workers 
      under imminent threat of physical violence;
   (d) To contribute to the improvement of the 
      security conditions in which humanitarian assistance 
is provided;

26. Also authorizes the Mission to use all necessary 
means to fulfil its mandate in the Ituri district and, as 
it deems it within its capabilities, in North and South 
Kivu;

27. Requests the Secretary-General to deploy in the 
Ituri district, as soon as possible, the tactical brigade-
size force whose concept of operations is set out in 
paragraphs 48 to 54 of his second special report, 
including the reinforced presence of the Mission in 
Bunia, by mid-August 2003 as requested in resolution 
1484(2005), particularly with a view to helping to stabi-
lize the security conditions, improving the humanitarian 
situation, ensuring the protection of airfields and 
displaced persons living in camps and, if the circum-
stances warrant it, helping to ensure the security of the 
civilian population and the personnel of the United 
Nations and the humanitarian organizations in Bunia 
and its environs and eventually, as the situation per-
mits, in other parts of Ituri;

28. Condemns categorically the illegal exploitation 
of the natural resources and other sources of wealth of 
the Democratic Republic of the Congo, and expresses 
its intention to consider means that could be used to 
end it, awaits with interest the report to be submitted 
shortly by the Panel of Experts on such illegal exploita-
tion and on the link that exists between it and the con-
tinuances of hostilities, and demands that all parties 
and interested States offer full cooperation to the 
Panel;

29. Encourages the Governments of the Democratic 
Republic of the Congo, Rwanda, Uganda and Burundi 
to take steps to normalize their relations and to co-
operate in ensuring mutual security along their com-
mon borders, and invites these Governments to con-
clude good-neighbourly agreements among them-

30. Reaffirms that an international conference on 
peace, security, democracy and development in the 
Great Lakes region of Africa, with the participation of 
all the Governments of the region and all 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;

31. Reiterates its support unreservedly for the Special 
Representative of the Secretary-General and for all 
Mission personnel, and for the efforts they continue to 
make to assist the parties in the Democratic Republic 
of the Congo and in the region to advance the peace 
process;

32. Decides to remain actively seized of the matter.

Communication. The Secretary-General, on 
14 August [S/2003/821], informed the Security 
Council President that MONUC’s deployment of a 
brigade-size force to Bunia would be completed 
by 15 August. The Bangladeshi troops would join 
the Uruguayan battalion already there, to ensure 
a smooth transition from IEMF on 1 September. 
Given the expectation that the situation in Bunia 
could become volatile during the transition pe-
riod, the EU and France, as lead nation, had in-
formed the Secretary-General that IEMF would 
be ready to provide emergency support to 
MONUC, if required. The Secretary-General rec-
commended that the Council authorize IEMF to 
provide assistance to MONUC in and around 
Bunia.

SECURITY COUNCIL ACTION (August)

On 26 August [meeting 4813], the Security Coun-
cil unanimously adopted resolution 1501(2003). 
The draft [S/2003/832] was prepared in consulta-
tions among Council members.

The Security Council,
Recalling its relevant resolutions and statements by 
its President on the Democratic Republic of the 
Congo, in particular resolutions 1484(2005) of 30 May 
2003 and 1493(2003) of 28 July 2003,
Reaffirming its commitment to respect for the sover-
eignty, territorial integrity and political independence 
of the Democratic Republic of the Congo and all the 
States of the region,
Deeply concerned by the continuation of hostilities in 
the eastern part of the Democratic Republic of the 
Congo, particularly in the district of Ituri as well as in 
the provinces of North and South Kivu,
Reaffirming its support to the peace process and na-
tional reconciliation, in particular through the United 
Nations Organization Mission in the Democratic Re-
public of the Congo,
Also reaffirming its support to the Interim Emergency 
Multinational Force deployed in Bunia in accordance
with resolution 1484(2003), and stressing the need to ensure the best conditions for the transfer of authority from the Force to the Mission on 1 September 2003 to contribute in the most efficient way possible to the continuing stabilization of Ituri,

*Having taken note* of the letter dated 14 August 2003 from the Secretary-General addressed to the Security Council President and of the recommendation contained therein,

*Noting* that the situation in the Democratic Republic of the Congo 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. **Approves** the recommendation contained in the Secretary-General’s letter of 14 August 2003;
2. **Authorizes** the States members of the Interim Emergency Multinational Force, within the limits of the means at the disposal of those elements of the Force which will not yet have left Bunia before 1 September 2003, to provide assistance to the contingent of the United Nations Organization Mission in the Democratic Republic of Congo deployed in the town and its immediate surroundings, if the Mission requests them to do so and if exceptional circumstances demand it, during the period of disengagement of the Force, which should last until 15 September 2003 at the latest;
3. **Decides** to remain actively seized of the matter.

**Press statement (3 September).** On 3 September, the Council heard a presentation from the Secretariat on the completion of the TEMF mandate, deployed in Bunia in accordance with resolution 1484(2003) (see p. 126), and on the transfer of responsibility to MONUC on 1 September. In a press statement released that day [SC/7802-AFR/495], the President said that Council members welcomed the EU’s deployment of that force, which helped to avoid a humanitarian tragedy and was instrumental in stabilizing the situation in Bunia. They expressed concern regarding the continuing hostilities in eastern DRC, in particular in Ituri and the Kivus, Warning all parties against supplying arms and not to engage in further violence, they noted that MONUC had a Chapter VII mandate, on the basis of which it continued to operate.

**Principles on good-neighbourly relations**

In accordance with Security Council resolution 1493(2003) (see p. 130), the Secretary-General, on 25 September, convened a high-level meeting of heads of State and senior representatives of Burundi, the DRC, Rwanda and Uganda, as well as Angola, Mozambique, South Africa and the United Republic of Tanzania. As he reported in a 7 October letter to the General Assembly and the Council [A/58/428-S/2003/983], he sought to build on the recent positive developments in and around the DRC, including the establishment of the transitional Government. The meeting concluded with the adoption of the Principles on Good-Neighbourly Relations and Cooperation between the DRC and Burundi, Rwanda and Uganda. In that document, the four States, recognizing that the establishment of the Government of National Unity and Transition in the DRC was an essential factor for the peace and security necessary to ensure the development of good-neighbourly relations, reaffirmed their commitment to: respect the sovereignty, territorial integrity and political independence of one another; refrain from interfering in another’s internal affairs; refrain from disrupting the stability, national unity and territorial integrity of one another; prevent the supply of arms and support to armed groups operating in eastern DRC; pursue peaceful means to resolve their disputes; normalize their bilateral relations by re-establishing full diplomatic relations; and cooperate with one another in the political, security, economic, social and cultural fields, in accordance with the principles of sovereign equality and non-intervention and with the aim of promoting peace and development and assuring mutual security along their common borders. The countries decided to pursue bilateral discussions on how to implement those principles.

**Communications (October/November).** On 6 October [S/2003/950], the DRC referred to Security Council resolution 1304(2000) [YUN 2000, p. 131], in which the Council expressed the view that Uganda and Rwanda should make reparations for loss of life and property damage they had inflicted in Kisangani and requested the Secretary-General to submit an assessment of the damage as a basis for such reparations. Noting the Secretary-General’s 2000 report on the inter-agency assessment mission [ibid., p. 134] he had sent to Kisangani in response to that request, the DRC asked the Council to follow up the report by authorizing the United Nations to establish the cost of the events in Kisangani in June 2000, in order to complete the process of bringing justice to the people of that town.

The DRC informed the Council on 7 October [S/2003/969] of a massacre in Katchele, 70 kilometres north-west of Bunia, in which 25 civilians were killed. The DRC requested the Council to speed up sending MONUC reinforcements to Ituri, to conduct an investigation of the events in Katchele, and to address the issue of impunity that prevailed in Ituri, with a view to compelling warlords who held sway there and their outside supporters to answer for their acts before judicial bodies. On 16 October [S/2003/1077], the DRC said there were indications that Rwanda might be attempting to renew the fighting and called on the Council and the Secretary-General to ex-
Militias on 5 November, which prompted a reaction from the leaders of Rwanda. The members also condemned the events of October 25 in Katchele. They urged all the parties to ensure respect for human rights and international humanitarian law, to refrain from giving support to armed groups and to cooperate with MONUC.

Report of Secretary-General (November). In his fourteenth report on MONUC, submitted on 17 November [S/2003/1098], the Secretary-General said that despite the advances made in forming the transitional Government in the DRC during the six-month reporting period, fighting and conflict continued in Ituri and eastern DRC, necessitating the full deployment and active engagement of MONUC. In Bunia, approximately 420 civilians had been killed in fighting between Lendu and Hema militias since the departure of Ugandan troops in May. Widespread rape and looting also occurred. In border areas between Uganda and Ituri, MONUC reported 380 cases of human rights abuses, including killings, forced disappearances, mutilations, rape and systematic looting and destruction of property. In view of the increasing threat levels, MONUC military observers were evacuated to Bunia, during which process two observers were killed.

As the situation deteriorated, the Security Council, on 30 May, had authorized, by resolution 1484(2003), the deployment of EU-led IEMF (see p. 126). That force, which began deploying to Bunia in June, restored a measure of security to the town. At its strongest, IEMF numbered just over 1,000 troops in Bunia and 500 support staff in Entebbe, Uganda. From mid-August, with the gradual deployment of the MONUC Ituri brigade (an authorized force of 4,800), the Mission started to take over operational tasks from IEMF, which fully withdrew from the area by 15 September. Agreement was reached among the parties to respect Bunia as a weapon-free zone as from 16 September, following which MONUC began to carry out cordon-and-search operations in Bunia to restore a sense of security in the town and dominate the armed factions. By November, the situation was calm but tense in Bunia, and MONUC began expanding its presence outside the city. With the exception of UPC, the armed groups in Ituri expressed willingness to be incorporated into the new national armed forces. MONUC was making concerted efforts to obtain information from the armed groups on the numbers and locations of their troops.

MONUC intensified its local conflict resolution efforts in the Kivus, Maniema and northern Katanga. Ceasefire agreements were reached between various military groups during October, resulting in the withdrawal of forces in certain local conflicts and increased humanitarian access in South Kivu. MONUC also assisted the transitional Government in implementing a national DDRRR programme, demobilizing child soldiers, normalizing relations with neighbouring States, and monitoring the arms embargo imposed on the Kivus and Ituri.

MONUC played a role in facilitating the political transition and preparing for elections. The transitional Government, established on 30 June, was composed of 36 Ministers and 25 Vice-Ministers from the eight components and entities of the Inter-Congolese Dialogue [YUN 2001, p. 131], who were chosen under the auspices of the Follow-up Commission. That Commission was established on 4 April to address outstanding issues for the installation of the transitional Government. However, two major political parties, the Union pour la démocratie et le progrès social and the Parti Lumumbiste unifié, were not represented in the transitional Government as they did not agree on the process of nominating representa-
tives. On 1 August, the neutral Facilitator of the Inter-Congolese Dialogue, Sir Ketumile Masire, formally handed over to President Kabila the final report of the Dialogue and its 36 resolutions, which were to form the basis of the transitional Government’s activities during the two-year period leading to elections. Having completed the tasks assigned to it in the All-Inclusive Agreement, the Follow-up Commission held its final meeting on 18 August and presented its final report to the Council of Ministers on 29 August. The Council of Ministers and four inter-ministerial commissions began to meet regularly and, on 8 August, adopted a comprehensive set of policy goals. On 22 August, the 500-member National Assembly and the 120-member Senate were inaugurated in Kinshasa. The process leading to the installation of the transitional Government was not easy and was supported throughout by the International Committee in Support of the Transition, chaired by the Secretary-General’s Special Representative. The presence of all major transitional leaders in Kinshasa owed much to the deployment by MONUC of the “neutral force”, which provided security and transportation to those members of the transitional Government who needed it.

A key challenge for the establishment of the transitional Government was how to reach agreement on integrating the armed forces of the belligerents. On 29 June, the Congolese parties signed Memorandum II on the army and security, which provided for the allocation of senior posts in the integrated High Command of the armed forces. That was followed by an agreement to allocate three military regions to the former Government; two each to MLC and RCD-Goma; and one each to RCD-N, RCD-Kisangani/ML and the Mayi-Mayi. After further discussions, President Kabila appointed the Chiefs of Staff of the armed forces and the commanders and deputy commanders of the 10 military regions. However, at that juncture, there was still lack of clarity on the modalities for the integration and restructuring of the armed forces, and effective collaboration at the level of the Chiefs of Staff was lacking.

The All-Inclusive Agreement called for elections to be held within two years of the establishment of the transitional Government. With that in mind, MONUC facilitated meetings of members of the international community in the DRC and established an Electoral Assistance Unit (EAU) to coordinate support. Although the Independent Electoral Commission had not been formally established by law, its members held meetings and EAU was helping the Commission to develop an organizational structure and electoral road map.

MONUC also provided assistance in other areas, such as restoring and strengthening the rule of law by creating institutions and processes; supporting the establishment of an integrated police unit and training a future Congolese national police; investigating human rights abuses, data gathering and analysis, and engaging in capacity-building for Congolese civil society and officials; protecting delivery of humanitarian assistance; protecting victims of the conflict; providing mine clearance; promoting support for women political leaders; informing the public about HIV/AIDS; and enhancing public information capacities.

In general, the Secretary-General found that significant progress had been achieved in the DRC during the reporting period, although considerable work remained to be done on a number of key issues of the peace process. On the positive side, former belligerents were working together in the transitional Government, the process of uniting the formerly divided territory had begun, and peacemaking trends at the local level were encouraging. In addition, the DRC’s relations with Rwanda and Uganda had improved. South Africa had played an important role in collaborating with MONUC in the framework of the Third Party Verification Mechanism to help the parties implement the provisions of the All-Inclusive Agreement.

Outstanding challenges included the continuing presence of foreign armed combatants in eastern DRC, which affected the security situation. The recent agreement between the DRC and Rwanda to establish a joint mechanism with MONUC to address DDRRR of Rwandan combatants was a step in the right direction. There continued to be allegations of the presence in the DRC of Rwandan military personnel, which MONUC was investigating. The transitional Government needed to extend State administration throughout the eastern part of the country, integrate the armed forces at the provincial level and extend political and economic benefits to the population of the region, especially in North and South Kivu. The situation in Ituri had been a particular concern, and the EU’s deployment of the well-equipped IEMF for a limited period of time helped to stave off an impending humanitarian crisis. Another key concern was the flow of arms into the country, and its link to the illegal exploitation of natural resources. The arms transfers had contributed to the ongoing violence, especially in the east, while the illegal exploitation of resources had robbed the Congolese people of their national wealth (see p. 140). De-
spite the signs of progress, the tangible benefits of peace had not yet filtered down to the war-weary Congolese population; socio-economic conditions remained dire throughout the country and gross human rights violations continued.

**Press statement (11 December).** The Security Council was briefed on the situation in the DRC by the Under-Secretary-General for Peacekeeping Operations on 11 December. The Council President issued a press statement [SC/7949-AFR/794], in which Council members welcomed the improvement of bilateral relations between the DRC, Rwanda and Uganda and encouraged them to work on concrete confidence-building measures. Expressing appreciation for the involvement of the AU, and in particular of South Africa and other regional actors, in moving the peace process forward, they took note of the progress made by the transitional Government and urged it to accelerate the implementation of the All-Inclusive Agreement, in particular by the adoption of a national disarmament, demobilization and reintegration programme, and reform of the armed and police forces. The members urged all foreign armed groups to enter DDRRR activities. They stressed the need to adopt legislation establishing the Institutions in Support of Democracy, in particular for enabling the Independent Electoral Commission and the Haute Autorité des Médias to function. They urged all parties to the conflict, including the DRC Government, to undertake all necessary measures to stop violations of human rights and international humanitarian law and to bring to justice those who had committed, ordered or contributed in any way to such crimes. The members urged the DRC Government and the National Parliament to conduct national consultations on the formation and composition of the Truth and Reconciliation Commission (TRC) and to adopt a revised TRC law, which upheld human rights principles. They called on Member States and international organizations to assist the Government in re-establishing the rule of law throughout the country. They also urged Member States to support the implementation of the arms embargo imposed by Council resolution 1493(2003) (see p. 130) and efforts to end the illegal exploitation of natural resources and their financing (see p. 140). Council members reaffirmed their determination to address that issue and related problems posed by the illicit flow of weapons into the DRC, including by considering the possible establishment of a monitoring mechanism.

**Communications (December).** On 10 December [S/2003/1164], Rwanda welcomed the return from the DRC of the Commander of the Forces combatantes Abacunguzi, with a total of 100 troops, on 14 November. The event was a step in the DDRRR process, which was a cornerstone of the stabilization of the DRC and the Great Lakes region. At the same time, Rwanda expressed concern about those “génocidaires” who chose to continue with armed conflict from DRC territory. Those hardliners were forcibly preventing the return to Rwanda of many ex-FAR/Interahamwe combatants who were ready to give up arms and follow their former Commander.

The DRC, on 15 December [S/2003/1178], referred to Rwanda’s letter and said that the stabilization of the region as a whole would become total when Rwanda ceased to be the centre of tension. The DRC repeated its request that the Security Council set up an international criminal court to prosecute those responsible for serious international humanitarian law violations and human rights abuses committed in DRC territory on or after 28 August 1998. It also requested the Council to require Rwanda to participate in the process of an international conference on the Great Lakes and Central Africa.

**Situation at year’s end.** Although the principal political institutions of the transition began to function in late 2003 and several steps were taken towards the implementation of key provisions of the Global and All-Inclusive Agreement [YUN 2002, p. 125], overall progress remained slow [S/2004/251]. Delays were encountered in setting the legislative agenda; extending State administration; integrating the military; disarmament, demobilization and reintegration; and preparation for elections. Furthermore, tensions within the transitional Government increased. In that connection, President Kabila, on 23 December, sought confirmation by the Supreme Court of his sole legal authority over the appointment of governors and control over military intelligence, a move criticized by some members of the transitional Government as undermining the principles of power sharing.

On 18 December, the transitional Government established an inter-ministerial committee to oversee the planning of a national disarmament, demobilization and reintegration programme, a commission to coordinate and implement the national programme and a Committee for the Management of Demobilization and Reintegration Funds. The World Bank was expected to provide funds for the programme, which was in the planning stages and would involve a role for MONUC.

President Kabila, on 24 November, requested the United Nations to assist in organizing the constitutional referendum and election preparations. Accordingly, MONUC convened an international technical committee on the electoral
process, which met weekly under the Mission’s chairmanship.

Concerning relations with neighbouring States, the DRC and Rwanda, despite having agreed to confidence-building measures, had not yet set up a joint bilateral commission. Meetings of the joint security commission of the DRC and Uganda were postponed several times.

There was some limited progress in solidifying the political process in Ituri. The meeting on 17 December of the Comité de concertation des groupes armées (CCGA) in Bunia agreed, in principle, to launch a pilot disarmament project. Since then, MONUC, CCGA and the Ituri interim administration continued to verify the Ituri armed groups’ designated assembly areas to prepare for disarmament and reintegration. However, armed groups continued to jockey for power and hostile attacks continued.

**GENERAL ASSEMBLY ACTION**

The General Assembly, on 15 September, decided, at the request of the DRC [A/57/860], to defer consideration of the item entitled “Armed aggression against the Democratic Republic of the Congo” and to include it in the draft agenda of its fifty-eighth session (Decision 57/597).

In resolution 58/123 of 17 December, the Assembly took action on special assistance for the economic recovery and reconstruction of the DRC (see p. 944).

**MONUC financing**

In June, the General Assembly considered a number of reports of the Secretary-General concerning the MONUC budget.

A performance report on the MONUC budget, covering 1 July 2001 to 30 June 2002 [A/57/682], stated that, of the total apportionment of $450 million, $388.8 million was spent, leaving an unexpended balance of $61.2 million (15.6 per cent). The difference was mostly attributable to slow deployment of military contingents and delays in recruiting civilian staff. The Secretary-General recommended that the Assembly, offset the amount of $41 million unassessed during the 2001/02 period against the unencumbered balance of $20.2 million for 1 July 2001 to 30 June 2002; decide on the treatment of the remaining unencumbered balance of $80.2 million for 1 July 2001 to 30 June 2002; and decide on other miscellaneous income and adjustments for the period ended 30 June 2002 amounting to $29 million.

The MONUC budget for 1 July 2003 to 30 June 2004 [A/57/698 & Add.1] was revised following the Security Council’s expansion of the Mission by resolution 1445(2002) [YUN 2002, p. 123]. The revised budget amounted to $636.5 million, inclusive of budgeted voluntary contributions in kind in the amount of $1.7 million, representing an additional $118 million. It provided for the deployment of 7,749 troops, 760 military observers, 100 civilian police, 849 international staff, 1,245 national staff and 341 United Nations Volunteers. The Secretary-General recommended that the Assembly appropriate $634.8 million to maintain the Mission from 1 July 2003 to 30 June 2004, and assess that amount at a monthly rate of $52.9 million, should the Council decide to continue MONUC’s mandate.

In a February report [A/57/725], the Secretary-General provided an overview of the financing of UN peacekeeping operations in general, based on budget performance for 1 July 2001 to 30 June 2002 and budgets for 1 July 2003 to 30 June 2004. It stated that MONUC’s budget implementation rate for 2001/02 stood at 86 per cent.

In a March progress report on the status of the airfield services contract for MONUC [A/57/756], the Secretary-General stated that final contract negotiations with the recommended vendor of airfield services to replace the existing contract were being undertaken to conclude a contract to commence the services from 1 April. It was planned to use a commercial contractor for services at five sites, with contingent resources being deployed to three others and possibly more airfields as requirements developed.

In its May review of the financial reports and proposed budget [A/57/772/Add.10], the Advisory Committee on Administrative and Budgetary Questions (ACABQ) recommended approval of the Secretary-General’s proposals contained in the 2001/02 performance report. Since it was expected that the Council would soon expand MONUC’s mandate and that a new budget would be forthcoming, ACABQ recommended that the Assembly appropriate $582 million gross ($572.3 million net), pending the submission of a new budget for 2003/04.

**GENERAL ASSEMBLY ACTION (June)**

On 18 June [meeting 90], the General Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee [A/57/831], adopted resolution 57/335 without vote [agenda item 151].

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

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 extended the mandate of the Mission, the latest of which was resolution 1417(2002) of 14 June 2002.

Recalling also Security Council resolution 1445(2002) of 4 December 2002, by which the Council endorsed the new concept of operation and authorized the expansion of the Mission,

Recalling further 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 C of 27 June 2002,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 47/81(IV) of 27 June 1992, 51/1(XXVIII) of 11 December 1996 and 55/55 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 Organization Mission in the Democratic Republic of the Congo as at 31 March 2003, including the contributions outstanding in the amount of 211.9 million United States dollars, representing some 17 per cent of the total assessed contributions, notes with concern that only twenty-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 urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission 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. **Also expresses concern** at the delay experienced by the Secretary-General in deploying and providing adequate facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

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. **Takes note** of the progress report of the Secretary-General on the status of the airfield services contract for the Mission, and looks forward to the further review of the subject by the Board of Auditors;


10. **Also reaffirms** its resolution 49/233 A of 23 December 1994 and decision 49/478 A of 31 March 1995;

11. **Notes** the intention of the Secretary-General to submit a revised proposed budget for the period from 1 July 2003 to 30 June 2004, reflecting the developments in the Democratic Republic of the Congo and further decisions of the Security Council, to the General Assembly at the main part of its fifty-eighth session;

12. **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, with the understanding that the Secretary-General should have adequate resources to address the changing situation on the ground, subject to the provisions of the present resolution;

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

14. **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 2001 to 30 June 2002**

15. **Takes note** of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2001 to 30 June 2002;

16. **Decides** to offset the amount of 41 million dollars, which had been appropriated but not apportioned during the financial period ended 30 June 2001 against the unencumbered balance of 61,715,000 dollars in respect of the financial period ended 30 June 2002;

**Budget estimates for the period from 1 July 2003 to 30 June 2004**

17. **Decides** also to appropriate to the Special Account for the United Nations Organization Mission in the Democratic Republic of the Congo the amount of 608,228,150 dollars for the period from 1 July 2003 to 30 June 2004, inclusive of 382 million dollars for the maintenance of the Mission, 20,083,850 dollars for the support account for peacekeeping operations and 6,144,300 dollars for the United Nations Logistics Base, pending the submission of the revised proposed budget to the General Assembly;

**Financing of the appropriation**

18. **Decides further** to apportion among Member States the amount of 608,228,150 dollars at a monthly rate of 50,685,679 dollars, in accordance with the levels set out in resolution 55/255, as adjusted by the General Assembly in its resolutions 55/236 of 23 December 2000, and 57/290 A of 20 December 2002, and taking into account the scale of assessments for 2003, as set out in its resolutions 55/5 B of 23 December 2000 and 57/4 B of 20 December 2002, and for 2004, subject to the decision of the Security Council to extend the man-
date of the Mission, pending the submission of the revised proposed budget to the Assembly.

19. **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 18 above, their respective share in the Tax Equalization Fund of $34 million, or 5 per cent. It also recommended that the total amount assessed should not exceed $582 million gross ($572.3 million net) already appropriated by the Assembly in resolution 57/335 (above) for 2003/04, a reduction of $34 million, or 5 per cent. It also recommended that the total amount assessed should not exceed $582 million gross.

**GENERAL ASSEMBLY ACTION (December)**

On 23 December [meeting 79], the General Assembly, on the recommendation of the Fifth Committee [A/58/583], adopted resolution 58/259 A without vote [agenda item 138].

**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 financing of the United Nations Organization Mission in the Democratic Republic of the Congo and the related report 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 extended the mandate of the Mission, the latest of which was resolution 1493(2003) of 28 July 2003, by which the Council also authorized increasing the military strength of the Mission,

Recalling also its resolution 54/250 A of 7 April 2000, on the financing of the Mission, and its subsequent resolutions thereon, the latest of which was resolution 57/335 of 18 June 2003,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 187(1943) of 27 June 1943, 310(XXVIII) of 11 December 1957 and 55/255 of 25 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 Organization Mission in the Democratic Republic of the Congo as at 31 October 2003, including the contributions outstanding in the amount of USD 139.7 million, representing some 9.1 per cent of the total assessed contributions, notes with concern that only thirty-two 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 urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission 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. Also expresses concern at the delay experienced by the Secretary-General in deploying some recent peacekeeping missions, in particular those in Africa, and in providing them with adequate resources.

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. Retains 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. Encourages 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, particularly with regard to air transport.

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.

**Budget estimates for the period from 1 July 2003 to 30 June 2004**

11. Decides to appropriate to the Special Account for the United Nations Organization Mission in the Democratic Republic of the Congo the amount of USD 99,038,300 for the maintenance of the Mission for the period from 1 July 2003 to 30 June 2004, in addition to the amount of USD 582 million already appropriated and apportioned for the same period under the terms of its resolution 57/355.

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

13. 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.

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

15. Decides to keep under review during its fifty-eighth session the item entitled “Financing of the United Nations Organization Mission in the Democratic Republic of the Congo”.}

**Exploitation of natural resources**

In January, the Security Council considered the 15 October 2002 report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo [YUN 2002, p. 152]. The Panel was established by the Secretary-General, in response to presidential statement S/PRST/2000/20 [YUN 2000, p. 128], to collect information on illegal exploitation and to analyze the links between such exploitation and the conflicts. The report had concluded that the plundering of DRC natural resources was fuelling the conflicts. Criminal groups linked to the armies of Rwanda, Uganda and Zimbabwe and the DRC Government had benefited from small conflicts, and had built up a self-financing war economy centered on mineral exploitation. While troop withdrawals had taken place, the countries involved (Rwanda and Zimbabwe) and Ugandan individuals continued to exercise economic control over parts of the DRC.

Following a debate on the issue in late 2002 [YUN 2002, p. 154], the Council took action in January and extended and expanded the mandate of the Panel (below).

**SECURITY COUNCIL ACTION (January)**


The Security Council, 

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 sovereignty of the Democratic Republic of the Congo over its natural resources, recalling the letters dated 12 April and 10 November 2001 and 22 May 2002 from the Secretary-General, reiterating its commitment to take appropriate action to help to put an end to the plundering of the resources of the Democratic Republic of the Congo, in support of the peace process,

determining that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and stability in the Great Lakes region,

1. Takes note of the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, transmitted by the Secretary-General in his letter dated 15 October 2002;

2. Strongly condemns the illegal exploitation of the natural resources of the Democratic Republic of the Congo;

3. Notes with concern that the plundering of the natural resources and other forms of wealth of the Democratic Republic of the Congo continues and that it is one of the main elements fuelling the conflict in the region, and in this regard demands that all States concerned take immediate steps to end these illegal activities which are perpetuating the conflict, impeding the economic development of the Democratic Republic of the Congo and exacerbating the suffering of its people;

4. Reiterates that the natural resources of the Democratic Republic of the Congo should be exploited legally and on a fair commercial basis, to benefit the country and its people;

5. Stresses that the completion of the withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo as well as the early establishment of an all-inclusive Transitional Government in the country, which will ensure that central government control is reinstated and that viable administrations are empowered to protect and regulate the exploitation activities, are important steps towards ending the plundering of the natural resources of the Democratic Republic of the Congo;

6. Stresses also that the possible convening of an international conference on peace, security, democracy and development in the Great Lakes region at the appropriate time could help the States of the region in promoting a sound regional economic integration, to the benefit of all the States in the region;

7. Notes the importance of the natural resources and extractive sectors for the future of the Democratic Republic of the Congo, encourages States, international financial institutions and other organizations to assist Governments in the region in their efforts to create appropriate national structures and institutions to control the exploitation of resources, and encourages the Government of the Democratic Republic of the Congo to work closely with the international financial institutions and the donor community to establish Congolese institutional capacity to ensure that these sectors are controlled and operated in a transparent and legitimate way, so that the riches of the Democratic Republic of the Congo can benefit the Congolese people;

8. Stresses the importance of following up the independent findings of the Panel regarding the link between the illegal exploitation of the natural resources of the Democratic Republic of the Congo and the continuation of the conflict, stresses the importance of exerting the necessary pressure to put an end to such exploitation, notes that the reports of the Panel to date have made a useful contribution to the peace process in this regard, and therefore requests the Secretary-General to give a new mandate to the Panel for a period of six months, at the end of which the Panel should provide a report to the Security Council;

9. Stresses also that the new mandate of the Panel should include:

   (a) Further review of relevant data and analysis of information previously gathered by the Panel, as well as any new information, including, specifically, material provided by individuals and entities named in the previous reports of the Panel, in order to verify, reinforce and, where necessary, update the findings of the Panel and/or to clear parties named in its previous reports, with a view to adjusting accordingly the lists attached to those reports;

   (b) Information on actions taken by Governments in response to the previous recommendations of the Panel, including information on how capacity-building and reforms in the region are affecting exploitation activities;

   (c) An assessment of the actions taken by all those named in the reports in respect of paragraphs 12 and 15 below;

   (d) Recommendations on measures that a Transitional Government in the Democratic Republic of the Congo and other Governments in the region could take to develop and enhance their policies, legal framework and administrative capacity to ensure that the resources of the Democratic Republic of the Congo are exploited legally and on a fair commercial basis, to benefit the Congolese people;

10. Requests the Chairman of the Panel to brief the Council on any progress towards the cessation of the plundering of the natural resources of the Democratic Republic of the Congo, three months after the resumption of the work of the Panel;

11. Invites, in the interests of transparency, individuals, companies and States which have been named in the last report of the Panel to send their reactions, with due regard to commercial confidentiality, to the Secretariat no later than 31 March 2003, and requests the Secretary-General to arrange for the publication of those reactions, upon request by individuals, companies and States named in the report of 8 October 2002, as an attachment to this report, no later than 15 April 2003;

12. Stresses the importance of dialogue between the Panel, individuals, companies and States, and requests in this regard that the Panel provide to the individuals, companies and States named, upon request, all information and documentation connecting them to the illegal exploitation of the natural resources of the Democratic Republic of the Congo, and requests the Panel to establish a procedure to provide to Member States, upon request, information previously collected by the Panel to help them to take the necessary investigative action, subject to the duty of the Panel to preserve the safety of its sources, and in accordance with
United Nations established practice, in consultation with the Office of Legal Affairs of the Secretariat;
13. Emphasizes the duty of the individuals, companies and States named in the report to respect the confidence of the material to be given to them by the Panel so as to ensure that the safety of the sources of the Panel is preserved;
14. Requests the Panel to provide information to the Organisation for Economic Co-operation and Development Committee on International Investment and Multinational Enterprises and to the National Contact Points for the Organisation for Economic Co-operation and Development Guidelines for Multinational Enterprises in the States where business enterprises listed in annex III to the last report as being allegedly in contravention of the guidelines of the Organisation for Economic Co-operation and Development are registered, in accordance with United Nations established practice;
15. Urges all States, especially those in the region, to conduct their own investigations, including, as appropriate, through judicial means, in order to clarify credible findings of the Panel, taking into account the fact that the Panel, which is not a judicial body, does not have the resources to carry out an investigation whereby those findings can be considered as established facts;
16. Notes with satisfaction, in this regard, the decision of the Attorney General of the Democratic Republic of the Congo to suspend momentarily the officials named in the reports pending further clarification, and requests the Panel to cooperate fully with the Office of the Attorney General and to provide to that Office information it may need to conduct its investigations, subject to the duty of the Panel to preserve the safety of its sources and in accordance with United Nations established practice, in consultation with the Office of Legal Affairs;
17. Also notes with satisfaction the actions taken by other States, including the decision by the Government of Zimbabwe and Rwanda, to cooperate fully with the Panel and to investigate further the accusations made through due judicial process, and stresses the importance of collaboration between the Panel and all investigative bodies;
18. Encourages all organizations concerned to consider, as appropriate, the relevant recommendations contained in the reports of the Panel, and in particular encourages the organizations of specialized industries to monitor trade in commodities from conflict areas, in particular the territory of the Democratic Republic of the Congo, and to collect data in this regard, with a view to helping to put an end to the plundering of the natural resources in those areas;
19. Encourages the implementation of the decisions taken within the framework of the Inter-Congolese Dialogue, especially its recommendation to establish a special commission to examine the validity of economic and financial agreements in the Democratic Republic of the Congo;
20. Expresses its full support to the Panel, and reiterates that all parties and relevant States must extend their full cooperation to the Panel, while ensuring necessary security for the experts;
21. Decides to remain actively seized of the matter.

Appointments. Referring to resolution 1457 (2003) (above), the Secretary-General, on 26 February [S/2003/296], informed the Security Council of his intention to reappoint Mahmoud Kassem (Egypt) to continue to chair the Expert Panel, and to appoint four Panel members. A proposal on an additional Panel member would be forthcoming. The reconstituted Panel was expected to reassemble in early March in New York before proceeding to the Great Lakes region.

Responses to Panel’s report. The Security Council, in order to give more time to those individuals, companies and States wishing to respond to the Expert Panel’s 2002 report, decided on 24 March [S/2003/330] to extend the deadlines set out in resolution 1457(2003) to 31 May for submission, in order for the reactions to be published no later than 20 June. On 20 June [S/2002/1146/Add.1], the Secretary-General submitted to the Council responses received from 58 of the individuals, companies and States named in the Panel’s report.

SECURITY COUNCIL ACTION (August)

On 13 August [meeting 4807], the Security Council unanimously adopted resolution 1499(2003). The draft (S/2003/805) was prepared in consultations among Council members.

The Security Council,
Recalling its previous relevant resolutions and statements by its President on the Democratic Republic of the Congo, in particular resolutions 1457(2003) of 24 January 2003 and 1493(2003) of 28 July 2003,
Welcoming recent progress in the political process and the establishment of the transitional Government in the Democratic Republic of the Congo,
Noting with great concern that the plundering of natural resources of the Democratic Republic of the Congo continues, especially in the eastern part of the country, as reported to the Council on 24 July 2003 in an interim briefing by the Chairman of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (hereinafter “the Panel”), and stressing that appropriate action should be taken with regard to those responsible for such activities,
Taking note of the efforts of the Panel to establish constructive dialogue with individuals, companies and States named in its report of 8 October 2002,
Welcoming the publication, as an attachment to the report of the Panel, of the reactions of those individuals, companies and States,
Recognizing that exchanging information and attempting to resolve issues will help the transparency of the work of the Panel as well as heighten awareness of the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo in the context of the conflict and, in particular,
its connection with the illicit trade of small arms and light weapons.

Taking note of the intention of the Panel, in accordance with paragraph 9 of resolution H/57(2003), to remove from the annexes to its report the names of those parties with which it has or will have reached a resolution by the end of its mandate,

Renewing its support to the Panel in its efforts to secure, including through dialogue with parties named in its latest report, particularly with Governments concerned, a clearer picture of activities related to the illegal exploitation of natural resources in the Democratic Republic of the Congo, and to update its findings during the remainder of its mandate period,

1. Requests the Secretary-General to extend the mandate of the Panel until 31 October 2003 to enable it to complete the remaining elements of its mandate, at the end of which the Panel will submit a final report to the Council;

2. Reiterates its demand that all States concerned take immediate steps to end the illicit exploitation of natural resources and other forms of wealth in the Democratic Republic of the Congo;

3. Requests the Panel to provide the necessary information to the Governments concerned, as required in paragraphs 12 and 13 of resolution H/57(2003), with due regard to safety of sources, in order to enable them, if necessary, to take appropriate action according to their national laws and international obligations;

4. Calls upon all States to respect the relevant Security Council resolutions in this regard;

5. Decides to remain actively seized of the matter.

Report of Expert Panel. In response to resolution H/57(2003) (see p. 140), by which the Security Council requested the Secretary-General to give a new mandate to the Panel of Experts for a period of six months, the Secretary-General, on 23 October [S/2003/1027], submitted to the Council the Panel’s final report under that mandate on the illegal exploitation of DRC natural resources and other forms of wealth.

The Panel noted that its October 2002 report [YUN 2002, p. 132] had drawn strong reactions from entities named therein. Of the 157 parties mentioned, responses were received from 119, with whom the Panel met. The Panel grouped the results of its work into five categories: resolved cases, where a solution to the issues that led to the entities being listed was found; provisional resolution, dependent on companies fulfilling commitments after the end of the Panel’s mandate; companies, together with their owners, which had been referred to national contact points for updating or further investigation; companies and individuals that had been referred to Governments for further investigation; and parties that did not react to the Panel’s report.

The report described the transmission of information for investigations by government authorities in the DRC, Rwanda and Zimbabwe, and noted that the Panel had provided the national contact points of Belgium, Germany and the United Kingdom with information and documentation on a number of individuals and companies under their jurisdiction that were named in the Panel’s previous report. The Panel identified States in the region through which goods originating in the DRC might be passing, including Angola, Burundi, the Central African Republic, the Congo, Kenya, Mozambique, Rwanda, Uganda, the United Republic of Tanzania, Zambia and Zimbabwe; and requested them to describe measures they were taking to curb illegal exploitation of the DRC’s natural resources. Only Rwanda, Uganda, Zambia and Zimbabwe responded.

During the year since the Panel’s previous report, illegal resource exploitation continued to be one of the main sources of funding for groups involved in the conflict, especially in eastern and north-eastern DRC. Such exploitation was characterized by intense competition among the various political and military actors as they sought to maintain or expand their control over territory. The power vacuum caused by the withdrawal of Rwandan and Ugandan armed forces spurred the proliferation of militias, who vied for control over strategic zones where lucrative resources were located and which were formerly held by the foreign forces. The Panel believed that the deteriorating security situation in eastern DRC, which resulted from intensifying armed confrontations among the militias, had a direct impact on the level and nature of resource exploitation, compared to previous years. Overall, the transition of control from foreign forces to the armed groups had led to a temporary reduction in the volume of illegally exploited resources.

From a variety of sources, the Panel determined that much of the recent resource exploitation was concentrated in gold and diamonds, in particular from Ituri, other parts of Orientale province, North and South Kivu and Maniema. Also financed with monies collected at customs border posts, political and military actors were able to fund their military activities, including the supply of arms. The Panel repeated its earlier assertion that it was difficult to stem or halt illegal exploitation without also tackling the issue of arms trafficking. Accordingly, the focus of the Panel’s fieldwork and fact-finding had been on the patterns and trends in arms trafficking and the groups involved. The Panel gathered information on how those groups were adjusting to political developments, especially the establishment of the Government of National Unity. It was clear that they were developing strategies to build and extend their political and economic control in various parts of the DRC. The details on
exploitation and arms trafficking had been made available to the Security Council and could be useful for an arms monitoring mechanism, should the Council decide to establish one.

In the absence of a strong, central and democratically elected Government that was in control of its territory, illegal resource exploitation would continue to serve as the fuel for conflicts in the region, to the detriment of the Congolese people. The establishment of the transitional Government was a step in the right direction, but many of the unfinished tasks continued to be faced. Financial and technical support from the international community was needed to strengthen national capacity to assume control and regulate the exploitation of natural resources. The extension of government authority in problematic areas, accompanied by a reform of the rule-of-law sector and the re-establishment of a criminal justice capacity, was needed to ensure that the Government was in control of its natural resources for the benefit of the population. The most important factor in ensuring the reunification of the national territory would be the integration of the new armed forces. While the transitional partners had reached agreement on the command structure of those forces, actual integration had yet to take place.

Immediate institutional reforms were needed to ensure that the newly elected Government, once in place, could ensure the legal exploitation of natural resources, including control of the national borders through effective customs administration; strengthening the government auditing function so that it could undertake regular auditing of all government departments and agencies, including in the provinces; and breaking up the large State-owned mineral resource enterprises. Disclosure of revenues earned from natural resources by both private companies and the Government should be implemented in the DRC as a step towards ensuring a more equitable distribution of the national wealth.

Immediate interim measures recommended by the Panel included placing emphasis on stemming and, if possible, halting the flow of illegal arms to the DRC, an area where the international community could play a role, as the Security Council had done by imposing the arms embargo on Ituri and the Kivus in resolution 1493(2003) (see p. 130). In that connection, the Panel suggested that the Council establish a monitoring mechanism, as envisaged in that resolution, to track the full scope of the arms flow supply chain from manufacturer to final beneficiary, including the financing of the process through the illegal exploitation of resources, thus deterring arms trafficking and curbing arms flows. It was also vital to break the dependency link between armed groups carrying out natural resource exploitation and local communities if those activities were to be brought to an end. In that regard, specific quick-impact projects needed to be undertaken to convince people of the advantages of peace: hospitals, clinics and schools needed to be reopened, local policing re-established and jobs created. However, none of those measures could be sustained unless a regional solution was found. The Principles on Good-Neighbourly Relations adopted by the parties on 25 September were a step in that direction. Confidence-building measures were needed to take forward those principles, particularly with regard to tackling the issue of foreign-armed groups in the DRC from Burundi, Rwanda and Uganda, including the ex-FAR/Interahamwe. Also to be addressed was the status of the Banyamulenge and other ethnic groups, such as the Banyarwandans in North and South Kivu.

The Panel observed that its work had spurred Governments, non-governmental organizations (NGOs) and others to pursue their own investigations into the plundering of resources. The Governments of the DRC, Uganda and Belgium had taken such action. In general, the Panel had made valuable contributions to the Security Council’s work on peace and security issues. There was, nevertheless, a need to analyse, institutionalize and make available the experiences and lessons learned from investigations mandated by the Council on Afghanistan, Angola, the DRC, Liberia, Sierra Leone and Somalia. The Panel concluded that, to be effective, monitoring activities concerning arms and revenue flows in conflict situations should be institutionalized and cover longer periods. That would require high levels of expertise, flexibility in conducting fieldwork and adequate support of relevant UN bodies and the Secretariat.

Communications (October/November). In late 2003, the Security Council received letters from three Governments reacting to the Expert Panel’s October report (see above). Rwanda, on 30 October [S/2003/1048], raised objections to the methodology used by the Panel and said it had been unfairly targeted for condemnation. On 14 November [S/2003/1095], South Africa expressed willingness to investigate allegations against South African-owned or–based entities and individuals, based on credible information. Uganda, on 20 November [S/2003/1116], requested that the report be corrected with regard to the names of two officers of the Uganda People’s Defence Forces listed as not responding to the Panel.
On 19 November (meeting 4863), following consultations among Security Council members, the President made statement S/PRST/2003/21 on behalf of the Council:

The Security Council,

Takes note of the final report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo (the Panel), which concludes its work, and emphasizes the connection, in the context of the continuing conflict, between the illegal exploitation of natural resources and trafficking in raw materials and arms, which the Panel has highlighted;

Condemns the continuing illegal exploitation of natural resources in the Democratic Republic of the Congo, especially in the eastern part of the country, reiterating the call to prevent such activities and to punish those who perpetuate them;

Reaffirms its determination to closely monitor compliance with the arms embargo imposed in resolution 1493(2003) of 28 July 2003 and expresses its intention to address the problem posed by the illicit flow of weapons into the Democratic Republic of the Congo, including by considering the possible establishment of a monitoring mechanism;

Emphasizes that the prompt re-establishment, by the Government of National Unity and Transition, of State authority throughout the territory, and the establishment of competent administrations to protect and control exploitation activities will constitute decisive elements for ending the plundering of natural resources in the Democratic Republic of the Congo;

Encourages the Government of National Unity and Transition to implement the resolutions adopted in Sun City, South Africa, in April 2002 within the framework of the Inter-Congolese Dialogue;

Encourages States, trade-sector organizations and specialized bodies to monitor the trade in raw materials in the region in order to put an end to the plundering of natural resources in the Democratic Republic of the Congo, particularly within the framework of the Kimberley Process;

Encourages States, the international financial community and international organizations concerned to provide the aid needed to the Government of National Unity and Transition and to cooperate closely with it in order to support the establishment of national institutions capable of ensuring that the natural resources are exploited transparently to effectively benefit the Congolese people;

Encourages the Government of National Unity and Transition and the international organizations concerned to support the establishment of the Kimberley Process and the Joint Ceasefire Commission to oversee the implementation of the ceasefire agreements; the signing in October and November of the Pretoria Protocols on political, defence and security power-sharing by the transitional Government and the Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie (CNDD-FDD); and the signing on 16 November of a comprehensive ceasefire implementation document.

The United Nations continued to play a role in the peace process, mainly through the United Nations Office in Burundi (UNOB). Given UNOB’s responsibilities, the Secretary-General increased its staff by five specialized staff and the necessary support staff (S/2003/920). On 29 September (S/2003/921), the Security Council took note of those decisions.

Although the trend in Burundi during 2003 mostly indicated a movement towards a peaceful resolution of the 10-year-old conflict, there was an upsurge of hostilities in April when CNDD-FDD forces attacked Bujumbura and other cities. However, the conflict subsided after the signing of the Pretoria Protocols and, by the end of the year, 95 per cent of the country enjoyed peace.

Burundi

A number of positive developments took place in Burundi in 2003 as efforts to implement the 2000 Arusha Agreement on Peace and Reconciliation bore fruit. That Agreement, signed by most political parties but not by some of the main combatant rebel forces, provided a framework for political reform, including the establishment of a three-year transitional Government and the eventual integration of a Burundi national defence force composed of 50 per cent Hutu and 50 per cent Tutsi forces. In late 2002 (YUN 2002, p. 138), ceasefire agreements were signed by the transitional Government of Burundi, established in November 2001 (YUN 2001, p. 148), and three of the four main armed groups. The most significant advances in 2003 were the peaceful transfer of power from the President to the Vice-President on 1 May at the end of the first phase of the three-year transitional period of government; the deployment of the AU African Mission in Burundi and the establishment of the Joint Ceasefire Commission to oversee implementation of the ceasefire agreements; the signing of the Pretoria Protocols on political, defence and security power-sharing by the transitional Government and the Conseil national pour la défense de la démocratie (CNDD-FDD); and the signing on 16 November of a comprehensive ceasefire implementation document.

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Meanwhile, most main political parties had be-
come part of the peace process and members of the transitional Government, but the Forces nationales de libération remained unwilling to seek a peaceful resolution to the conflict.

The Deputy President of South Africa, Jacob Zuma, continued to act as Facilitator of the Burundi peace process.

**Political and military developments**

The Secretary-General, on 8 January [S/2003/29], informed the Security Council that the Secretariat was ready in principle to provide the necessary expertise and advice for the planned AU African mission to Burundi provided for in the December 2002 Ceasefire Agreement signed by the transitional Government of Burundi and the CNDD-FDD faction [YUN 2002, p. 139]. The Secretariat had already developed the proposed terms of reference for the chairman of the Joint Ceasefire Commission and was approaching Member States to ascertain their interest in nominating candidates to fill that position. A planning exercise had begun to assist in developing a plan of operations for the proposed African mission.

Meanwhile, the Secretariat awaited additional information from the parties, the Facilitator of the Burundi peace process and/or the Regional Initiative in order to proceed with providing assistance. The information needed included: the relationship of the Joint Ceasefire Commission to the African mission; definition of the objectives and mandate of the African mission; identification of a lead nation for the proposed mission; identification of focal points within all Burundian parties involved to provide information on the number and location of troops, weapons, supply requirements, number of dependants, logistical and communication equipment and transportation needs; identification of special needs in logistical support among potential troop-contributing countries; and agreement on key modalities of cantonment of the armed Burundian elements (location, size, transportation of combatants, availability of locally produced food, availability of water and accessibility). The Secretariat was also awaiting a formal request from the parties regarding the provision of a senior military officer to chair the Joint Ceasefire Commission. The Secretary-General’s Special Representative for Burundi, Berhanu Dinka, would take up those and other issues with his regional interlocutors.

The AU Central Organ of the Mechanism for Conflict Prevention, Management and Resolution (Addis Ababa, 14 January), in a decision on Burundi [S/2003/53], expressed satisfaction at the signing of the October 2002 [YUN 2002, p. 138] and the December 2002 [ibid., p. 139] ceasefire agreements, the former between the transitional Government and Jean-Bosco Ndayikengurukiye’s faction of CNDD-FDD and Alain Mugabarabona’s faction of the Parti pour la libération du peuple hutu-Forces nationales de libération (PALIPEHUTU-FNL), and the latter between the transitional Government and Pierre Nkurunziza’s faction of CNDD-FDD. Urging the parties to respect the agreements, the Central Organ expressed concern at recent incidents between the armed forces of Burundi and combatants of CNDD-FDD (Nkurunziza). In particular, it condemned the 12 January ambush of a convoy of vehicles in which several people were killed and many wounded. The Central Organ urged Agathon Rwasa’s faction of PALIPEHUTU-FNL to join in the peace process and to end its attacks. It underscored the urgent need to deploy the African mission to supervise the ceasefire and welcomed the initiative of the Interim Chairperson to convene on 15 and 16 January a meeting of experts from the Regional Initiative, the Media- tion, the AU Commission and the United Nations to discuss the proposed African mission. The Interim Chairperson was authorized to deploy observers to facilitate communication between the parties, and the United Nations was requested to contribute to the implementation of the ceasefire.

The Central Organ, meeting on 3 February in Addis Ababa at the level of heads of State and Government [S/2003/142], approved the deployment of the African mission and expressed appreciation to South Africa, Ethiopia and Mozambique, which had indicated their willingness to contribute troops. The Central Organ requested South Africa, the Chair of the AU, to lead efforts to deploy the mission in Burundi speedily. It appealed to the international community to provide financial and logistical support for the mission, and to support the deployment of the AU observers to maintain and consolidate the truce between the parties pending the mission’s deployment.

**Further ceasefire negotiations**

President Pierre Buyoya of Burundi and the signatories of the ceasefire agreements of October and December 2002 met in Pretoria and signed joint declarations on 25 and 27 January 2003, respectively, reiterating their commitment to the implementation of the agreements. The transitional Government and CNDD-FDD (Nkurunziza) met again in Pretoria from 9 to 15 February, with a view to reaching agreement on the remaining political and military/security
The first 18-month phase of the three-year transition period of the Government of Burundi, as agreed in 2001 [YUN 2001, p. 146], ended on 30 April. After consultations with all Burundian political actors and with the countries of the Regional Peace Initiative on Burundi, the Facilitation and other leaders, President Buyoya announced on 29 March [S/2003/397] that he would step down as planned and hand over power to his Vice-President, Domitien Ndayizeye. On the same day, the Union for National Progress Party (UPRONA) and the Front for Democracy in Burundi concluded an agreement in Pretoria setting out some of the key tasks to be accomplished during the second phase of the transition and the framework for cooperation between them. The Security Council President, in a 3 April press statement [SC/776-AFR/906], said that Council members welcomed Mr. Buyoya’s announcement to yield the presidency on 1 May for the second phase of the transition; they called on the political parties and the Burundian people to continue to settle the issues linked to the restoration of peace through dialogue and consultation.

Both the announcement and the agreement were well received by the general public. The Burundi army expressed support and declared that it had no intention of interfering with the transfer of power and was under the total control of the President, regardless of political affiliations. The majority of political parties expressed support, but the reactions of CNDD-FDD (Nkurunziza), PALIPEHUTU-FNL (Agathon Rwasa) and Charles Mukasi, leader of a faction of UPRONA that opposed the Arusha Agreement, were negative. For CNDD-FDD (Nkurunziza), the transfer of power did not have any particular significance before the conclusion of a sustainable ceasefire agreement with it, followed by fair and free elections.

Burundi informed the Security Council of the specific political and security commitments made by the President and Vice-President regarding the conduct of the second phase of the transition period, signed in Pretoria on 28 March [S/2003/394]. Political commitments included: steps towards the passage of the draft law on punishing crimes of genocide, war crimes and crimes against humanity; guaranteeing a balance between the two political-ethnic families—G-7 (Hutu) and G-10 (Tutsi)—particularly at the Executive level; organizing a debate on the electoral system; ensuring the adoption of measures to deal with past acts of genocide, exclusion and impunity; the combating and punishment of terrorism, intimidation or propaganda aimed at dividing citizens along ethnic or political lines; and the establishment of the International Judicial Commission of Inquiry and the International Criminal Tribunal to prosecute and punish crimes of genocide, war crimes and crimes against humanity committed in Burundi between 1 July 1992 and 28 August 2000. In the security area, they pledged to finalize details of the ceasefire, the cantonment process, the integration of rebels in the defence and security forces, the disarmament and demobilization processes, and the reintegation of the demobilized elements; take all steps to obtain a comprehensive and lasting ceasefire, including calling for the political disqualification of PALIPEHUTU-FNL should it persist in following the path of violence; give political and financial support to the national army for security; and maintain a balance between Hutus and Tutsis in the defence and security forces.

In a 16 April press statement [SC/775-AFR/605], the Council President said that Council members...
again paid tribute to the upcoming political change in Burundi and encouraged all parties to pursue their efforts in favour of the implementation of the Arusha Agreement in the context of the second period of the transition. They underlined the importance of President Buyoya’s commitment to the 1 May handover and recommended that the political leaders of Burundi continue to seek consensus and shared management of public affairs.

Establishment of African mission

The ceasefire agreements of October and December 2002 [YUN 2002, p. 138] called for the deployment of an international peace force and the establishment of the Joint Ceasefire Commission to assist the parties in implementing the agreements. The AU, in February 2003, decided to deploy the African Mission in Burundi (AMIB), and the transitional Government and the AU signed a status-of-forces agreement on 26 March, outlining their commitments and obligations. AU military observers began arriving in Bujumbura in February and were deployed to other towns in March.

On 2 April in Addis Ababa [S/2003/399], the Central Organ of the AU Mechanism for Conflict Prevention, Management and Resolution mandated the deployment of troops for AMIB from Ethiopia, Mozambique and South Africa for a total strength of some 3,500 for an initial period of one year. AMIB would oversee the implementation of the ceasefire agreements; maintain liaison between the parties; facilitate the activities of the Joint Ceasefire Commission and the technical committees for establishing and restructuring the national defence and police forces; secure assembly and disengagement areas; facilitate safe passage for the parties during planned movements to designated assembly areas; provide assistance to the disarmament, demobilization and reintegration process; facilitate the delivery of humanitarian assistance; coordinate mission activities with the UN presence in Burundi; and provide protection for designated returning leaders.

Burundi, on 7 April [S/2003/409], drew the Security Council’s attention to the Central Organ’s communiqué [S/2003/399], in which it implied that AMIB would eventually be replaced by a UN peacekeeping operation. Burundi stated that a special trust fund should be created to provide financial and logistical support for AMIB.

The twentieth Summit of the Great Lakes Regional Peace Initiative on Burundi (16 November, Dar es Salaam, United Republic of Tanzania) [S/2003/112] requested the Deputy President of South Africa, Jacob Zuma, as Facilitator of the Burundi peace process, to request the Security Council to deploy a peacekeeping operation to Burundi (see p. 151). The Summit also appealed for urgent direct assistance from the United Nations for the Burundi peace process. Accordingly, Mr. Zuma briefed the Council on 4 December (see p. 153).

By December [S/2003/1146], 2,645 AMIB troops were deployed in Burundi, including 866 from Ethiopia, 228 from Mozambique, 1,508 from South Africa and 43 military observers from Benin, Burkina Faso, Gabon, Mali and Tunisia. Ethiopia was prepared to increase the size of its contingent to 1,300. In June, AMIB established the first cantonment site at Muyange and, by December, some 190 ex-combatants of PALIPEHUTU-FNL (Mugabarabona) and CNDD-FDD (Ndayikengurukiye), including 27 child soldiers, were at the site.

Press statement (16 April). In a 16 April press statement (SC/774-AFR/605), the President of the Security Council said that Council members paid tribute to the AU for the deployment of observers and encouraged the deployment of AMIB forces without delay. In that connection, they called on the international community to mobilize the necessary funds to allow AMIB’s deployment. Members supported the political transition (see p. 147) and welcomed the adoption by the Transitional National Assembly of the law on the punishment of crimes of genocide, war crimes and crimes against humanity.

SECURITY COUNCIL ACTION (May)

On 2 May [meeting 479], following consultations among Security Council members, the President made statement S/PRST/2003/4 on behalf of the Council:

The Security Council congratulates the Burundian parties on a peaceful transition of power in accordance with the Arusha Peace and Reconciliation Agreement for Burundi of 28 August 2000. The transition in presidency represents a major milestone in the implementation of the Agreement.

The Council believes that it is now crucial to follow up this positive development with the implementation of those provisions agreed upon in Arusha, United Republic of Tanzania, that are still outstanding, such as meaningful security-sector and judicial reforms. Resolving such pressing issues, as well as others that are related, is the only way to ensure that the thirty-six-month transitional period is a success.

The Council condemns the attacks carried out on 17 and 25 April 2003 on Bujumbura and other cities by the forces of the Conseil national pour la défense de la démocratie-Front national pour la défense de la démocratie of Mr. Pierre Nkurunziza. The Council takes note of the statement made on 27 April 2003 by the Conseil national pour la défense de la
The Council welcomes the positive developments in Burundi and encourages the political actors and armed groups to opt for dialogue and to eschew violence. They supported the proposed regional summit (see p. 131) and urged all Burundian parties to cooperate within the region and with the transitional Government. The deployment of AMIB was welcomed, and donor countries were urged to contribute to it. Members commended the International Monetary Fund (IMF) and the World Bank for their decision to release the second tranche of their respective post-conflict programmes for Burundi.

**Communication (August).** Mozambique, on 13 August [S/2003/641], provided the Security Council with an update on the deployment status of AMIB. The size of the mission was about 3,500 troops, contributed by South Africa (the lead nation), Ethiopia and Mozambique, at an estimated cost of $190 million for the one-year operation. One third of the force had been deployed. The process of cantonment of combatants of CNDD-FDD (Ndayikengurukiye) and PALIPEHUTU-FNL (Mugabarabona) had begun, but the mission faced serious financial and logistical constraints which needed to be addressed.

**Security Council mission**

The Security Council sent a mission to the Great Lakes region from 7 to 16 June [S/2003/653] (see also p. 127). The mission’s objective in Burundi was to demonstrate the Council’s support for the second phase of the political transition at a time when the peace process was facing challenges, in particular the need for a cessation of hostilities through a political process and the framework of the 2000 Arusha Agreement [YUN 2000, p. 146], support for AMIB, the mobilization of economic and financial assistance to the country, and the fight against impunity.

All of the mission’s interlocutors stressed that the continuation of fighting was the most serious obstacle to the full implementation of the Arusha peace process; they urged the mission to exert pressure on FNL (which had not signed a ceasefire agreement) and FDD (which had signed a ceasefire agreement) to cease hostilities. The mission expressed concern at the very slow pace of ceasefire negotiations between the Government and FDD and FNL, and called on the rebel groups to cease hostilities immediately and join the Arusha process. At the same time, the army would have to exercise restraint and the mission encouraged the Government to make room for the rebel groups in the institutions created by the Arusha Agreement. Both parties assured the mission that they would do their utmost to resolve
outstanding issues. The mission encouraged the transitional Government to put in place measures to enable some FDD combatants in the DRC to be repatriated voluntarily to Burundi as a confidence-building measure.

In meetings with AMIB, the mission was told that the preparation of cantonment sites was hampered by the parties' failure to provide their forces' location and troop strength to the Joint Ceasefire Commission. The mission reiterated the Council's support for AMIB on three levels—political, financial and technical.

The mission discussed with the transitional Government and the armed movements the issue of combating impunity and accountability for human rights violations, stressing that those responsible for violations of international humanitarian law would be prosecuted. The Government stressed the importance of establishing an international judiciary commission of inquiry, as provided for in the Arusha Agreement, to help Burundi put an end to impunity and facilitate genuine national reconciliation.

The mission, noting that the Burundi peace process was at a critical juncture, recommended that the Council call on the international financial community to assist AMIB with adequate financial and logistical assistance and on the Secretary-General to provide appropriate expertise. It also saw a need to provide budgetary and economic support to the transitional Government and welcomed the planned September donors' round table, to be organized by UNDP.

Security situation

The security situation, which began to deteriorate in March, culminated in intensive shelling of Bujumbura in April and July by CNDD-FDD (Nkurunziza) and PALIPEHUTU-FNL (Rwasa), respectively. CNDD-FDD (Nkurunziza) also abducted four members of Parliament on 29 June and attacked the cantonment site of Muyange the next day. The attack was repelled by AMIB forces.

The Security Council condemned the April attacks in S/PRST/2005/4 (see p. 148). In a press statement of 10 July [SC/7813-AFR/659], the President of the Council said that members expressed their deep concern over the latest resumption of hostilities and the deterioration of the humanitarian situation. They condemned the attack launched on Bujumbura since 7 July by PALIPEHUTU-FNL (Rwasa) and called on FNL to end its offensive and to enter into negotiations with the transitional Government without further delay. Members also condemned the abduction of persons and the attack on the Muyange cantonment site by CNDD-FDD (Nkurunziza) and called on that group to stop resorting to violence. They called on all parties to engage in good faith in the search for a peaceful solution through dialogue and to abide by the agreements they had signed. Members urged States in the region to exert their influence on the Burundian rebel groups so that they would cease resorting to violence and join the Arusha Agreement peace process. The proposal to convene a summit of the Regional Initiative to help in the resolution of outstanding issues was welcomed.

The AU, in a communiqué issued by the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution (Addis Ababa, 24 July) [S/2003/760], welcomed the results achieved by AMIB, particularly the cantonment of the combatants of CNDD-FDD (Ndayikengurukiye) and PALIPEHUTU-FNL (Mugabarabona). The Central Organ also welcomed the results of the regional consultative summit on Burundi (Dar es Salaam, 20 July), particularly the commitments made by the parties concerned by the transitional Government and CNDD-FDD (Nkurunziza) to work towards implementation of the December 2002 ceasefire agreement. The Central Organ urged PALIPEHUTU-FNL (Rwasa) to join the peace process, with a view to concluding a ceasefire agreement and to put an immediate end to its attacks. It expressed concern over the inadequacy of financial and logistical resources that was hampering the completion of AMIB's deployment and appealed to the international community for assistance.

Relative calm returned to Burundi after the July attacks and the release of the abducted Parliament members. Security Council members, in a 14 August press statement [SC/7844-AFR/688], welcomed those developments and again condemned the violence, in particular the atrocities committed against the civilian population and the use of children in warfare. They welcomed the commitments made by the parties concerned during the 20 July summit of the Regional Initiative and encouraged the Burundian parties, in particular FDD (Nkurunziza) and the Governments concerned, especially those of neighbouring States, to abide by those commitments. They expressed the hope that the negotiations taking place would lead to the implementation of a comprehensive agreement in time for the next summit of the Regional Initiative. The Council members reaffirmed their appeal to FNL (Rwasa) to enter into negotiations with the transitional Government, with a view to rejoining the Arusha peace process. They reaffirmed their support for AMIB and appealed to contributors for financial or logistic support. They welcomed the recent contribution of 25 million euros from the EU. Expressing concern at the humanitarian situation,
Council members called on all Burundian parties to facilitate the access of humanitarian agencies to populations in need. The members confirmed the Council’s readiness to consider procedures for international assistance to combat impunity. They welcomed Economic and Social Council resolution 2003/16 establishing the Ad Hoc Advisory Group on Burundi (see p. 947). By decision 2003/311, the Council decided on organizational details of the Advisory Group and informed the Security Council of those actions on 25 August [S/2003/836].

The Security Council held a private meeting on 22 September [meeting 4832] to consider the situation in Burundi and heard a statement by President Ndayizeye, among others.

Pretoria Protocols

On 8 October, the transitional Government of President Ndayizeye and Pierre Nkurunziza’s CNDD-FDD signed the Pretoria Protocol on political, defence and security power sharing in Burundi [S/2003/971]. Under its terms, CNDD-FDD would have four ministries, including a Minister of State. The number of its representatives in the legislature (National Assembly and Senate) was also determined, as was its representation in governments of provinces, the diplomatic corps, local government, public enterprises, the new Burundi National Defence Force, police force and gendarmerie. The combatants of CNDD-FDD would move to cantonment areas designated by the Joint Ceasefire Commission under AMIB supervision, and the Burundi Armed Forces would be confined to areas agreed upon by AMIB, with certain elements being exempted.

The outstanding issues—participation of CNDD-FDD in the Senate, temporary immunity, the Forces Technical Agreement, and the transformation of CNDD-FDD (Nkurunziza) into a political party—were resolved at another round of discussions (Pretoria, 30 October–2 November), when the transitional Government and CNDD-FDD (Nkurunziza) signed the second Pretoria Protocol.

The President of the Security Council, in a 9 October press statement [SC/7894-AFR/726], said that Council members welcomed the signing of the first Pretoria Protocol and commended the transitional Government and CNDD-FDD for their commitment to peace, and President Thabo Mbeki and Facilitator Zuma of South Africa and other regional leaders for helping them reach agreement. The Council demanded that FNL join the negotiations without delay.

The EU, in a 13 October statement [S/2003/1025], congratulated the signatories of the Pretoria Protocol. It called on the parties to implement swiftly the agreement’s political and military clauses and confirmed its willingness to assist in Burundi’s peace and reconstruction process. The EU affirmed its support for the multi-country demobilization and reintegration programme, to which it was the main contributor, and its political and financial support for AMIB. The EU called on Agathon Rwasa’s FNL to pursue the path of dialogue.

The President of the Security Council, on behalf of Council members, issued a 6 November press statement [SC/7912-AFR/747] expressing satisfaction with the signing of the supplementary Pretoria Protocol and welcoming efforts made in that regard by President Mbeki and other regional heads of State. The members welcomed the forthcoming regional summit (see below) and emphasized the importance of respecting the timetable for the cessation of hostilities, disengagement, cantonment and quartering in barracks of forces, and the entry of CNDD-FDD into the transitional institutions, as stipulated in the Pretoria Protocol. The members urged PALIPEHUTU-FNL (Rwasa), the last armed rebel group that had not joined the Arusha Agreement peace process, to do so without delay.

The signing of the Pretoria Protocols and the consequent resumption of food delivery to CNDD-FDD (Nkurunziza) combatants in three provinces had a positive impact, with a significant reduction in violence throughout the country.

Regional peace initiative and Global Ceasefire Agreement

The Twentieth Summit of the Great Lakes Regional Peace Initiative on Burundi (Dar es Salaam, 16 November) [S/2003/1122] endorsed the two Pretoria Protocols and called on all Burundian parties to proceed to the preparation of free and fair elections, as agreed in the schedule for the transition. It urged the region and the Facilitation, as guarantors, to continue to monitor the implementation of the agreements. The Summit called on PALIPEHUTU-FNL (Rwasa) to suspend hostilities and to participate in the negotiations with the transitional Government within three months, and mandated the Facilitator to engage that party to begin negotiations with the Government. Transmitting the Summit’s communiqué to the Security Council, Burundi drew attention to the request that the Council deploy a peacekeeping operation in Burundi, taking into account the qualitative change that had taken place following the signing of the Pretoria Protocols, which had created a condition of peace and stability in over 95 per cent of Burundi’s territory.
The Summit witnessed the signing, on 16 November in Dar es Salaam, of the Global Ceasefire Agreement between the transitional Government of Burundi and CNDD-FDD. By that Agreement, forwarded to the Security Council by Burundi [S/2003/1105], the two sides embraced the agreements and protocols signed since December 2002 and made them part of the 2000 Arusha Agreement. It revoked all earlier conflicting provisions of the Arusha Agreement in relation to CNDD-FDD. The parties appealed to PALIPEHUTU-FNL to join negotiations with the Government as soon as possible, failing which the signatories, the Regional Peace Initiative, the AU and the United Nations would deem it to be an organization inimical to the peace and security of Burundi and would treat it as such.

The EU, in a 19 November statement [S/2003/1156], welcomed the signing of the Global Ceasefire Agreement. At the same time, the EU regretted that fighting was still going on in several provinces of Burundi, especially in rural Bujumbura. It appealed to FNL (Rwasa) to abandon the military option and to the Government to keep the door open for negotiations.

Report of Secretary-General. The Secretary-General reported to the Security Council on 4 December [S/2003/1146] on the situation in Burundi, his first report on that topic since November 2002 [YUN 2002, p. 139]. He described the transfer of power to the transitional Government, the ceasefire negotiations, agreements between the parties and the security situation (above).

In accordance with the Global Ceasefire Agreement, President Ndayizeye formed a new 27-member cabinet on 23 November, including CNDD-FDD leader Pierre Nkurunziza as Minister in charge of good governance and State inspection. Members from his movement subsequently arrived in Bujumbura to take up their new positions in the transitional institutions, including the Joint Ceasefire Commission. PALIPEHUTU-FNL (Rwasa), on the other hand, refused to join the peace process. The territorial area controlled by that movement was, however, limited to the province of Bujumbura Rural, and the movement was weakened since its attacks on Bujumbura in July. Consequently, its ability to hinder the general move towards peace in Burundi was limited. The Secretary-General’s Special Representative, Berhanu Dinka, continued efforts to initiate dialogue with that party.

At the time of the report, 27 members representing the transitional Government, CNDD (Léonard Nyangoma), PALIPEHUTU (Etienne Karatasi), FROLINA (Joseph Karumba), CNDD-FDD (Ndakengurukuye), PALIPEHUTU-FNL (Mugabarabonaba) and CNDD-FDD (Nkurunziza) were participating in the Joint Ceasefire Commission.

The Implementation Monitoring Committee, chaired by the Special Representative, held five regular sessions and one special session in Bujumbura in 2003. In addition to monitoring ceasefires, the Committee tried to resolve disputes between parties to the Arusha Agreement. It pressed for laws on provisional immunity; punishment for genocide, war crimes and other crimes against humanity; and the establishment of the National Commission for the Rehabilitation of Refugees and Sinistrés. It was also working for laws to be enacted on the post-transitional constitution; the electoral code; the mandate, composition, functioning and working conditions of the defence and security forces; and the establishment of a truth and reconciliation commission.

The security situation improved considerably by late 2003, following the signing of the Pretoria Protocols in October and November, and no new clashes were reported between the army and CNDD-FDD (Nkurunziza). However, skirmishes occurred between CNDD-FDD (Nkurunziza) and PALIPEHUTU-FNL (Rwasa) in Bujumbura Rural and Bubanza provinces, leading to the displacement of more than 30,000 people. Assassinations and abductions targeting local administrators around Bujumbura Rural by PALIPEHUTU-FNL (Rwasa) remained a concern.

The socio-economic situation in Burundi deteriorated during 2003. With a high population density and a large population increase, Burundi, classified as a least developed country and a highly indebted poor country, suffered from a shortage of farmland, an illiteracy rate of 52 per cent, a high rate of HIV infection and a life expectancy of 48 years. From 1990 to 2003, Burundi’s gross domestic product dropped by 20 per cent. The humanitarian and human rights situation continued to be of serious concern. Humanitarian access remained difficult in some areas, and non-governmental agencies had been the targets of robberies and kidnappings, limiting the distribution of aid, especially for the first nine months of the year. Civilians continued to be the victims of killings, attacks and arbitrary arrests by all factions. Rape and sexual abuses were committed by soldiers and militias of the transitional Government and the armed movements on an unprecedented scale. In the first six months of 2003, more than 800 civilians were reported killed and there were reports of mass graves.

The Secretary-General observed that increased resources had been made available to UNOB for 2003 and the costs related to the ceasefire negotiations continued to be supported by a
grant from the United States through the United Nations Trust Fund. However, in order to respond to the increasing needs in peacekeeping-related issues, security sector reform and disarmament, demobilization and reintegration, it would be necessary again to augment the UNOB staff.

The Secretary-General concluded that the transfer of power and the ceasefire negotiations had created a new hope for a democratic and peaceful Burundi, transforming the nature of its politics from one characterized by ethnic-based exclusion to one based on peaceful competition between political alliances. Nevertheless, the socio-economic situation remained a serious concern and could threaten the political gains. Following the request made on 4 December to the Security Council by the Facilitator, Mr. Zuma, for the United Nations to take over from AMIB (see below), the Secretary-General instructed the Secretariat to begin assessing the situation, with a view to making recommendations on the way forward. The transitional period was to end in one year and many challenges lay ahead, including the adoption of a post-transition constitution and electoral code, and the preparations for and conduct of elections.

Security Council consideration. At a Security Council meeting on 4 December (meeting 4876), the Facilitator for the Burundi peace process, Deputy President Zuma of South Africa, requested urgent direct assistance to help consolidate the gains already made, prepare for elections in 11 months’ time and place Burundi on the road to lasting peace and stability. Significant developments had taken place in 2003 and the year was ending on a positive note. Progress included the establishment of AMIB, the conclusion of negotiations, the implementation of various agreements and the transformation of the security apparatus. Since the signing of the first Pretoria Protocol between the Government and CNDD-FDD on 8 October, the level of violence had declined, bringing peace to at least 95 per cent of the territory of Burundi. Thus, the Burundi peace process had entered a decisive and irreversible stage. The implementation of all the ceasefire agreements and the Pretoria Protocols had been swift, and change was evident. Those developments had significantly boosted the implementation of the Arusha Agreement, which guided the transitional period; Burundi had successfully completed the first two thirds of the transition period, at the end of which a democratically elected legislature and executive should be in place. Although PALIPEHU-TU-FNL (Rwasa) remained outside the peace process, that did not present a major obstacle. The Facilitator had sent a communication to that party in an attempt to include it in the process. Among the goals faced by the Government were the disarmament, demobilization and reintegration of returning combatants and the return of refugees and internally displaced persons. CNDD (Ndakigururukiye) and PALIPEHU-TU-FNL (Mugabarabona) had begun to canton some of their combatants and those of CNDD-FDD (Nkurunziza) were already proceeding to assembly points to be cantoned.

AMIB, which was responsible for the cantonment and disarmament of the combatants prior to demobilization, required immediate financial resources to carry out its mandate and to maintain its force. The continued success of the peace process required more direct UN involvement, in particular by taking over the mission, re-hatting the existing military contingent and deploying a UN peacekeeping operation. A more immediate relief need was the provision of material, logistical and financial support to AMIB pending more UN involvement.

Security Council Action (December)

On 22 December (meeting 4891), following consultations among Security Council members, the President made statement S/PRST/2003/30 on behalf of the Council:

The Security Council reaffirms its full support for the peace process of the Arusha for Peace and Reconciliation Agreement for Burundi of 28 August 2000 (the Arusha Agreement), calls on all the Burundian parties to implement their commitments and assures them of its determination to support their efforts in this direction.

The Council welcomes the progress recently made by the Burundian parties, in particular by the signing, at Pretoria, of the protocols of 8 October and 2 November 2003 and by the conclusion, on 16 November 2003 in Dar es Salaam, United Republic of Tanzania, of the Global Ceasefire Agreement between the Transitional Government of Burundi and the Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie of Mr. Nkurunziza.

The Council welcomes with satisfaction the formation of the new Transitional Government and the participation of the Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie in the transitional institutions; it again urges the Parti pour la libération du peuple hutu-Forces nationales de libération of Mr. Rwasa, the last rebel group that has not yet joined the peace process of the Arusha Agreement, to do so without further delay.

The Council pays tribute to the efforts of the States of the Regional Initiative and of the Facilitation, in particular South Africa, in favour of peace in Burundi; it expresses its support for the mission of the African Union in Burundi and for its South African, Ethiopian and Mozambican contingents, and calls on donors to give it financial, material and logistical support as soon as possible.
The Council welcomes the recent mission of the Ad Hoc Advisory Group on Burundi of the Economic and Social Council, and calls upon donors and the international financial community to mobilize during the next Forum of Burundi’s Partners for Development, scheduled for 13 and 14 January 2004 in Brussels, and to honour fully the pledges made so far.

The Council expresses its concern at the dire humanitarian situation of the population of Burundi and recalls that all parties involved are responsible for the security of the civilian population, which includes facilitating total, unrestricted and immediate access to the population for the humanitarian organizations.

The Council condemns all acts of violence as well as violations of human rights and international humanitarian law, and reaffirms its determination to support Burundian efforts to prevent such acts, based on the rule of law, in order to put an end to impunity.

The Council takes note of the address made by the President of the Republic of Burundi, Mr. Ndayizeye, to the Council on 22 September 2003. It takes note also of the request made by the Deputy President of the Republic of South Africa, Mr. Zuma, on behalf of the States of the Regional Initiative, when he spoke before the Council on 4 December 2003, and which is referred to in paragraph 71 of the latest report of the Secretary-General on the situation in Burundi, of 4 December 2003.

The Council welcomes the decision of the Secretary-General to examine the situation with a view to submitting recommendations to the Council, and requests him in this regard to undertake, as soon as he deems it convenient, the appropriate preparatory work and assessment on how the United Nations might provide the most efficient support for the full implementation of the Arusha agreement.

The Council takes note of the latest report of the Secretary-General on the situation in Burundi; it welcomes the work carried out, in often difficult conditions, by the Special Representative of the Secretary-General and the staff of the United Nations Office in Burundi, and approves the recommendations contained in paragraphs 63 to 65 of the report regarding the renewal of the mandate of the Office.

Rwanda

The presence of Rwandan armed groups in the DRC continued to adversely affect relations between the two countries in the early part of 2003 (see above under “Democratic Republic of the Congo”). During the Security Council mission to Central Africa (7-16 June) [S/2003/633] (see also p. 109), which visited Kigali, the attention of the Rwandan Government was drawn to the disruptions in MONUC’s DDRR operations caused by military offensives by RCD-Goma in North and South Kivu.

Communications. Rwanda, on 19 November [S/2003/113], informed the Security Council that officers and forces of the Forces combattantes Abacunguzi (FOCA), the armed wing of the Democratic Forces for the Liberation of Rwanda, known as the ex-FAR/Interahamwe, had returned peacefully from the DRC on 11 November. The return was an important step in the Government’s efforts to unite and reconcile all Rwandan people. The leader of FOCA, Major-General Paul Rwarakabije, and all those who chose to return through peaceful means, would be resettled and integrated into Rwandan society. Those who chose to continue with armed conflict would be dealt with forcefully. Rwanda called on the region and the international community to help bring those extremists to justice.

The EU, in a 13 October statement [S/2003/1023], welcomed Rwanda’s parliamentary elections, which represented an important step towards national reconciliation and consolidation of viable democratic institutions. Like the presidential poll on 25 August, the parliamentary elections were conducted in an orderly manner, reflecting the care taken by the Rwandan authorities with Rwanda’s political transition. At the same time, the EU noted the comments made by its election observer mission in a 3 October statement concerning the obstacles to opposition activities, such as intimidation, threats and arrests that marked the election campaign, as well as the irregularities discovered at a number of polling stations. The achievement of a political transition in Rwanda came at a time when the peace processes in the DRC and Burundi were showing signs of progress, and the EU reaffirmed its willingness to assist the reconciliation process in the Great Lakes region.

International Day of Reflection on 1994 Genocide

The AU Executive Council, at its second ordinary session (N’Djamena, Chad, 3-6 March) [A/5/773], decided that 7 April 2004, the tenth anniversary of the Rwandan genocide [YUN 1994, p. 282], would be commemorated as a day of remembrance of the victims of that tragedy and reaffirmation of Africa’s resolve to prevent and fight genocide on the continent. It recommended that the United Nations and the international community take appropriate steps to commemorate 7 April 2004 as a day of reflection and recommitment against genocide.

GENERAL ASSEMBLY ACTION

On 23 December [meeting 78], the General Assembly adopted resolution 58/234 [draft: A/58/ L.55 & Add.1] without vote [agenda item 39 (b)].

International Day of Reflection on the 1994 Genocide in Rwanda

The General Assembly,
Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,

Recalling also the findings and recommendations of the Independent Inquiry commissioned by the Secretary-General, with the approval of the Security Council, into the actions of the United Nations during the 1994 genocide in Rwanda,

Recalling further Security Council resolution 955 (1994) of 8 November 1994 on the establishment of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighboring States between 1 January and 31 December 1994,

Recalling the report containing the findings and recommendations of the International Panel of Eminent Personalities commissioned by the former Organization of African Unity to investigate the genocide in Rwanda and the surrounding events, entitled “Rwanda: The Preventable Genocide”,

Noting with concern that many alleged perpetrators of genocide continue to elude justice,

Recognizing the importance of combating impunity for all violations that constitute the crime of genocide,

Convinced that exposing and holding the perpetrators, including their accomplices, accountable, as well as restoring the dignity of victims through acknowledgement and commemoration of their suffering, would guide societies in the prevention of future violations,

Taking note of the recommendation of the Executive Council of the African Union, at its second ordinary session, held in N’Djamena from 3 to 6 March 2003, that the United Nations and the international community proclaim, in commemoration of the 1994 genocide in Rwanda, an international day of reflection and recommitment to the fight against genocide throughout the world,

Recognizing that April 2004 is the tenth anniversary of the genocide in Rwanda,

1. Decides to designate 7 April 2004 as the International Day of Reflection on the Genocide in Rwanda;

2. Encourages all Member States, organizations of the United Nations system and other relevant international organizations, as well as civil society organizations, to observe the International Day, including special observances and activities in memory of the victims of the genocide in Rwanda;

3. Encourages all Member States, organizations of the United Nations system and other relevant international organizations to consider promoting implementation of the recommendations contained in the report of the Independent Inquiry into the actions of the United Nations during the 1994 genocide in Rwanda;

4. Calls upon all States to act in accordance with the Convention on the Prevention and Punishment of the Crime of Genocide so as to ensure that there is no repetition of events of the kind that occurred in Rwanda in 1994.

Financing of UNAMIR and UNOMUR

In a 4 March report [A/57/753] on financing of the United Nations Assistance Mission for Rwanda (UNAMIR), the Secretary-General provided details on the final disposition of the assets of the Mission, which withdrew from Rwanda in 1996 [YUN 1996, p. 62]. The inventory value of the UNAMIR assets as at 31 December 1996 amounted to $64,472,700. Of that amount, 99.5 per cent was transferred to other missions or for temporary storage, 0.4 per cent was disposed of in the mission area, and 0.1 per cent was written off. The Secretary-General proposed that the General Assembly approve the donation of assets with a total inventory value of $12.6 million to the Government of Rwanda and donate assets with a total inventory value of $79,200 to the medical unit of a Member State.

On 17 April [A/57/791], the Secretary-General issued the final performance report of UNAMIR and the United Nations Observer Mission in Uganda-Rwanda (UNOMUR). UNOMUR was established in 1993 [YUN 1993, p. 284] and merged later that year with UNAMIR. The report contained information on income and expenditure, cash position, outstanding liabilities and fund balances, as well as unpaid assessed contributions as at 30 June 2002. In the light of the overall financial situation of the Organization and the fact that, as at 13 March 2003, assessed contributions to peacekeeping in the amount of $1.5 billion remained unpaid, the Secretary-General proposed that the return of cash available for credit to Member States ($45 million) be suspended until the financial situation improved.

Central African Republic

The United Nations Peace-building Support Office in the Central African Republic (BONUCAR), established by Security Council presidential statement S/PRST/2000/5 [YUN 2000, p. 162] to take over from the United Nations Mission in the Central African Republic, supported the Government’s efforts to return to stability following the attempted takeover in October 2002 by partisans of the former Chief of Staff, General François Bozizé, and an armed rebellion in the northern part of the country. On 13 March 2003, General Bozizé was successful in leading a coup d’état that overturned President-elect Ange Félix Patasse and interrupted preparations for a national dialogue. However, the new authorities pledged to organize a national dialogue during a transition period that would lead to national elections in 2004. Arrangements were made for an interim Government under the National Transition Council (NTC) representing all political...
Political and security questions

opinions, including the party of President Patassé.

The security situation, aggravated by the devastated economy, remained unstable, both before and after the coup d’état, and there were continued reports of human rights abuses. The Central African Economic and Monetary Community (CEMAC) sent in a multinational force, later joined by French forces, to help the new Government restore stability. Positive developments included reintegration of former military and paramilitary forces into the army, and a statement in July 2001 [YUN 2001, p. 154], including ex-President André Kolingba, who had been demoted to private after the attempted coup, was restored to the rank of General. General Bozizé stated that he would not be a candidate in the next presidential elections, thereby bringing relative calm to the transition process.

Meanwhile, institutional arrangements for the transition were in place: a 28-member Government representing all political opinions, including the Mouvement de Libération du Peuple Centrafricain, the party of President Patassé; and NTC, a consultative body that included political actors and civil society organizations. General Bozizé granted amnesty to those responsible for the attempted coup of 28 May 2001 [YUN 2001, p. 154], including ex-President André Kolingba, who had been demoted to private after the attempted coup, was restored to the rank of General. General Bozizé stated that he would not be a candidate in the next presidential elections, thereby bringing relative calm to the transition process.

The security situation continued to be unstable, both before and after the 15 March coup d’état. During the initial days following the coup, Chadian troops were brought in to help end the looting in Bangui and to carry out disarmament operations. Since then, however, lack of security held sway in Bangui, with numerous auto thefts and some acts of armed violence. The situation was little better in the interior of the country where roadblocks were reported on the main highways and weapons proliferated.

The Multinational Force of CEMAC (380 troops), in which the Gabonese and Congolese contingents (139 and 120 men, respectively) were joined by 121 Chadian troops, resumed patrol and monitoring operations in Bangui. The special CEMAC summit (Libreville, Gabon, 3 June) adopted a new mandate for the Force, expanding its duties. The 300 French troops, who arrived the day after the coup d’état and evacuated foreign nationals, provided protection for Bangui airport. Control of the security situation remained the prerequisite for the normal functioning of the State and for the resumption of economic activities, a smooth transition and ensuring the fairness of the elections. Restoring security would require the restructuring of the defence and security forces and systematic disarmament in Bangui and the provinces. The new authorities had begun the reorganization of the military. The BONUCA military team continued its assistance and advisory activities, together with evaluation and disarmament. Its civilian police team continued to monitor the security situation and helped in the return of looted property. It also continued its training activities for the Central African police and gendarmerie.
The Central African economy, which was already extremely fragile because of repeated political-military troubles, collapsed completely after the coup d’etat. Owing to the lack of cooperation programmes of any kind with the Bretton Woods institutions (the World Bank Group and IMF), the State had been without budgetary support since January 2001, with the exception of recent Chinese assistance in the amount of $20 million. The new Central African authorities had stated their desire to resume discussions with the Bretton Woods institutions in order to conclude a post-conflict programme. The CEMAC special summit (Brazzaville, Congo, 21 March) also requested those institutions to provide support to the Central African Republic, whose State infrastructure and facilities had been destroyed, with all economic and industrial activity halted. The new Government had made the issue of salaries and pensions its priority, and social tension, which had been simmering for a number of years, was subsiding.

The overall human rights situation deteriorated during the first half of 2003 due to incidents between the rebels and loyalist forces prior to the coup d’état and atrocities committed by the so-called patriotic forces or liberators (composed of Chadians and Central Africans) afterwards. The Government army’s recapture in February of then rebel-held towns triggered violations of human rights and humanitarian law—looting, summary executions, rape, forced disappearances, inhuman and cruel treatment, and enrolment of young people. After the coup, there was widespread looting in Bangui by General Bozizé’s forces and others, the targets being the residences of former authorities, ministries, diplomatic missions, offices of some UN agencies and residences of UN personnel. The new Government pledged to respect human rights, and a Ministry of Justice, Human Rights and Good Governance was established. BONUCA continued to observe and investigate human rights violations and to assist in national capacity-building in human rights promotion and protection.

Three months after the coup d’état, the overall situation in the Central African Republic was being brought under control with considerable difficulty, said the Secretary-General, and the restoration of security remained the top priority for the new authorities. He urged the international community to provide assistance and promote the conclusion of an agreement on a post-conflict programme between the Central African Republic and the Bretton Woods institutions, once the new Government had announced and implemented the calendar for the transition period. The authorities envisaged a return to constitutional legality in January 2005. If that commitment was honoured, the transition would last 22 months, with a national dialogue in 2003, a constitutional referendum in early 2004, and general elections (presidential, legislative and municipal) in late 2004. On the basis of that calendar, submitted to them by General Bozizé, the CEMAC heads of State, at the special summit (Libreville, 3 June), officially recognized the new regime. The activities of BONUCA would be adjusted in the light of the requirements of the new situation in the country.


On 8 January [SC/7626-AFR/541], having been briefed by the Representative of the Secretary-General for the Central African Republic, General Lamine Cissé (Senegal), Council members noted with satisfaction President Patassé’s appeal for a national dialogue and welcomed the recent establishment of the national dialogue coordination committee. They encouraged the Central African authorities to create the conditions for a comprehensive and all-inclusive dialogue, and requested the Secretary-General to provide assistance in that regard. Members also welcomed the ongoing deployment of the CEMAC force under Gabon’s leadership and with French logistical and financial support.

On 20 March [SC/7700-AFR/588], Council members condemned the 15 March coup d’état and the ensuing violence and pillaging. They invited all the leaders of the Central African Republic to begin a genuine, political, all-inclusive dialogue immediately, in order to restore legality, national cohesion and civil peace and to ensure the restoration of democracy. They reiterated their support for the action of the Secretary-General’s Representative as head of BONUCA, and for the efforts of CEMAC and the AU.

On 17 April [SC/7796-AFR/607], having again been briefed by the Secretary-General’s Representative, Council members welcomed the political progress in the Central African Republic, the call for a national dialogue and the appointment of a Government of National Unity, including the nomination of a respected Prime Minister. They considered it indispensable that the Central African Republic authorities elaborate a plan for the national dialogue, including a time frame, and hold elections as soon as possible. They invited the donor community to help in the reconstruction of the country.

Council members, on 15 July [SC/7815-AFR/665], following a briefing by the Secretary-General’s Representative, noted with satisfaction that the
Central African authorities had opted for a consensual management of the transition period by involving all the political factions and the other actors of civil society. They invited the authorities to fulfil their commitment to organize an inclusive national dialogue and to respect the timetable agreed for the return to constitutional legality, especially the holding of presidential elections before the end of 2004. They expressed concern about the continuing insecurity and human rights violations, and stressed that the restructuring of the security forces, supported by CEMAC, BONUCA and France, and systematic disarmament were essential for restoring security. They insisted on the need for BONUCA to continue its inquiries into human rights violations and to continue to work to strengthen national capacities regarding the rule of law. They called on Member States to provide financial or logistical support to the CEMAC force. Council members would consider convening a public meeting in early 2004 to examine whether constitutional legality had been restored in the Central African Republic.

Communications. On 2 January [S/2003/3], the Libyan Arab Jamahiriya informed the Security Council President that the forces of the Community of Sahel-Saharan States (CEN-SAD) had withdrawn from the Central African Republic and responsibility for ensuring the security of the country had been transferred to the forces of CEMAC. The Libyan Arab Jamahiriya, on 31 January [S/2003/135], described the efforts of the CEN-SAD forces, which had been sent to the Central African Republic in 2002 [YUN 2002, p. 143] at the request of the Government. The AU Central Organ of the Mechanism for Conflict Prevention, Management and Resolution, at a meeting of heads of State and Government (Addis Ababa, 3 February) [S/2003/142], welcomed the deployment of CEMAC troops in the Central African Republic and requested UN and AU members to provide assistance to the force. It encouraged President Patassé to pursue his efforts to convene a national dialogue. At another meeting held at the ambassadorial level (Addis Ababa, 17 March) [S/2003/544], the Central Organ condemned the 15 March coup d'état and recommended that the Central African Republic be suspended from participating in AU activities until constitutional rule was restored.

Report of Secretary-General (December). On 29 December [S/2003/1291], the Secretary-General reported on the situation in the Central African Republic and BONUCA activities from July to December. That period was marked by three significant events: the activities of NTC; the national dialogue; and General Bozizé’s appointment of Célestin Le Roi Gaoumalet, a retired official of two inter-African banks, as Prime Minister.

Endowed with a consultative status and charged with assisting the head of State and the Government in legislative matters, NTC held its first session from 21 July to 4 September. It recommended that the Government respect the 12 June commitments it had made to the EU on a road map to find a viable strategy to the structural crisis, that the national dialogue be resumed and that the Government be required to explain its actions. Two more NTC sessions were held in late 2003, at which a number of draft ordinances were adopted.

At the Government’s initiative, the national dialogue was held from 15 September to 27 October to assess the country’s situation and to consider steps for national reconciliation. It adopted recommendations concerning the electoral process, namely the adoption of a new constitution, revision of the electoral code, and a new census-based electoral list. In that regard, the United Nations sent an assessment mission to Bangui (23 November–13 December), which would make recommendations on support that the UN system might provide in the preparations for and the holding of elections. The dialogue also adopted a solemn declaration that declared tribal hatred and division to be crimes against the State and that the Central African Armed Forces continue to be disciplined and to function under the rule of law. It was essential for defence and security forces to be supplemented by a CEMAC force, so that they could operate in the interior of the country while helping to restore security to Bangui. The restructuring of the Central African Armed Forces continued. France, with BONUCA assistance, was helping to train the troops. The BONUCA Civilian Police Section was continuing to monitor the security situation and to strengthen the capacities of the police and the gendarmerie (military police). Training had been organized for 120 police officers and 190 gendarmes.

The economic situation remained precarious, with negative economic growth expected for 2003. In an effort to alleviate the State’s severe cash-flow problems, talks were held between representatives of the Government and officials of the Bretton Woods institutions (Paris, 30 October–
The human rights situation deteriorated, with reports of rape, theft, abduction, torture and violations of the right to life. Nevertheless, some positive developments were observed, including the acceleration of the reintegration of former military and civilian refugees; the lifting of the curfew that had been in place since 15 March; the strengthening of the process of re-establishing the National Human Rights Commission; the issuance of birth certificates to 97 pygmy children; and the representation of ethnic minorities on NTC and in the national dialogue. The BONUCA human rights section continued to monitor and investigate human rights violations, to conduct its awareness-raising programme, and to strengthen national capacities for the promotion and respect of human rights.

The Secretary-General stated that the overall situation in the Central African Republic was less troubled than it was before the national dialogue, when the atmosphere was charged with suspicion and rumours. However, he was concerned by the re-emergence of acts of rape, hold-ups and violations of the right to life. Only a complete disarmament, supported by the regular payment of salaries to civil servants and State officials, and the restoration of security throughout the country would make it possible to hold credible and transparent elections. He therefore called for strengthening the CEMAC Multinational Force, with a view to restoring security to the country, and for the Government to adopt a new basic law and a revised electoral code, in accordance with the recommendations of the national dialogue. He appealed to the donor community to assist the new authorities in their multisectoral efforts, particularly the restoration of security, in order to ensure the rapid return to constitutional legality through the holding of democratic elections.

**Extension of BONUCA mandate**

The Secretary-General, on 5 September [S/2003/890], following consultations with the Government of the Central African Republic, proposed an extension of the mandate of the United Nations Peace-building Support Office in the Central African Republic (BONUCA) for an additional year, until 31 December 2004. The extension would enable BONUCA to continue to support the Government’s efforts to restore constitutional legality through national dialogue and to strengthen national capacities for the promotion of the rule of law during the transitional period leading up to the general elections, expected to take place in 2004. On 11 September [S/2003/890], the Security Council took note of the proposal.

**MINURCA financing**

The resumed fifty-seventh session of the General Assembly had before it the Secretary-General’s report (A/57/631) on the final disposition of the assets of the United Nations Mission in the Central African Republic (MINURCA), which was withdrawn in 2000 [YUN 2000, p. 101] and replaced by BONUCA. The inventory value of the Mission’s assets as at 30 April 2000 amounted to some $12.5 million, 52.5 per cent ($6,545,300) of which had been transferred to other peacekeeping operations or the United Nations Logistics Base at Brindisi, Italy, for temporary storage. The remaining 47.5 per cent related to assets that had been disposed of in the Mission area ($3,058,700) or reported as written off ($2,842,400) or as lost ($20,500). The Secretary-General suggested that the General Assembly take note of the report.

On 17 April [A/57/795], the Secretary-General issued the final performance report of MINURCA, which contained information on income and expenditure, assets, outstanding liabilities and fund balances as at 30 June 2002. The total assessed contributions had been fully appropriated by the General Assembly for the operation of the Mission. The Secretary-General recommended that the provisions of the UN financial regulations be suspended in respect of the liabilities and fund balance of $36,253,000, in the light of the cash shortage of the Mission.

**West Africa**

West Africa continued to be an area of major and growing concern to the United Nations in 2003. In June, the Security Council sent a mis-
sion to the subregion to examine the links between the conflicts in Côte d’Ivoire, Liberia and Sierra Leone and with regard to Guinea-Bissau. The Council, on 18 March, adopted a declaration on the proliferation of small arms and light weapons and mercenary activities, which posed threats to peace and security in West Africa. The concurrent conflicts in Côte d’Ivoire, Liberia and Sierra Leone were further complicated by the movement of armed groups and individuals crossing borders to seek refuge, loot and/or serve as mercenaries. The United Nations, the Economic Community of West African States (ECOWAS), the AU and the EU attempted to mediate with the parties to the various conflicts.

Following an outbreak of fighting in late 2002, the political factions in Côte d’Ivoire reached an agreement in January 2003, signed at Linas-Marcoussis, France, on a mechanism for power sharing. Although some progress was made in implementing its terms, the parties continued to disagree; the three main rebel movements jointly controlled the northern half of the country and the Government retained control of the south. In May, the Security Council responded to the situation by sending in a peacekeeping force, the United Nations Mission in Côte d’Ivoire (MINULCI), to complement the ECOWAS and French forces already serving there. In May, the opposition forces withdrew from the Government of National Reconciliation in protest against some of the President’s appointments, and sporadic fighting followed. However, by the end of the year, the stalemate was reversed, and the peace process gained new momentum in December when the two sides met and resumed preparations for the disarmament and demobilization programme. The withdrawal of heavy weapons from the zone between the forces began that month and the opposition announced the end of their suspension of participation in the Government.

In Liberia, fighting between Government forces and two dissident movements was most widespread during the first half of the year, and the rebels gained control of nearly two thirds of the country. Elections, originally scheduled for October, had to be postponed to 2004 due to the lack of security and the resumption of civil war. The United Nations Peace-building Support Office in Liberia (UNOL) spearheaded UN attempts to promote national reconciliation. In June, a ceasefire agreement was signed by the three main opposing parties, but it was soon violated. ECOWAS sent a vanguard peacekeeping force to Liberia in August, which was soon followed by a multinational force and, in September, by the United Nations Mission in Liberia (UNMIL). Following the departure of President Charles Taylor from the country, a Comprehensive Peace Agreement was reached in Accra, Ghana, on 18 August by the Government, two rebel groups, political parties and civil society leaders, which provided for the establishment of a National Transitional Government. By the end of the year, mechanisms for the implementation of the peace process were in place, but the armed groups had not demonstrated full commitment to the peace process.

The situation in Sierra Leone remained relatively stable in 2003, after a decade of civil war that came to an end in 2002 with the completion of the disarmament process and the holding of elections. The security situation improved as the benchmarks set by the Security Council for the reduction of troops of the United Nations Mission in Sierra Leone (UNAMSIL) were met. Under the drawdown plans, the Mission reduced its forces from nearly 16,000 to 11,500 troops. Meanwhile, the Government continued to disarm excombatants and reintegrate them into society. Despite the generally positive trends, some areas remained volatile on the Sierra Leone/Liberia border. Fighting in Liberia, which threatened to spill over into Sierra Leone, precipitated an influx of thousands of refugees into Sierra Leone. The Government’s efforts to bring peace and reduce tensions internally included setting up a Special Court to try serious crimes linked to the civil war and a Truth and Reconciliation Commission. The Government also reclaimed control of the diamond mining and selling in much of the country by expanding its certificate-of-origin regime, thus bringing in badly needed revenues. In view of that progress, the Security Council did not renew its embargo against Sierra Leonean rough diamonds.

Guinea-Bissau’s serious political, economic and social problems, which were monitored by the United Nations Peace-building Support Office in Guinea-Bissau (UNOGBIS), continued to deteriorate throughout most of 2003. Progress towards revising the constitution remained stalled, and opposition leaders accused the Government of arbitrary decision-making, harsh restrictions on the media and harassment of political opponents. Preparations for legislative elections were under way when a non-violent coup d’état, led by the military, overthrew the Government of President Kumba Yalá in September. An agreement was quickly reached and a transitional Government was established, led by a transitional President, Henrique Pereira Rosa. The new Government pledged to hold legislative elections within an agreed time limit of six months and to hold presidential elections a year later.
Threats to peace and security

On 18 March [meeting 4720], the Security Council held a workshop on the proliferation of small arms and light weapons and mercenary activities: threats to peace and security in West Africa. Addressing the Council, the Secretary-General said that the uncontrolled proliferation of small arms and light weapons and the use of mercenaries sustained conflict, exacerbated violence, fuelled crime and terrorism, promoted cultures of violence, violated international humanitarian law and impeded political, economic and social development. The easy availability of small arms and light weapons was linked to the rise in the victimization of women and children and with the phenomenon of child soldiers. That link was particularly evident in West Africa, where the conflicts in Liberia, Sierra Leone and, more recently, Côte d’Ivoire had been fuelled by an unregulated trade in small arms, often paid for with the proceeds from the illicit exploitation of natural resources. The flood of arms in the region had been accompanied by—and had facilitated—a rise in mercenaries’ activities. That problem was linked, in turn, to the failure to adequately fund and implement disarmament, demobilization and reintegration programmes and the failure to provide enough assistance to countries such as Liberia and Guinea-Bissau in restructuring their armed forces as part of post-conflict peace-building arrangements.

One response to the problem was offered by legal instruments and other international agreements, including the 2001 Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects [YUN 2001, p. 499] and the 1989 International Convention against the Recruitment, Use, Financing and Training of Mercenaries [YUN 1989, p. 825].

The Security Council had demanded that countries in the Mano River Union (MRU) (Guinea, Liberia, Sierra Leone) cease military support for armed groups in neighbouring countries and refrain from actions that might contribute to the destabilization of the situation on their borders. It had also imposed arms embargoes. The heads of State of ECOWAS agreed to work towards making the region a child-soldier-free zone and had put in place a moratorium on the import, export and manufacture of small arms in the region. To support the moratorium, the United Nations Development Programme (UNDP) had helped the countries involved to strengthen controls at border posts, to establish arms registers, to build up the capacity of national monitoring commissions and to collect and destroy illicit arms. UNAMSIL and UNOL were helping Sierra Leone and Liberia, respectively, to address small arms issues and the full range of post-conflict reconstruction and development tasks. Spillover effects from one country to the next had been common, underscoring the need for regional cooperation and a comprehensive approach.

The Director of UNDP’s Programme for Coordination and Assistance for Security and Development (PCASED), who addressed the Council at its invitation, gave a presentation on the Programme’s efforts to combat the proliferation of weapons in West Africa, where there were more than 10 million arms. PCASED involved a range of actors—international organizations, States, national organizations, NGOs, media and civil society groups—through national commissions established by States and the national and transnational bodies of civil society. Its mission was to promote the culture of peace, train security forces, establish border controls, create a regional register of light weapons, harmonize laws, collect and destroy weapons, extend the spirit of moratorium to the rest of Africa, mobilize resources and begin a dialogue with arms manufacturers. At that time, 13 of the 15 countries in the West Africa region had national commissions, with Côte d’Ivoire and Liberia being the exceptions. PCASED had assisted Mali and Benin in strengthening border controls and was involved in training the security forces of the 15 participating countries. In West Africa, PCASED had destroyed 38,000 weapons and, with Canada’s help, it intended to destroy all government landmine stocks, with demining programmes to follow.

SECURITY COUNCIL ACTION


The Security Council

Decides to adopt the attached declaration on the item entitled “Proliferation of small arms and light weapons and mercenary activities: threats to peace and security in West Africa”.

Annex

The Security Council expresses its profound concern at the impact of the proliferation of small arms and light weapons, as well as mercenary activities, on peace and security in West Africa. These contribute to serious violations of human rights and international humanitarian law, which the Council condemns. The Council requests States of the subregion to ensure that relevant measures adopted at the national, regional and international levels to combat these problems are put into effect.
The Council calls upon the States of the subregion to strengthen the measures adopted and to consider other appropriate steps, taking into account the recommendations emanating from this workshop. The Council also emphasizes the need for the States of the subregion to strengthen their cooperation in order to identify individuals and entities that engage illegally in trafficking in small arms and light weapons and provide support for mercenary activities in West Africa.

The Council acknowledges the need to involve national commissions or national committees and other relevant local structures, including civil society, more fully in the practical implementation of the Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons, adopted by the Economic Community of West African States on 31 October 1998, and of 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.

The Council calls upon the States of West Africa to consider the following recommendations that might contribute to the more effective implementation of the Moratorium:

(a) Broadening the Moratorium to include an information-exchange mechanism for all types of small arms procured by members of the Economic Community of West African States as well as for arms transfers by supplier countries;

(b) Enhancement of transparency in armaments, including through the establishment of an Economic Community of West African States register that would record national inventories of small arms and light weapons;

(c) Strengthening national commissions set up to oversee implementation of the Moratorium, in terms of staffing and equipment, and developing national plans of action;

(d) Taking necessary measures to build the capacity of the secretariat of the Economic Community of West African States;

(e) Computerization of aircraft registration lists to ensure better monitoring of airspace, in accordance with the provisions of the Convention on International Civil Aviation, signed at Chicago, United States of America, on 7 December 1944;

(f) Introduction of a standardized end-user certificate for imported weapons.

The Council expresses concern at the serious violations of the arms embargoes in West Africa and calls upon Member States to comply fully with the relevant resolutions of the Council.

The Council expresses its concern at links between mercenary activities, illicit arms trafficking and the violation of arms embargoes, which help to foster and prolong conflicts in West Africa.

The Council emphasizes the need to make peoples and entities of the subregion aware of the danger and the consequences of the illicit trade in small arms and light weapons and of mercenary activities.

The Council encourages all members of the Economic Community of West African States, especially those most affected by the illicit trade in small arms and light weapons, to submit, as did other States, national reports to the Secretary-General on actions undertaken to implement the Programme of Action, in advance of the 2003 biennial review meeting.

The Council appeals to the donor community to assist States of the subregion in implementing and strengthening measures relating to the proliferation of small arms and light weapons and mercenary activities.

The Council calls upon relevant parties to conflicts in West Africa to recognize the importance of activities related to disarmament, demobilization and reintegration in post-conflict situations, and of including such measures in the text of negotiated agreements, as well as specific measures for the collection and disposal of illicit and/or surplus small arms.

The Council calls upon all States in the subregion to cease military support for armed groups in neighbouring countries and to take action to prevent armed individuals and groups using their territory to prepare and launch attacks on neighbouring countries.

The Council calls upon arms-producing and exporting countries that have not yet done so to enact stringent laws, regulations and administrative procedures in order to ensure, through their implementation, more effective control over the transfer to West Africa of small arms by manufacturers, suppliers, brokers, and shipping and transit agents, including a mechanism that would facilitate the identification of illicit arms transfers, as well as careful scrutiny of end-user certificates.

The Council reiterates its call to regional and subregional organizations to develop policies, activities and advocacy for the benefit of war-affected children in their regions. In this regard, the Council welcomes the Accra Declaration and the Plan of Action adopted at the Conference on War-Affected Children in West Africa, held in Accra on 27 and 28 April 2000, and the subsequent establishment of a Child Protection Unit at the secretariat of the Economic Community of West African States.

Security Council mission to West Africa

The Security Council, on 5 May [S/2003/325], informed the Secretary-General that it had decided to send a mission to the West African subregion from 15 to 23 May, and had agreed on the mission’s terms of reference. Regarding the region as a whole, it would: demonstrate continuing Council interest in the subregion; encourage more cooperation among countries of the subregion (e.g., MRU and ECOWAS); review the activities of the Office of the Special Representative of the Secretary-General for West Africa; examine the links between the conflicts in Liberia, Côte d’Ivoire and Sierra Leone and their impact on neighbouring countries; assess progress towards the protection of civilians and children affected by armed conflict; and emphasize the need for countries to respect human rights and international humanitarian law.

With regard to Sierra Leone, the mission would: assess the success of UNAMSIL; assess progress in the UNAMSIL drawdown and the ability
The mission’s mandate was to: urge the Government and rebel groups to engage in ceasefire negotiations and to implement Security Council resolutions; call on the Government to cooperate more with neighbouring countries; assess the Government’s response to the Council’s proposals for resolving the crisis; and assess the impact of UNOL and the Government’s expectations of its new mandate (see p. 185). In Côte d’Ivoire, the mission would: urge all parties to respect the ceasefire and implement the January Linas-Marcoussis Agreement (see p. 166); discuss progress with the UN mission in Côte d’Ivoire; emphasize the need for respect for human rights; and consider security issues in western Côte d’Ivoire (see p. 169). The mission’s mandate in respect to Guinea-Bissau was to: urge the Government and President Kumba Yalá to ensure that the forthcoming elections were conducted fairly; and urge the Government to endorse the partnership approach defined by the ad hoc advisory group of the Economic and Social Council (see p. 948).

On 28 May [S/2003/579], Mauritius, as Chairman of the African Group, welcomed the Security Council’s decision to send missions to the Great Lakes region (see p. 109) and to West Africa, but expressed concern that the Council was considering excluding Guinea-Bissau from the countries to be visited.

Security Council mission. In its 7 July report on its mission to West Africa [S/2003/688], which it had postponed to 26 June to 5 July, the Security Council stated that it had visited Guinea-Bissau, Nigeria, Ghana, Côte d’Ivoire, Guinea and Sierra Leone. Although the mission was scheduled to visit Liberia, those plans were cancelled due to the conflict there, and it travelled instead to Accra, Ghana, where the parties to the Liberian peace talks, led by ECOWAS, were gathered. In addition to making observations on the subregion as a whole, the mission also made specific observations with regard to Côte d’Ivoire, Guinea-Bissau, Liberia and Sierra Leone (see below under country headings).

The mission took place when the stability of the subregion was particularly precarious. Although Sierra Leone was more stable than it had been at the time of the Council’s 2000 mission [YUN 2000, p. 208], the situation in some other countries of the subregion had deteriorated. Côte d’Ivoire, which recently emerged from conflict, was struggling with implementing the Linas-Marcoussis peace agreement (see p. 176); Guinea-Bissau, although apparently peaceful, was at risk of falling back into conflict with postponements of the legislative elections, democratic freedoms threatened, economic regeneration inhibited and the National Assembly’s powers usurped; and, most seriously, the conflict had intensified in Liberia, with hundreds of civilians killed even as peace talks were underway. The mission therefore concentrated on supporting efforts to improve the situation in those three countries.

The mission determined that the reasons for instability in West Africa were many, including abject poverty, poor standards of governance and irresponsible leadership in certain countries, illegal exploitation of natural resources and cross-border flows of small arms and mercenaries. An additional major factor was the persistent tendency of certain Governments, in particular Liberia, to exacerbate already existing tensions in neighbouring countries by meddling in domestic disputes and using proxies to undermine Governments. The mission believed that the Security Council, as agreed in resolution 1478(2003) (see p. 205), should consider ways to promote regional compliance by following up its demand that such interference, particularly the provision of weapons to armed groups in neighbouring countries, must cease. The mission called on the international community to step up support for ECOWAS, which was gaining experience in resolving crises, promoting better governance, subregional economic integration, observance of human rights and international humanitarian law and implementation of peace agreements. The mission recommended that the Secretary-General’s Special Representative for West Africa, Ahmedou Ould-Abdallah, undertake, in conjunction with the ECOWAS Executive Secretary, a study of ways in which the international community could increase cooperation with, and strengthen the capacity of, ECOWAS. The study should make practical proposals for helping ECOWAS to address subregional problems such as the flows of small arms and mercenaries and the use of child soldiers. In the meantime, the Security Council would benefit from more regular exchanges with the ECOWAS Executive Secretary and invited him to transmit ECOWAS reports to the Council.

A major disadvantage for troop-contributing countries of ECOWAS-led peacekeeping operations was that, unlike UN peacekeeping forces, there was no automatic reimbursement for deployment costs. The mission recommended that the international community give priority to providing timely and adequate funds and materiel
for ECOWAS peacekeeping forces. The mission shared the ECOWAS view that a concerted regional approach was needed for stability, and called for additional resources for the new Office of the Special Representative of the Secretary-General for West Africa, based in Dakar, Senegal. It also recommended that an officer from the Special Representative’s Office be co-located at ECOWAS headquarters. The mission also recommended that donors consider the funding proposals made by the Economic Commission for Africa (ECA) for strengthening the secretariat and for economic initiatives among MRU countries. Donor assistance, from both the UN system and Member States, was needed for the security sector (expert assistance, training and funding).

The mission was encouraged by the ECOWAS stance regarding the non-recognition of groups taking power by force, as well as insistence on respect for constitutional legality, the rule of law and human rights.

As to the ready availability of weapons, the mission recommended that Member States should take steps to stem arms sales to countries under Security Council embargoes. Council sanctions committees should monitor national efforts to investigate and prosecute sanctions violators.

The mission recommended that the United Nations and ECOWAS propose measures to strengthen the 1998 ECOWAS moratorium on small arms and light weapons [YUN 1998, p. 925], as proposed in Council resolution 1467(2003) (see p. 161), through establishing mechanisms for verification and information exchange. Halting mercenaries’ activities was another area requiring international action.

Before departing for the subregion, the mission was briefed on the desperate human rights and humanitarian situations there. The mission stressed that the principle of no impunity had to be upheld, and that the Council would consider imposing serious measures against Governments and groups that consistently committed human rights abuses or violated international humanitarian law. It urged the parties to conflict to prosecute those responsible for the recruitment of children, requested the Secretary-General’s representatives in the subregion to monitor the protection of children and of women from sexual and other types of violence, called on donors to make further contributions for the protection of refugees, and expressed the hope that the Office of the Special Representative of the Secretary-General for West Africa would undertake collaborative efforts with other UN bodies to devise a practical regional approach to unemployment, which was a perennial source of instability. The issues of peace and security and of sustainable development in Africa should be jointly pursued through strengthened cooperation by the Security Council and the Economic and Social Council.

Security Council action. On 25 July [meeting 4734], the Security Council considered the reports of its missions to Central Africa (see p. 109) and to West Africa (above). In statement S/PRST/2003/12 (see p. 109) of the same date, the Council endorsed the recommendations contained in the two reports. It looked forward to further collaboration with other organizations, including ECOWAS, and intended to review progress in implementing the recommendations in December.

Report of Secretary-General. In a 5 December report [S/2003/1147], the Secretary-General described progress made in implementing the recommendations of the Security Council mission to West Africa (above). The report highlighted the steps taken or envisaged in implementing the recommendations concerning Côte d’Ivoire, Guinea-Bissau, Liberia and Sierra Leone (see below), and presented a preliminary assessment of practical ways to address cross-border issues.

As to strengthening cooperation with ECOWAS, the Special Representative for West Africa was engaged in consultations with ECOWAS in that regard and a joint UNDP/UN Office for West Africa/European Commission mission would shortly visit ECOWAS headquarters in Abuja, Nigeria, and the four zonal observation and monitoring bureaux in order to undertake an assessment of ECOWAS capacity in early warning, conflict prevention and peace-building, as a key element in preparing the study requested by the Security Council mission. A focal point for ECOWAS matters would be designated within the Office for West Africa. The Special Representative had also been asked to explore with ECOWAS possible areas for cooperation to address the challenges in implementing the moratorium on small arms and light weapons. The Secretary-General expected to submit to the Council a separate report on such cross-border issues as the use of mercenaries and child soldiers and the spread of small arms. He was exploring ways of strengthening the Office for West Africa, reactivating MRU, promoting security sector reform, developing a framework for regional disarmament, demobilization and reintegration, mainstreaming into all UN activities in the subregion the protection of children and women against sexual violence and exploitation, and adopting a regional approach to youth employment.

The Secretary-General observed that the cross-border issues identified by the Council mission to West Africa were at the core of instability in the subregion. The Special Representative would
work with UN presences in the subregion and other partners to form a strategy to address those issues, which would include the utilization of the comparative advantages of all the organizations concerned and the possibility of developing cooperative arrangements between them and the UN Office for West Africa.

**Côte d'Ivoire**

In 2003, political factions in Côte d'Ivoire reached an agreement on the formation of a Government of National Reconciliation in the wake of an attempted coup d'état in September 2002 [YUN 2002, p. 180]. The parties signed an agreement in Linas-Marcoussis, France, on 28 January 2003, which established a mechanism for power sharing, defined the tasks of the new Government and called for national elections in 2005. Although some progress was made in fulfilling the terms of the agreement, the parties continued to disagree over power-sharing arrangements, and thus, further implementation of the agreement was delayed. The ministers nominated by the rebel movements did not take up their posts, claiming that their personal security was at risk.

In the meantime, both France and ECOWAS maintained peacekeeping forces in Côte d'Ivoire. The three main rebel movements, which formed an umbrella group called the Forces nouvelles, retained control of the northern half of the country and the Government had control of the south.

The Security Council, acting on the Secretary-General's proposal for a peacekeeping force, established on 13 May the United Nations Mission in Côte d'Ivoire (MINUCI) at an initial strength of 255 military and civilian personnel. Its mandate was to facilitate the implementation of the Linas-Marcoussis agreement and complement the operations of the French and ECOWAS forces.

A small civilian staff was assigned to support the Special Representative of the Secretary-General on political, legal, electoral, humanitarian and human rights issues, among others.

Further progress was made in the peace process, including the adoption of a plan for disarmament, demobilization and reintegration of forces; the opening of dialogue between the national forces and the Forces nouvelles, resulting in a declaration on 4 July proclaiming the end of the war; the extension of the ceasefire line to western areas not previously covered; and the adoption of an amnesty law. Nevertheless, the Forces nouvelles withdrew from the Government of National Reconciliation in September in protest over the President's appointments of the Ministers of Defence and National Security, and sporadic fighting ensued.

The subsequent stalemate in the peace process led to a deterioration of the situation, in particular in the northern provinces where a state of lawlessness prevailed for several months. In December, President Laurent Gbagbo said that priority should be given to the programme of disarmament, demobilization and reintegation, and, at his initiative, it was agreed to resume preparations for that programme and the situation improved. The withdrawal of heavy weapons from the zone of confidence began on 13 December and was verified by a joint UN-ECOWAS team. On 23 December, the Forces nouvelles announced that the group had decided to end its suspension of participation in the Government.

**Appointment.** On 7 February [S/2003/168], the Secretary-General informed the Security Council of his decision to appoint Albert Tévoedjré (Benin) as his Special Representative for Côte d'Ivoire. The Council, on 12 February [S/2003/169], took note of his decision.

**Human rights situation**

**Human rights mission**

By a 24 January letter [S/2003/90], the Secretary-General transmitted to the Security Council the report of the human rights fact-finding mission to Côte d'Ivoire (23-29 December 2002), led by the Deputy High Commissioner for Human Rights, Bertrand Ramcharan. In statement S/PRST/2002/42 of 20 December 2002 [YUN 2002, p. 181], the Council had welcomed the Secretary-General's decision to dispatch a human rights team to gather precise information about violations of human rights and international humanitarian law.

The mission identified several human rights-related issues that were at the root of the conflict: the difficult process of transition to multiparty democracy after three decades of guided democracy under a one-party State; the essence of nationality and the contested concept of “ivoirité” (involving the rights of migrants to vote, citizenship, nationality and the right to be elected to high office in Côte d'Ivoire, a prosperous country that had become home to millions of neighbouring nationals); the qualifications to hold the highest office in the land; the right of long-term residents to enjoy their property and possessions in the rural areas and to pass on such property to their heirs; and the right of long-term migrants to become nationals of their adopted country on a basis of equality. A related issue was the new Constitution adopted in 2002, which defined requirements for presidential candidates (a candidate had to be of Ivorian origin with Ivorian
parents) and consequently excluded a number of potential candidates.

The recent conflict had given rise to a substantial flow of internally displaced persons, estimated at over 600,000, the vast majority of them women and children. Many migrants wished to return to their countries of origin but their repatriation was made difficult by the numerous combat zones. Almost 72,000 refugees had taken refuge in Côte d’Ivoire, 60,000 of them in the north near the border with Liberia.

The mission stated that the human rights problems in Côte d’Ivoire existed in both the areas under the control of the rebels and those under the control of government forces. It had compiled information dealing with violations of the right to life, detentions and arbitrary arrests, forced disappearances, acts of torture and other inhuman and degrading treatment, treatment of children, acts of incitement to hatred and xenophobia, violations of the freedom of expression and opinion and damage to public and private property.

The mission made a number of recommendations to ensure respect for human rights, including: agreement by all parties on a human rights platform, along with a general ceasefire; investigations into grave breaches of human rights and humanitarian law and no impunity for those breaches; the bringing to justice of members of death squads; a commitment by all parties to the establishment of a truth and reconciliation commission, a national human rights action plan, an independent national commission on human rights and an independent media commission; the establishment of an independent organ to deal with relations between the army and civilians in the context of army reform; a national consensus on a national constitution, and on the law regarding ownership of rural property; an independent assessment of the question of nationality; and an independent review of electoral laws from the point of view of international human rights norms regarding the right of all citizens to participate in politics.

Communication. Côte d’Ivoire, on 5 March [A/57/739-S/2005/38], described the mission’s report as based on an ambiguous mandate, lacking rigour in its analysis of the facts, full of inaccuracies and biased. It stated that the mission had sanctioned the argument of force as a fait accompli, to the detriment of the requirements of democracy and human rights.

Further developments

The Secretary-General, in his 26 March report on Côte d’Ivoire [S/2005/574 & Corr.1] (see p. 169), said that since the human rights mission more violations of human rights had taken place, including the looting and destruction of private property during the violent demonstrations that ensued after the signing of the Linas-Marcoussis Agreement (see below) and a resurgence in violence against the media, in particular the attacks on the premises of a newspaper and a radio station. Also, a well-known actor had been abducted and murdered, allegedly by death squads, and 60 villagers were reported to have been killed by Liberian mercenaries.

Côte d’Ivoire, in a letter of 21 May [S/2003/575] to the Security Council, transmitted the statement it made to the Commission on Human Rights, outlining its efforts to promote human rights. It repeated its invitation to the special rapporteurs on discrimination, torture and displaced persons to visit Côte d’Ivoire as soon as the territory was completely liberated.

Peacemaking efforts

A number of organizations and States undertook efforts to support Côte d’Ivoire in restoring peace and security. On 16 January, Togo forwarded to the Security Council a ceasefire agreement between the Government of Côte d’Ivoire, the Ivorian Popular Movement of the Great West and the Movement for Justice and Peace, signed at Lomé, Togo, on 15 January under the auspices of President Gnassingbé Eyadema of Togo, who was coordinator of the ECOWAS high-level Contact Group on the crisis in Côte d’Ivoire. Those two organizations were thus joining the Patriotic Movement of Côte d’Ivoire, which had already signed a ceasefire agreement in October 2002 [YUN 2002, p. 181]. Under the agreement, the parties agreed to cease hostilities so that a comprehensive peace agreement could be negotiated and to accept the deployment of ECOWAS troops and other personnel in the buffer zone during the ceasefire. They also agreed to ensure freedom of movement of persons and property, and of humanitarian agencies and displaced persons.

The ECOWAS high-level contact group on the crisis in Côte d’Ivoire (Lomé, 20 January) forwarded to the Security Council a communiqué [S/2005/75] in which it urged Ivorians to work hard to strengthen national unity and noted the initiative of the French Government to hold a round table of all the protagonists in the crisis and organize a summit of countries concerned.

Linas-Marcoussis Agreement

At the invitation of the President of France, Jacques Chirac, a round table of 10 Ivorian politi-
cal groups was held at Linas-Marcoussis, France, from 15 to 23 January. The round table was chaired by the Chairman of the French Constitutional Commission, Pierre Mazeaud, assisted by Judge Keba Mbaye (Senegal) and the former Prime Minister of Côte d’Ivoire, Seydou Diarra, with representatives of the AU, ECOWAS and the United Nations as facilitators. The round table adopted the 23 January Linas-Marcoussis Agreement, which France transmitted to the Security Council on 27 January [S/2003/99], along with the conclusions of the Conference of Heads of State on Côte d’Ivoire (Paris, 25-26 January), which was chaired jointly by the President of France, the AU Chairman and the UN Secretary-General, and attended by the heads of State of concerned African countries and representatives of numerous international organizations.

The round table welcomed the ceasefire made possible and guaranteed by the deployment of ECOWAS forces, supported by French troops, and demanded strict compliance with it. It called for the release of all political prisoners. Stressing the need to restore the authority of the State, it recalled its commitment to democratic accession to and exercise of power. To that end, it agreed that a Government of National Reconciliation would be set up immediately to ensure a return to peace and stability. It would be charged with strengthening the independence of the justice system, restoring the administration and public services and rebuilding the country. The new Government would be led by a consensus Prime Minister appointed by the President, in consultation with other political parties. The Prime Minister, whose mandate would last until the next national elections, scheduled for 2005, would not be eligible to run for office in those elections. The Government would be responsible for restructuring the defence and security forces and for organizing the regrouping and disarmament of all armed groups.

An annex to the Agreement set out a programme for resolving issues that constituted the root causes of instability in Côte d’Ivoire, such as the question of citizenship, the status of foreign nationals, the electoral system, eligibility to run for the presidency, the land tenure regime, incitement to hatred and xenophobia by certain media, the creation of a human rights commission consisting of representatives from all parties, regrouping, disarming and demobilizing and economic recovery and the need for social cohesion.

During the heads of State meeting, President Laurent Gbagbo, in consultation with other Ivorian parties, appointed the former Prime Minister, Seydou Diarra, to head the new Government of National Reconciliation.

The peace agreement provided for the establishment of a committee to follow up on the implementation of the Agreement (the Monitoring Committee). It was composed of representatives of the United Nations, the AU, ECOWAS, the EU, the European Commission, the International Organization of la Francophonie, the Bretton Woods institutions, the Group of Eight industrialized countries, a representative of the troop-contributing countries and France.

Both the Linas-Marcoussis Agreement and the conclusions adopted by the heads of State on 26 January envisaged a UN role in the implementation of the Agreement, including participating in and chairing the Monitoring Committee. The Agreement stipulated that the new Government would seek assistance from ECOWAS, France and the United Nations in guaranteeing the reform and restructuring of the defence and security forces. In their communiqué, the heads of State proposed strengthening the UN presence in Côte d’Ivoire, in particular in security, humanitarian assistance and human rights, as well as the deployment of civilian and military observers, who would help to supervise the implementation of the Linas-Marcoussis Agreement. They also expressed the wish that the Security Council would endorse the peacekeeping operation launched by ECOWAS and France, and authorize that operation to ensure the freedom of movement and security of its personnel, and to guarantee the protection of civilians facing the imminent threat of violence.

Press statement (28 January). In a 28 January press statement [SC/7646-AFR/551], Council members expressed satisfaction with the Linas-Marcoussis Agreement and urged the parties to implement it and to avoid further violence. They welcomed ongoing efforts to deploy the ECOWAS Military Observer Group (ECOMOG) force, under Senegalese command, and appealed to the international community to lend its support. They also expressed appreciation for the efforts of the AU to bring about a settlement and thanked France for its diplomatic efforts and military deployment. They expressed the wish for United Nations support in the implementation of the peace process, and stated their intention to consider promptly the Secretary-General’s recommendations to that end.

Communications. ECOWAS, at its twenty-sixth ordinary summit (Dakar, Senegal, 31 January), issued a statement on Côte d’Ivoire [S/2003/141], expressing concern over the persistence of the Ivorian crisis and resolving to support the outcome of the Linas-Marcoussis round table. It was decided that ECOWAS would play the role assigned to it within the Linas-Marcoussis Agree-
Côte d'Ivoire constitutes a threat to international peace and security in the region, and that the ECOWAS Contact Group (Ghana, Guinea-Bissau, Mali, Niger, Nigeria, Senegal, Togo) would continue to monitor and facilitate the application of the Agreement.

The AU Central Organ of the Mechanism for Conflict Prevention, Management and Resolution, at its seventh ordinary session held at the level of heads of State and Government (Addis Ababa, 3 February) [S/2003/142], welcomed the signing of the Linas-Marcoussis Agreement and mandated ECOWAS to continue the initiatives taken by leaders of the region to bring peace to Côte d'Ivoire. It condemned the violations of human rights committed against the civilian populations and urged all the parties to respect human rights and international humanitarian law.

SECURITY COUNCIL ACTION (February)


The Security Council,
Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire,
Recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,
Recalling also the decision taken by the Economic Community of West African States Summit, held in Accra on 29 September 2002, to deploy a peacekeeping force in Côte d'Ivoire,
Recalling its full support for the efforts of the Economic Community of West African States to promote a peaceful settlement of the conflict, and also appreciating the efforts of the African Union to reach a settlement,
Welcoming the convening, at the invitation of France, of the Round Table of Ivorian political forces, held in Linas-Marcoussis from 13 to 25 January 2003, and the Conference of Heads of State on Côte d'Ivoire, held in Paris on 25 and 26 January 2003,
Welcoming also the statement issued on 31 January 2003 following the twenty-sixth ordinary Summit of the Heads of State and Government of the Economic Community of West African States, held in Dakar, as well as the communiqué issued on 3 February 2003 following the seventh ordinary session of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of the African Union, held at the level of heads of State and Government in Addis Ababa,
Noting the existence of challenges to the stability of Côte d'Ivoire, and determining that the situation in Côte d'Ivoire constitutes a threat to international peace and security in the region,
1. Endorses the agreement signed by the Ivorian political forces in Linas-Marcoussis, France, on 25 January 2003 ("the Linas-Marcoussis Agreement") and adopted by the Conference of Heads of State on Côte d'Ivoire, and calls upon all Ivorian political forces to implement it fully and without delay;
2. Notes the provisions in the Linas-Marcoussis Agreement for the formation of a Government of National Reconciliation, and calls upon all Ivorian political forces to work with the President and the Prime Minister towards the establishment of a balanced and stable Government;
3. Also notes the provisions in the Linas-Marcoussis Agreement for the establishment of a Monitoring Committee, calls upon all the members of that Committee to monitor closely compliance with the terms of the Agreement, and urges all parties to cooperate fully with the Committee;
4. Expresses its gratitude to the Secretary-General for the vital role he has played in the smooth conduct of these meetings, and encourages him to continue to contribute to a final settlement of the Ivorian crisis;
5. Requests the Secretary-General to submit to the Council at the earliest possible date recommendations on how the United Nations could support fully the implementation of the Linas-Marcoussis Agreement, in accordance with the request by the Round Table of Ivorian political forces and by the Conference of Heads of State on Côte d'Ivoire, and declares its readiness to take appropriate measures on the basis of these recommendations;
6. Welcomes the intention of the Secretary-General to appoint a Special Representative for Côte d'Ivoire, based in Abidjan, and requests him to do so as soon as possible;
7. Condemns violations of human rights and international humanitarian law that have taken place in Côte d'Ivoire since 19 September 2002 and stresses the need to bring to justice those responsible, and urges all parties, including the Government, to take all necessary steps to prevent further violations of human rights and international humanitarian law, in particular against civilians regardless of their origin;
8. Welcomes the deployment of forces of the Economic Community of West African States and French troops with a view to contributing to a peaceful solution of the crisis and, in particular, to the implementation of the Linas-Marcoussis Agreement;
9. Acting under Chapter VII of the Charter of the United Nations, and in accordance with the proposal contained in paragraph 14 of the conclusions of the Conference of Heads of State on Côte d'Ivoire, authorizes Member States participating in the forces of the Economic Community of West African States in accordance with Chapter VIII of the Charter together with the French forces supporting them to take the necessary steps to guarantee the security and freedom of movement of their personnel and to ensure, without prejudice to the responsibilities of the Government of National Reconciliation, the protection of civilians immediately threatened with physical violence within their zones of operation, using the means available to them, for a period of six months, after which the Council will assess the situation on the basis of the reports referred to in paragraph 10 below and decide whether to renew this authorization;
10. Requests the Economic Community of West African States, through the command of its force, and France to report to the Council periodically, through
the Secretary-General, on all aspects of the implementa-
tion of their respective mandates;

11. Calls upon all States neighbouring Côte d’Ivoire
to support the peace process by preventing any action
that might undermine the security and territorial in-
tegrity of Côte d’Ivoire, particularly the movement of
armed groups and mercenaries across their borders
and illicit trafficking and proliferation of arms in the
region, including small arms and light weapons;

12. Decides to remain actively seized of the matter.

Press statement (21 February). In a 21 Febru-
ary press statement [SC/7668-AFR/566], Security Coun-
cil members expressed satisfaction that the Moni-
toring Committee of the Linas-Marcoussis
Agreement was fully operational, under the
chairmanship of the Secretary-General’s Special
Representative for Côte d’Ivoire. They called on
all Ivorian political forces to implement the
Agreement without delay and to cooperate with
the Monitoring Committee to that end. They en-
couraged the newly appointed Prime Minister to
continue his efforts towards establishing a bal-
anced and stable Government. Members ex-
pressed concern at the humanitarian and eco-

nomic consequences of the Ivorian crisis for the
whole region and called on all parties to respect
human rights and international humanitarian
law for the entire population regardless of its ori-

gin. They expressed support for ECOWAS forces
and the French forces supporting them and
called on Member States to provide financial and
logistical support to the ECOWAS forces.

Political developments and renewed fighting
Communication. On 5 March [A/57/754-
S/2002/33], Côte d’Ivoire forwarded to the Secre-
tary-General the text of an address by Pres-
ident Gbagbo concerning the Ivorian crisis. The
President affirmed that it was never the intention
of those who drafted the Linas-Marcoussis
Agreement that the national army, gendarmerie
and police should be disarmed, nor had he
formed a Government, despite the recent claims
by certain individuals that they were ministers.
He observed that the Linas-Marcoussis Agree-
ment was a compromise text that, in part, contra-
dicted the Constitution of Côte d’Ivoire; it at-
tempted, in places, to edge the presidential
regime in the direction of a parliamentary re-

gime. The President intended to retain all the
prerogatives assigned to him under the Constitu-
tion. In the event of contradiction between the
Agreement and the Constitution, he would apply
the Constitution; otherwise, he would work for
the implementation of the Agreement.

Press statement (14 March). In a 14 March
press statement [SC/7691-AFR/582], Security Coun-
cil members, having been briefed by the Special
Representative of the Secretary-General for Côte
d’Ivoire, welcomed the first meeting of the Gov-
ernment of National Reconciliation and called
on all the parties to participate in subsequent
meetings. They called on all parties to imple-
ment the Linas-Marcoussis Agreement without
delay and on the Government to draw up a time-
table for implementation. Council members
noted with satisfaction the ECOWAS decision to
ensure the safety of all members of the Govern-
ment of National Reconciliation. They con-
demned the renewal of fighting in the west of the
country and the events that had transpired, in
particular in Bangolo. They expressed concern
that the fighting had essentially opposed Libe-
rian combatants and called on the parties to
desist from using children in the conflict. They
also expressed concern at the deplorable human-
itarian situation and called on all parties, in
particular in the west, to allow relief agencies un-
impeded access to civilian populations.

Report of Secretary-General (March). In re-

(above), the Secretary-General submitted a 26
He described the root problems of instability that
stemmed from a protracted power struggle fol-

lowing the death of long-term President Félix
Houphouët-Boigny in 1993. He stated that the
current crisis had erupted in September 2002
with an attempted coup [YUN 2002, p. 180], which
began with attacks by soldiers on military instal-
lations in the capital, Abidjan, and the second
largest city, Bouaké, and in the northern town of
Korhogo. While loyalist security forces regained
control of Abidjan, rebels retained control of the
northern half of the country, and allegations that
foreign elements were supporting the rebels
prompted harassment of foreigners, including
migrant workers from neighbouring countries
and refugees from Liberia and Sierra Leone. By
the end of September, the rebel forces were oper-
ating under the umbrella of a political movement
called the Patriotic Movement of Côte d’Ivoire
(MPCI), which demanded the resignation of Pres-
ident Gbagbo, the holding of inclusive national
elections, a review of the Constitution and an end
to the domination by southerners of the coun-
try’s affairs. The situation was further com-
pounded by the emergence of two new armed
groups—the Ivorian Popular Movement of the
Great West (MPIGO) and the Movement for Jus-
tice and Peace (MJP)—which seized the towns of
Danané and Man and demanded the President’s
resignation. Following a ceasefire agreement be-
tween the Government and MPCI in October
2002, ECOWAS, in December, decided to deploy
the ECOWAS Peace Force for Côte d’Ivoire (ECOFORCE).

In a fresh initiative, the Foreign Minister of France, Dominique de Villepin, visited Côte d’Ivoire in January 2003 and secured the agreement of all Ivorian political groups to attend a round-table meeting in France. ECOWAS brokered a ceasefire between the Government and MIPGO and MJP, and the signing of the Linas-Marcoussis Agreement on 23 January followed (see p. 167).

The implementation of that Agreement encountered serious obstacles soon after it was signed. Newly appointed Prime Minister Diarra was unable to return immediately to Côte d’Ivoire because a series of often violent demonstrations erupted in Abidjan and other towns to protest the allocation of the Defence and Interior Ministries to rebel movements. Leaders of major political parties also rejected the allocation of those assignments, as did the President. The situation calmed down following an address to the nation by the President (see above).

Efforts by the ECOWAS Contact Group on Côte d’Ivoire to break the impasse on implementing the Agreement culminated in a summit meeting with President Gbagbo in Yamoussoukro on 10 February, attended by the Presidents of Togo, Ghana and Nigeria, the interim Chairman of the AU Commission and the Vice-President of South Africa. Mr. Diarra was installed as Prime Minister on that occasion. The meeting explored alternative arrangements for the allocation of posts in the new Government of National Unity that would be acceptable to all parties. The rebel movements refused to attend on the grounds that they did not wish to renegotiate the understandings already reached. Some progress towards breaking the stalemate was finally made at a meeting of the 10 signatories to the Linas-Marcoussis Agreement, convened by Ghana’s President, John Agyekum Kufuor, the ECOWAS Chairman (Accra, 6-8 March), at which they agreed to create a 15-member National Security Council comprising representatives of each of the 10 signatories, as well as the army, the gendarmerie, the police, President Gbagbo and Prime Minister Diarra, to oversee the functioning of the two disputed ministries (Accra II Agreement).

They requested the Prime Minister to submit candidates for the two ministries, who would be appointed by consensus, and they reached a new understanding on the allocation of the other cabinet posts. On 10 March, President Gbagbo issued a decree delegating authority to the Prime Minister to implement the work programme set out in the Linas-Marcoussis Agreement, but only for a six-month period. On 11 March, representatives of the rebel movements travelled to Yamoussoukro for talks with the President on the formation of the new Government.

A UN multidisciplinary technical assessment mission, headed by the Assistant Secretary-General for Peacekeeping Operations, Hédi Annabi, visited Côte d’Ivoire from 24 February to 7 March (see p. 183). Several stakeholders expressed the view to the mission that the understandings reached at the Paris summit concerning the power-sharing arrangement that allocated key cabinet posts to the rebel movements were primarily responsible for the impasse. It was widely felt that those understandings, known as the Kléber arrangements, should be separated from the Linas-Marcoussis Agreement, to which all parties had to remain committed. Another obstacle, in the view of many, was the President’s reluctance to delegate to the Prime Minister the necessary authority to implement the Agreement. Implementation of other aspects of the Agreement hinged on installation of the Government. There was concern that a prolonged stalemate might lead to renewed hostilities and entrench the current de facto partition of the country. Security and protection of the Prime Minister and his cabinet was also a major concern. The ultimate challenge posed by the crisis was the 2005 elections. The new Government would have to decide how to tackle the issues relating to national identity, citizenship and the status of foreign nationals, the root cause of the crisis. Preparations for elections would be a key area for UN and other assistance.

The military situation in the country had been relatively stable since the ceasefire agreements between the Government and the three rebel movements came into effect. The majority of incidents reported to the assessment mission were more the result of independent action by local rebel commanders than part of any coordinated military action. The ceasefire remained precarious, however, and steps were needed to underpin it with a political settlement. The crisis in Côte d’Ivoire assumed regional dimensions as Liberia and Côte d’Ivoire exchanged accusations about cross-border attacks launched by armed elements from the other’s territory. In addition to the two rebel movements operating in western Côte d’Ivoire, there were reports of rogue armed groups, consisting mainly of Liberian elements and some former Sierra Leonean combatants. In addition, both the rebel movements and the government forces were reported to have recruited Liberian nationals.

French forces, numbering approximately 3,900, had been fundamental to maintaining the ceasefire in Côte d’Ivoire. Under arrangements...
for the deployment of ECOFORCE, French troops would pull back to assume a supporting role in all areas, except in the west where they would maintain their current deployment; they would also continue to provide a quick-reaction capability. ECOFORCE, with contingents from Benin, Ghana, the Niger, Senegal and Togo, was in the process of deploying a 1,300-member task force to monitor the ceasefire and to facilitate the movement of humanitarian agencies; however, logistical constraints were delaying full deployment. ECOWAS recommended that the force be increased to 3,411 troops, including 300 security personnel to protect the new Government. The assessment mission confirmed that no real planning had been done for the programme of disarmament, demobilization, repatriation, resettlement and reintegration of forces, as envisaged in the Linas-Marcoussis Agreement, principally because of the delay in the formation of the Government of National Reconciliation.

The humanitarian situation remained precarious, with population displacements, widespread human rights abuses and a deteriorating social and economic situation. An estimated 800,000 people were internally displaced, and up to 400,000 had fled the country. UNHCR was concerned about Liberian refugees in the country, in the wake of growing hostility against Liberian nationals who were seen as a security threat. There were reports of continuing recruitment of child soldiers. In view of the security situation, UN staff in Côte d’Ivoire were greatly reduced in late 2002, so that only 82 essential staff remained in the country. The Office for the Coordination of Humanitarian Affairs (OCHA), UNHCR, OHCHR, the United Nations Children’s Fund (UNICEF), the World Food Programme (WFP), the Food and Agriculture Organization of the United Nations (FAO), the World Health Organization (WHO), UNDP and the International Organization for Migration (IOM) were helping to address the humanitarian consequences of the conflict.

The assessment mission also suggested options for UN action in the military sphere; establishing a military advisory team in the Special Representative’s office; deploying a military liaison group that would be co-located with the French and ECOWAS field headquarters; deploying military observers throughout the country; and launching a fully fledged peacekeeping operation. The mission was of the opinion that the United Nations could play a role complementing the operations of the French and ECOWAS forces, and the Secretary-General supported the second option of sending in a military liaison group of 56 personnel, comprising a headquarters team and liaison teams at the location of each of the three rebel movements (MPCI, MPIOG and MJP) and at the main locations of the national army of Côte d’Ivoire (FANC) and the French and ECOWAS forces. The other options would be reviewed as the situation developed. Civilian activities would include assistance for the electoral process and a human rights component. In the meantime, a civil affairs component in the office of the Special Representative would be set up immediately.

The Secretary-General stated that the Linas-Marcoussis Agreement offered the best chance for the Ivorian people to resolve the conflict peacefully. However, disagreements over power-sharing arrangements had delayed implementation and prolonged the suffering of the population. Although the new Government had met twice, the ministers nominated by the rebel movements had not taken up their posts in protest over their personal security and the responsibility for the fighting in the western part of the country. In the Secretary-General’s view, priority should be given to providing security to members of the Government. He expressed concern about the logistical constraints facing the ECOWAS force, and appealed to donors to provide the necessary resources to assist in protecting the new Government. He underlined the need for the international community to pay more attention to the interlinkages of the conflicts in the region. In particular, the interaction between the conflict in Liberia and the developments in Côte d’Ivoire and Sierra Leone called for steps to resolve the Liberian conflict, which was increasingly becoming the source of continuing instability in the wider region. His Special Representative for West Africa would examine the impact of the various aspects of the Côte d’Ivoire crisis on the subregion and explore ways of addressing them. The Special Representative for Côte d’Ivoire, having convened several meetings of the Monitoring Committee, would devise a coordination mechanism for a UN response within Côte d’Ivoire. Once the Government of National Reconciliation was functional, it should develop a work programme for implementing the Linas-Marcoussis Agreement, thus enabling the United Nations and others to determine assistance they could provide to accomplish the key tasks, including the disarmament, demobilization and reintegra-
be headed by his Special Representative who would have overall authority for coordinating UN system activities in the country.

In an 11 April addendum [S/2003/374/Add.1] to his report, the Secretary-General said that the financial implications for establishing MINUCI were projected at $26.9 million for a 12-month period. That amount would cover the deployment of 255 military and civilian personnel, consisting of 76 military liaison officers, 83 international and 89 national staff and 5 UN Volunteers, plus related operational costs.

Press statements (March/April). In a 28 March press statement [SC/7734-AFR/592], Security Council members expressed concern about incidents that took place in Daloa on 26 March during a demonstration organized by the “Jeunes Patriotes” and called on the Ivorian authorities to ensure that such incidents did not recur. Members reaffirmed support for the ECOWAS and French forces in their efforts to implement the Linas-Marcoussis Agreement. They condemned the recruitment of mercenaries by any of the parties and requested that an investigation of the violations of human rights in Côte d’Ivoire, in particular the massacres, be conducted. They stressed that neighboring States should work to prevent the supply of mercenaries who further destabilized Côte d’Ivoire.

On 15 April [SC/7732-AFR/605], Council members welcomed the new decree delegating powers to the Prime Minister and the progressive formation of the Government of National Reconciliation. They expressed concern about recent violations of the ceasefire and the use of mercenaries, other foreign-armed elements and forced recruitment, including recruitment of children, and demanded that all parties refrain from those practices.

Communications (April). On 22 April [S/2003/472], Ghana forwarded to the Security Council the report of the ECOWAS Mission in Côte d’Ivoire (ECOMICI) and the Force Commander’s operational review. Working in cooperation with the French force, Operation Unicorn, ECOMICI’s mission was to ensure security by separating former belligerents in the centre of the country along the ceasefire line and by providing security for the authorities of the new Government at Yamoussoukro and Abidjan. At its current strength of 1,300 troops, ECOMICI had insufficient human, technical and financial resources, and it was recommended that the force level be raised in phases to 3,205 troops.

President Gbagbo, in an 11 April letter to the Chairman of the Monitoring Committee for the Linas-Marcoussis Agreement, which was transmitted to the Security Council on 22 April [S/2003/476], stated that the rebels were stepping up their attacks on all fronts, and he urged the ECOWAS and French forces to take forceful action against the attackers. On 28 April [S/2003/500], Côte d’Ivoire described the Government’s efforts to implement the Linas-Marcoussis Agreement and expressed concern at the lack of interest of the international community with regard to the numerous violations of the Agreement, in particular the ceasefire. Since the crisis began, it said, the Council had not issued any statements condemning the atrocities committed in the occupied areas.

Security Council consideration. On 29 April [meeting 47/46], the Security Council considered the situation in Côte d’Ivoire. The Secretary-General said that ECOWAS had found it necessary to increase substantially the size of ECOFORCEx, and he appealed to the international community to provide it with the additional financial resources required for the next six months. In order to complement the peacekeeping efforts of ECOWAS and France, he had recommended the establishment of a small UN operation to strengthen the UN role in the Ivorian peace process (see above).

Ghana said that the ECOWAS mandate had been expanded from monitoring the ceasefire to include protecting the new Government, patrolling the borders, demobilizing and disarming the various militias, and creating the conditions to enable the new Government to control the national territory, for which it needed financial assistance. Côte d’Ivoire said that it would abide by all its international commitments. It warned that, despite the Government’s efforts, the situation continued to be fragile, particularly in the western part of the country where there were rebels from Liberia and Sierra Leone. On the diplomatic level, the heads of State of Côte d’Ivoire and Liberia met on 27 April in Kara, Togo, and decided on the interposition of forces (Ivorian national forces, and forces from Liberia, ECOFORCEx and France) along their joint border.

The Council, in a 29 April communiqué [S/PV.47/7], welcomed the action taken by ECOWAS to resolve the Côte d’Ivoire crisis and supported its appeal for logistical and financial support for ECOFORCEx.

Establishment of MINUCI

Acting on the Secretary-General’s recommendation contained in his 26 March report (see p. 169), the Security Council, on 15 May, established the United Nations Mission in Côte d’Ivoire.

The Security Council,


Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d’Ivoire, and reaffirming its opposition to any attempts to seize power by unconstitutional means,

Recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling its full support for the efforts of the Economic Community of West African States and France to promote a peaceful settlement of the conflict, and reiterating its appreciation for the efforts of the African Union to reach a settlement,

Reaffirming its endorsement of the agreement signed by the Ivorian political forces at Linas-Marcoussis, France, on 23 January 2003 (“the Linas-Marcoussis Agreement”) and approved by the Conference of Heads of State on Côte d’Ivoire, held in Paris on 25 and 26 January 2003,

Noting with satisfaction the conclusions reached at the meeting held in Accra from 6 to 8 March 2003, under the chairmanship of the President of Ghana, the current presidency of the Economic Community of West African States,

Noting with satisfaction also the appointment of the Government of National Reconciliation and the cabinet meeting of 3 April 2003, attended by all the constituent political groups, in the presence of the Presidents of Ghana, Nigeria and Togo,

Welcoming the report of the Secretary-General of 26 March 2003 and the recommendations contained therein,

Noting the existence of challenges to the stability of Côte d’Ivoire, and determining that the situation in Côte d’Ivoire constitutes a threat to international peace and security in the region,

1. Reaffirms its strong support for the Special Representative of the Secretary-General, and approves his full authority for the coordination and conduct of all the activities of the United Nations system in Côte d’Ivoire;

2. Decides to establish, for an initial period of six months, a United Nations Mission in Côte d’Ivoire, with a mandate to facilitate the implementation by the Ivorian parties of the Linas-Marcoussis Agreement, and including a military component on the basis of option (b) identified in the report of the Secretary-General, complementing the operations of the French forces and the forces of the Economic Community of West African States;

3. Approves the establishment of a small staff to support the Special Representative of the Secretary-General on political, legal, civil affairs, civilian police, elections, media and public relations, humanitarian and human rights issues, and the establishment of a military liaison group whose tasks shall include:
   (a) Providing advice to the Special Representative on military matters;
   (b) Monitoring the military situation, including the security of Liberian refugees, and reporting to the Special Representative thereon;
   (c) Establishing liaison with the French and Economic Community of West African States forces for the purpose of advising the Special Representative on military and related developments;
   (d) Establishing also liaison with the Forces armées nationales de Côte d’Ivoire and the Forces nouvelles, in order to build confidence and trust between the armed groups, in cooperation with the French and the forces of the Economic Community of West African States, in particular concerning helicopters and combat aircraft;
   (e) Providing input to forward planning on disembarkation, disarmament and demobilization and identifying future tasks, in order to advise the Government of Côte d’Ivoire and support the French and the forces of the Economic Community of West African States;
   (f) Reporting to the Special Representative on the above issues;

4. Stresses that the military liaison group should be initially composed of twenty-six military officers and that up to fifty additional officers may be progressively deployed when the Secretary-General determines that there is a need and that security conditions permit;

5. Requests that, in addition to the recommendations made in the report of the Secretary-General regarding the organization of the Mission, in particular its reference to the human rights components of the Mission, special attention be given to the gender component within the staff of the Mission and to the situation of women and girls, consistent with resolution 1325(2000) of 31 October 2000;

6. Renews its appeal to all Ivorian political forces to implement fully and without delay the Linas-Marcoussis Agreement, and invites the Government of National Reconciliation to this end to develop a timetable for implementing the Linas-Marcoussis Agreement and to communicate this timetable to the Monitoring Committee;

7. Recalls the importance of sparing no effort, in keeping with the spirit of the Linas-Marcoussis Agreement, to enable the Government of National Reconciliation fully to exercise its mandate during this transitional period;

8. Emphasizes again the need to bring to justice those responsible for the serious violations of human rights and international humanitarian law that have taken place in Côte d’Ivoire since 19 September 2002, and reiterates its demand that all Ivorian parties take all the necessary measures to prevent further violations of human rights and international humanitarian law, particularly against civilian populations whatever their origins;

9. Stresses the importance of an early start to the process of disarmament, demobilization and reintegration;

10. Requests all Ivorian parties to cooperate with the Mission in the execution of its mandate, to ensure the freedom of movement of its personnel throughout the country and the unimpeded and safe movement of the...
personnel of humanitarian agencies, and to support efforts to find safe and durable solutions for refugees and displaced persons;

11. Requests the forces of the Economic Community of West African States and the French forces, in the execution of their mandate in accordance with resolution 1479(2003), to continue to work in close consultation with the Special Representative and the Monitoring Committee, and to continue to report to the Council periodically on all aspects of the implementation of their respective mandates;

12. Welcomes the complete ceasefire reached on 3 May 2003 between the Forces armées nationales de Côte d’Ivoire and the Forces nouvelles for the entire territory of Côte d’Ivoire, in particular the west, and welcomes the intention of the forces of the Economic Community of West African States and the French forces to lend their full support in the implementation of this ceasefire:

13. Renews its appeal to all the States in the region to support the peace process by refraining from any action that might undermine the security and territorial integrity of Côte d’Ivoire, particularly the movement of armed groups and mercenaries across their borders and the illicit trafficking and proliferation in the region of arms, especially small arms and light weapons;

14. Urges all Ivorian parties to refrain from any recruitment or use of mercenaries or foreign military units, and expresses its intention to consider possible actions to address this issue;

15. Demands that, in accordance with its resolution 1460(2005), all parties to the conflict who are recruiting or using children in violation of the international obligations applicable to them immediately halt such recruitment or use of children;

16. Emphasizes again the urgent need to provide logistic and financial support to the forces of the Economic Community of West African States, including through an appropriate trust fund established by the Economic Community of West African States to this effect, and calls upon the member States to provide substantial international aid to meet the emergency humanitarian needs and permit the reconstruction of the country, and in this context stresses that the return of internally displaced persons, particularly to the north of the country, would be important for the process of reconstruction;

17. Stresses the importance of the regional dimension of the conflict and its consequences for neighbouring States, and invites the donor community to help the neighbouring States to face the humanitarian and economic consequences of the crisis;

18. Requests the Secretary-General to report to the Council every three months on the implementation of the present resolution and to provide monthly updates;

19. Decides to remain actively seized of the matter.

Pursuant to resolution 1479(2003) (above), the Secretary-General, on 29 May [S/2003/606], informed the Council of his intention to appoint Brigadier General Abdul Hafiz (Bangladesh) as Chief Military Liaison Officer of MINUCI, effective 4 June. Eighteen countries had agreed to provide military liaison officers for the initial group of 26 officers to be deployed to MINUCI. The Council, on 3 June [S/2003/607], took note of the information.

Press statement (3 June). In a 3 June press statement [S/777-AFR/631], the Council expressed satisfaction at the presentation to the National Assembly, by the Prime Minister, of a draft programme for implementing the Linas-Marcoussis Agreement. They also welcomed the start of discussions between FANCI and the Forces nouvelles (comprising MPCI, MIPGO and MJP) on arrangements for disarmament. They called on the parties to continue to take the Linas-Marcoussis process forward, particularly by appointment ministers for defence, the interior and women’s affairs. Members welcomed the successful implementation, in particular in the west, of the complete ceasefire reached on 3 May. They expressed concern at the humanitarian situation in Côte d’Ivoire, especially regarding the situation of Liberian refugees who had recently crossed the border into Côte d’Ivoire.

MINUCI financing

In September [A/58/570], the Secretary-General submitted to the General Assembly the budget for MINUCI for 13 May 2003 to 30 June 2004, which amounted to $29,881,700. The budget provided for the phased deployment of 76 military liaison officers, 76 international civilian personnel, including 7 United Nations Volunteers, and 81 national staff. Of the total amount, $1,099,700 was incurred for the period 13 May to 30 June 2003 from the amount of $1,746,200 previously authorized by ACABQ. The total resource requirements for MINUCI for 13 May 2003 to 30 June 2004 were linked to the Mission’s objective through a number of results-based frameworks, grouped by components, namely, substantive civilian, military and support. ACABQ, in an October report [A/58/538], commented on the proposed budget. It urged the Mission to re-examine its structure, with a view to consolidating some units and revising grade levels. It recommended approval of $28,872,000 for the Mission for the period from 1 July 2003 to 30 June 2004 and stated that it was for the Assembly to decide whether a special account would be established for MINUCI.

In October [A/58/535], the President of the Security Council informed the Secretary-General that MINUCI was not a peacekeeping operation. Therefore, the Department of Peacekeeping Operations was to administer MINUCI as a special political mission for budgetary and other purposes. In the course of upcoming consultations on the renewal of MINUCI’s mandate,
Council members would review its possible designation as a peacekeeping mission and evaluate possible reinforcement of the UN presence in Côte d'Ivoire. The Secretary-General, taking note of the Council's view on the matter, said that, as the issue also related to the administrative and budgetary aspects of a UN field operation, he would transmit the matter to the Assembly. He also expressed the hope that the Council would reach an early agreement on reinforcing MINUCI. The Secretary-General and the Council President exchanged views on the status of MINUCI in letters transmitted on 29 October [A/C.5/58/12] to the Assembly's Fifth Committee, with the Secretary-General pointing out that the UN Charter assigned to the Assembly the responsibility of apportioning the expenses of the Organization.

In a 17 November note on the MINUCI budget [A/58/398], the Secretary-General reviewed what had transpired in regard to the MINUCI budget and noted that, on 13 November, the Council had extended the Mission's mandate until 4 February 2004. Consequently, he said, should the Assembly decide that the Mission should be financed under the regular budget, resources amounting to $13,965,700 gross ($13,414,500 net) for the period from 13 May to 31 December 2003 would be required for appropriation under the 2002-2003 biennium programme budget.

**GENERAL ASSEMBLY ACTION**

On 23 December [meeting 79], the General Assembly, on the recommendation of the Fifth Committee [A/58/396], adopted resolution 58/275 without vote [agenda items 120, 121 & 161].

**Financing of the United Nations Mission in Côte d’Ivoire**

The General Assembly, having considered the report of the Secretary-General on the budget for the United Nations Mission in Côte d’Ivoire for the period from 13 May 2003 to 30 June 2004, the note by the Secretary-General concerning the budget for the United Nations Mission in Côte d’Ivoire and the related report of the Advisory Committee on Administrative and Budgetary Questions,

having also considered the letter dated 27 October 2003 from the Secretary-General addressed to the President of the General Assembly and the letter dated 29 October 2003 from the President of the General Assembly addressed to the Chairman of the Fifth Committee regarding the United Nations Mission in Côte d’Ivoire,

1. Reaffirms, in the context of the decision of the Security Council with respect to the financing of the United Nations Mission in Côte d’Ivoire, the role of the General Assembly, as set out in Article 17 of the Charter of the United Nations, as the organ to consider and approve the budget of the Organization, as well as the apportionment of its expenses among Member States;

2. Notes that the financing of the Mission up to now has been provided in accordance with the provisions of General Assembly resolution 49/233 A of 23 December 1994;

3. Decides, as a provisional and exceptional measure, to finance the Mission up to the expiration of its current mandate in accordance with the scale of assessments for the apportionment of the expenses of the United Nations under the regular budget;

4. Decides also that the issue of the most appropriate funding for the Mission upon the renewal of its mandate should be considered by the General Assembly at the first part of its resumed fifty-eighth session, in the context of established norms and practice;

5. Requests the President of the General Assembly to bring to the attention of the President of the Security Council the contents of the present resolution.

Also on 23 December, the Assembly decided that it would consider the agenda item on the financing of MINUCI at its resumed fifty-eighth (2004) session (decision 58/565).

**Security Council mission to West Africa.** In its 7 July report [S/2003/688], the Security Council mission to West Africa (see p. 162) commented and made recommendations on the situation in Côte d’Ivoire. It emphasized to all parties that strict implementation of the Linas-Marcoussis Agreement was the only path acceptable to the international community. The ECOWAS Executive Secretary reported to the mission that there had been significant achievements since the 13 March inauguration of the Government of National Reconciliation. However, strong sentiments and opposition had been expressed by President Gbagbo’s party on some issues, especially the question of amnesty for certain Forces nouvelles personnel. The mission also learned that the delay in appointing the ministers of defence and national security was a serious impediment to progress. While recognizing progress in implementing the Agreement, the mission warned that decisive action by President Gbagbo on a number of key issues was essential if a creeping deterioration in the situation was to be avoided. The mission encouraged all parties to take the required steps so that the programme of disarmament, demobilization and reintegration could proceed according to plan. In that connection, it suggested that MINUCI pay attention to the important lessons learned from a similar experience in Sierra Leone. The mission identified a number of areas where government action was needed, including the need to appoint ministers of defence and national security and the assured security of all government ministers. Emphasizing the importance of holding elections in 2005, the mis-
sion recommended that, at the appropriate time, the Council should support international involvement in the electoral process. The mission hoped that MINUCI would soon receive its full complement of staffing, especially in crucial areas such as the political and human rights components.


Implementation of Linas-Marcoussis Agreement

On 4 July, the Defence and Security Forces of Côte d’Ivoire and the Armed Forces of the Forces Nouvelles issued a Joint Declaration stating that the war was ended [S/2003/704]. Noting that the 3 May ceasefire had been observed, the two sides expressed support for the Linas-Marcoussis Agreement and the Accra arrangements, and affirmed that they were subordinate to the President and the Government of National Reconciliation. They recommended that the President appoint the ministers for defence and security, called for an amnesty law, urged an end to the re-armament of forces, and asked the population groups in Côte d’Ivoire to develop tolerance and respect for diversity.

Security Council consideration. Prime Minister Diarra, addressing the Council on 25 July [meeting 679], described progress in implementing the Agreement and affirmed that ministers had been appointed and were working. He noted that the ceasefire agreement had been extended westward to the border with Liberia, the buffer zone between the two forces had been defined, and the cantonment areas—eight for the National Armed Forces and nine for the Forces nouvelles—had been designated. Relations with neighbouring countries had been normalized. He noted in particular official visits by ministers to Burkina Faso and Mali and by the Foreign Minister of Burkina Faso (see p. 179) and the President of Mali to Côte d’Ivoire. Safe transportation corridors to neighbouring countries had been opened.

The Council of Ministers had adopted an amnesty bill which would be considered by the National Assembly on 4 August. The authority of the State had also been strengthened, as had security for political figures. Discussions on the appointment of ministers for defence and internal security were still ongoing. Côte d’Ivoire was seeking assistance from the Council for peacekeeping and from the international community for the reconstruction of the country’s economy and infrastructure and for the disarmament, demobilization and reintegration (DDR) programme. That programme, for which a timetable had been drawn up, encompassed amnesty, grouping, disarmament, demobilization, reintegration and restructuring.

SECURITY COUNCIL ACTION (July/August)

On 25 July, following consultations among Security Council members, the President made statement S/PRST/2003/11 on behalf of the Council:

The Security Council reiterates the need for Ivorian political forces to implement fully and without delay all the provisions of the Linas-Marcoussis Agreement, as well as those of the agreement signed in Accra on 8 March 2003 (“Accra II”), with a view to open, free and transparent elections being held in 2005. The Council takes note with satisfaction of the formation of a Government of National Reconciliation and the progress made, particularly the identification of cantonment areas and the delegation of powers to the Prime Minister, and is looking forward to new progress in accordance with the Linas-Marcoussis Agreement. The Council also welcomes the Joint Declaration of the Defence and Security Forces of Côte d’Ivoire and the Armed Forces of the Forces Nouvelles of 4 July 2003.

The Council emphasizes, however, that much remains to be done to achieve the full implementation of the Linas-Marcoussis Agreement. In this regard, the Council endorses the recommendations of its mission to West Africa. The Council calls upon Ivorian political forces to redouble their efforts in the following areas: voting for the amnesty bill submitted to the National Assembly by the Government, the complete implementation of a “disarmament, demobilization and reintegration” programme, the extension of public services and the authority of the State to areas still under the control of the Forces nouvelles, the appointment of ministers for defence and interior security, the guarantee of equal security for all ministries, the dismantling of militias throughout the country and the termination of the activities of mercenaries and of the purchase of weapons.

The Council renews its support and encouragement to the Special Representative of the Secretary-General for Côte d’Ivoire. It asks him to keep the Council closely informed of developments towards the full implementation of the above objectives. It is pleased that the United Nations Mission in Côte d’Ivoire is now operational and hopes that it will soon be fully staffed, including in such crucial areas as the political and human rights components.

The Council reiterates its full support for the efforts of the Economic Community of West African States and France in contributing to a peaceful solution to the crisis. It welcomes in particular the satisfactory deployment of their peacekeeping forces in the western part of the country to support the implementation of the ceasefire reached on 3 May 2003. The Council calls upon Member States to continue to respond to the appeal made at the donors conference in Paris on 18 July 2003, attended by the Executive Secretary of the Economic Community of West African States and the Special Representative of the Secretary-General, and to provide logistic and finan-
cial support to the Economic Community of West African States Mission in Côte d’Ivoire so that it can continue to fulfil its important mandate.

The Council invites donor countries to contribute to the reconstruction of Côte d’Ivoire in compliance with the commitments undertaken at Kleber.

The Council expresses its concern at the continued existence of regional factors of instability, particularly the use of mercenaries and child soldiers, and the spread of small arms and light weapons, which prevent a lasting solution to the crisis in the region. The Council requests the Secretary-General to submit recommendations to the Council as soon as possible on ways to combat such subregional and cross-border problems, focusing in particular on better coordination of United Nations efforts.

The Council is convinced that a lasting solution to the problems of the subregion also requires genuine cooperation among all States concerned, together with confidence-building measures and the personal commitment of heads of State in the subregion.


The Security Council,
Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d’Ivoire,
Reaffirming the importance of the principles of good-neighbourliness, non-interference and regional cooperation,
Stressing the importance of the commitment of the Government of National Reconciliation to redeploy administration throughout the territory of Côte d’Ivoire,
Reaffirming the need to implement the disarmament, demobilization and reintegration programme,
Welcoming the implementation of the United Nations Mission in Côte d’Ivoire, in accordance with its resolution 1479(2003),
Reaffirming its full support for the national reconciliation process in Côte d’Ivoire,
1. Decides to renew for a period of six months the authorization given to Member States participating in forces of the Economic Community of West African States together with French forces supporting them;
2. Requests the Economic Community of West African States, through the command of its force, and France to report to the Council periodically, through the Secretary-General, on all aspects of the implementation of their respective mandates;
3. Decides to remain actively seized of the matter.

Report of Secretary-General (August). In response to Security Council resolution 1479(2003) (see p. 175), the Secretary-General, on 8 August, issued his first report on MINUCI [S/2003/801]. He stated that the security situation in Côte d’Ivoire had improved since his March report (see p. 169).

Under the terms of the 3 May ceasefire signed by FANCI and the Forces nouvelles, the French forces and the ECOWAS forces deployed to the western region jointly with FANCI and the Forces nouvelles on 24 May to create a weapons-free zone of confidence, extend the ceasefire line to the border between Côte d’Ivoire and Liberia, and disarm or expel armed Liberian elements from that area. As a result of that deployment, the security situation in the inaccessible western region had significantly improved, resulting in the return of displaced villagers and the resumption of humanitarian activities. FANCI and the Forces nouvelles had established a mechanism for conducting a dialogue on security issues, through which they reached agreement on specific cantonment areas for their respective troops. The two sides, together with the French and ECOWAS forces, set up joint headquarters in Bouaké and Bangolo to facilitate coordination among the quadripartite forces. Another significant development was the 4 July declaration by FANCI and the Forces nouvelles formally proclaiming the end of the war and pledging loyalty to the President (see p. 176).

Remaining negative trends included militias opposing the Linas-Marcoussis Agreement and creating serious security and human rights challenges in the capital, political figures calling for a campaign of civil disobedience against Cabinet ministers affiliated with the Forces nouvelles, uncontrolled elements of the Forces nouvelles maintaining checkpoints along major roads in the north and Liberian elements maintaining a presence in the west. Both FANCI and the Forces nouvelles were reported to be rearming, undermining the confidence between the two sides.

Efforts to implement the Linas-Marcoussis Agreement had yielded mixed results. On the positive side, the Government of National Reconciliation had been installed and was functioning under the leadership of the Prime Minister. On 28 May, the new Government presented its draft programme for implementing the Agreement for consideration by the National Assembly. It included proposals regarding citizenship, national identity and the status of foreign nationals; the electoral system; eligibility for election to the Presidency; land tenure laws; the media; rights and freedoms of the individual; economic recovery and social cohesion; and DDR. It envisaged mechanisms to develop proof of Ivorian nationality, including a national commission on naturalization to review existing laws, study legislation on the identification process in ECOWAS countries and recommend residence permit requirements
persistent and lack of security continued to undermine the protection of human rights throughout the country (see p. 165). In March, the Ministry of Human Rights was established. Another positive development was the Government’s agreement in principle to visits by the special rapporteurs of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and the promotion and protection of freedom of opinion and expression, as well as by the Special Representative on internally displaced persons. In response to a request by President Gbagbo, the Secretary-General sent a team to Côte d’Ivoire to assess the need for an international commission of inquiry into human rights violations committed during the conflict. Most of the team’s interlocutors expressed interest in such a commission. A team of human rights officers, including a gender specialist and protection officers, was assigned to MINUCI.

The humanitarian situation remained worrisome. Half a million people, mostly migrant workers from regional countries, had fled Côte d’Ivoire as a result of xenophobia and ethnic tensions. In addition, an estimated 800,000 people were internally displaced. Food security had become noticeably precarious in the north and the west. The United Nations established an Inter-Agency Humanitarian Coordination Committee in February to ensure complementarity of humanitarian operations.

Côte d’Ivoire continued to face a severe economic and social crisis, which also had adverse repercussions for the neighbouring countries of Burkina Faso, Guinea, Mali and the Niger, which depended on Côte d’Ivoire’s transport facilities for imports and exports and on remittances from their migrant nationals.

The Secretary-General said that the United Nations stood ready to provide appropriate support in the organization and conduct of the planned elections in Côte d’Ivoire, should the new Government request such support. He warned that peace was not yet at hand. Although the Government was functioning, it remained incomplete and often worked in disharmony, and all parties had yet to demonstrate their full commitment to the Linas-Marcoussis Agreement. The Secretary-General urged the parties to make the concessions necessary to end the impasse over appointments to the vacant ministerial portfolios and to curb the activities of those groups and individuals who sought to undermine the peace process. The presence of the French and ECOWAS forces remained indispensable if the prevailing, albeit fragile, stability was to be sustained. He appealed to Member States to provide the requisite financial assistance to those forces on an urgent basis. The deployment of MINUCI military and civilian personnel continued to make satisfactory progress, and the Mission was engaged in monitoring and liaison activities that complemented the peacekeeping operations of the French and ECOWAS forces. The Secretary-General expressed concern about the existence of armed Liberian
elements in western Côte d’Ivoire, which constituted a threat to the efforts to stabilize both countries. He was encouraged about the ECOWAS and Security Council efforts to resolve the conflict in Liberia, which had been the primary source of instability in the subregion. He believed that a peacekeeping operation in Liberia would open possibilities for addressing cross-cutting regional issues, such as the use of child soldiers and mercenaries, and the exploitation of national resources to fuel conflicts. Pursuant to the request contained in Council presidential statement S/PRST/2003/11 (see p. 176), the Secretary-General had asked his Special Representative for West Africa to conduct a comprehensive study on those issues.

**Communications (August-October).** Côte d’Ivoire, in a 29 August letter to the Security Council [S/2003/849], said that a plot had been uncovered to destabilize the Government. In a message to the nation, which was annexed to the letter, President Gbagbo said that the plot involved attempts to assassinate senior government members and himself. Rebels had already killed two French servicemen near Lake Kossou. On 19 September [S/2003/983], Côte d’Ivoire forwarded a statement of its President on the first anniversary of the outbreak of the armed rebellion, in which he described efforts to achieve a peaceful transition to democracy and called on the rebels to lay down their weapons.

The EU, in a 22 September statement [S/2003/924], condemned the use of violence in the political process in Côte d’Ivoire. It welcomed the fact that the Government of National Reconciliation was complete and the reopening of the border with Burkina Faso as a prelude to the reestablishment of rail traffic between the two countries. On 27 October [S/2003/1054], the EU condemned the murder in Abidjan of journalist Jean Hélène, and considered it a matter of urgency that the authorities re-establish control over the security forces.

**Press statement (3 October).** Having been briefed by the Special Representative of the Secretary-General for Côte d’Ivoire, Security Council members issued a 3 October press statement [SC/7886-AFR/719] expressing concern that implementation of the Linas-Marcoussis Agreement had lost momentum and that sporadic violence had erupted. They took particular note of recent events in Bouaké and stressed the importance of re-establishing the authority of the State throughout the territory of Côte d’Ivoire. They urged all Ivoirian parties, in particular the Forces nouvelles, to take all necessary measures to restore confidence and called for the full and quick implementation of the Agreement. Members of the Council noted some positive developments in implementing the national reconciliation process, in particular the reopening of the border between Côte d’Ivoire and Burkina Faso and the resumption of rail traffic between the two countries. They also welcomed the fact that all members of the Government of National Reconciliation had been appointed.

Efforts to improve relations between Côte d’Ivoire and Burkina Faso were made during the May visit of the Foreign Minister of Burkina Faso to Abidjan. In a final communiqué [S/2003/364], the two countries outlined steps to secure the border and to restore and renew economic and trade relations.

**Report of Secretary-General (November).** In his second report on MINUCI [S/2003/1069], the Secretary-General provided an assessment of the implementation of the Linas-Marcoussis Agreement and described MINUCI activities since his previous (August) report (see p. 177). He noted that, following the signing of the Agreement, the peace process in Côte d’Ivoire had made progress until early August. In addition to developments covered in his August report, positive steps included the reopening of road and rail links between the Government-held south and the northern provinces that were still under control of the Forces nouvelles and the release of some 50 prisoners of war by the Government. The Government set up a Commission on National Reunification and made initial efforts, with limited success, to re-establish State authority in areas controlled by the Forces nouvelles.

The protracted impasse over the appointments of the ministers of defence and internal security appeared to have been resolved when, on 12 September, President Gbagbo announced appointments to those posts. However, the Forces nouvelles rejected the appointments and withdrew from the Government on 23 September. In addition, they objected that the President had not allowed the Government and the Prime Minister to exercise the full authority granted to them under the Linas-Marcoussis Agreement. Without the participation of the eight Cabinet ministers from the Forces nouvelles who were boycotting it, the Government was severely handicapped.

The Monitoring Committee on the implementation of the Agreement encouraged the parties to resolve their differences through renewed dialogue. On 26 September, six major political parties issued a memorandum that identified the key issues that needed to be addressed in order to unblock the impasse, including the activities of militias, the ineffective functioning of State institutions due to the “incomplete” delegation of au-
Although the ceasefire was continuing to hold, the situation remained tense due to the political stalemate. In the northern provinces controlled by the Forces nouvelles, there was an upsurge of violence by “uncontrolled” armed elements and a situation of lawlessness was emerging. In the Government-controlled south, militia activities were causing concern, and in Abidjan the situation remained unpredictable. In western Côte d’Ivoire, the presence of peacekeeping forces had reduced the activities of the mainly Liberian armed elements. As a result, farming and other economic activities had resumed in some areas. However, there were reports of a residual presence of armed Liberian elements near Toulépleu. Uncontrolled Forces nouvelles combatants were also still harassing the population in some towns; unprovoked fire on a French boat patrol in the Lake Kossou area had resulted in the death of two French soldiers.

The humanitarian situation remained equally worrisome, particularly in the north and west where hundreds of thousands of people lacked basic health care and other public services and tens of thousands of children faced a second consecutive year without schools. Humanitarian organizations had reported high rates of malnutrition in the west. International aid organizations were distributing food, but were not able to fully meet the needs of the vulnerable populations due to the security situation and limited resources. On the human rights front, some progress was made by both sides (FANCI and the Forces nouvelles) in implementing international norms and standards on the protection of children associated with armed groups. However, it was reported that the Forces nouvelles continued to use child soldiers at roadblocks and in other military activities. The economic situation continued to deteriorate, with the growth that Côte d’Ivoire enjoyed in early 2002 completely reversed by the military and political crisis that began in September of that year. The slow pace of implementation of the Linas-Marcoussis Agreement would probably translate into another year of economic contraction.

At the time of the report, the French forces (Licorne) were deployed in the eastern and central sectors of the country to backstop ECOMICI troops (totalling 1,383 troops) that were monitoring the ceasefire line. In the west, the Licorne forces maintained a heavy presence. They had recently deployed in Bouaké, at the request of the Forces nouvelles. ECOMICI troops continued to face severe troop and logistical shortfalls and their operations were plagued by a precarious financial situation. FANCI troops conducted patrols in the Government-controlled south and maintained a heavy presence in Abidjan. The military component of the Forces nouvelles remained a loosely knit outfit led by non-commissioned officers who operated in a semi-autonomous manner. MINUCI’s strength stood at 34 UN military liaison officers and 42 more were expected in November and December. Their tasks included liaising with all military forces on the ground, monitoring the security situation, building confidence between the two sides and monitoring the security of Liberian refugees. MINUCI’s civilian component was focusing on monitoring the human rights situation and the media, on preparations for the 2005 elections, and on working within the framework of the Monitoring Committee to facilitate the peace process. The public information unit maintained dialogue with the Ivorian media in order to promote the dissemination of accurate and objective information on the Linas-Marcoussis Agreement and the MINUCI mandate.

The Secretary-General observed that, since his August report, the Ivorian peace process had encountered serious difficulties. To keep the peace process on track, differences among the Ivorian political actors over the power-sharing concept envisaged in the Linas-Marcoussis Agreement had to be addressed. The Forces nouvelles and six other signatory parties to the Agreement insisted that the President had not delegated sufficient powers to the Prime Minister and the Government of National Reconciliation as envisaged under the Agreement. The President, however, rejected that interpretation and pointed to the executive powers invested exclusively in the President. Another disagreement was over the restructuring of the defence and security forces, and the related issue of disarmament. The Secretary-General expressed concern that nine months after the signing of the Agreement, some of its key provisions had not been implemented; until they were, the peace process was likely to remain tenuous and the holding of elections would not be possible without the reunification of the country. Once the stalemate was resolved, the United Nations would dispatch an electoral assessment mission to Côte d’Ivoire. The Secretary-General noted that the Security Council was discussing the reinforcement of MINUCI; in the
meantime, he recommended that its mandate be renewed for another six months. He noted that, with the recent deployment of a UN peacekeeping operation in Liberia and the consolidation of peace in Sierra Leone (see p. 210), the international community had the opportunity to pursue an effective regional approach to bringing lasting stability to Côte d’Ivoire, Liberia and Sierra Leone.

**Communications (November).** ECOWAS, having held an 11 November summit meeting on West Africa, issued a press statement, which Ghana transmitted to the Security Council [S/2003/1082]. The heads of State appealed to the Council to increase the strength of ECOMICI and transform it into a UN peacekeeping force.

On 12 November [S/2003/1081], Côte d’Ivoire said that, in considering whether to renew MINUCI’s mandate, the Council should re-examine the Mission’s very nature. The current status of MINUCI had proved to have limitations for the implementation of the Linas-Marcoussis Agreement: it had no direct mandate to intervene in order to maintain the peace; it complemented the operations carried out by the French and ECOWAS forces, which themselves were limited by their mandate; and its military component was made up of 76 unarmed liaison officers. Maintenance of peace and security was the responsibility of the French (4,000 troops) and ECOWAS (1,383 troops) forces. For Côte d’Ivoire, the only desirable option was for MINUCI to be turned into a UN peacekeeping operation which would include ECOMICI and for the French forces to preserve their current status. In order for MINUCI to be able to carry out such a mission, it would need to expand to at least 10,000 troops.

**Extension of MINUCI**


The Security Council,
Resuming its previous resolutions concerning Côte d’Ivoire, in particular its resolution 1479(2003) of 13 May 2003, in which it authorized the establishment of a special political mission in Côte d’Ivoire, as confirmed in the letter dated 13 October 2003 from the President of the Security Council addressed to the Secretary-General, and its resolutions 1464(2003) of 4 February 2003 and 108(2003) of 4 August 2003,
Having considered the report of the Secretary-General of 4 November 2003,
Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d’Ivoire, and reaffirming its opposition to any attempts to take power by unconstitutional means,
Reaffirming its endorsement of the agreement signed by the Ivorian political forces at Linas-Marcoussis on 21 January 2003 (“Linas-Marcoussis Agreement”) and approved by the Conference of Heads of State on Côte d’Ivoire held in Paris on 25 and 26 January 2003,
Stressing the urgent need for all parties to participate fully in the Government of National Reconciliation so as to enable it to implement fully all the provisions of the Linas-Marcoussis Agreement,
Stressing also the importance of the commitment of the Government of National Reconciliation to resume effective administration throughout Côte d’Ivoire, and reminding all Ivorian parties of their obligation to contribute positively thereto,
Reaffirming the need for the Government of National Reconciliation to commit itself fully and immediately to the disarmament, demobilization and reintegration programme, including the dismantling of militias, and to the restructuring of the armed forces,
Recalling the importance of the principles of good-neighbourliness, non-interference and cooperation in the relations between States of the region,
Further recalling its full support for the efforts of the Economic Community of West African States and France to promote a peaceful settlement of the conflict,
Noting the continued need for the United Nations Mission in Côte d’Ivoire in accordance with its resolution 1479(2003),
Noting with concern the continued existence of challenges to the stability of Côte d’Ivoire and determining that the situation in Côte d’Ivoire continues to constitute a threat to international peace and security in the region,
1. **Decides** that the mandate of the United Nations special political mission in Côte d’Ivoire, the United Nations Mission in Côte d’Ivoire, shall be extended until 4 February 2004;
2. **Requests** the Secretary-General to report to the Security Council by 10 January 2004 on the efforts of the Mission to facilitate peace and stability in Côte d’Ivoire, including how those efforts might be improved and in particular the possible reinforcement of the United Nations presence in Côte d’Ivoire;
3. **Decides** to remain actively seized of the matter.

At the same meeting, following consultations among Council members, the President made statement S/PRST/2003/20 on behalf of the Council:

The Security Council urges all Ivorian political forces to implement fully, without delay or precondition, all the provisions of the Linas-Marcoussis Agreement as well as those of the agreement reached in Accra on 8 March 2003 (“Accra II”), with a view to open, free and transparent elections being held in Côte d’Ivoire in 2005.

The Council notes with satisfaction the progress made since the statement by its President on 25 July 2003, in particular the appointment of Ministers of the Interior and Defence, the adoption of the amnesty bill by the National Assembly, the reopening of the border with Mali and Burkina Faso and the decisions taken by the Council of Ministers on 16 October to restore public order and reform the statute of Ivorian radio and television.
The Council expresses its serious concern, however, that the implementation of the Linas-Marcoussis Agreement has slowed down. It emphasizes in particular the importance of the entire Government of National Reconciliation meeting as soon as possible in order to implement fully the content of the Linas-Marcoussis Agreement. It reaffirms in this context the urgency of carrying out the cantonnement operations of the forces involved, to allow the beginning of disarmament and demobilization, accompanied by measures for reintegration into the regular army or civilian life.

The Council further emphasizes the urgent need to begin reforming land law and electoral rules, restore public services and the authority of the State throughout the territory of Côte d’Ivoire and end the use of mercenaries and the illicit purchase of weapons in violation of national laws.

The Council condemns firmly the grave human rights violations. It further condemns the murder of a French journalist on 21 October in Abidjan. The Security Council calls for a full investigation by the Ivorian authorities of this crime and the punishment of the perpetrators in accordance with the law. It also calls upon them to ensure that organs of the press and groups which sponsor them refrain from encouraging any remark that might incite hatred or violence.

The Council expresses its concern for the grave humanitarian situation in the field. In this context, the Council supports the activities of all United Nations agencies aimed at assisting the Ivorian people.

The Council further condemns the hostile acts against United Nations personnel in Bouaké and Man on 24 and 25 October 2003, and recalls that all the parties are obliged, by resolution 1479(2003) of 13 May 2003, to cooperate with the special political mission established by the Security Council, the United Nations Mission in Côte d’Ivoire, and to ensure freedom of movement of its personnel.

The Council reiterates its full support for the efforts of the Economic Community of West African States, France and the Special Representative of the Secretary-General for Côte d’Ivoire with a view to stabilizing the country and seeking a peaceful settlement of the conflict. The Council welcomes in particular the recent initiatives of the Presidents of the Republic of Ghana and the Federal Republic of Nigeria and the holding of a regional summit in Accra on 11 November 2003 to address security problems in the region.

The Council commends the action of the forces of the Economic Community of West African States and France, and that of the UN Mission in Côte d’Ivoire, and pays tribute to the commitment and dedication shown by their personnel. It also welcomes the efforts of the Office of the Special Representative of the Secretary-General for West Africa and of all United Nations missions in the region to coordinate their action in order to address regional issues in an appropriate manner. It expresses its intention to examine the recommendations by the Secretary-General on ways to facilitate peace and stability in Côte d’Ivoire.

The Security Council continued its discussion of the situation in Côte d’Ivoire on 24 November [meetings 4873 & 4874]. The Secretary-General expressed concern about the current political stalemate created by the withdrawal of the Forces nouvelles from the Government on 29 September. Already, there were signs that the situation in some parts of the northern provinces was degenerating into lawlessness and there was a danger that Côte d’Ivoire could slip back into conflict. In order to jump-start the stalled peace process, the parties had to tackle the fundamental issues behind the deadlock, as he had indicated in his November report. The Secretary-General planned to send an assessment mission to Côte d’Ivoire soon to review the situation on the ground, so that he could make recommendations to the Council that would possibly include reinforcing the UN presence in the country.

The ECOWAS representative spoke of the effect of the crisis on the economy of West Africa as a whole and called for a comprehensive regional approach to the linked crises in Côte d’Ivoire, Liberia and Sierra Leone.

Communications (December). On 3 December [S/2003/1181], Côte d’Ivoire transmitted to the Security Council the text of an address by President Gbagbo to the nation. He announced that the Council of Ministers had begun, on 27 November, to discuss the laws suggested in the Linas-Marcoussis Agreement and affirmed that disarmament had priority among the tasks set by the Agreement. Peace in Côte d’Ivoire was at hand and that would help to safeguard prosperity throughout the subregion.

On 4 December in Yamoussoukro, under the auspices of President Gbagbo, representatives of FANCI and the Forces nouvelles met with the Prime Minister; representatives of MINUCI, ECOMI and the French forces were also in attendance. In a final communiqué [S/2003/1182], they agreed on the need to do everything possible to create a climate conducive to the resumption of talks in order to restore normalcy and lasting peace. They agreed to: withdraw units from Allangouassou and Bania and all other units stationed in the zone of confidence by 5 December; release all detained soldiers on 7 December; and hold a meeting on 10 December to set a timetable for removing unauthorized checkpoints, establishing administration of the zone of confidence, cantonnement of troops, and collecting light arms and heavy weapons.

In a 9 December statement on Côte d’Ivoire [S/2003/1181], the EU welcomed the Yamoussoukro meeting and Mr. Gbagbo’s statements on upholding the Linas-Marcoussis Agreement.

SECURITY COUNCIL ACTION (December)

On 4 December [meeting 4875], following consultations among Security Council members, the
President made statement S/PRST/2003/25 on behalf of the Council:

The Security Council is gravely concerned by attempts on the part of armed elements, observed on 29 and 30 November 2003 by forces of the Economic Community of West African States and France, to cross the ceasefire line, and by the serious consequences that could arise as a result.


The Council strongly underscores to all the Ivorian parties their fundamental responsibility to respect the ceasefire in accordance with the Linas-Marcoussis Agreement.

The Council calls upon all the parties to refrain from any act that might compromise respect of the ceasefire and the implementation of the Linas-Marcoussis Agreement, as well as any incitement to such acts.

The Council reiterates the urgent need for all the parties to take all possible measures to accelerate the implementation of the Linas-Marcoussis Agreement. In this context, it once again underscores the importance of having the Forces nouvelles return and participate fully in the Government of National Reconciliation and the full Government meet immediately and taking steps to implement all the provisions of the Linas-Marcoussis Agreement. It also reaffirms the urgent need to conduct operations to canton the forces on the ground, in order to begin disarmament and demobilization, accompanied by measures to facilitate their reintegration into the regular army or into civilian life.

The Council reiterates in this regard its intention to consider the recommendations of the Secretary General on the means of facilitating peace and stability in Côte d'Ivoire.

The Council welcomes the commitments undertaken by President Laurent Gbagbo in his speech on 27 November 2003, in which he reaffirmed his intention to implement without delay the provisions of the Linas-Marcoussis Agreement, and expects the fulfilment of those commitments.

The Council calls upon all parties in Côte d'Ivoire and countries of the region to guarantee the safety and full access of personnel of humanitarian agencies working in the field during the consolidation of the peace process.

**Follow-up to Security Council mission.** The Secretary-General, in his 5 December progress report [S/2005/117] on the recommendations of the Security Council mission to West Africa (see p. 163), highlighted the steps taken to implement the recommendations and assessed practical ways to address the cross-border issues identified by the mission.

The Secretary-General estimated that well over 60 per cent of the national territory was under the control of the Forces nouvelles, who plucked the establishment of the central Government's administrative presence, thereby partitioning the country. The extension of administration throughout the national territory had stalled. On 27 October, the President established an operational structure to facilitate the process of redeploying administrators in the country, and 139 administrators took up their posts in western provinces in early November. The Forces nouvelles protested the deployments as tantamount to the use of force.

Prior to the stalemate over the appointment of the ministers of defence and national security, several steps were taken to consolidate peace, including: the creation of zones of confidence along the ceasefire lines; the holding of meetings between military commanders of the Forces nouvelles and FANCI; the mounting of joint operations against Liberian armed elements in the west; and the identification of 17 cantonment sites for the DDR process. Preparations for DDR and efforts to disband the various militias and terminate mercenary activities remained hampered by the political stalemate. The Secretary-General warned that, if allowed to continue, the political impasse could dangerously consolidate the de facto partition of Côte d'Ivoire with unpredictable consequences for the country and the subregion. He expressed the hope that Council members would consider the ECOWAS call for an increase in the troop strength of MINUCI and for its transformation into a peacekeeping mission.

**Mission to Côte d'Ivoire (December).** As requested by the Security Council in resolution 1554(2003) (see p. 181), the Secretary-General dispatched an assessment mission to Côte d'Ivoire, headed by Assistant Secretary-General for Peacekeeping Operations Hédi Annabi, to collect information on MINUCI's efforts to facilitate peace and stability and report on how those efforts could be improved, particularly by possibly reinforcing the UN presence there. The mission visited Côte d'Ivoire from 3 to 11 December and Mr. Annabi also met with the ECOWAS Chairman and the President of Ghana in Accra on 9 December and with senior French officials in Paris on 12 December [S/2004/51]. The mission report noted that the President and the Prime Minister had initiated meetings that yielded important decisions aimed at stabilizing the security situation and reinvigorating the peace process. On 4 December, President Gbagbo chaired a meeting of senior military officers of FANCI and Forces nouvelles, with the participation of Licorne, ECOMIG and MINUCI. The two sides agreed to resume preparations for the cantonment of their forces, the quartering of heavy weapons in designated areas and the implementation of the
DDR programme. They also reaffirmed their commitment to preserving the unity of the country. A follow-up meeting was held in Bouaké on 10 December, at which the two sides decided to begin dismantling their checkpoints and withdrawing heavy weapons from the zone of confidence to specific quartering locations. As a result, the situation improved.

The withdrawal of heavy weapons from the zone of confidence began on 13 December, and a joint ECOMICI/MINUCI team verified the completion of the process between 26 and 29 December. The dismantling of checkpoints was also underway. Also, on 7 December, the Forces nouvelles released 40 FANCI and police personnel who had been held as prisoners of war.

In the political arena, the Prime Minister visited Bouaké on 5 December for consultations to convince the Forces nouvelles to return to the new Government. However, an 11 December shooting incident prompted a decision by the Forces nouvelles to delay their return to the Government. In addition, there appeared to be divisions within the Forces nouvelles over the matter. Nonetheless, on 23 December a Forces nouvelles spokesman announced that the group had decided to end its suspension of participation in the Government. In an effort to address regional aspects of the situation, President Gbagbo met with the Presidents of Burkina Faso (26 November) and of Mali (28 November). The Chairman of the National Transitional Government of Liberia, Charles Gyude Bryant, also held consultations with President Gbagbo in Abidjan on 24 November on the peace processes in the two countries and the repatriation of Liberian refugees and armed elements.

By the end of 2003, ECOMICI troop strength stood at 1,478 and that of the Licorne force stood at some 4,000; MINUCI had 71 military liaison officers.

The assessment mission looked into several proposals for the possible reinforcement of the UN role, taking into account the serious troop and logistical shortfalls faced by ECOMICI. The mission concluded that serious consideration had to be given to the ECOWAS proposal to deploy a UN peacekeeping force in Côte d'Ivoire and to reassign the ECOMICI contingents to that force. The Secretary-General put forward suggestions based on the mission’s findings, for the military, civilian, police and judicial, electoral, DDR, human rights, public information and political and civil affairs components of a possibly reinforced UN presence in Côte d’Ivoire. He recommended that, if the Ivorian parties made sufficient progress to ensure that the peace process would become irreversible by 4 February 2004—the date on which the mandates of MINUCI, ECOMICI and Licorne were due to expire—the Security Council should consider authorizing a multidimensional peacekeeping operation. The operation would comprise a military component of 6,240 troops, including 200 military observers and 120 staff officers, and a civilian component, the size of which would be determined based on the recommendations of a small technical team, scheduled to visit Côte d’Ivoire in January 2004.

Liberia

Events in Liberia during 2003 were dominated by the divisions between the Government and the opposing party, the Liberians United for Reconciliation and Democracy (LURD), and later a new dissident movement, the Movement for Democracy in Liberia. The fighting was violent and widespread during the first part of the year and the two rebel movements gained control of nearly two thirds of the country by early May. The concomitant conflicts in neighboring Côte d’Ivoire and Sierra Leone threatened stability in the sub-region. Elections that were originally scheduled for October were postponed until 2004 due to the lack of security. However, conditions improved late in the year following President Charles Taylor’s departure from the country and the arrival of a multinational force.

The United Nations Peace-building Support Office in Liberia (UNOL) tried to facilitate the promotion of national reconciliation, good governance and respect for the rule of law and human rights. In April, the Security Council revised UNOL’s mandate to focus on assisting the Government to address capacity-building needs in human rights and preparations for elections, as well as on developing a peace-building strategy. Those peace-building efforts were hampered by the inability of the Government and opposition party leaders to resolve their differences over key issues of governance. The Government’s policy of exclusion and harassment of political opponents and abuse of human rights undermined efforts to promote reconciliation. That situation, coupled with the lack of reform of the security sector, contributed to the resumption of the civil war.

Mediating efforts yielded some results in mid-year. On 17 June, a ceasefire agreement was signed by the three main opposing parties. The agreement was subsequently broken, however, when LURD forces entered Monrovia on several occasions, plunging Liberia into a new cycle of violence. At that point, the Secretary-General proposed a three-phase deployment of international troops to Liberia: first, the deployment of
Peace-building efforts

The Secretary-General, on 15 January [S/2003/49], referred to the Security Council’s 29 November 2002 letter (UN 2002, p. 176), in which it outlined the tasks to be implemented by UNOL as part of a revised mandate. As requested by the Council, he had drawn up recommendations for a detailed revised mandate for UNOL, incorporating the Council’s additions, and Liberia had been provided with a draft revised mandate for its consideration and agreement. The draft took into account the situation on the ground and Security Council presidential statement S/PRST/2002/36 [ibid.], which outlined a strategy for the peace process. In its initial reaction, the Government said it was studying the revised mandate and that it would respond soon. The Secretary-General informed the Council that he would report Liberia’s reaction as soon as it was received.

Press statement (17 January). In a 17 January press statement (SC/7659-AFR/544), Council members expressed regret that Liberia had not responded to the Secretary-General’s proposals for a revised UNOL mandate and urged it to do so as soon as possible. They called on the Government and LURD to work together to bring the armed conflict to an end through dialogue, and to create the security conditions necessary for inclusive, peaceful and free legislative and presidential elections, including a ceasefire to guarantee safety for all. They welcomed the outcome of the first meeting of the International Contact Group (Dakar, Senegal, 19 December 2002). Council members expressed concern regarding human rights in Liberia and called on the Government and LURD to ensure that humanitarian aid workers were allowed free access to displaced civilians and refugees. They called on the Government to create the conditions for free, fair and transparent elections and to allow international observers to monitor the electoral process. The Government was urged to build peace in the region, including through restoring relations with its neighbours and the international community.

Report of Secretary-General (February). In response to a Security Council request (UN 2002, p. 176), the Secretary-General submitted a 26 February report on the situation in Liberia [S/2003/227]. He stated that the main challenge confronting Liberia remained the continuing insurgency
mounted by the rebel movement LURD, whose fighters had attacked government forces and seized territory in various parts of the country. In early February, following the capture of the city of Bopolu, LURD fighters reportedly came within 20 miles of the capital, Monrovia, before government troops drove them back more than 50 miles. The situation remained volatile, with the rebels in control of several towns and cities.

The rebel activities coincided with worrisome developments on Liberia’s borders with Côte d’Ivoire (see p. 165) and Sierra Leone (see p. 210). The Government of Liberia, which denied allegations of involvement in Côte d’Ivoire’s crisis, had moved troops to its eastern border with Côte d’Ivoire to prevent a spillover from fighting there, especially following reports of an armed incursion into the Liberian border town of Gbein, which left two Liberian soldiers dead. Similarly, on the border with Sierra Leone, armed men continued to cross over from Liberia, some of them said to be looting and harassing villages inside Sierra Leone. After LURD seized control of parts of the area bordering Sierra Leone, there was an influx of about 6,000 Liberian refugees. During the same period, about 250 soldiers of the Armed Forces of Liberia fled into Sierra Leone, whose Government was concerned about the possible overstretching of an internment camp that had been constructed to receive a small number of armed elements from Liberia. However, since the inception of joint border patrols by Sierra Leone and UN forces, reports of incursions had declined. On 14 January, Côte d’Ivoire informed the United Nations of the alleged presence in Guiglo, Côte d’Ivoire, of the former Revolutionary United Front commander, Sam Bockarie, who had reportedly participated in the fighting in that region. He was also said to have looted Ivorian villages and sold the stolen goods at the border with Liberia.

Meanwhile, the overall political climate in Liberia remained tense and volatile. The National Peace and Reconciliation Conference, begun in August 2002 and suspended the following month, appeared to have lost the necessary momentum to move the peace process forward. The fact that the reconciliation process did not involve all stakeholders, including exiled politicians, apparently cast doubts on its credibility.

Efforts by ECOWAS to bring the Government and LURD together at the negotiating table included a meeting between ECOWAS parliamentarians, civil society and members of the Inter-Religious Councils of the Mano River Union (MRU) countries (Guinea, Liberia, Sierra Leone) and LURD representatives (Freetown, Sierra Leone, 7-9 February), at which LURD agreed to commit itself to a peaceful resolution of the crisis by the end of the year and to engage in dialogue with the Government.

The difficult internal and subregional situation had severely constrained economic revitalization. With the Government devoting 60 per cent of its budget to the military sector, growth had stalled and unemployment was estimated to be more than 80 per cent. The authorities had taken steps to regulate the mining and marketing of diamonds under the Kimberley Process, and to infuse accountability into its timber and maritime trade.

The Government asserted that, regardless of the prevailing political and security environment, it was determined to go ahead with the legislative and presidential elections scheduled for October. However, a number of obstacles had to be overcome for fair elections to be held on time: a ceasefire with LURD; a reconstituted Elections Commission and the deployment of an international stabilization force for public security. It was argued that the 10-year residency clause contained in the Constitution was a major impediment to holding a fair presidential election, as several opposition candidates who had fled the country would be disqualified. On 2 January, the Elections Commission released the electoral calendar, which provided for the electoral campaign to commence on 20 June and for voting to be held on 14 October.

Concerns over Liberia’s human rights situation (see also p. 683) related mainly to the activities of the Anti-Terrorist Unit and the National Police, who were accused of harassing the civilian population in the pursuit of alleged accomplices of LURD rebels. Other concerns were a pervasive culture of impunity, the use of child soldiers by both sides, and the need for human rights education among the civilian population and security agencies. The difficult humanitarian situation was complicated by an estimated 180,000 internally displaced persons in camps and tens of thousands of others squatting in host communities, as well as the ongoing civil conflict in neighbouring Côte d’Ivoire, which forced Liberian refugees to return. In addition, Liberia was hosting 17,000 Sierra Leonean refugees in camps around Monrovia.

The Secretary-General observed that Liberia needed to end the fighting as the first step towards sustainable peace. The subregional dimensions of the Liberian conflict had come to the fore with reports of the involvement of Liberian armed groups on both sides of the fighting in Côte d’Ivoire. The movement of Liberian refugees and incursions by armed groups into
Sierra Leone had also been recorded, rendering that country vulnerable to destabilization.

The conflict in Liberia was one that neither the Government nor LURD was likely to win. The international community should discontinue external military support to LURD, as it had achieved only the massive displacement of innocent civilians, the deaths of thousands of people and the wanton destruction of infrastructure and personal property. If decisive action was not taken to end the tragedy, the Secretary-General warned, a generalized humanitarian and economic crisis could engulf the entire West African region.

The Secretary-General drew the Council’s attention to two letters dated 18 February from President Taylor. The first alleged that Guinea had provided military and other support to LURD and the second referred to the sanctions regime imposed on Liberia under Council resolutions 1343(2001) [YUN 2001, p. 181] and 1408(2002) [YUN 2002, p. 169]. The International Contact Group on Liberia, which was scheduled to meet in New York on 28 February, provided the best forum for the international community to engage Liberia and to find a comprehensive solution to the crisis, in addition to addressing the strained relations among the MRU countries. It should also assist Liberia in creating the conditions for the conduct of free and fair elections. The Secretary-General reported that progress had been made in the dialogue between the United Nations and Liberia on a revised mandate for UNOL.

Security Council press statements (March and May). On 5 March [SC/7678-AFR/572], Security Council members, having been briefed by the Representative of the Secretary-General in Liberia, Abou Moussa (Chad), expressed concern at the humanitarian situation in Liberia and called on the Government and LURD to stop human rights abuses and to give unrestricted access to humanitarian organizations. Members welcomed the conclusions of the International Contact Group on Liberia held on 28 February. They encouraged ECOWAS efforts to facilitate ceasefire talks, especially the suggestion that a meeting be held in Mali on 10 March, and urged the Government and LURD to participate constructively. They called on all regional States to refrain from any interference in the affairs of their neighbours, particularly through the movement of arms or mercenaries.

On 5 May [SC/7750-AFR/641], Council members reviewed sanctions against Liberia (see p. 201) and reiterated their concern at the deteriorating security and humanitarian situation in the country and the subregion. They expressed their intention to renew the sanctions and to extend them to include a ban on timber exports.

Revised UNOL mandate

The Secretary-General, on 11 April [S/2003/468], informed the Security Council that Liberia had agreed to the draft revised mandate of UNOL. In finalizing the draft, consideration was given to the capacity-building needs of the Government in human rights and the conduct of elections. Under the new mandate, UNOL would: provide good offices and other services to defuse tensions through promoting national reconciliation and resolution of conflicts; support the Government in implementing any future peace agreements; monitor the political and security situation; enhance respect for human rights, in particular by providing training for security agencies; offer assistance to the authorities and the public for strengthening democratic institutions and the rule of law, including promotion of an independent press; contribute to the preparation of free and fair elections in 2005; promote dialogue between the Government, the United Nations and the international community on peace and security in Liberia; develop a peace-building strategy in which political objectives, programme assistance and human rights considerations were integrated; mobilize national and international political support for such a strategy; provide support to the UN Office in West Africa, in particular pertaining to developments in the MRU subregion as they related to Liberia; and engage in an educational campaign to present UN policies and activities regarding Liberia.

On 21 April [S/2003/469], the Council approved the revised UNOL mandate. In resolution 1478 (2003) (see p. 203) of 6 May, the Council welcomed the Government’s agreement to the revised mandate and called on all States in the region to participate in all regional peace initiatives, particularly those of ECOWAS, the International Contact Group, MRU and the Rabat Process. It called on Liberia and LURD to enter into ceasefire negotiations under ECOWAS auspices and the mediation of former President Abdusalami Abubakar of Nigeria.

Report of Secretary-General (June). On 2 June [S/2003/582], the Secretary-General reported on the situation in Liberia in the three months since his previous report (see p. 185), a period that continued to be dominated by the LURD insurgency. Having consolidated its grip on main areas in Lofa County, LURD had reportedly captured other localities, including Tubmanburg, Zwedru and Greenville. It had also launched attacks on other towns, engaging government troops, and on internally displaced persons’ camps on the outskirts of Monrovia. In early May, government forces launched an offen-
sive in a bid to retake positions lost to the rebels. Another dissident movement, known as the Movement for Democracy in Liberia (MODEL), surfaced in the south-east, apparently the result of the breaking apart of LURD. Its troops had gained control of the port of Greenville.

In an effort to revitalize the Liberian peace process, the Co-Chairmen of the International Contact Group on Liberia (ICGL), Nana Akufu-Addo, Foreign Minister of Ghana, representing the ECOWAS Chairman, President J. A. Kufuor of Ghana, and Hans Dahlgren, Foreign Minister of Sweden and EU special representative to MRU countries, visited Guinea, Sierra Leone and Liberia on 14 and 15 April. During the visit, President Taylor expressed the readiness of the Liberian Government to negotiate unconditionally on a ceasefire. On 7 April, Abdulsalami Abubakar, former President of Nigeria, was designated by ECOWAS as mediator for the Liberia peace process. LURD had previously accepted the idea of negotiations that would include other stakeholders. On 10 April, Liberia invited the Secretary-General to dispatch a joint UN/ AU/ECOWAS needs assessment mission to evaluate the conditions for free and fair elections in Liberia, in accordance with the ICGL recommendation. President Taylor expressed his readiness to hold direct talks with LURD, to be followed by the disarmament of all combatants, including the Anti-Terrorist Unit and government militias.

Meanwhile, Liberia’s Elections Commission continued with preparations for the general and presidential elections scheduled for October, although there was a growing sentiment among the public that the requisite conditions did not currently exist, due to the lack of a ceasefire and a stabilization force. Additional problems included logistical and financial obstacles and the need for the Elections Commission to be more neutral and inclusive. Equally important were the issues of voter registration, the delimitation of constituencies and basic civic education. The Chairman of the Commission had concluded that elections as scheduled would be impossible without foreign aid.

The joint UN/ AU/ECOWAS needs assessment mission, having visited Liberia from 4 to 9 May, determined that the political, security, military and humanitarian situation was not conducive to the holding of credible elections in October as scheduled. The list of requirements for elections included: providing a secure environment countrywide; restructuring the Elections Commission to ensure independence from the Government and the ruling party; removing major legal impediments to the holding of credible elections; enhancing the operational capabilities of the Commission; and improving communications and interaction between the Commission and political parties, civil society organizations and the media. At a meeting in Brussels on 12 May, ICGL agreed on the immediate steps needed to move the ECOWAS-led peace process forward, namely: a comprehensive political framework for a ceasefire agreement; and preparations for the round-table talks of Liberian parties, scheduled to start in Accra, Ghana, on 4 June, with an agenda, timetable, military planning for the mobilization and deployment of a ceasefire-monitoring mechanism, and benchmarks for attaining peace and stability in Liberia.

The deteriorating security situation had resulted in the inability of humanitarian agencies to provide assistance to 11 of Liberia’s 15 counties, or 70 per cent of the country. Government security forces were increasingly unequipped to offer protection to civilians. Armed militiamen continued to attack and loot the camps for displaced persons. All parties continued to commit human rights abuses, and there were reports of extrajudicial killings, torture, rape, deliberate targeting of civilians, abductions, mutilations, the use of civilians for forced labour and forcible recruitment of children.

The Secretary-General stated that the need for a binding ceasefire was the most critical issue and both sides had agreed to hold direct talks and to cooperate with the ECOWAS mediator. They had also agreed that, following a ceasefire, an international force should be deployed to monitor compliance by the parties. The mandate of that force would be defined during the forthcoming peace talks in Accra. In the Secretary-General’s view, it was urgent to end the fighting and to deploy a monitoring mechanism once a ceasefire was declared. In addition, the warring parties should be warned that violations of human rights and international humanitarian law should stop; otherwise, violators would be held accountable. He warned that Liberia remained the epicentre of the continuing endemic instability which was affecting the political, humanitarian and security landscape throughout much of West Africa.

**Ceasefire agreement**

The period of deteriorating security conditions in Liberia was followed on 4 June by President Taylor’s announcement that he was prepared to step down no later than the end of his current term. That announcement was welcomed by the Security Council President in an 11 June press statement [SC/7787-AFR/644]. Council members urged all combatants to cease hostilities immediately and agree to a ceasefire and to work together to create a peace process, includ-
ing a transitional Government. They further demanded that the parties ensure the security and unrestricted access of humanitarian workers.

The AU Central Organ of the Mechanism for Conflict Prevention, Management and Resolution (Addis Ababa, Ethiopia, 12-13 June) [S/2003/654] also urged all the parties to agree to a ceasefire and welcomed the holding of peace talks in Akosombo, Ghana, between the Government, LURD and MODEL, under ECOWAS auspices.

On 17 June in Accra, the Government, LURD and MODEL signed the Agreement on Ceasefire and Cessation of Hostilities [S/2003/657]. Under its terms, an ECOWAS-led Joint Verification Team, with two representatives from each of the parties, plus UN, AU and ICGL representatives, would verify information provided by the parties on the locations of their units, including combat equipment. A Joint Monitoring Committee, chaired by an ECOWAS representative and with representatives from the parties and the United Nations, the AU and ICGL, would supervise and monitor the ceasefire. Talks would commence immediately on a comprehensive peace agreement, to be reached within 30 days, which would include: deployment of an international stabilization force; a disarmament, demobilization and reintegration programme; restructuring of the security forces; human rights concerns; humanitarian issues; socio-economic reforms; reconstruction; creation of a democratic space; formation of a transitional Government; and elections.

The Secretary-General, on 18 June [S/2003/659], informed the Security Council that ECOWAS had requested the United Nations to provide a helicopter for the Joint Verification Team and invited the United Nations to designate two military officers to participate; the United Nations had made arrangements to comply with the request. On 23 June [S/2003/664], the Council took note of the information.

Despite the signing of the ceasefire, the situation in Liberia deteriorated. The Secretary-General, on 28 June [S/2003/678], urged the Council to take action to support the ceasefire agreement and expressed deep concern at the flagrant ceasefire violations, noting that several hundred civilians had been killed in fighting in and around Monrovia and wanton destruction of property and widespread looting had occurred. Approximately a million people, one third of the population of Liberia, were seeking refuge in Monrovia. Virtually all international relief operations had ceased in the capital and most of the country, and a combination of cholera outbreaks and food shortages in an environment of violence, disruption of services and cessation of humanitarian aid threatened to produce a major humanitarian catastrophe. The Secretary-General appealed to ECOWAS to press for observance of the ceasefire agreement and for a comprehensive political arrangement.

The Secretary-General requested the Council to authorize the deployment to Liberia of a highly trained and well-equipped multinational force, under the lead of a Member State, to prevent a major humanitarian tragedy and to stabilize the situation. Such a force would be authorized under Chapter VII of the UN Charter. In the meantime, the Liberian parties should immediately and unconditionally respect the ceasefire, allow the resumption of humanitarian assistance and resume peace talks under ECOWAS auspices. All States, in particular Liberia’s neighbours, should desist from any action that might be construed as supporting any party to the conflict.

The Security Council mission to West Africa (26 June–5 July) (see p. 163) had planned to visit Liberia. However, because of the continuing conflict, the mission travelled instead to Accra, where the parties were gathered for peace talks, which were suspended between 27 June and 4 July because of ceasefire violations. In its 7 July report [S/2003/688], the mission noted the delay in deploying the Joint Verification Team, in what appeared to be a tactic to gain time to win military advantage. LURD and MODEL apparently had no common objectives beyond the exclusion from power of President Taylor. ECOWAS hoped to be ready to secure the ceasefire by creating a buffer zone through the deployment of a stabilization force, but it needed financial and logistical assistance from the international community. The ECOWAS Executive Secretary hoped the United States would consider involvement in such a force and that a neutral transitional Government could then be appointed for a period of 18 to 24 months. President Obasanjo of Nigeria informed the mission that the indictment of President Taylor by the Special Court for Sierra Leone had complicated his departure from office, as he was now insisting that the indictment first be rescinded.

The mission recommended that the Security Council urgently consider authorizing an international stabilization force on the basis of current ECOWAS plans, taking account of the ECOWAS appeal for troops and other support from outside the region. Plans for deployment should be drawn up rapidly, since delay would risk renewed breakdowns of the ceasefire. Liberia was likely to require increased UN attention and involvement in the short to medium term. The mission suggested that the Secretary-General appoint a senior representative in Liberia.
The Secretary-General, in an 8 July letter [S/2003/695], described to the Council a number of initiatives he had taken. He had appointed Jacques Paul Klein (United States) as his Special Representative for Liberia to coordinate UN activities in that country. In anticipation of the early deployment of the multinational force and consequent improvement in the security situation, he had instructed his Special Representative to expedite the return to Liberia of all UN agencies providing humanitarian assistance. With a view to advancing developments on the political front, he had sent Ahmedou Ould-Abdallah, Special Representative for West Africa, to Accra to provide UN support, in cooperation with ECOWAS, to the ongoing dialogue among the Liberian parties. He had also requested his Representative in Liberia, Abou Moussa, and the Resident Coordinator, Marc de Bernis, who were evacuated during the fighting, to return to Monrovia and prepare for the return of UN and associated personnel. The Secretary-General expressed the hope for an early establishment of transitional arrangements in Liberia. On 10 July [S/2003/696], the Council took note of the information conveyed by the Secretary-General.

Council members, in a 24 July press statement [SC/7824-AFR/674], expressed concern regarding the continuing deterioration of the security situation and the humanitarian crisis in Liberia. They reiterated that President Taylor had to honour his commitment to leave Liberia so that a transitional Government could be installed and peace restored. They urged LURD to stop its indiscriminate shelling of Monrovia immediately, welcomed the imminent deployment of an ECOWAS vanguard force to Liberia and called on the international community to support ECOWAS efforts.

Both the EU and the AU issued July statements calling for adherence to the ceasefire agreement. The EU Presidency [S/2003/764, S/2003/792] also called on the Liberian parties to sign a comprehensive peace agreement that would end the 15 years of conflict, and stressed the importance of the deployment of an interposition force/international stabilization force and the departure of President Taylor. The AU Central Organ of the Mechanism for Conflict Prevention, Management and Resolution (Addis Ababa, 24 July) [S/2003/760] welcomed the ECOWAS decision to deploy a vanguard force in Monrovia and appealed urgently to the international community to assist ECOWAS and take measures to deploy an international stabilization force.

Establishment of multinational force

The Secretary-General, on 29 July [S/2003/769], informed the Security Council that ECOWAS had indicated its readiness to deploy 1,500 troops to Liberia by mid-August, to serve as a “vanguard force” for the multinational force that he had proposed on 28 June (see p. 189). The vanguard force would comprise two battalions from Nigeria, one of which would be transferred from UNAMSIL, and a third battalion made up of 250 troops each from Ghana, Mali and Senegal. Expressing concern at the dramatic deterioration of the situation following renewed fighting in Monrovia on 18 July, the Secretary-General said it was essential to accelerate the deployment of the vanguard force to pave the way for an early deployment of the multinational force. The United States had announced that it would position appropriate military capabilities off Liberia’s coast to support the deployment of the ECOWAS forces.

The deployment of the vanguard force would be the first phase of a three-phase deployment. The deployment of the full multinational force would constitute phase 2, and the establishment of a UN peacekeeping operation would constitute phase 3. Phase 2 troops would arrive immediately after President Taylor’s departure. That multinational force would be relieved by a UN peacekeeping operation within the shortest possible time. It would be important for the Security Council to make an early decision on the establishment of such a UN mission, and to authorize a robust mandate in order to ensure that it had a credible deterrence capability. The main objective of the peacekeeping force would be to support implementation of the envisaged peace agreement, culminating in the holding of elections, for which the force would ensure the necessary conditions. An assessment mission would be sent to Liberia to determine the number of troops and other personnel needed. Jacques Klein, the Special Representative, would lead United Nations activities in Liberia. In view of those plans, the mandate of UNOL would have to be terminated and the staff and assets absorbed by the office of the Special Representative.

SECURITY COUNCIL ACTION (August)

On 1 August [meeting 4803], the Security Council adopted resolution 1497(2003) by vote (12-0-3). The draft [S/2003/784] was submitted by the United States.

The Security Council,

Deeply concerned over the conflict in Liberia and its effects on the humanitarian situation, including the tragic loss of countless innocent lives, in that country, and its destabilizing effect on the region,

Stressing the need to create a secure environment that enables respect for human rights, including the well-being and rehabilitation of children, protects the
well-being of civilians and supports the mission of humanitarian workers,

Reminding the parties of their obligations under the Liberian ceasefire agreement, signed in Accra, 17 June 2003,

Recalling that, in paragraph 4 of its resolution 1343 (2001) of 7 March 2001, the Council demanded that all States take action to prevent armed individuals and groups from using their territory to prepare and commit attacks on neighbouring countries and refrain from any action that might contribute to further destabilization on the borders between Guinea, Liberia and Sierra Leone,

Commending the Economic Community of West African States, in particular its Chairman, President John Kufuor of the Republic of Ghana, for its leadership role in facilitating the achievement of the aforementioned ceasefire agreement, and recognizing the critically important role it has played and necessarily will continue to play in the Liberia peace process, consistent with Chapter VII of the Charter of the United Nations,

Commending also President Olusegun Obasanjo of the Federal Republic of Nigeria for his efforts to bring peace to Liberia,

Resolving the Secretary-General’s request of 28 June 2003 to the Security Council to authorize the deployment of a multinational force to Liberia,

Determining that the situation in Liberia constitutes a threat to international peace and security, to stability in the West African subregion and to the peace process for Liberia,

Acting under Chapter VII of the Charter,

1. Authorizes Member States to establish a Multinational Force in Liberia to support the implementation of the ceasefire agreement of 17 June 2003, including establishing conditions for initial stages of disarmament, demobilization and reintegration activities, to help to establish and maintain security in the period after the departure of the current President and the installation of a successor authority, taking into account the agreements to be reached by the Liberian parties, to secure the environment for the delivery of humanitarian assistance to populations in need in Liberia; and requests the Secretary-General to submit to the Council recommendations on the size, structure and mandate of this force, preferably by 15 August 2003, and its subsequent deployment no later than 1 October 2003;

2. Declares its readiness to establish such a follow-on United Nations stabilization force to support the transitional government and to assist in the implementation of a comprehensive peace agreement for Liberia, and requests the Secretary-General to submit to the Council recommendations on the size, structure and mandate of this force, preferably by 15 August 2003, and its subsequent deployment no later than 1 October 2003;

3. Authorizes the United Nations Mission in Sierra Leone to extend the necessary logistical support, for a limited period of up to thirty days, to the forward elements of the Economic Community of West African States in the Multinational Force, without prejudicing the operational capability of the Mission with respect to its mandate in Sierra Leone;

4. Requests the Secretary-General, pending a decision by the Security Council on the establishment of a United Nations peacekeeping operation in Liberia, to take the necessary steps, including the necessary logistical support to the elements of the Economic Community of West African States in the Multinational Force, and pre-positioning critical logistical and personnel requirements to facilitate the rapid deployment of the envisaged operation;

5. Authorizes the Member States participating in the Multinational Force to take all necessary measures to fulfill its mandate;

6. Calls upon Member States to contribute personnel, equipment and other resources to the Multinational Force, and stresses that the expenses of the Multinational Force will be borne by the participating Member States and other voluntary contributions;

7. Decides that current or former officials or personnel from a contributing State which is not a party to the Rome Statute of the International Criminal Court shall not apply to supplies of arms and related materiel and technical training and assistance intended solely for support of and use by the Multinational Force;

8. Decides also that the measures imposed by paragraphs 5 (a) and (b) of resolution 1343 (2001) shall not apply to supplies of arms and related materiel and technical training and assistance intended solely for support of and use by the Multinational Force;

9. Demands that all States in the region refrain from any action that might contribute to instability in Liberia or on the borders between Liberia, Guinea, Sierra Leone and Côte d’Ivoire;

10. Calls upon the Libyan parties to cooperate with the Joint Verification Team and Joint Monitoring Commission as established under the ceasefire agreement of 17 June 2003;

11. Calls upon all Liberian parties and Member States to cooperate fully with the Multinational Force in the execution of its mandate and to respect the security and freedom of movement of the Multinational Force, as well as to ensure the safe and unimpeded access of international humanitarian personnel to populations in need in Liberia;

12. Stresses the urgent need for all Liberian parties who are signatories to the ceasefire agreement of 17 June 2003, in particular the leadership of Liberians United for Reconciliation and Democracy and the Movement for Democracy in Liberia, immediately and scrupulously to uphold the ceasefire agreement, to cease using violent means and to agree as soon as possible to an all-inclusive political framework for a transitional government until such time when free and fair elections can be held, and notes that critical to this endeavour is the fulfillment of the commitment to depart from Liberia made by President Charles Taylor;

13. Urges Liberians United for Reconciliation and Democracy and the Movement for Democracy in Liberia to refrain from any attempt to seize power by force, bearing in mind the position of the African Union on unconstitutional changes of government as stated in the 1999 Algiers decision and the 2000 Lomé Decision;

14. Decides to review the implementation of the present resolution within thirty days of adoption to consider the report and recommendations of the Secretary-General called for in paragraph 2 above and further steps that might be necessary;

15. Requests that the Secretary-General, through his Special Representative, report to the Council periodically on the situation in Liberia in relation to the
implementation of the present resolution, including information on implementation by the Multinational Force of its mandate;
16. **Decides to remain actively seized of the matter.**

**VOTE ON RESOLUTION 1497(2003):**

In favour: Angola, Bulgaria, Cameroon, Chile, China, Guinea, Pakistan, Russian Federation, Spain, Syrian Arab Republic, United Kingdom, United States.

Against: None.

Abstaining: France, Germany, Mexico.

**Comprehensive Peace Agreement**

On 18 August in Accra, the Government of Liberia, LURD, MODEL and 18 political parties signed the Comprehensive Peace Agreement, which Ghana forwarded to the Security Council on 27 August [S/2003/850]. Under the terms of the Agreement, the signatories agreed to abide by the 17 June ceasefire agreement (see p. 189) and called on ECOWAS to establish immediately a multinational force to be deployed as an interposition force, the mandate of which was outlined in the Agreement and included a mechanism for monitoring implementation. The parties also agreed on the need for deployment of an international stabilization force in Liberia and requested the United Nations, in collaboration with ECOWAS, the AU and ICGL, to deploy such a force to support the Transitional Government in Liberia and to assist in implementing the Comprehensive Peace Agreement. The force’s mandate, which was outlined in the Agreement, included monitoring disengagement and cantonment of forces, collecting weapons at disarmament sites, assisting in the delivery of humanitarian assistance, providing advice to the Transitional Government on forming a new and restructured Liberian army, and protecting civilians and political leaders under imminent threat of violence.

Other articles of the Agreement dealt with: disengagement of forces; a process for the cantonment, disarmament, demobilization, rehabilitation and reintegration of troops; security sector reform, including the disbandment of irregular forces, reforming and restructuring of the Liberian armed forces, and restructuring of the police and other security services; release of prisoners and abductees; human rights issues, including the establishment of a Truth and Reconciliation Commission; providing access for delivery of humanitarian relief; the establishment of a Governance Reform Commission that would ensure transparency and accountability; electoral reform and organization of elections; establishment of an all-inclusive National Transitional Government; post-conflict rehabilitation and reconstruction, including reintegration of refugees and displaced persons, paying special attention to the rehabilitation of vulnerable groups or war victims (children, women, the elderly and the disabled); and a general amnesty for those engaged in military activities during the Liberian civil conflict. The parties called on ECOWAS, the United Nations, the AU and ICGL to use their good offices to ensure that the Peace Agreement was implemented.

Under the Agreement, the National Transitional Government had the responsibility to ensure implementation of the Agreement, including preparation of elections to be held in October 2005. On 21 August, Gyude Bryant, head of the Liberia Action Party, was appointed as Chairman of the National Transitional Government.

**Security Council consideration.** Addressing the Security Council on 27 August [meeting 4815], the Chairman of ECOWAS, Ghana’s Foreign Minister, Nana Akufo-Addo, said that the departure of President Taylor on 11 August for Nigeria had contributed significantly to the conclusion of the Peace Agreement. The ECOWAS interposition force was currently deployed at a strength of 1,696 troops and would increase to about 3,500 by September.

The ECOWAS Executive Secretary, Mohamed Ibn Chambas, said that the issue of armed groups that roamed freely in the MRU area and in western Côte d’Ivoire remained a problem, as did the proliferation of small arms and light weapons in West Africa. He called on the Council to lift its sanctions against Liberia (see p. 201) in order to allow the forthcoming Transitional Government to function effectively.

**SECURITY COUNCIL ACTION (August)**

On 27 August [meeting 4815], following consultations among Security Council members, the President made statement S/PV.2003/14 on behalf of the Council:

The Security Council welcomes the briefing provided by representatives of the Economic Community of West African States, including Mr. Nana Akufo-Addo, Minister for Foreign Affairs of Ghana, Mr. Mamadou Bamba, Minister for Foreign Affairs of Côte d’Ivoire, Mr. François Fall, Minister for Foreign Affairs of Guinea, Mr. Olayemi Adeniji, Minister for Foreign Affairs of Nigeria, Mr. Papa Louis Fall, Permanent Representative of Senegal to the United Nations, and Mr. Mohamed Ibn Chambas, Executive Secretary of the Economic Community of West African States, on the Comprehensive Peace Agreement reached in Accra on 18 August 2003.

The Council welcomes the Comprehensive Peace Agreement reached by the Government of Liberia, rebel groups, political parties and civil society leaders in Accra on 18 August 2003.

The Council appreciates the efforts of the Economic Community of West African States, particularly those of Mr. John Kufuor, Chairman of that organization and President of the Republic of Ghana,
Mr. Mohamed Ibn Chambas, Executive Secretary, and mediator General Abdulsalami Abubakar, in negotiating this agreement.

The Council remains concerned at the situation in Liberia, particularly the continuing dire humanitarian situation of much of the population. It calls upon all parties to allow full, secure and unimpeded access for humanitarian agencies and personnel.

The Council again stresses the need to create a secure environment that enables respect for human rights, including the well-being and rehabilitation of children, especially child combatants, protects the well-being of civilians and supports the mission of humanitarian workers.

The Council pays tribute to the donors that are supporting the deployment of the Economic Community of West African States’ Mission in Liberia, encourages all Member States to provide financial, logistical and material support to the Member States participating in the force led by the Economic Community of West African States, and calls upon the donor community to provide urgent humanitarian assistance to those in need in Liberia.

The Council urges all parties to respect fully the ceasefire and to implement fully all their commitments under the Comprehensive Peace Agreement signed at Accra on 18 August 2003, including through full cooperation with the Economic Community of West African States’ Mission in Liberia, the United Nations, the International Contact Group on Liberia, the African Union and the United States of America to establish a Joint Monitoring Committee, which is a critical aspect of the Liberian peace process, as required under the Accra agreement.

The Council reaffirms its readiness, as stated in paragraph 2 of its resolution 1497(2003) of 1 August 2003, to establish a follow-on United Nations stabilization force to support the transitional government and to assist in the implementation of a comprehensive peace agreement for Liberia.

Communications (September). Both the EU [S/2003/859] and the AU [S/2003/876] issued September statements welcoming the Comprehensive Peace Agreement. The EU stressed the importance of completing the deployment of ECOMIL as a vanguard force of the UN stabilization force, in accordance with resolution 1497(2003) (see p. 190). The AU urged the warring factions to observe the 17 June ceasefire agreement.

Report of Secretary-General (September). As requested by the Security Council in resolution 1497(2003) (see p. 190), the Secretary-General submitted an 11 September report on Liberia [S/2003/875], in which he provided the historical background of the Liberian conflict and an account of recent political and military developments. Based on the findings of an August/September assessment mission to Liberia, led by his Special Representative, the Secretary-General presented recommendations for establishing a UN peacekeeping mission (see below).

The Secretary-General noted that the security situation in Liberia continued to improve following the signing of the Comprehensive Peace Agreement, although it was still highly unstable. Government forces were estimated at over 20,000 troops, LURD had a strength of some 5,000 fighters, mainly in western Liberia, and MODEL had a force of 1,500 to 3,000 fighters, operating in the eastern parts of the country. Judicial institutions and the police suffered from problems of corruption and had nearly ceased to function. Of the estimated 250,000 people who had lost their livelihood in war-related circumstances since 1989, at least half were civilian non-combatants; all sides were responsible for violations of human rights and abuses. The humanitarian situation remained dire; nearly a million Liberians, or a third of the population, were displaced. Large numbers of refugees from Sierra Leone, Côte d’Ivoire and other countries added to the humanitarian woes. The cumulative impact of the conflict had reduced the already declining living standards. Liberia was one of the world’s poorest countries, with high illiteracy rates and unemployment, and 75 per cent of the population lived below the poverty line.

Following the deployment of ECOMIL, the UN country team started to return to Monrovia on 11 August. The humanitarian community gave priority to rapid assessments and emergency interventions, particularly in the food, health, nutrition, water and sanitation, education and protection sectors. It was expected that the majority of internally displaced persons would, for the time being, remain in camps and would be dependent on aid for months to come.

One of the greatest challenges in Liberia and the neighbouring countries was the presence of thousands of combatants, including children, of various nationalities. Successful disarmament, demobilization and reintegration (DDR) of those ex-combatants would be crucial to sustainable peace and security. In Liberia alone, there were an estimated 27,000 to 38,000 combatants, many of whom were children. The Secretary-General urged all stakeholders, particularly the National Transitional Government and all other Liberian parties, ECOMIL, the proposed UN peacekeeping operation, all aid agencies and NGO partners, to coordinate efforts to develop an effective DDR programme. Adequate and secure funding would be required for maintaining cantonment sites, supporting ex-combatants and their families during the process, and providing cash and other incentives to encourage them to disarm and demobilize. The UN force should be responsible for disarming and demobilizing the combatants in the cantonment sites. Particular attention
should be given to the needs of child combatants, women among the fighting forces, dependants of combatants, camp followers and abductees. Any DDR programme for Liberia should be linked to the ongoing DDR process in Côte d’Ivoire and benefit from lessons learned in Sierra Leone and other peace initiatives in the region and should form part of a strategy aimed at the political and economic recovery of the West African sub-region.

The Secretary-General viewed the transfer of power from President Taylor to Vice-President Blah and the signing of the Comprehensive Peace Agreement as a unique window of opportunity to end the suffering and to find a peaceful solution to a conflict that had been the epicentre of instability in the subregion. There remained, however, formidable challenges to lasting peace, and he called on the parties to abide by the terms of the Comprehensive Peace Agreement. The effective functioning of the National Transitional Government would be crucial to its implementation.

Establishment of UNMIL

As envisaged by Security Council resolution 1497(2003) (see p. 190) and the Comprehensive Peace Agreement, the Secretary-General recommended the establishment of a multidimensional UN peacekeeping operation in Liberia, the United Nations Mission in Liberia (UNMIL) [S/2003/875]. On the basis of the findings of the multidisciplinary assessment mission, he proposed a mandate that included supporting the National Transitional Government and the other parties in implementing the Agreement, monitoring the ceasefire, protecting civilians and supporting the safe return of refugees, assisting in the DDR programme and monitoring the human rights situation. The mission would be composed of political, military, civilian police, criminal justice, civil affairs, human rights, gender, child protection, DDR, public information and support components, and would have an electoral component in due course. The Secretary-General described the tasks of each of those components. The mission would also include a mechanism for coordinating its activities with those of the humanitarian and development community and would coordinate closely with ECOWAS and the AU. It would be headed by his Special Representative, who would have overall authority for the Mission and the UN system in Liberia.

The Secretary-General recommended that the Security Council, acting under Chapter VII of the Charter, authorize the deployment of a multidimensional UN peacekeeping operation with adequate resources, and a troop strength of up to 15,000, including 250 military observers, 160 staff officers and up to 875 civilian police officers and an additional five armed formed units, each comprising 120 officers and a significant civilian component and necessary support staff.

On 16 September [S/2003/899], the Secretary-General, noting the planned UN peacekeeping force for Liberia, informed the Council that he intended to close the operations of UNOL as soon as the deployment of the peacekeeping mission was authorized. The major functions performed by UNOL would be transferred to the new UN operation in Liberia.

Security Council consideration. The Security Council considered the proposal for UNMIL at a private meeting on 15 September [meeting 4825] and at an open meeting the next day [meeting 4826]. The Special Representative, Mr. Klein, said that Liberia’s massive humanitarian and political crisis called for immediate intervention. The UN force had to be credible, well trained and well equipped, as its tasks were many and arduous.

SECURITY COUNCIL ACTION (September)


The Security Council,
Recalling its resolutions and the statements by its President on Liberia, including its resolution 1497 (2003) of 1 August 2003 and the statement by its President of 27 August 2003, and other relevant resolutions and statements,
Expressing its utmost concern at the dire consequences of the prolonged conflict for the civilian population throughout Liberia, in particular the increase in the number of refugees and internally displaced persons,
Stressing the urgent need for substantial humanitarian assistance to the Liberian population,
Deploiring all violations of human rights, particularly atrocities against civilian populations, including widespread sexual violence against women and children,
Expressing its deep concern at the limited access of humanitarian workers to populations in need, including refugees and internally displaced persons, and stressing the need for the continuation of the relief operations of the United Nations and other agencies, as well as the promotion and monitoring of human rights,
Emphasizing the need for all parties to safeguard the welfare and security of humanitarian workers and United Nations personnel in accordance with applicable rules and principles of international law, and recalling in this regard its resolution 1502(2003) of 26 August 2003,
Mindful of the need for accountability for violations of international humanitarian law, and urging the transitional government, once established, to ensure that the protection of human rights and the establishment of a State based on the rule of law and of an independent judiciary are among its highest priorities,
Taking note of the intention of the Secretary-General to terminate the mandate of the United Nations Office in Liberia, as indicated in his letter dated 16 September 2003 addressed to the President of the Security Council, Taking note also of the intention of the Secretary-General to transfer the major functions performed by the United Nations Office in Liberia to the United Nations Mission in Liberia, together with staff of the Office, as appropriate,

Determining that the situation in Liberia continues to constitute a threat to international peace and security in the region, to stability in the West African subregion and to the peace process for Liberia,

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

1. Decides to establish the United Nations Mission in Liberia, the stabilization force called for in resolution 1497(2003), for a period of twelve months, requests the Secretary-General to transfer authority from the forces of the Economic Community of West African States’ Mission in Liberia led by the Economic Community of West African States to the United Nations Mission in Liberia on 1 October 2003, and decides that the Mission shall consist of up to 15,000 United Nations military personnel, including up to 250 military observers and 160 staff officers, and up to 1,115 civilian police officers, including formed units to assist in the maintenance of law and order throughout Liberia, and the appropriate civilian component;

2. Welcomes the appointment by the Secretary-General of his Special Representative for Liberia to direct the operations of the Mission and coordinate all United Nations activities in Liberia;

3. Decides that the Mission shall have the following mandate:

Support for implementation of the ceasefire agreement

(a) To observe and monitor the implementation of the ceasefire agreement and investigate violations of the ceasefire;

(b) To establish and maintain continuous liaison with the field headquarters of military forces of all the parties;

(c) To assist in the development of cantonment sites and to provide security at these sites;

(d) To observe and monitor disengagement and cantonment of military forces of all the parties;

(e) To support the work of the Joint Monitoring Committee;

(f) To develop, as soon as possible, preferably within thirty days of the adoption of the present resolution, in cooperation with the Joint Monitoring Committee, relevant international financial institutions, international development organizations and donor nations, an action plan for the overall implementation of a disarmament, demobilization, reintegration and repatriation programme for all armed parties, with particular attention to the special needs of child combatants and women, and addressing the inclusion of non-Liberian combatants;

(g) To carry out voluntary disarmament and to collect and destroy weapons and ammunition as part of an organized disarmament, demobilization, reintegration and repatriation programme;

(h) To liaise with the Joint Monitoring Committee and to advise on the implementation of its functions.
under the Comprehensive Peace Agreement and the ceasefire agreement:

(i) To provide security at key government installations, in particular ports, airports and other vital infrastructure;

Protection of United Nations staff, facilities and civilians

(j) To protect United Nations personnel, facilities, installations and equipment, to ensure the security and freedom of movement of its personnel and, without prejudice to the efforts of the government, to protect civilians under imminent threat of physical violence, within its capabilities;

Support for humanitarian and human rights assistance

(k) To facilitate the provision of humanitarian assistance, including by helping to establish the necessary security conditions;

(l) To contribute towards international efforts to promote and protect human rights in Liberia, with particular attention to vulnerable groups, including refugees, returning refugees and internally displaced persons, women, children and demobilized child soldiers, within its capabilities and under acceptable security conditions, in close cooperation with other United Nations agencies, related organizations, governmental organizations and non-governmental organizations;

(m) To ensure an adequate human rights presence, capacity and expertise within the Mission to carry out human rights promotion, protection and monitoring activities;

Support for security reform

(n) To assist the transitional government of Liberia in monitoring and restructuring the police force of Liberia, consistent with democratic policing, to develop a civilian police training programme and to assist otherwise in the training of civilian police, in cooperation with the Economic Community of West African States, international organizations and interested States;

(o) To assist the transitional government in the formation of a new and restructured Liberian military, in cooperation with the Economic Community of West African States, international organizations and interested States;

Support for implementation of the peace process

(p) To assist the transitional government, in conjunction with the Economic Community of West African States and other international partners, in the re-establishment of national authority throughout the country, including the establishment of a functioning administrative structure at both the national and the local levels;

(q) To assist the transitional government, in conjunction with the Economic Community of West African States and other international partners, in developing a strategy to consolidate governmental institutions, including a national legal framework and judicial and correctional institutions;

(r) To assist the transitional government in restoring proper administration of natural resources;

(s) To assist the transitional government, in conjunction with the Economic Community of West African States and other international partners, in preparing for national elections scheduled for no later than the end of 2005;

4. Demands that the Liberian parties cease hostilities throughout Liberia and fulfil their obligations under the Comprehensive Peace Agreement and the ceasefire agreement, including cooperation in the formation of the Joint Monitoring Committee as established under the ceasefire agreement;

5. Calls upon all parties to cooperate fully in the deployment and operations of the Mission, including by ensuring the safety, security and freedom of movement of United Nations personnel, together with associated personnel, throughout Liberia;

6. Encourages the Mission, within its capabilities and areas of deployment, to support the voluntary return of refugees and internally displaced persons, under the Comprehensive Peace Agreement and the cessation of hostilities agreement, including cooperation in the formation of the Joint Monitoring Committee as established under the ceasefire agreement;

7. Requests the Government of Liberia to conclude a status-of-forces agreement with the Secretary-General within thirty days of the adoption of the present resolution, and notes that, pending the conclusion of such an agreement, the model status-of-forces agreement dated 9 October 1990 shall apply provisionally;

8. Calls upon all parties to ensure, in accordance with relevant provisions of international law, the full, safe and unhindered access of relief personnel to all those in need and the delivery of humanitarian assistance, in particular to internally displaced persons and refugees;

9. Recognizes the importance of the protection of children in armed conflict, in accordance with its resolution 1579(2001) of 20 November 2001 and related resolutions;

10. Demands that all parties cease all use of child soldiers and cease all human rights violations and atrocities against the Liberian population, and stresses the need to bring to justice those responsible;

11. Reaffirms the importance of a gender perspective in peacekeeping operations and post-conflict peace-building, in accordance with resolution 1325 (2000) of 31 October 2000, recalls the need to address violence against women and girls as a tool of warfare, and encourages the Mission as well as the Liberian parties actively to address these issues;

12. Decides that the measures imposed by paragraphs 5 (a) and (b) of resolution 1343(2001) of 7 March 2001 shall not apply to supplies of arms and related matériel and technical training and assistance intended solely for the support of or use by the Mission;

13. Reiterates its demand that all States in the region cease military support for armed groups in neighbouring countries, take action to prevent armed individuals and groups from 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 in the region, and declares its readiness to consider, if necessary, ways of promoting compliance with this demand;

14. Calls upon the transitional government to restore fully Liberia’s relations with its neighbours and to normalize Liberia’s relations with the international community;

15. Calls upon the international community to consider how it might help future economic development in Liberia aimed at achieving long-term stability in the country and improving the welfare of its people;
16. Stresses the need for an effective public information capacity, including the establishment, as necessary, of United Nations radio stations to promote understanding of the peace process and the role of the Mission among local communities and the parties;

17. Calls upon the Liberian parties to engage for the purpose of addressing the question of disarmament, demobilization, reintegration and repatriation on an urgent basis, and urges the parties, in particular the transitional government of Liberia, and the rebel groups Liberians United for Reconciliation and Democracy and the Movement for Democracy in Liberia, to work closely with the Mission, the Joint Monitoring Committee, relevant assistance organizations and donor nations in the implementation of a disarmament, demobilization, reintegration and repatriation programme;

18. Calls upon the international donor community to provide assistance for the implementation of a disarmament, demobilization, reintegration and repatriation programme, and sustained international assistance to the peace process, and to contribute to consolidated humanitarian appeals;

19. Requests the Secretary-General to provide regular updates, including a formal report every ninety days to the Council, on the progress in the implementation of the Comprehensive Peace Agreement and the present resolution, including the implementation of the mandate of the Mission;

20. Decides to remain actively seized of the matter.

The Secretary-General, on 29 September [S/2003/925], informed the Security Council of his intention to appoint Lieutenant General Ishmael Opande (Kenya) as UNMIL Force Commander as of 1 October. On 1 October [S/2003/927], the Council took note of his intention.

In a 9 October press statement [SC/7890-AFR/725], Council members expressed appreciation for the service performed by ECOMIL forces in Liberia and looked forward to a smooth transition from ECOMIL to UNMIL. They welcomed the fact that the new headquarters would be operational by 1 November and that forces would be fully deployed by March 2004. Members expressed concern that former President Taylor was still attempting to influence events in Liberia and noted that any interference from him could threaten the peace agreement. They underscored the importance for Liberia of a programme to demobilize, disarm, reintegrate and repatriate combatants to peace and security and urged all parties to commit to those efforts. They called on all armed groups to respect the ceasefire, to support the Transitional Government and to cooperate in such a programme.

Security Council mission. The Secretary-General reported in December [S/2003/1175] on progress made in implementing the recommendations of the Security Council mission to West Africa (see p. 163). With regard to Liberia, he reported that the ceasefire was generally holding despite sporadic harassment of civilians in some places by all warring parties. A disarmament, demobilization, reintegration and rehabilitation (DDRR) action plan had been completed for 38,000 combatants, including 8,000 child soldiers and 1,000 female combatants. UNMIL had taken over from the ECOMIL force on 1 October. Although Monrovia and its surroundings were secured, UNMIL needed more troops to deploy inside the country so as to stabilize it. Monitoring of the ceasefire had begun, and a number of organizations were working together on improving respect for international humanitarian law and human rights.

In general, the mission found, the early steps taken towards implementing the peace process augured well for the stability of Liberia and for the consolidation of peace in Sierra Leone. However, stabilizing Liberia remained a challenge and was contingent upon the timely mobilization and deployment of the required troops throughout the country, especially as disarmament and demobilization of combatants began.

Report of Secretary-General (December). In accordance with Security Council resolution 1509(2003) (see p. 194), the Secretary-General, on 15 December [S/2003/1175], issued his first progress report on UNMIL. UNMIL took over peacekeeping responsibilities from ECOMIL on 1 October. All of the approximately 3,600 ECOMIL troops from Benin, the Gambia, Ghana, Guinea-Bissau, Mali, Nigeria, Senegal and Togo were reassigned to UNMIL, switching hats to become UN peacekeepers. Shortly after the takeover, United States ships that had been positioned off the coast since August withdrew from the area. As at 12 December, UNMIL troop strength stood at 5,900 military personnel. More contingents from Bangladesh, Namibia, Pakistan, Sweden and Ukraine, as well as military observers from various Member States, were scheduled to arrive in early 2004, with full deployment expected by the end of February. Delays in finding the necessary troops and equipment, in particular helicopters and signals units, had hampered deployment.

Ceasefire violations were reported in a number of locations. In Monrovia, a violation occurred on 1 October, the day of the handover from ECOMIL to UNMIL, after which UNMIL stepped up its patrols and the ceasefire held there until 7 December, when there were riots by former government soldiers and militias at the launching of the disarmament and demobilization exercise at a cantonment site near the city. Beyond Monrovia and the areas to which UNMIL had deployed, the security situation remained volatile and there was sporadic fighting. Until UNMIL re-
ceived sufficient troops to deploy to areas affected by clashes, further sporadic fighting, looting and harassment of civilians were likely.

The Joint Monitoring Committee had been a valuable mechanism for monitoring the ceasefire, maintaining dialogue among the armed groups, and facilitating contacts between UNMIL and the ground commanders of those groups. The Committee, comprising representatives of MODEL, LURD and former government forces and chaired by the UNMIL Force Commander, played a key role in the efforts to end the sporadic fighting in the interior of the country. At the first meeting convened by UNMIL on 6 October, the armed groups agreed to declare Monrovia and key areas on the outskirts of the city a “weapon-free zone”. Pursuant to that decision, the then interim President, Moses Blah, handed over to UNMIL several tons of arms and ammunition belonging to the former government forces. UNMIL also collected 22 tons of arms and ammunition that had been illegally imported by former President Charles Taylor but were seized by ECOMIL. In addition, some 800 militia personnel loyal to former President Taylor handed over their weapons to UNMIL. In preparation for the cantonment and disarmament of combatants, the Committee was collecting information from the armed groups on the numbers and location of their forces.

UNMIL cooperated with a number of other UN and international organizations on the elaboration of an action plan for DDRR, which would target an estimated 40,000 combatants. The initial phase, which began on 7 December, targeted 1,000 from each of the three armed factions. The plan would involve disarmament, destruction of weapons and interviews for reintegraton. Before being discharged from the cantonment sites, each former combatant would receive a stipend for resettlement expenses and would begin a long-term reintegration programme. Special arrangements would be made for child and female combatants. A subregional approach involving foreign combatants in Liberia was being discussed by UNMIL and a number of other UN missions, offices and agencies. A National Commission for DDRR was established to oversee the whole programme and make policy decisions. A Joint Implementation Unit was established to coordinate the implementation of the DDRR process on the ground. By the end of the year, the cantonment facilities for the former government forces were established, but facilities for the LURD and MODEL forces had yet to be prepared.

As requested by the Security Council in resolution 1509(2005), UNMIL civilian police, expected to total 80 by the end of the year, would assist the national police in restructuring and training the force. To that end, a nucleus of the interim police force, comprising 20 police officers, had already received “fast track” training by UNMIL.

The National Transitional Government of Liberia, a key element of the Comprehensive Peace Agreement, was inaugurated on 14 October and power was transferred from the interim Government led by President Moses Blah to the new Government led by Chairman Charles Gyude Bryant. The signatory parties to the Peace Agreement submitted nominations for the 22 Cabinet posts allocated to them under its terms. However, Chairman Bryant rejected the nominations made by LURD for three posts. LURD threatened to pull out of the peace process and to refuse access by UNMIL to areas under its control. Following a series of meetings convened by UNMIL, the three armed groups, on 27 November, renewed their demands for more senior government posts. On 28 November, the Implementation Monitoring Committee, comprising representatives of UNMIL, ECOWAS, the AU, the EU and ICGL, held its first meeting, at which it condemned the attempt by the armed groups to make the attainment of government posts a precondition for their participation in the DDRR programme. It also requested the Joint Monitoring Committee to recommend measures to be taken against parties responsible for continuing violations of the ceasefire agreement, adding that those breaking international humanitarian law would be held accountable for their crimes. The National Transitional Legislative Assembly also began its work, electing officers and establishing its committees. Nine of the 67 seats in that body were not filled at the time of the report.

The UNMIL civil affairs component conducted an assessment of the functional capacities of government ministries and other public administration structures. The preliminary findings indicated that, of the 22 ministries surveyed, only two were working. All the others either were partially functioning or had closed down completely due to looting and non-payment of salaries. The UNMIL mandate envisaged the setting up of judicial and corrections components within the Mission’s structure, to include training, advisory and court monitoring programmes. Other UNMIL assistance was planned in the areas of controlling the exploitation of natural resources, electoral planning and public information.

The humanitarian situation in Monrovia was gradually improving. Relief assistance was being delivered to vulnerable groups in and around the capital. Since August, UN agencies and their partners had delivered food assistance to about 380,000 beneficiaries, helped to reduce cholera
and prevent fatalities through chlorination of open wells, benefiting 400,000 people, vaccinated 600,000 children against measles, supported basic health-care services in accessible areas, provided protection and assistance to internally displaced persons and refugees, and assisted in the repatriation of Sierra Leonian refugees. Assessment missions by humanitarian agencies, with UNMIL assistance, revealed massive destruction and vandalizing of physical infrastructure and the total collapse of basic social services. UN agencies formulated a consolidated inter-agency appeal aimed at responding to the immediate needs of the Liberian population, in which they requested $137 million to support proposed programmes (see p. 931).

The human rights situation in Liberia remained a major cause for concern. The ongoing skirmishes between the armed factions were accompanied by attacks on civilians, often including deliberate killings, mutilations, rape, torture, arson, abduction and harassment, in addition to extortion, looting and the destruction of property. Reports were received of reprisal attacks and atrocities against ethnic Gio and Mano peoples by Krahn elements associated with MODEL. In collaboration with other organizations, UNMIL was documenting cases of serious violations of human rights and humanitarian law, including information on the perpetrators, victims and eyewitnesses.

In general, the Secretary-General found there had been an encouraging start to the efforts to re-establish security, facilitate the delivery of humanitarian assistance and promote the peace process in Liberia over the previous three months. UNMIL had begun extending its influence beyond the capital through air and ground patrols and had established liaison with the political and military leadership of the three parties. The main mechanisms for the implementation of the peace process were in place. It was essential at that point to expedite the deployment of UNMIL beyond the Monrovia area in order to stabilize the situation in the interior where skirmishes and human rights violations had continued since the signing of the peace agreements. To that end, more specialized support units were needed, in particular helicopter gunships and signals units. Regrettably, the armed groups had yet to demonstrate their full commitment to the peace process, as was apparent from the ongoing skirmishes, violations of human rights and the selfish pursuit of lucrative government posts. The riots that broke out at the beginning of the DDRR process were particularly worrisome.

Liberia remained a main source of instability in neighbouring States, and the conflicts in Sierra Leone and Côte d’Ivoire were linked to the situation there. Subregional challenges needed to be tackled in a coordinated manner.

Later developments. On 25 December, the movement of the first contingent of UNMIL troops outside Monrovia was stopped just outside the capital by LURD elements [S/2004/229]. LURD leaders contended that UNMIL deployment should not take place until a dispute between them and the Chairman of the National Transitional Government over the appointment of 84 assistant ministerial positions had been resolved. However, UNMIL insisted that there should be no linkage between the two issues, and a Pakistani unit was deployed to Klay Junction on 27 December without further hindrance. UNMIL troops subsequently deployed to Gbarnga and Buchanan on 31 December.

The DDRR process at Camp Scheiffelin, on the outskirts of Monrovia, was suspended on 17 December and a review of the operational aspects of the programme was carried out. At that time, 12,664 combatants had been disarmed, registered and given receipts as identification for their participation in the process; 8,686 assorted weapons had been collected.

The civilian police component began its programme of co-location with the Liberian National Police on 15 December. A joint crime prevention patrol programme entitled “Operation Restore Calm” was launched on the same day.

UN agencies and NGOs were in the process of relocating internally displaced persons from irregular shelters in central Monrovia back to their homes in the city or to recognized camps.

Financing of UNOMIL and UNMIL

UNOMIL

In April [A/57/794], the Secretary-General issued the final performance report of the United Nations Observer Mission in Liberia (UNOMIL), whose mandate ended in 1997 [YUN 1997, p. 125]. The report contained information on income and expenditure, assets, outstanding liabilities and fund balances as at 30 June 2002. UNOMIL’s assets as at 30 June 2002 comprised $3,576,000 in uncollected assessments and other receivables and net cash available of $12,930,000. In the light of the overall financial situation of the Organization and the fact that as at 15 March 2003 assessed contributions to peacekeeping in the amount of $1.5 billion remained unpaid, the Secretary-General proposed that the return of cash available for credit to Member States be suspended until the financial situation improved.
UNMIL

On 22 September [A/58/235], the Secretary-General requested the inclusion in the agenda of the fifty-eighth (2003) session of the General Assembly of an item on UNMIL financing.

On 29 October [A/58/539], he issued the budget for UNMIL for the period from 1 August 2003 to 30 June 2004, which amounted to $564,614,300, including contributions in kind totalling $120,000. The budget provided for the phased deployment of 14,785 military contingent personnel, 253 military observers, 1,115 civilian police officers, 893 international civilian personnel, including 286 United Nations Volunteers, and 768 national staff. The Secretary-General recommended that the Assembly appropriate the total amount for the operation of the Mission for the 11-month period, inclusive of $47,462,700 previously authorized by ACABQ to meet the initial critical logistical costs and personnel requirements for the period from 1 August to 31 December 2003.

ACABQ reviewed the proposed budget and issued its comments and recommendations in a November report [A/58/591]. It recommended appropriation of the amount of $564,494,300 gross ($539,284,300 net) for the operation of UNMIL for the period from 1 August 2003 to 30 June 2004, inclusive of the $47,462,700 already authorized. It further recommended that the total amount assessed for that period not exceed $450 million at that time.

GENERAL ASSEMBLY ACTION

On 23 December [meeting 79], the General Assembly, on the recommendation of the Fifth Committee [A/58/590], adopted resolution 58/261 A without vote [agenda item 165].

Financing of the United Nations Mission in Liberia

The General Assembly, having considered the report of the Secretary-General on the financing of the United Nations Mission in Liberia and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 1497(2003) of 1 August 2003, by which the Council declared its readiness to support the transitional government and to assist in the implementation of a comprehensive peace agreement for Liberia,

Recalling also Security Council resolution 1509(2003) of 19 September 2003, by which the Council decided to establish the United Nations Mission in Liberia for a period of twelve months,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in its resolutions 45(IV) of 27 June 1990, 310(XVIII) of 11 December 1975 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 resolution of the Security Council,

1. 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;

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

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

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

5. Requests 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. 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;

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

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

Budget estimates for the period from 1 August 2003 to 30 June 2004

9. Authorizes the Secretary-General to establish a special account for the United Nations Mission in Liberia for the purpose of accounting for income received and expenditure incurred in respect of the Mission;

10. Decides to appropriate to the Special Account for the United Nations Mission in Liberia the amount of 564,494,300 United States dollars for the period from 1 August 2003 to 30 June 2004, inclusive of the amount of 47,462,700 dollars previously authorized by the Advisory Committee on Administrative and Budgetary Questions for the operation of the Mission under the terms of section IV of General Assembly resolution 49/233 A of 25 December 1994 for the period from 1 August to 31 December 2003;

Financing of the appropriation

11. Decides also to apportion among Member States the amount of 450 million dollars at a monthly rate of 40,909,090 dollars, in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolutions 55/236 of 23 December 2000 and 57/290 A of 20 December 2002, and taking
into account the scale of assessments for 2003 as set out in its resolutions 55/3 B of 23 December 2000 and 57/4 B of 20 December 2002 and the scale of assessments for 2004 as set out in its resolution 58/1 B of 23 December 2003;

12. Decides further 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 11 above, their respective share in the Tax Equalization Fund of 5,210,000 dollars at a monthly rate of 473,636 dollars, representing the estimated staff assessment income approved for the Mission;

13. Requests the Secretary-General to pursue, through collaboration between the United Nations Mission in Liberia, the United Nations Mission in Sierra Leone and the United Nations Mission in Côte d’Ivoire, opportunities for optimizing, where possible, the provision and management of support resources and service delivery to the three missions;

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

15. Notes with appreciation the utilization of the strategic deployment stocks to the Mission at the start-up stage;

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

17. 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;

18. Decides to keep under review during its fifty-eighth session the item entitled "Financing of the United Nations Mission in Liberia".

Also on 23 December, the Assembly decided that the agenda item on UNMIL financing would remain for consideration during its resumed fifty-eighth (2004) session (decision 58/565).

Sanctions

In January, the Security Council considered the October 2002 report [YUN 2002, p. 572] of the Panel of Experts on Liberia, appointed pursuant to Council resolution H08(2002) [ibid., p. 169]. The Panel was set up to investigate Liberia’s compliance with demands made by the Council in resolution 1343(2001) [YUN 2001, p. 181] that sought to end any Liberian military or financial support of the Revolutionary United Front (RUF) of Sierra Leone and other rebel movements, including transfer of arms, military training, provision of communications and logistical assistance, and the import of Sierra Leonean rough diamonds not controlled through the certificate-of-origin regime. The Council had also demanded that Liberia ground all Liberia-registered aircraft until it had updated its aircraft register, as required under international agreements.

SECURITY COUNCIL ACTION (January)


The Security Council, Reaffirming its resolution H08(2002) of 6 May 2002, Noting that the next six-monthly review by the Security Council of the measures imposed by paragraphs 5 to 7 of resolution 1343(2001) of 7 March 2001, and extended by paragraph 5 of resolution H08(2002), is scheduled to take place on or before 6 May 2003, Deeply concerned about the situation in Liberia and neighbouring countries, especially in Côte d’Ivoire, Recognizing the importance of monitoring compliance with the provisions of resolutions 1343 (2001) and H08(2002),

1. Takes note of the report of the Panel of Experts on Liberia dated 25 October 2002, submitted pursuant to paragraph 16 of resolution H08(2002);
2. Expresses its intention to continue to give full consideration to the report;
3. Decides to re-establish the Panel of Experts appointed pursuant to paragraph 16 of resolution H08(2002) for a further period of three months commencing no later than 10 February 2003;
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 report on compliance by the Government of Liberia with the demands referred to in paragraph 2 of resolution 1343 (2001) and on any violations of the measures referred to in paragraph 5 of resolution H08(2002), including any involving rebel movements, to conduct a review of the audits referred to in paragraph 10 of resolution H08(2002), and to report to the Council through the Security Council Committee established pursuant to paragraph 14 of resolution 1343(2001) (the Committee) no later than 16 April 2003 with the observations and recommendations of the Panel in relation to the tasks set out herein;
5. Also requests the Panel of Experts, 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;
6. Requests the Secretary-General, upon the adoption of the present resolution and acting in consultation with the Committee, to appoint no more than five experts, with the range of expertise necessary to fulfil the mandate of the Panel referred to in paragraph 4 above, drawing as much as possible and as appropriate on the expertise of the members of the Panel of Experts appointed pursuant to paragraph 16 of resolution H08(2002), and also requests the Secretary-General to make the necessary financial arrangements to support the work of the Panel;
7. Urges all States, relevant United Nations bodies and, as appropriate, other organizations and inter-
In accordance with the Council decision to re-establish the Panel of Experts on Liberia in resolution 1458(2003) (above), the Secretary-General, in letters of 14 February [S/2003/185] and 5 March [S/2003/251], informed the Council of his appointment of five members to the Panel.

The AU Central Organ of the Mechanism for Conflict Prevention, Management and Resolution, at a meeting of heads of State and Government (Addis Ababa, 3 February) [S/2003/142], reiterated its appeal to the Council to reconsider its decision on the sanctions imposed against Liberia.

Report of Secretary-General (April). As requested by the Security Council in resolution 1458(2003) (above), the Secretary-General issued on 22 April [S/2003/466] his second six-monthly report on whether Liberia had complied with the Council’s demands made in that resolution. The report drew on information provided by UNOL, the United Nations Mission in Sierra Leone (UNAMSIL) and ECOWAS. The Government of Liberia claimed that it was in compliance with the Council’s demands. With regard to the ban on the importation of uncertified rough diamonds, the Government reiterated that it was still in force. Concerning the export of diamonds, the Government stated that it had set in motion measures to ensure that only diamonds produced in Liberia would be exported with the Kimberley Process certificate of origin. However, mining activities were being carried out by the LURD rebel movement in the diamond-producing areas in the north and the Government could not determine which diamonds had been mined there.

The Government maintained that RUF as a rebel group no longer existed, since it had been transformed into a political party, the Revolutionary United Front Party, and had contested the 2002 elections in Sierra Leone. However, unofficial sources indicated that some RUF elements remained in Liberia. It was also alleged that Sam Bockarie and some RUF elements were engaged in the western front of the Ivorian conflict, with the connivance of the Liberian Government.

Report of Panel (April). On 24 April [S/2003/498] the Panel of Experts on Liberia issued a report, which was submitted to the Security Council. The Panel determined that Liberia’s conflict was once more no longer isolated as its refugees and armed fighters had spilled over into its neighbours. Armed youths from Liberia, Sierra Leone, Guinea and, most recently, Côte d’Ivoire, who had become accustomed to a life of conflict, banditry and lawlessness had joined armed groups in Liberia and in western Côte d’Ivoire, posing new risks of a vicious cycle of violence in the subregion. The region was awash with weapons, and several companies that were involved in sanctions-busting by providing arms to Liberia were also delivering weapons to its neighbours, including Côte d’Ivoire. The Panel documented Guinea’s support for LURD fighters in Liberia. Guinea was also used as a supply route for arms and supplies. The Panel had some evidence that the Government of Côte d’Ivoire was supporting the newly formed Lima armed militia and the rebel group MODEL.

Internal violence in Liberia had escalated in 2003, causing many humanitarian agencies to withdraw their staff. Poor governance, corruption and insecurity had ensured that there had been no significant investment in years, resulting in 85 per cent unemployment.

President Taylor, in March, openly declared that Liberia would import weapons for self-defence, and the Government provided the Panel with a list of weapons it had procured. The Panel concluded that those weapons were obtained in Serbia in 2002 from the arms manufacturer Zastava, using a false Nigerian end-user certificate. The Panel suspected that preparations were under way for trans-shipments of 50 tons of Serbian military equipment from Belgrade to Liberia via Kinshasa, using an end-user certificate from the DRC. The Panel, noting that Liberia and Guinea continued to violate the arms embargo, said that the basis for the imposition of the sanctions against Liberia needed to be reassessed because violence and conflict were spreading across the region and were generated not only by Liberian forces.

The Government of Liberia and LURD had made the control of diamond-producing areas a key military objective. In the current context, it would be difficult to find an area in Liberia from which rough diamonds could be declared “conflict-free”. It was clearly the Government’s objective to stamp out the illegal trade in diamonds and a plan was being developed to implement the Kimberley Process Certification Scheme, launched in 2002. Progress had been made in that regard but only an end to the internal conflict could guarantee success.

Government accounting was far from transparent. Revenues over the previous five years had never exceeded $85 million and the Government could be relying increasingly on off-budget income to fund its high defence expenditure. The Panel had documentary evidence of $7.5 million
Taking note also of the reports of the Panel of Experts on Liberia dated 25 October 2002 and 24 April 2003 submitted pursuant to paragraph 16 of resolution 1408 (2002) and paragraph 4 of resolution 1458(2003) respectively,

Expressing serious concern at the findings of the Panel of Experts regarding the actions of the Government of Liberia and of Liberians United for Reconciliation and Democracy and other armed rebel groups, 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 57/302 of 30 April 2003 and Security Council resolution 1459 (2003) of 28 January 2003, welcoming the launch of the Kimberley Process, on 1 January 2003, and recalling its concern at the role played by the illicit trade in diamonds in the conflict in the region,

Welcoming also the continued efforts of the Economic Community of West African States and the International Contact Group on Liberia to work towards the restoration of peace and stability in the region, particularly the appointment of General Abubakar, former President of the Federal Republic of Nigeria, as a mediator in the conflict in Liberia,

Noting the positive effects of the Rabat Process on peace and security in the subregion, and encouraging all countries of the Mano River Union to reinvigorate the Process with further meetings and renewed cooperation,

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

Welcoming the summit meeting between the Presidents of the Republic of Liberia and the Republic of Côte d’Ivoire, held in Togo on 25 April 2003, and encouraging them to continue dialogue,

Calling upon all States, and in particular the Government of Liberia, to cooperate fully with the Special Court for Sierra Leone,

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

Deeply concerned about the deteriorating humanitarian situation and widespread human rights violations in Liberia, and about the serious instability in Liberia and neighbouring countries, including Côte d’Ivoire,

Determining that the active support provided by the Government of Liberia to armed rebel groups in the region, including to rebels in Côte d’Ivoire and 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,

Decides that the Government of Liberia has not complied fully with the demands set out in resolution 1343(2001);

Notes with concern that the new aircraft registry updated by the Government of Liberia in response to the demand set out in paragraph 2 (e) of resolution 1343(2001) remains inactive;

(more than 10 per cent of average annual government revenue) of either questionable or clearly off-budget income, at least some of which was used for defence-related spending. Significant gains were realized by import/export monopolies organized by the Government.

Among its recommendations, the Panel said that, in the light of the changed situation and escalating hostilities in the region, a new approach by the Security Council to the situation in West Africa was required that must include the input of key regional actors. The financing of armed non-State actors and the funding sources of their foreign sponsors required investigation. To prevent Liberia from further decay, international assistance was required to reorganize its revenue system.

The Panel recommended that: the moratorium on the importation, exportation and manufacturing of small arms in West Africa and its implementation mechanism, the Programme for Coordination and Assistance for Security and Development, should be strengthened through international assistance and technical support, and should become an information exchange mechanism for all types of weapons procured by ECOWAS members; an international mechanism for harmonizing and verifying all end-user certificates for weapons should be established; the Liberian Civil Aviation Authority should cooperate with the modalities of responsibility, as provided for in the November 2001 letter of agreement between the Flight Information Region and the Approach Control Unit of Robertsfield International Airport [YUN 2001, p. 185], and also register all its aircraft; and, in order to define which areas could be classified “conflict-free” and from where diamonds were fit for export, the services of international mining and geological consultants should be engaged. In addition, the Panel named six individuals against whom financial sanctions should be imposed.

SECURITY COUNCIL ACTION (May)


The Security Council,


Taking note of the report of the Secretary-General of 22 April 2003,
3. Stresses that the demands referred to in paragraph 1 above are intended to help to consolidate and assure peace and stability in Sierra Leone and to build and strengthen peaceful relations among the countries of the region;

4. Calls upon all States in the region, and particularly the Government of Liberia, to participate actively in all regional peace initiatives, particularly those of the Economic Community of West African States, the International Contact Group on Liberia, the Mano River Union and the Rabat Process, and expresses its strong support for those initiatives;

5. Calls upon the Government of Liberia and Liberians United for Reconciliation and Democracy to enter without delay into bilateral ceasefire negotiations under the auspices of the Economic Community of West African States and the mediation of General Abdulsalami Abubakar, former President of Nigeria;

6. Stresses its readiness to grant exemptions from the measures imposed by paragraphs 5 to 7 of resolution 1343(2001) in cases of travel which would assist in the peaceful resolution of the conflict in the subregion;

7. Welcomes the agreement of the Government of Liberia to the revised mandate of the United Nations Peace-building Support Office in Liberia, and calls upon the Government to respond constructively to the statement by the President of the Security Council of 13 December 2002 (S/PRST/2002/50);

8. Calls upon the Government of Liberia and all parties, particularly Liberians United for Reconciliation and Democracy and other armed rebel groups, to ensure unimpeded and safe movement for the personnel of United Nations humanitarian agencies and non-governmental organizations, to end the use of child soldiers and to prevent sexual violence and torture;

9. Reiterates its demand 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 in the region, and declares its readiness to consider, if necessary, ways of promoting compliance with this demand;

10. 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 2003 and that, before the end of this period, the 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;

11. Recalls that the measures imposed by paragraph 5 of resolution 1343(2001) apply to all sales or supply of arms and related material to any recipient in Liberia, including all non-State actors, such as Liberians United for Reconciliation and Democracy;

12. Decides that the measures imposed by paragraphs 5 to 7 of resolution 1343(2001) shall be terminated immediately if the Council, taking into account, inter alia, the reports of the expert panel referred to in paragraph 25 below and the report of the Secretary-General referred to in paragraph 20 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 1122 (1997) and any other relevant information, particularly the conclusions of its forthcoming mission to West Africa, determines that the Government of Liberia has complied with the demands referred to in paragraph 1 above;

13. Reiterates its call upon the Government of Liberia to establish an effective certificate-of-origin regime for Liberian rough diamonds that is transparent, internationally verifiable and fully compatible with the Kimberley Process, and to provide the Committee with a detailed description of the proposed regime;

14. Decides, notwithstanding paragraph 13 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 and to be properly implemented;

15. 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 regime;

16. Considers that the audits commissioned by the Government of Liberia pursuant to paragraph 10 of resolution 1408(2002) do not demonstrate that the revenue derived by the Government of Liberia from the Liberia Ship and Corporate Registry and the Liberian timber industry is used for legitimate social, humanitarian and development purposes, and is not used in violation of resolution 1408(2002);

17. Decides that:

(a) All States shall take the necessary measures to prevent, for a period of ten months, the import into their territories of all round logs and timber products originating in Liberia;

(b) These measures shall come into force at 0001 hours eastern daylight time on 7 July 2003, unless the Council decides otherwise;

(c) At the end of this period of ten months, the 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 similar conditions;

18. Decides also to consider, by 7 September 2003, how best to minimize any humanitarian or socio-economic impact of the measures imposed by paragraph 17 above, including the possibility of allowing timber exports to resume in order to fund humanitarian programmes, taking into account the recommendations of the expert panel requested in paragraph 25 below and the assessment of the Secretary-General requested in paragraph 19 below;

19. Requests the Secretary-General to submit a report to the Council by 7 August 2003 on the possible humanitarian or socio-economic impact of the measures imposed by paragraph 17 above;
20. Also requests the Secretary-General to submit a report to the Council by 21 October 2003, and thereafter at six-monthly intervals from that date, drawing on information from all relevant sources, including the United Nations Peace-building Support 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;

21. Invites the Economic Community of West African States to report regularly to the Committee on all activities undertaken by its members pursuant to paragraphs 10 and 17 above and in the implementation of the present resolution, particularly on the implementation of the Economic Community of West African States Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa referred to in the preamble to the present resolution;

22. Calls upon States of the subregion to strengthen the measures they have taken to combat the spread of small arms and light weapons and mercenary activities and to improve the effectiveness of the Moratorium, and urges States in a position to do so to provide assistance to the Economic Community of West African States to this end;

23. Calls upon all parties to conflicts in the region to include disarmament, demobilization and reintegration provisions in peace agreements;

24. 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 (h) of resolution 1343(2001) and in resolution 1408(2002);

25. Requests the Secretary-General to establish, within one month from the date of adoption of the present resolution, in consultation with the Committee, for a period of five months, a Panel of Experts consisting of up to six members, with the range of expertise necessary to fulfil the mandate of the Panel described in the present paragraph, drawing as much as possible and as appropriate on the expertise of the members of the Panel of Experts established pursuant to resolution 1348(2003), to undertake the following tasks:

(a) To conduct a follow-up assessment mission to Liberia and neighbouring States in order to investigate and compile a report on the compliance by Government of Liberia with the demands referred to in paragraph 1 above, and on any violations of the measures referred to in paragraphs 10 and 17 above, including any involving rebel movements;

(b) To investigate whether any revenues of the Government of Liberia are used in violation of the present resolution, with particular emphasis on the effect on the Liberian populace of any possible diversion of funds from civilian purposes;

(c) To assess the possible humanitarian and socio-economic impact of the measures imposed by paragraph 17 above and to make recommendations to the Council through the Committee by 7 August 2003 on how to minimize any such impact;

(d) To report to the Council through the Committee no later than 7 October 2003 with observations and recommendations, particularly on how to improve the effectiveness of implementing and monitoring the measures referred to in paragraph 5 of resolution 1343(2001), including any recommendations pertinent to paragraphs 28 and 29 below, and also requests the Secretary-General to provide the necessary resources;

26. Requests the Panel of Experts referred to in paragraph 25 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;

27. 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 Panels of Experts established pursuant to resolutions 1343(2001), 1395(2002), 1408(2002) and 1458(2003), respectively, act in conformity with United Nations embargoes, in particular those established by 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;

28. Decides that all States shall take the necessary measures to prevent entry into or transit through their territories of any individuals, including from Liberians United for Reconciliation and Democracy or other armed rebel groups, determined by the Committee, taking account of information provided by the Panel of Experts and other relevant sources, to be in violation of paragraph 5 of resolution 1343(2001), provided that nothing in the present paragraph shall oblige a State to refuse entry into its territory by its own nationals;

29. Requests the Committee to establish, maintain and update, taking account of information provided by the Panel of Experts and other relevant sources, a list of air and maritime companies whose aircraft and vessels have been used in violation of paragraph 5 of resolution 1343(2001);

30. Calls upon all members of the Economic Community of West African States to cooperate fully with the Panel of Experts in the identification of such aircraft and vessels, and in particular to inform the Panel about any transit on their territory of aircraft and vessels suspected of being used in violation of paragraph 5 of resolution 1343(2001);

31. Asks the Government of Liberia to authorize the Approach and Control Unit at Robertsfield International Airport to provide regularly to the Flight Information Region in Conakry statistical data related to aircraft listed pursuant to paragraph 29 above;

32. Decides to conduct reviews of the measures referred to in paragraphs 10 and 17 above before 7 November 2003, and every six months thereafter;

33. Urges all States, relevant United Nations bodies and, as appropriate, other organizations and all interested parties to cooperate fully with the Committee and with the Panel of Experts referred to in paragraph 25 above, including by supplying information on possible violations of the measures referred to in paragraphs 10 and 17 above;

34. Decides to remain actively seized of the matter.
In response to paragraph 25 of resolution 1478(2003) (see p. 203), the Secretary-General, on 5 June [S/2003/688], informed the Security Council of the names of the six members he had appointed to form a Panel of Experts to conduct a follow-up assessment mission to Liberia and neighbouring States, in order to investigate and compile a report on the Liberian Government’s compliance with the demands set out in resolution 1345(2001) [YUN 2001, p. 181]; to investigate whether any government revenues were used in violation of resolution 1478(2003), and to discuss the possible humanitarian and socio-economic impact of the measures to take effect pursuant to paragraph 17 of that resolution.

Report of Secretary-General (August). In response to Security Council resolution 1478(2003) (see p. 203), the Secretary-General submitted a 5 August report [S/2003/775] on the possible humanitarian and socio-economic impact of the sanctions against timber products originating in Liberia imposed by that resolution. He stated that the Liberian timber industry faced the double constraints of insecurity and sanctions, either of which was sufficient to preclude logging and the export of timber. The timber sanctions on Liberia would have an impact on humanitarian and socio-economic conditions only when the security environment did not already preclude timber export. A newly reconstituted timber sector in Liberia—built on accountability and transparency—could be a driving force for economic growth and sustainable development in the country, but only in the absence of widespread conflict. The current sanctions might permit a breathing period during which the industry could be restructured and alternative sources of revenue such as rubber production or cash crop cultivation could be encouraged. Such diversification would serve to reduce Liberia’s dependency on timber and ensure that the timber sector did not re-emerge as a magnet for militia groups and exploitative corporations.

The Secretary-General made several suggestions to mitigate the potential impact of sanctions, including the development of an exemption procedure for specific timber products. Further possible exemptions to the timber ban should be explored in line with recommendations developed as part of the Stockholm Process, the Swedish initiative to enhance the effectiveness of targeted sanctions. They included processes of certification, as in the Kimberley Process, and the listing of approved traders. A mechanism could be established to allow the sale of Liberian timber under externally managed and audited conditions. In addition, specific humanitarian and development programmes could be developed to help mitigate the socio-economic and humanitarian impact of the timber ban. The Council might also consider establishing a long-term monitoring mechanism to review the possible implications of the sanctions regime.

Report of Panel (August). On 7 August [S/2003/779], the Panel of Experts established pursuant to paragraph 25 of Security Council resolution 1478(2003) (see p. 203) submitted its report on the possible humanitarian and socio-economic impact of the timber sanctions against Liberia. The Panel stated that, when the timber sanctions entered into force on 7 July, most timber companies in Liberia had already ceased operations due to the ongoing civil war. Operators feared for the safety of their workers and worried that their equipment would be looted by combatants. Some logging companies removed their equipment from Liberia and abandoned, at least temporarily, their concession, claiming that they had done so once they learned from the Panel that sanctions applied to all exports of forest products. Armed non-State actors had contacted logging operators and NGOs to express their interest in resuming logging to generate revenue. In order to assess their intentions, the Panel had presented the Government of Liberia, LURD and MODEL with a detailed questionnaire relating to the provisions for compliance with the timber sanctions, requesting answers by 15 July. The Panel had received neither answers nor information as to when answers would be forthcoming.

The long-term degradation of the humanitarian and socio-economic conditions that Liberians had endured had to serve as a baseline before any additional burdens imposed on the country could be measured. The most obvious benefit of the timber sanctions was that armed State and non-State actors were deprived of timber revenue. Also, violations of human rights, of rural Liberians in particular, associated with the timber industry would decrease, as would the overharvesting of Liberian forests. The negative impacts associated with the stark reduction of export income and employment might have long-term consequences for the redevelopment of Liberia. However, those negative impacts might currently be overshadowed by the negative effects of the civil war. Rural communities located within the logging concessions did not benefit greatly from the operations, and communities were no better served by social services whether they were inside or outside the concessions.

The Panel recommended that, in order to deprive all combatants of the benefits of war, the Security Council declare a moratorium on all commercial activities in the extractive industries, as had been proposed by the NGO Coalition of
Liberia, to remain in place until peace and stability were restored and good governance was established. Increased emergency aid should be provided to minimize the impact of sanctions while the timber industry was reformed. Over the long term, the Panel said, the United Nations and international donors should help Liberia to reform the timber sector in order to achieve good governance. The Council should encourage Member States, civil society and UN field presences to monitor and report any violations of the timber sanctions. The Secretary-General should be requested to report quarterly on the implementation of the timber sanctions and their effects on Liberians.

**Report of Panel (October).** In response to paragraph 25 of Security Council resolution 1478(2003), the Panel of Experts on Liberia submitted an October report [S/2003/957 & Add.1] describing the rapidly changing situation there, with a peace agreement having been signed in August and the National Transitional Government taking power in October. Although levels of violence were declining, until UNMIL forces were deployed throughout the country and DDRR efforts were fully under way, the current proliferation of weapons in the subregion continued to be a threat to peace and stability, not only in Liberia but also in Côte d’Ivoire, Guinea and Sierra Leone. The Panel continued to find evidence of Guinea’s support for LURD. After the peace agreement was signed, the Panel witnessed efforts by Guinea to control the presence of LURD forces in the Forest Region (Guinée forestière). The challenge for the international community was to provide adequate support to the Transitional Government while remaining vigilant to the re-emergence of corruption and State-sanctioned violence. Domestic debts resulting from corrupt practices would threaten the economic reconstruction of Liberia, as would the shortage of government revenue.

Despite the ceasefire, on 6 August the Liberian Minister of Defence attempted to receive a shipment of weapons at Robertsfield International Airport; however, the effort was blocked by UN peacekeepers. Other illegal weapons were found in the possession of Liberian government troops. Porous borders and insecurity in neighbouring countries had made the full enforcement of the arms embargo impossible. The restrictions imposed by resolution 1478(2003) on the trafficking of Liberian diamonds had failed to prevent their trade either regionally or internationally. While there had been a recent, steady decline in production, that was the result of internal insecurity and operational constraints imposed by seasonal climatic conditions, rather than the impact of sanctions. Liberian diamonds continued to enter the international market and the internationally accredited certification scheme introduced by neighbouring countries had failed to prevent it. The flow would continue as production increased with improving security and the onset of the dry season. Similarly, there was little evidence of violations of the timber sanctions, as civil war and the rainy season had prevented a resumption of logging since sanctions entered into force on 7 July. The real test would come in November, when conditions would permit logging. The Panel recommended that the sanctions should remain until the industry and the Government had been reformed. As for civil aviation, Liberia had violated the rules of civil aviation since 2000. Its non-compliance with civil aviation regulations continued to endanger air safety in the region, and flight movements in and out of Liberia remained uncoordinated. The new Liberian aircraft registry was still not operational. During its visit to Monrovia, the Panel noted Liberia’s lack of human resources and equipment for civil aviation. It also reported that the travel ban was being violated and that no mechanism existed for monitoring the offshore marine activities of Liberia.

Although the immediate effects of the timber ban on the socio-economic and humanitarian situation were not readily apparent, the Panel was of the view that Liberia’s economy would surely suffer from the elimination of significantly more than 50 per cent of export income as a result of that action. It pointed out that the National Transitional Government lacked funding to operate properly and to rebuild the necessary institutions to govern.

The Panel recommended that: all Security Council sanctions remain in place; UNMIL monitor the main ports, airports and border crossings to ensure that sanctions were not violated and that all illegal shipments were seized; an independent economic commission of inquiry be formed to protect the new Government from corruption and diversion of government revenues, assist in rebuilding corrupt institutions and conduct investigations of all revenue-producing entities; financial sanctions be imposed on all accounts, assets and property owned and controlled, directly or indirectly, by former President Taylor, to prevent him from further diverting government revenues and to facilitate the repatriation of already diverted funds; and the embargo on Liberian rough diamonds be kept in place until a certification scheme could be implemented and monitored.

**Letter of Secretary-General (5 November).** The Secretary-General, on 5 November [S/2003/
1071], said that due to the prevailing situation in Liberia, which had necessitated the evacuation of UN personnel, it was not possible to gather the information needed to prepare the third six-monthly report on Liberia’s compliance with the Council’s demand contained in resolution 1408 (2002) [YUN 2002, p. 169]. It would be necessary to defer submission of that report until early 2004.


Following a review of the measures on Liberia pursuant to resolution 1478(2003), the Security Council President, in a 4 December press statement [SC/7943-AFR/782], stated that there was a general agreement among Council members that the measures should be continued for the time being. The objective of the measures would continue to be to support the peace process in Liberia and to further consolidate peace and stability in the subregion. Bearing in mind the recent positive developments in Liberia, the Council members agreed that there was a need to redefine the legal basis for the sanctions and to evolve appropriate criteria for their eventual lifting.

SECURITY COUNCIL ACTION (December)


The Security Council,

Recalling its resolutions and the statements by its President on the situation in Liberia and West Africa,

Taking note of the reports of the Panel of Experts on Liberia of 30 July and 2 October 2003 submitted pursuant to resolution 1478(2003) of 6 May 2003,

Expressing serious concern at the findings of the Panel of Experts that the measures imposed by resolution 1434(2001) of 7 March 2001 continue to be breached, particularly through the acquisition of arms,

Welcoming the Comprehensive Peace Agreement signed by the former Government of Liberia, Liberians United for Reconciliation and Democracy and the Movement for Democracy in Liberia at Accra on 18 August 2003, and the fact that the National Transitional Government of Liberia under Chairman Gyude Bryant took office on 14 October 2003,

Calling upon all States in the region, particularly the National Transitional Government of Liberia, to work together to build lasting regional peace, including through the Economic Community of West African States, the International Contact Group on Liberia, the Mano River Union and the Rabat Process,

Noting with concern, however, that the ceasefire and the Comprehensive Peace Agreement are not yet being universally implemented throughout Liberia and that much of the country remains outside the authority of the National Transitional Government of Liberia, particularly those areas to which the United Nations Mission in Liberia has not yet deployed,

Recognizing the linkage between the illegal exploitation of natural resources such as diamonds and timber, illicit trade in such resources and the proliferation and trafficking of illegal arms as a major source of fuelling and exacerbating conflicts in West Africa, particularly in Liberia,

Determining that the situation in Liberia and the proliferation of arms and armed non-State actors, including mercenaries, in the subregion continue to constitute a threat to international peace and security in West Africa, in particular to the peace process in Liberia,

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

A


Noting that the changed circumstances in Liberia, in particular the departure of former President Charles Taylor and the formation of the National Transitional Government of Liberia, and progress with the peace process in Sierra Leone, require the determination of the Council for action under Chapter VII of the Charter to be revised to reflect these altered circumstances,

1. Decides to terminate the prohibitions imposed by paragraphs 5 to 7 of resolution 1343(2001) and paragraphs 17 and 28 of resolution 1478(2003) and to dissolve the Security Council Committee established pursuant to resolution 1343(2001) concerning Liberia;

2. (a) Decides also that all States shall take the necessary measures to prevent the sale or supply to Liberia, by their nationals or from their territories or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, whether or not these originated in their territories;

(b) Decides further that all States shall take the necessary measures to prevent any provision to Liberia by their nationals or from their territories of technical training or assistance related to the provision, manufacture, maintenance or use of the items in subparagraph (a) above;

(c) Reaffirms that the measures in subparagraphs (a) and (b) above apply to all sales or supply of arms and related materiel destined for any recipient in Liberia, including all non-State actors, such as Liberians United for Reconciliation and Democracy and the Movement for Democracy in Liberia, and to all former and current militias and armed groups;

(d) Decides that the measures imposed by subparagraphs (a) and (b) above shall not apply to supplies of arms and related materiel and technical training and assistance intended solely for the support of or use by the United Nations Mission in Liberia;

(e) Decides also that the measures imposed by subparagraphs (a) and (b) above shall not apply to supplies of arms and related materiel and technical training and assistance intended solely for the support of or use in an international training and reform programme for the Liberian armed forces and police, as approved in advance by the Committee established pursuant to paragraph 21 below (“the Committee”);

(f) Decides further that the measures imposed by subparagraphs (a) and (b) above shall not apply to sup-
plies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as approved in advance by the Committee;

(g) Affirms that the measures imposed by subparagraph (a) above do not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Liberia by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel for their personal use only;

3. Demands that all States in West Africa take action to prevent armed individuals and groups from using their territory to prepare and commit attacks on neighbouring countries and refrain from any action that might contribute to further destabilization of the situation in the subregion;

4. (a) Decides that all States shall take the necessary measures to prevent the entry into or transit through their territory of all individuals, as designated by the Committee, who constitute a threat to the peace and security in Liberia and the subregion, including those senior members of the Government of former President Charles Taylor and their spouses and members of Liberia’s former armed forces who retain links to former President Charles Taylor, those individuals determined by the Committee to be in violation of paragraph 2 above and any other individuals, or individuals associated with entities, providing financial or military support to armed rebel groups in Liberia or in countries in the region, provided that nothing in the present paragraph shall oblige a State to refuse entry into its territory to its own nationals;

(b) Decides also that the measures in paragraph 4 (a) above shall continue to apply to the individuals already designated pursuant to paragraph 7 (a) of resolution 1343(2001), pending the designation of individuals by the Committee as required by and in accordance with paragraph 4 (a) above;

(c) Decides further that the measures imposed by paragraph 4 (a) above shall not apply where the Committee determines that such travel is justified on the grounds of humanitarian need, including religious obligation, or where the Committee concludes that an exemption would otherwise further the objectives of the resolutions of the Council, for the creation of peace, stability and democracy in Liberia and lasting peace in the subregion;

5. Expresses its readiness to terminate the measures imposed by paragraphs 2 (a) and (b) and 4 (a) above when the Council determines that the ceasefire in Liberia is being fully respected and maintained, disarmament, demobilization, reintegration, repatriation and restructuring of the security sector have been completed, the provisions of the Comprehensive Peace Agreement are being fully implemented and significant progress has been made in establishing and maintaining stability in Liberia and the subregion;

6. Decides that all States shall take the necessary measures to prevent the direct or indirect import of all rough diamonds from Liberia to their territory, whether or not such diamonds originated in Liberia;

7. Calls upon the National Transitional Government of Liberia to take urgent steps to establish an effective certificate-of-origin regime for trade in Liberian rough diamonds that is transparent and internationally verifiable with a view to joining the Kimberley Process, and to provide the Committee with a detailed description of the proposed regime;

8. Expresses its readiness to terminate the measures referred to in paragraph 6 above when the Committee, taking into account expert advice, decides that Liberia has established a transparent, effective and internationally verifiable certificate-of-origin regime for Liberian rough diamonds;

9. Encourages the National Transitional Government of Liberia to take steps to join the Kimberley Process as soon as possible;

10. Decides that all States shall take the necessary measures to prevent the import into their territories of all round logs and timber products originating in Liberia;

11. Urges the National Transitional Government of Liberia to establish its full authority and control over the timber-producing areas and to take all necessary steps to ensure that government revenues from the Liberian timber industry are not used to fuel conflict or otherwise in violation of the resolutions of the Council but are used for legitimate purposes for the benefit of the Liberian people, including development;

12. Expresses its readiness to terminate the measures imposed by paragraph 10 above once the Council determines that the goals in paragraph 11 above have been achieved;

13. Encourages the National Transitional Government of Liberia to establish oversight mechanisms for the timber industry that will promote responsible business practices and to establish transparent accounting and auditing mechanisms to ensure that all government revenues, including those from the Liberian International Ship and Corporate Registry, are not used to fuel conflict or otherwise in violation of the resolutions of the Council but are used for legitimate purposes for the benefit of the Liberian people, including development;

14. Urges all parties to the Comprehensive Peace Agreement of 18 August 2003 to implement fully their commitments and fulfil their responsibilities in the National Transitional Government of Liberia, and not to hinder the restoration of the Government’s authority throughout the country, particularly over natural resources;

15. Calls upon States, relevant international organizations and others in a position to do so to offer assistance to the National Transitional Government of Liberia in achieving the objectives in paragraphs 7, 11 and 13 above, including the promotion of responsible and environmentally sustainable business practices in the timber industry, and to offer assistance with the implementation of the Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa adopted by the Economic Community of West African States in Abuja on 31 October 1998;

16. Encourages the United Nations and other donors to assist the Liberian civil aviation authorities, including through technical assistance, in improving the professionalism of their staff and their training capabilities and in complying with the standards and practices of the International Civil Aviation Organization;
17. Takes note of the establishment by the National Transitional Government of Liberia of a review committee with the task of establishing procedures to fulfill the demands of the Council for the lifting of the measures imposed by the present resolution;

18. Decides that the measures in paragraphs 2, 4, 6 and 10 above are established for twelve months from the date of adoption of the present resolution, unless otherwise decided, and that, at the end of this period, the Council shall review the position, assess progress towards the goals in paragraphs 5, 7 and 11 and decide accordingly whether to continue those measures;

19. Decides also to review the measures in paragraphs 2, 4, 6 and 10 above by 17 June 2004, to assess progress towards the goals in paragraphs 5, 7 and 11 and to decide accordingly whether to terminate those measures;

20. Decides further to keep under regular review the measures imposed by paragraphs 6 and 10 above so as to terminate them as soon as possible once the conditions in paragraphs 7 and 11 above have been met, in order to create revenue for the reconstruction and development of Liberia;

21. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all the members of the Council, to undertake the following tasks:

(a) To monitor the implementation of the measures in paragraphs 2, 4, 6 and 10 above, taking into consideration the reports of the expert panel established pursuant to paragraph 22 below;

(b) To seek from all States, particularly those in the subregion, information about the actions taken by them to implement effectively those measures;

(c) To consider and decide upon requests for the exemptions set out in paragraphs 2 (e) and (f) and 4 (c) above;

(d) To designate the individuals subject to the measures imposed by paragraph 4 above and to update that list regularly;

(e) To make relevant information publicly available through appropriate media, including the list referred to in subparagraph (d) above;

(f) To consider and take appropriate action, within the framework of the present resolution, on pending issues or concerns brought to its attention concerning the measures imposed by resolutions 1443 (2002), 1408 (2002) and 1478 (2003) while those resolutions were in force;

(g) To report to the Council with its observations and recommendations;

22. Requests the Secretary-General to establish, within one month of the date of adoption of the present resolution, in consultation with the Committee, for a period of five months, a Panel of Experts consisting of up to five members, with the range of expertise necessary to fulfill the mandate of the Panel described in the present paragraph, drawing as much as possible on the expertise of the members of the Panel of Experts established pursuant to resolution 1478 (2003), to undertake the following tasks:

(a) To conduct a follow-up assessment mission to Liberia and neighboring States in order to investigate and compile a report on the implementation, and any violations, of the measures referred to in paragraphs 2, 4, 6 and 10 above, including any violations involving rebel movements and neighboring countries, and including any information relevant to designation by the Committee of the individuals described in paragraph 4 (a) above, and also including the various sources of financing, such as from natural resources, for the illicit trade in arms;

(b) To assess the progress made towards the goals described in paragraphs 5, 7 and 11 above;

(c) To report to the Council, through the Committee, no later than 30 May 2004, with observations and recommendations, including how to minimize any humanitarian and socio-economic impact of the measures imposed by paragraph 10 above;

23. Welcomes the readiness of the United Nations Mission in Liberia, within its capabilities and its areas of deployment and without prejudice to its mandate, once it is fully deployed and carrying out its core functions, to assist the Committee established pursuant to paragraph 21 above and the Panel of Experts established pursuant to paragraph 22 above in monitoring the measures in paragraphs 2, 4, 6 and 10 above, and requests the United Nations Mission in Sierra Leone and the United Nations Mission in Côte d’Ivoire, likewise without prejudicing their capacities to carry out their respective mandates, to assist the Committee and the Panel of Experts by passing to the Committee and the Panel any information relevant to the implementation of the measures in paragraphs 2, 4, 6 and 10 above, in the context of enhanced coordination among United Nations missions and offices in West Africa;

24. Reiterates its call upon the international donor community to provide assistance for the implementation of a programme of disarmament, demobilization, reintegration and repatriation, and sustained international assistance to the peace process, and to contribute generously to consolidated humanitarian appeals, and further requests the donor community to respond to the immediate financial, administrative and technical needs of the National Transitional Government of Liberia;

25. Encourages the National Transitional Government of Liberia to undertake, with the assistance of the United Nations Mission in Liberia, appropriate actions to sensitize the Liberian population to the rationale of the measures in the present resolution, including the criteria for their termination;

26. Requests the Secretary-General to submit a report to the Council by 30 May 2004, drawing on information from all relevant sources, including the National Transitional Government of Liberia, the United Nations Mission in Liberia and the Economic Community of West African States, on progress made towards the goals described in paragraphs 5, 7 and 11 above;

27. Decides to remain seized of the matter.

Sierra Leone

After a decade of civil war, the situation in Sierra Leone improved markedly in 2003 as further progress was made in implementing the 2000 Agreement on the Ceasefire and Cessation of Hostilities (Abuja Agreement) [YUN 2000, p. 210], the disarmament process was completed and elections were held. Throughout the year,
the year, UNAMSIL began the second phase, reducing its size in four phases. At the beginning of the year, UNAMSIL began the second phase, which envisaged the withdrawal of 3,900 troops from its force of nearly 16,000. Further reductions were linked to benchmarks, including, most importantly, progress in strengthening the capacity of the Sierra Leone police and armed forces to maintain security and stability. The Government’s plan to disarm ex-combatants and reintegrate them into society was largely successful and, by the end of the year, nearly 48,000 of the 57,000 registered ex-combatants either were in the resettlement programme or had completed it.

Although the general trend towards stability was positive, some areas on the Liberian border remained volatile and plans by ex-combatants and others to destabilize the Government were uncovered. The joint mechanisms established by UNAMSIL and the Sierra Leone Government to review the security situation met regularly, and the Secretary-General, in a number of 2003 reports, provided assessments of achievement of the benchmarks. Consequently, UNAMSIL continued to reduce its troop strength by stages, as scheduled. At the end of the year, some 11,500 peacekeeping troops remained in the country.

Stability in Sierra Leone was also dependent on peace in the subregion, especially in Liberia where the conflict in the first half of the year threatened to spill over into Sierra Leone. The renewal of fighting in Liberia in early 2003 precipitated an influx of thousands of refugees into Sierra Leone.

The Special Court set up by the Government to try serious crimes committed during the war issued nine indictments, and the Truth and Reconciliation Commission began work by collecting statements.

The Government also made progress in asserting its control over diamond mining and selling, thereby increasing official exports and bringing new revenue to the country. Sierra Leone reported that its certificate-of-origin regime to control the export of diamonds had been successful in curtailing the use of diamonds to fuel conflict. In the light of the country’s efforts to manage and control its diamond industry, the Security Council decided not to renew its embargo against Sierra Leonean rough diamonds.

Appointment. On 28 November [S/2003/1142], the Secretary-General informed the Security Council of his intention to appoint Daudi Ngelautwa Mwakawago (United Republic of Tanzania) as his Special Representative for Sierra Leone, to replace Oluwemi Adeniji (Nigeria). On 3 December [S/2003/1143], the Council took note of the decision.

UNAMSIL activities

Press statement (10 January). The Security Council considered the Secretary-General’s December 2002 report on UNAMSIL [YUN 2002, p. 158] in January 2003. In a 10 January press statement [SC/7629-AFR/542], Council members commended him and UNAMSIL for their role in maintaining peace in Sierra Leone and providing a platform for post-conflict reconstruction. They welcomed the progress made by UNAMSIL in its restructuring and the first two phases of its drawdown plans, and encouraged it to continue. They underlined the importance of the Government of Sierra Leone continuing to strengthen the army and police, including through adequate logistical and infrastructural support, so that they could soon assume full responsibility for security.

Noting with concern that government control was not yet fully re-established in some regions of Sierra Leone, including the diamond-producing areas, Council members urged the Government to make rapid progress in that regard, including by adopting a policy for the diamond sector.

Members welcomed the progress with reintegration, and hoped that all ex-combatants would have received training by the end of 2003. Sharing the Secretary-General’s concerns about the regional security situation, they stressed the need to find a solution to the conflicts in Liberia and Côte d’Ivoire and encouraged States’ efforts in helping to find a solution. They reiterated the importance of relaunching the political dialogue among the MRU countries.

The commencement of work by the Special Court was welcomed and members reiterated their full support for the Court and for the Truth and Reconciliation Commission as important elements of the reconciliation process in Sierra Leone.

Communication (March). On 14 March [S/2003/330], Sierra Leone forwarded to the Council an aide-memoire and a letter from President Alhaji Ahmad Tejan Kabbah, in which he reviewed progress achieved in consolidating peace and security and in promoting national recovery. He noted that, despite the end of the rebel war and the holding of elections in 2002 [YUN 2002, p. 153], Sierra Leone continued to face external and internal security threats. In particular, the
border area with Liberia was home to dissident groups who served as a recruitment pool for both LURD and the Armed Forces of Liberia. The upsurge in the fighting in Liberia had caused the movement of displaced persons and refugees into Sierra Leone. Internally, there had been recent attacks on the Government by dissident groups. The President therefore urged a cautious approach to the reduction of the number of UNAMSIL troops. He recommended that the Mission not be downsized by any significant number until such time as Sierra Leone could be sure that peace and security in the country was no longer threatened.

**Report of Secretary-General (March).** On 17 March [S/2003/321 & Corr.1], the Secretary-General, in response to Security Council resolution 1436 (2002) [YUN 2002, p. 157], issued his seventeenth report on UNAMSIL. During the three-month reporting period since his previous report [ibid., p. 158], the overall political and security situation in Sierra Leone had remained generally stable, albeit volatile on the Liberian border. The stability had facilitated the process of gradual peace consolidation and implementation of some of the benchmarks for UNAMSIL’s drawdown that the Secretary-General had proposed in September 2002 [ibid., p. 155].

Nevertheless, a number of alarming developments were reported in early 2003. In particular, on 13 January, an armory of the Republic of Sierra Leone Armed Forces (RSLAF) was attacked, unsuccessfully, by a group of former soldiers and some civilians who sought to steal weapons. An investigation of the attack uncovered a plan involving ex-combatants and some serving soldiers aimed at destabilizing State authority and hindering the work of the Special Court (see p. 213). Johnny Paul Koroma, the former Armed Forces Revolutionary Council (AFRC) leader and later a member of Parliament, was implicated in the plot. During an attempt by the police to arrest him, he escaped and remained at large. About 100 other suspects were detained. It was widely believed that ex-combatants who feared indictments were seeking to frustrate the functioning of the Special Court and the Truth and Reconciliation Commission. On 10 March, the Prosecutor of the Special Court announced that indictments had been brought against former Revolutionary United Front (RUF), AFRC, West Side Boys and Civil Defence Force (CDF) leaders, namely, Foday Sankoh, Mr. Koroma, Sam Bockarie, Issa Sesay, Alex Brima, Moris Kallon and Sam Hinga Norman, all of whom, except for Mr. Koroma and Mr. Bockarie, were in custody. Their indictments were for such crimes as murder, rape, extermination, acts of terror, enslavement, looting and burning, sexual slavery, conscription of children into an armed force and attacks on UNAMSIL peacekeepers and humanitarian workers.

In January, some 70 Liberian combatants, believed to be LURD members, crossed into Sierra Leone and attacked a village. RSLAF troops in the area retreated, leaving behind some of their equipment. No progress was made in disbanding all CDF structures despite the Government’s agreement to do so.

The implementation of the second phase of the UNAMSIL drawdown plan was expected to be completed in May, when the total force would be reduced to 13,000. A period of review and consolidation would follow. However, planning for phase 3 of the drawdown was already at an advanced stage; it was envisaged that the force would be reduced to about 5,000 by the end of 2004. UNAMSIL expected to implement phase 3 in several steps, each to be followed by an assessment of the prevailing security situation.

The joint mechanisms established by UNAMSIL and the Sierra Leone Government to evaluate the security situation during the drawdown process included an integrated planning group and joint meetings of UNAMSIL and the National Security Coordination Group, which met regularly in early 2003. The Sierra Leone police, at a strength of only 6,053, focused on recruiting and training new cadets with the intention of reaching 9,500 officers by 2005. RSLAF continued to improve its effectiveness through a training and restructuring plan led by the United Kingdom. The intention was to reduce the force from its current strength of 14,000 to about 10,500. Joint UNAMSIL/RSLAF border operations were intensified during the reporting period, which led to improved security around Mandavulahun village, near the Liberian border. However, operations were hindered by the lamentable state of the vehicle fleet and of communications equipment. The situation at the Liberian border continued to pose a threat to the security and stability of Sierra Leone.

Progress was made in consolidating State authority throughout the country. The full deployment of government officials to all districts by March had almost been completed, and the Government planned to devolve powers to the districts in order to promote local governance through decentralization. The Government also made progress with the programme to offer reintegration opportunities to registered ex-combatants. It estimated that 14,700 were awaiting inclusion in the programme. Reintegration of ex-combatants into communities would largely depend on prospects for economic recovery. Restoration of government control over the coun-
try’s mineral resources, particularly diamond mining, was of critical importance for Sierra Leone’s future. Although official exports of diamonds increased to $41 million in 2002 from about $26 million in 2001, illegal diamond mining and trade persisted. The Government, with UNDP assistance, launched an initiative to set up community-based projects in diamond-producing chiefdoms.

UNAMSIL intensified its human rights monitoring and capacity-building activities during the reporting period. It continued to monitor police stations, prisons and the administration of justice and to provide human rights training for the police and RSLAF. It also expanded the training of peacekeepers in the rights and protection of children. The Truth and Reconciliation Commission continued to make progress in recruitment, management and statement-taking despite financial constraints. It opened its new office in Freetown on 17 February. By mid-February, the Commission had collected over 3,500 statements.

The Special Court for Sierra Leone made significant progress in its operations in early 2003, including the announcement of the indictments of seven individuals for war crimes (see p. 212). In January, the Registry of the Special Court opened its permanent site in Freetown. The Witnesses and Victims Support Unit was established and preparations were under way to create a defence support section, which would include both Sierra Leonean and international lawyers.

The renewal of fighting in Liberia precipitated a new influx of refugees into Sierra Leone. As at 4 March, more than 7,800 refugees had been registered crossing into Sierra Leone, but the total number was estimated at more than 9,000. More than 51,000 Sierra Leonean displaced persons returned to their places of origin between December 2002 and January 2003; of those, 13,500 were formally resettled with humanitarian assistance. The UNHCR programme for the repatriation of Sierra Leonean refugees from Guinea, Liberia and other countries in the subregion continued, with some 200,000 having returned from asylum countries.

The Secretary-General commented that recent developments had proved the prudence of pursuing a gradual drawdown of UNAMSIL, consistent with progress made in building up the capacity of the Sierra Leone police and army. Recent challenges to both services had exposed considerable shortcomings, and additional efforts were needed; therefore a cautious approach to the pace of the drawdown was fully justifiable. The Secretary-General recommended that the Council extend UNAMSIL’s mandate for a further period of six months.

Press statements (March). The President of the Security Council issued a 14 March press statement [SC/7692-AFR/583] in which Council members noted the Special Court’s announcement of indictments against seven individuals charged with crimes against humanity, war crimes and other violations of humanitarian law. Council members welcomed the indictments as the start of a judicial process aimed at bringing to justice those individuals who bore the greatest responsibility for the suffering inflicted on the people of Sierra Leone. They called on other States in the region to support the efforts of the Special Court in combating impunity and addressing accountability for the atrocities that had been committed in Sierra Leone.

In a 21 March press statement [SC/7702-AFR/589], Council members welcomed the role played by UNAMSIL in maintaining stability in Sierra Leone. They agreed that UNAMSIL’s rate of withdrawal should take into account the security conditions and the capacity of the Sierra Leone police and army to maintain them, as indicated in the Secretary-General’s March report. They invited States to contribute to financing the UN re-integration and civilian police training programmes. The members reiterated their concern at the destabilizing impact of the conflict in Liberia on the subregion, and on Sierra Leone in particular. They called on the Liberian Government and LURD to initiate a direct dialogue with a view to a peaceful settlement of their dispute. The Council members decided to consider a resolution extending UNAMSIL’s mandate for another six months.

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,
Expressing its concern at the continuing fragile security situation in the Mano River region, particularly the conflict in Liberia and its consequences for neighbouring States, including Côte d’Ivoire, 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 subregion,
Recognizing that the security situation in Sierra Leone remains fragile, and recognizing also the need to strengthen further the capacity and to mobilize the resources of the Sierra Leone police and armed forces to
enable them to maintain security and stability independently;

Noting certain recent challenges to security, described in paragraphs 2 to 9 of the report of the Secretary-General of 17 March 2003,

Restoring the importance of the effective consolidation of State authority throughout Sierra Leone, particularly in 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,

Emphasizing the importance of the Special Court for Sierra Leone and the Truth and Reconciliation Commission in taking effective action on impunity and accountability and in promoting reconciliation,

Emphasizing also the importance of the continuing support of the United Nations Mission in Sierra Leone to the Government of Sierra Leone in the consolidation of peace and stability,

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 2003;
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. Encourages the Mission for the progress made in the adjustments to its size, composition and deployment, as outlined in paragraphs 10 and 11 of the report of the Secretary-General, achieved while continuing to support the Sierra Leonean security forces in maintaining internal security and protecting Sierra Leone’s territorial integrity;
4. Urges the Mission, guided by an evaluation of the security situation and the capacity and ability of the Sierra Leonean security sector to take responsibility for internal and external security, to complete phase 2 of the plan of the Secretary-General, as planned, and to embark on phase 3 as soon as practicable thereafter;
5. Requests the Secretary-General to provide the Council with detailed plans for the remainder of the drawdown once phase 3 is under way, including options for faster and slower withdrawal depending on the security situation and the capacity and ability of the Sierra Leonean security sector to take responsibility for internal and external security;
6. Expresses 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;
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 urges the Government of Sierra Leone, with the assistance of donors and 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 and capabilities of the security sector;
8. Calls upon States, international organizations and non-governmental organizations to continue to support the national recovery strategy of the Government of Sierra Leone;
9. Notes the efforts made by the Government of Sierra Leone towards effective control of the diamond-mining areas, urges the Government of Sierra Leone to consider urgently relevant policy options for more effective regulation and control of diamond-mining activities, and encourages the Government of Sierra Leone to adopt and implement such a policy as soon as possible;
10. Welcomes the progress with deployment of United Nations civilian police to the Mission, and urges Member States able to do so to provide qualified civilian police trainers and advisers, and resources, to help the Sierra Leone Police to fulfill its size and capacity targets;
11. Reiterates its strong support for the Special Court for Sierra Leone, appeals to States to contribute generously to the Trust Fund for the Special Court, as requested in the letter from the Secretary-General dated 8 March 2003, appeals to existing donors to disburse their pledges rapidly, and urges all States to cooperate fully with the Court;
12. Welcomes the launch of the Truth and Reconciliation Commission and the progress made in its activities, and urges donors to commit funds to it generously;
13. Urges the Presidents of the Mano River Union member States to resume dialogue and to implement their commitments to building regional peace and security, encourages the Economic Community of West African States, and Morocco, to continue their efforts towards a settlement of the crisis in the Mano River Union region, and expresses its support for the efforts of the International Contact Group on Liberia towards a resolution of the conflict in that country;
14. Notes with concern the recent instability on the border between Sierra Leone and Liberia, 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;
15. Encourages the Government of Sierra Leone to pay special attention to the needs of women and children affected by the war, bearing in mind paragraph 42 of the report of the Secretary-General;
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 re-
view 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.**

**UNAMSIL drawdown**

**Report of Secretary-General (June).** On 23 June [S/2003/663], the Secretary-General issued his eighteenth report on UNAMSIL, which included, as requested by Security Council resolution 1470(2003) (above), plans and options for the remainder of UNAMSIL’s drawdown process.

During the reporting period, the security situation remained generally stable, though challenges remained. Unconfirmed reports indicated that Mr. Koroma, who had escaped from arrest, had been recently killed in Liberia where he reportedly had been leading an armed group. Although the Government had undertaken to dismantle CDF by January, the Force continued to exist as an organized group and, in some sectors, operated almost in parallel to the Government’s security sector. The influx of a large number of young men to the diamond-mining areas of Kono district and Tongo Fields and the activities of local military youth groups who resented the influx of outsiders also remained a potential source of instability. Youth groups, mainly former combatants, continued to challenge the local authorities.

While the internal situation had improved, external factors contributed to the security risk, particularly the conflict in Liberia, which could have a destabilizing effect on Sierra Leone and the Mano River subregion. Combatants from both sides in the Liberian conflict were seeking refuge in Sierra Leone, giving rise to fears of spillover in the fighting.

In 2002, the Secretary-General had made initial proposals for the drawdown of UNAMSIL [YUN 2002, p. 355], including benchmarks to guide the pace of the process, such as strengthening the capacity of the Sierra Leone police and armed forces, the reintegration of former combatants, consolidating State authority throughout the country and restoring government control over diamond mining. The joint mechanisms established by UNAMSIL and the Government of Sierra Leone to monitor and evaluate the major factors relating to the key security benchmarks continued to meet regularly. UN civilian police continued to assist in training new police officers, and Sierra Leone planned to increase police strength from the current level of about 6,800 to the pre-war level of 9,500. Since September 2002, 392 recruits had graduated from training school and another 199 were expected to graduate in July 2003. The deployment of national police was limited by the lack of police infrastructure in the provinces and inadequate transport and communication equipment. Any further delay in expanding the police’s capability could result in a security vacuum in areas vacated by UNAMSIL, with serious security risks.

The restructuring of RSLAF continued, with the goal of reducing the force from the current level of 14,000 to 10,500. A third of the RSLAF troops were deployed in the Sierra Leone–Liberia border areas. Since operations lacked the necessary infrastructure and logistics, the army continued to rely on UNAMSIL for some support.

The availability of reintegration opportunities to former combatants had improved, with 5,500 additional ex-combatants having benefited from new projects. Some 9,100 ex-combatants had yet to benefit from reintegration projects. The Government intended to complete the programme by the end of 2003 but lacked sufficient resources. In order to remove small arms and light weapons from general circulation, UNDP was implementing an arms collection programme that would develop new firearms-licensing procedures and a small-arms database.

The deployment of government officials to all districts was completed. However, the capacity of government structures to deliver services in the provinces remained feeble, owing to logistic and infrastructure constraints and lack of qualified personnel. Nationwide district consultations on decentralization and local government reform were completed in April and the Government was seeking opinions on the type of local government structures to be put in place and the type of local elections to be conducted. Progress was also made in the rehabilitation of the judicial sector. Courts resumed sittings in all districts and justices of the peace were assigned to over 20 locations throughout the country.

There was a significant increase in licensed mining activities and in official exports of rough diamonds. More government mining officers and monitors were sent to the mining areas. Although official exports were reported to have reached $25 million between January and May 2003, there was ample evidence that illicit mining persisted in many parts of the country. The Government had yet to put in place a comprehensive legislative framework and a mining policy for better control and regulation of diamond-mining activities. UNAMSIL supported the Government’s ground and aerial surveys of mining sites in selected areas.

The drawdown of UNAMSIL was proceeding as planned, with the first two phases having been completed, thus reducing the Mission’s troop...
strength to 13,074 personnel. As requested by the Council in resolution 1470(2003), the Secretariat reviewed the current pace of UNAMSIL's drawdown and developed options for an accelerated and a slower withdrawal, as well as a modified status quo drawdown, taking into account the evolving security situation and Sierra Leone's ability to take responsibility for internal and external security. Under the accelerated plan, all UNAMSIL troops would leave Sierra Leone by June 2004; under the slower plan, UNAMSIL would complete its withdrawal by June 2005; and under the modified status quo plan, withdrawal would be completed by December 2004. The Secretary-General recommended that the Security Council approve the modified status quo option, under which the forthcoming phase 3 of the drawdown plan would be conducted in four stages, with specific reductions by certain dates.

Significant progress was made, with UNAMSIL assistance, in promoting human rights, national reconciliation and justice, and in addressing the needs of children affected by the conflict. The Truth and Reconciliation Commission began public hearings on 14 April, with victims and perpetrators of the civil war telling their stories in public.

Two more indictments were issued by the Special Court and the pre-trial hearings of those in detention began. In June, the Court announced the indictment of President Charles Taylor of Liberia. The case against former RUF leader Foday Sankoh was adjourned sine die to enable him to undergo examinations to establish his mental fitness to stand trial. The body of Sam Bockarie was returned to Sierra Leone for identification by the MRU subregion, and take that into account when deciding on the best option for UNAMSIL's drawdown; the successful disarmament, demobilization and reintegration (DDR) programme in Sierra Leone should be assessed by the UN system to ensure that lessons were learned, particularly in due course for Liberia; the Council should examine the UNAMSIL experience in peacekeeping, peace-building, humanitarian and development efforts, so that the transition to consolidation of peace and in promoting national reconciliation, justice and national reconstruction. Of the 57,000 disarmed ex-combatants, 48,000 had been reintegrated. The resettlement of internally displaced persons had been completed, and the pace of resettling refugees had accelerated until recent events in Liberia. The conflicts in Liberia and Côte d'Ivoire added to the instability in the subregion as a whole.

**Security Council mission (June/July).** The Security Council mission to West Africa (26 June–5 July) [S/2003/688] (see p. 163) visited Sierra Leone and recommended that the Government intensify its efforts to develop the capacity of the Sierra Leonean armed forces and police to ensure security after UNAMSIL's departure. It further recommended that the Government should make a special effort to consolidate its control over the diamond-mining areas by ensuring police deployment there and enforcing the certification regime; the Council should recognize the linkage between establishing peace in Liberia and consolidating stability in Sierra Leone and the MRU subregion, and take that into account when deciding on the best option for UNAMSIL's drawdown; the successful disarmament, demobilization and reintegration (DDR) programme in Sierra Leone should be assessed by the UN system to ensure that lessons were learned, particularly for Liberia; the Council should examine the UNAMSIL experience in peacekeeping, peace-building, humanitarian and development efforts, so that the transition to consolidation of peace and in promoting national reconciliation, justice and national reconstruction. Of the 57,000 disarmed ex-combatants, 48,000 had been reintegrated. The resettlement of internally displaced persons had been completed, and the pace of resettling refugees had accelerated until recent events in Liberia. The conflicts in Liberia and Côte d'Ivoire added to the instability in the subregion as a whole.

The Security Council,
Recalling its resolutions and the statements by its President concerning the situation in Sierra Leone,
Recognizing the continuing fragile security situation in the Mano River region, particularly the conflict in Liberia and the need to strengthen further the capacity of the Sierra Leonean police and armed forces to enable them to maintain security and stability independently,
Taking note of the report of the Secretary-General of 25 June 2003, particularly the options for the drawdown of the United Nations Mission in Sierra Leone described in paragraphs 32 to 40 thereof,
1. Approves the recommendation of the Secretary-General, set out in paragraph 68 of his report, that the drawdown of the United Nations Mission in Sierra Leone should proceed according to the "modified status quo" option towards withdrawal by December 2004, and welcomes the intention of the Secretary-General to submit additional recommendations to the Council in early 2004 concerning a residual presence of the United Nations;
2. Decides to monitor closely the key benchmarks for the drawdown, and requests the Secretary-General to report to the Council at the end of each phase, and at regular intervals, on the progress made with respect to the benchmarks, and to make any necessary recommendations on the planning of subsequent phases of the withdrawal;
3. Requests the Secretary-General to proceed accordingly;
4. Decides to remain actively seized of the matter.

Report of Secretary-General (September). In response to Security Council resolution 1492 (2003), the Secretary-General, on 5 September, submitted his nineteenth report on UNAMSIL [S/2003/863 & Add.1]. He addressed, in particular, progress made in achieving the benchmarks that would guide the drawdown of the Mission.

The security situation in Sierra Leone remained generally stable and further progress was achieved toward peace consolidation. On 29 July, UNAMSIL troops were put on alert after the death of the former RUF leader, Foday Sankoh, but there was no major public reaction. The stability allowed UNAMSIL to complete the first stage of phase 3 of the drawdown plan, reducing the number of troops to 12,311 by August.

Nevertheless, some problems persisted. The continuing influx of young men to the diamond-mining areas remained a potential source of instability, as did the restiveness of some ex-combatants of CDF, RUF and AFRC/ex-Sierra Leone Army. However, UNAMSIL believed that those problems did not pose immediate internal threats to the country’s security. Should the environment remain favourable, the Mission’s strength would be gradually reduced to 5,000 by October 2004.

The Secretary-General described progress in implementing specific benchmarks he had outlined in 2002 to guide the UNAMSIL drawdown process: strengthening the capacity of the Sierra Leone police and the armed forces; consolidation of State authority; reintegration of ex-combatants; restoration of government control over diamond mining; and improving human rights, national reconciliation and justice.

By August, the number of Liberian refugees in Sierra Leone camps was reduced by 10 per cent, to 54,298, bringing the total number of confirmed refugees in Sierra Leone to 66,184. Repatriation of Sierra Leonean refugees from Guinea slowed down and was suspended with the onset of heavy rains, while repatriation from Liberia was resumed for a short period before the operation was terminated because of insecurity. The economy of the country also improved, sustained by the dynamic growth of donor-financed imports, large-scale resettlement and reconstruction activities, expansion of land under cultivation, more mining and domestic commerce and increasing investor confidence.

The Secretary-General observed that, with UNAMSIL’s continued drawdown, the responsibility for national security in some parts of the country was being shifted to the Government, which was confronted with problems of lack of adequate equipment and infrastructure. Much needed to be done to strengthen the presence of the Sierra Leone police in the areas to be vacated by UNAMSIL, especially in the east. The plan to increase the size of the police force to its pre-war level of 9,500 might be achieved by the end of 2005, a year after UNAMSIL was expected to leave. The Secretary-General urged the Government and its international partners to address the logistical and infrastructure needs of both the police and the army. Given the need to continue the gradual drawdown of UNAMSIL without jeopardizing the security situation in Sierra Leone, he recommended that the Security Council extend its mandate for another six months, until 31 March 2004.

Progress had been made relating to the control of diamond mining. The Secretary-General called for further action, such as establishing a computerized databank on mining licences, a review of incentives for staff of the Ministry of Mineral Resources, and the use of banking channels for all diamond trading transactions.

In other areas, the Secretary-General urged the Government to ensure that the CDF structure was totally dismantled and that the DDR programme was completed on schedule. He also appealed to donors to provide funding in the critical area of the administration of justice and to support the establishment of a national human rights commission.
Recent important developments in Liberia, in particular the Comprehensive Peace Agreement signed in Accra, had given hope that stability would improve. An unregulated return to Sierra Leone of former combatants who might have been involved in the fighting in Liberia would, however, be a matter of serious concern.

**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 increasingly stable security situation in Sierra Leone, while encouraging further progress towards strengthening the capacity of the Sierra Leone police and armed forces to maintain security and stability independently,

Noting that lasting stability in Sierra Leone will depend on peace in the subregion, especially in Liberia, and emphasizing the importance of cooperation among the countries of the subregion to this end, as well as the need for coordination of United Nations efforts to contribute to the consolidation of peace and security in the subregion,

Reiterating the importance of the effective consolidation of stability and State authority throughout Sierra Leone, particularly in 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, paying 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,

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 September 2003;

2. **Expresses its appreciation** to those Member States providing troops, civilian police personnel and support elements to the Mission and those who have made commitments to do so;

3. **Commends** the Mission for the progress made to date in the adjustments to its size, composition and deployment, in accordance with Security Council resolutions 1490 (2003) of 24 September 2002 and 1492 (2003) of 17 July 2003, and welcomes the intention of the Secretary-General to continue with those adjustments, as outlined in paragraph 10 of his report;

4. **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 urges the Government of Sierra Leone, with the assistance of donors and the Mission, in accordance with its mandate, to accelerate the consolidation of civil authority and public services throughout the country and to continue to strengthen the operational effectiveness and capabilities of the security sector;

5. **Urges** the Government of Sierra Leone to continue to strengthen its control over and regulation of diamond mining, including through the High-level Steering Committee, and encourages Member States to volunteer candidates for the post of diamond mining police adviser;

6. **Notes with serious concern** the precarious financial situation of the Special Court for Sierra Leone, reiterates its appeal to States to contribute generously to the Court, as requested in the letter from the Secretary-General dated 18 March 2003, and urges all States to cooperate fully with the Court;

7. **Commends** the Truth and Reconciliation Commission for its work, encourages States to contribute generously to it, and welcomes the intention of the Government of Sierra Leone to establish a Human Rights Commission;

8. **Expresses its strong support** for the efforts of the Economic Community of West African States towards building peace in the subregion, and encourages the Presidents of the member States of the Mano River Union to resume dialogue and to implement their commitments to building regional peace and security;

9. **Welcomes** the deployment of forces of the Economic Community of West African States to Liberia, supported by the Mission, reiterates its demand that armed groups in Liberia refrain from illegal incursions into Sierra Leone, and encourages the Sierra Leonean armed forces, together with the Mission, to maintain intensive patrolling of the border with Liberia;

10. **Encourages** the continued support of the Mission, within its capabilities and areas of deployment, for the voluntary return of refugees and displaced persons;

11. **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;

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

**Follow-up to Security Council mission.** On 5 December [S/2003/1147], the Secretary-General submitted to the Security Council a progress report on the recommendations of the Council mission to West Africa (see p. 163). With regard to Sierra Leone, he observed that the capacity of the army and police had been enhanced, as recommended, particularly that of the police, but further work was needed. For the army, its needs included construction of barracks, improvement of the transport fleet and communications equipment, and acquisition of armed helicopters. For the police, accelerated training of recruits and mid-level officers and construction of essential infrastructure were needed. Tightened control along the borders in the eastern part of the
country and political progress in Liberia would contribute to stability in Sierra Leone and in the MRU subregion.

Several lessons had been learned from the UNAMSIL multidimensional peacekeeping operation, including: the importance of keeping open the lines of communication with the warring parties; the usefulness of the two-track approach to dealing with RUF in implementing DDR programmes; the significant role played by the coordination mechanisms; and the importance of the information strategy and administrative support.

In an effort to consider the different roles of women in peacemaking and peace-building, UNAMSIL had established a Gender Task Force to support the participation of women in promoting peace and in decision-making, and it intended to facilitate the full participation of women in the forthcoming local elections.

The Government had made progress in reasserting its control over diamonds; official exports had reached $30 million by October 2003. UNAMSIL was continuing to support the Government in the management and governance of diamonds, including in formulating a national resource policy, assisting the police in implementing a strategy for policing diamond mining, jointly patrolling mining areas to help curb illicit mining, and offering public information facilities for sensitization campaigns and assisting the Ministry of Information and Broadcasting in developing programmes in diamond area communities. UNAMSIL would continue to support both the Special Court for Sierra Leone and the Truth and Reconciliation Commission and to seek adequate financial resources to meet their operational requirements.

The Secretary-General concluded that while significant progress had been achieved consolidating peace in Sierra Leone, much remained to be done to ensure that the planned gradual withdrawal of UNAMSIL continued to take into account the Government’s ability to assume its primary responsibility for internal and external security, to enhance control over natural resources and to consolidate civil administration throughout the country. In order to address the dilemma related to the drawdown and the still fragile peace, he intended to dispatch an assessment mission to Sierra Leone in early 2004 to evaluate the progress made in accomplishing the benchmarks defined for the withdrawal. In the meantime, it was vital that UNAMSIL continue to monitor the movements of armed elements along Liberia’s borders in order to prevent incursions. In response to a Council request that missions in the region develop a contingency plan for preventing cross-border movements of foreign combatants and devise a mechanism to harmonize their activities in areas of mutual concern, UNAMSIL convened a meeting of UN missions in West Africa (Freetown, 14 November), which adopted specific mechanisms for harmonization among the missions.

**Report of Secretary-General (December).** On 23 December [S/2003/1201], the Secretary-General submitted his twentieth report on UNAMSIL, in which he described progress in implementing phase 3 of the Mission’s withdrawal, and assessed the security situation and implementation of the benchmarks.

UNAMSIL had completed the second stage of the four stages of phase 3 and, in December, had begun the third stage, which was expected to be completed in June 2004. The third stage would result in the complete drawdown of UN troops from Sector Centre, its return to Sierra Leone responsibility, reduction of UNAMSIL’s troop strength to 10,500 and UNAMSIL’s deployment in only two Sectors, East and West. As at 15 December 2003, troop strength stood at 11,528.

The political and security situation in Sierra Leone remained generally stable. UNAMSIL and the Government held regular joint evaluations of the security environment within the framework of the National Security Council Coordinating Group. Local security committees comprising senior members of the national police, the army and the civil service were established to identify security threats and to coordinate responses. UNAMSIL continued to work closely with the security committees and conducted joint exercises with the police and the army. Its intention was to reduce its visibility gradually. The main potential security threat in Sector Centre was the presence of the former CDF, which maintained its structures in some areas. In addition, an internment camp accommodating elements of the former Liberian Armed Forces and of LURD were located in that Sector. The area along the border with Liberia also continued to pose a security challenge. With regard to the diamond-producing areas, UNAMSIL estimated that half of all mining activities were conducted without government licences.

With regard to the key benchmark of strengthening the capacity of the Sierra Leone police and army, UNAMSIL, together with UNDP and other partners, supported the Government’s recruitment and training of police; during the year, some 600 recruits joined the force. Training was provided in the areas of family support, criminal intelligence and investigation, drugs, commercial crime, forensics, traffic management, airport security and monitoring of diamond mining. The adjustment of the RSLAF force from 14,000
to 10,500 troops was on track and the effort to address the shortage of barracks was gathering momentum. However, RSLAF still lacked adequate command and control equipment and vehicles.

Progress was made in consolidating State authority throughout the country at the provincial and district levels. Advances were also made in extending the judiciary throughout the country, including the rehabilitation and construction of courts and penitentiary facilities, although restoration of the rule of law and speedy dispensation of justice were impeded by resource constraints. Legislation on local government reform and decentralization, in preparation for local elections in May 2004, was drafted for presentation to Parliament. Having been requested by the Government to organize and conduct those elections, the United Nations sent an electoral needs-assessment mission to Sierra Leone in December, which identified needs in logistics, communications, security, public information and establishing an electoral unit.

The Government maintained the date for the completion of the DDR programme at 31 December 2003. It reported that of 56,751 ex-combatants registered for the programme, 32,892 had completed their training and 15,322 were still in programmes. Diamond mining came under tighter government controls, with the number of licences issued reaching 1,800, compared to 900 in June 2002. Official exports of diamonds in 2003 reached $65 million at the end of October.

UNAMSIL continued its human rights monitoring activities, assisted in drafting legislation for a national human rights commission, and supported the Government in strengthening the protection of vulnerable children. The Truth and Reconciliation Commission was granted an extension of its mandate until the end of 2003 and continued its public hearings. The Special Court continued with pre-trial hearings for the nine individuals indicted for war crimes.

There were no significant inflows of refugees into Sierra Leone from Liberia in the latter half of 2003, and the number of Liberians seeking refuge in Sierra Leone was almost unchanged, at about 67,000, of whom 55,600 were accommodated in eight camps, 8,300 in urban areas and 3,100 in the border regions. The repatriation of the 40,000 Sierra Leonean refugees who resided in the subregion recommenced in October with flights from Côte d’Ivoire and Ghana, and by road from Guinea. It was hoped that up to 5,000 Sierra Leoneans would return before the end of 2003. The United Nations Transitional Appeal for Relief and Recovery in Sierra Leone in 2004 was launched in Dublin, Ireland, on 19 November.

Sierra Leone’s economic performance maintained a positive trend in 2003; early data indicated that the real gross domestic product target of 6.5 per cent growth was likely to be achieved, largely due to agricultural output, growth in diamond production, a modest increase in manufacturing output and expansion in construction activities.

The Secretary-General observed that the stable security situation in Sierra Leone had facilitated the consolidation of peace and the implementation of the drawdown benchmarks. Progress was also made in the gradual handover of responsibility for national security to the Sierra Leone police and RSLAF. However, additional resources were urgently required to continue enhancing the capacity of the security sector so that the armed forces and police could project a credible deterrence profile. The Secretary-General appealed to donors to provide assistance to the Government, particularly in the security sector.

The ongoing efforts to stabilize Liberia were beginning to have a positive impact on the Mano River region. The recent meeting in Freetown of the heads and force commanders of the UN peacekeeping and political missions in West Africa was an important new development. That forum would provide a framework for addressing subregional issues, in particular cross-border problems.

The Secretary-General remained concerned, however, about the numbers of foreign combatants in Liberia and the Liberian internees in Sierra Leone. As the peace process took hold in Liberia, it was expected that the repatriation of those combatants and their reintegration into civilian life would become possible.

**UNAMSIL financing**

At its resumed fifty-seventh session in 2003, the General Assembly had before it a number of reports of the Secretary-General on UNAMSIL financing. In the performance report on the UNAMSIL budget for 1 July 2001 to 30 June 2002 (A/57/680), the Secretary-General stated that, of the $692 million apportioned, expenditures to-
talled $617.6 million. The Secretary-General proposed a budget for UNAMSIL for 1 July 2003 to 30 June 2004 [A/57/681] of $520,053,600 gross, providing for the deployment of 12,740 troops, 260 military observers, 170 civilian police advisers, 356 international and 569 national staff, as well as 147 United Nations Volunteers.

Having reviewed those two reports, ACABQ, in May [A/57/772/Add.3], recommended that the Assembly approve a reduction in the UNAMSIL appropriation for the 2001/02 budget from the $717,603,059 provided for in resolution 56/291 A [1999/72] to $617,6 million, corresponding to the amount actually assessed for the period. It suggested that the unencumbered balance of $33,353,600 resulting from the reduced appropriation should be credited to Member States, as should other income amounting to $23,207,000. ACABQ recommended approval of the Secretary-General’s 2003/04 budget proposal and made suggestions for economies.

In a February overview of the financing of UN peacekeeping operations, covering the budget performance for 1 July 2001 to 30 June 2002 and proposed budgets for 1 July 2003 to 30 June 2004 [A/57/723], the Secretary-General stated that the main factors affecting UNAMSIL’s budget performance for the 2001/02 period were: savings in the rotation of military personnel; delays in recruiting international civilian staff and UN Volunteers; reduced requirements for prefabricated facilities; and lower transportation costs.

GENERAL ASSEMBLY ACTION (June)

On 18 June [meeting 90], the General Assembly, on the recommendation of the Fifth Committee [A/57/657/Add.1], adopted resolution 57/291 B without vote [agenda item 134].

**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 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 1470 (2003) of 28 March 2003,

*Recalling* its resolution 53/29 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 57/291 A of 20 December 2002,

**Reaffirming** the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874 (S-IV) of 27 June 1963, 3101 (XXVIII) of 11 December 1973 and 55/255 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 Observer Mission in Sierra Leone and the United Nations Mission in Sierra Leone as at 31 March 2003, including the contributions outstanding in the amount of 170 million United States dollars, representing some 9 per cent of the total assessed contributions, notes with concern that only twenty-seven 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 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;
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 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;
11. **Expresses concern** at the persistent delays in the recruitment and placement of personnel, and requests the Secretary-General to take immediate measures to...
redress the situation, and to report thereon to the General Assembly at its fifty-eighth session;

Financial performance report for the period from 1 July 2001 to 30 June 2002

12. Takes note of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2001 to 30 June 2002;

13. Decides to reduce the appropriation authorized for the Mission for the period from 1 July 2001 to 30 June 2002 under the terms of General Assembly resolution 56/231 A of 24 December 2001 from 717,605,059 dollars to 676,605,059 dollars, the amount apportioned among Member States in respect of the same period;

14. Decides also to approve the decrease in the estimated staff assessment income for the period from 1 July 2001 to 30 June 2002 from 8,317,778 dollars to 7,989,578 dollars;

Budget estimates for the period from 1 July 2003 to 30 June 2004

15. Decides further to appropriate to the Special Account for the United Nations Mission in Sierra Leone the amount of 543,489,900 dollars for the period from 1 July 2003 to 30 June 2004, inclusive of 520,053,600 dollars for the maintenance of the Mission, 17,946,000 dollars for the support account for peacekeeping operations and 5,490,300 dollars for the United Nations Logistics Base;

Financing of the appropriation

16. Decides to apportion among Member States the amount of 509,436,300 dollars at a monthly rate of 42,455,025 dollars, in accordance with the levels set out in resolution 55/255, as adjusted by the General Assembly in its resolutions 55/236 of 23 December 2000 and 57/290 A of 20 December 2002, and taking into account the scale of assessments for 2003, as set out in its resolutions 55/5 B of 23 December 2000 and 57/4 B of 20 December 2002, and for 2004, 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 10,167,800 dollars at a monthly rate of 847,317 dollars, comprising the estimated staff assessment income of 5.8 million dollars approved for the Mission, the prorated share of 4,043,200 dollars of the estimated staff assessment income approved for the support account and the prorated share of 324,600 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

18. Decides further that for Member States that have not fulfilled their financial obligations to the Mission, there shall be set off against their apportionment, as provided for in paragraph 16 above, their respective share of the remaining unencumbered balance and of other income in the total amount of 56,560,600 dollars in respect of the financial period ended 30 June 2002, in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolutions 55/236 and 57/290 A, and taking into account the scale of assessments for 2002, as set out in its resolutions 55/5 B and 57/4 B;

19. Decides that, for Member States that have not fulfilled their financial obligations to the Mission, there shall be set off against their outstanding obligations their respective share of the remaining unencumbered balance and other income in the total amount of 56,560,600 dollars in respect of the financial period ended 30 June 2002, in accordance with the scheme set out in paragraph 18 above;

20. Decides also that the decrease of 50,300 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2002 shall be set off against the credits from the amount referred to in paragraphs 18 and 19 above, and that the respective shares of Member States therein shall be applied in accordance with the provisions of those paragraphs as appropriate;

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-eighth session the item entitled ‘Financing of the United Nations Mission in Sierra Leone’.

Sanctions

On 20 May [S/2003/559 & Corr.1], the Chairman of the Security Council Committee established pursuant to resolution 1132(1997) concerning Sierra Leone [YUN 1997, p. 135] forwarded to the Council a letter from Sierra Leone enclosing the fifth review of the certificate-of-origin regime for the export of Sierra Leone diamonds. The review was prepared by the Government in compliance with resolution 1306(2000) [YUN 2000, p. 201], in which the Council had requested Sierra Leone to establish a regime to control the export of its rough diamonds, the profits from which were being used to fuel conflicts. With the end of the rebel war, the completion of the disarmament and demobilization of ex-combatants, and the Government’s effort to establish physical control of all alluvial diamond-mining areas and to discourage illicit mining, the certificate-of-origin regime was achieving its primary objective and had made a remarkable contribution to Sierra Leone’s post-war development programmes. Although Liberia had not yet established an internationally verifiable certificate-of-origin regime, reports were no longer being received of uncertified Sierra Leonean diamonds transiting through its territory (see p. 201). According to Sierra Leone, the effectiveness of its regime, and
that of neighbouring Guinea, had been strengthened by the establishment of the Kimberley Process Certification Scheme [YUN 2000, p. 76]. Sierra Leone’s regime was fully compatible with the Kimberley Process. The prospects for its further success depended less on the incidence of illicit mining and smuggling of Sierra Leone diamonds than on adherence by all participants to their responsibilities and obligations under the global Scheme.

Security Council members, in a 5 June press statement [SC/777-AFR/634] issued by the President on their behalf, said that the UN embargo against the import of rough diamonds from Sierra Leone without a valid certificate of origin, imposed by resolution 1306(2000) and renewed by resolution 1446(2002) [YUN 2002, p. 163], expired on 4 June. In the light of Sierra Leone’s increased efforts to control and manage its diamond industry and ensure proper control over diamond-mining areas, and the Government’s full participation in the Kimberley Process, members of the Council had agreed not to renew those measures. Council members commended the Government’s efforts to strengthen the management of the diamond industry and encouraged the Government to continue those efforts and to work closely with UNAMSIL in ensuring the security of the diamond-mining areas. They agreed that the Council would continue to pay close attention to Sierra Leone’s diamond sector because of its importance to the future stability and security of the country.

Guinea-Bissau

Guinea-Bissau continued to be beset by grave political, economic and social problems. The United Nations, through the Secretary-General’s Representative and the United Nations Peacebuilding Support Office in Guinea-Bissau (UNOGBIS), monitored internal developments and the situation along its borders. At the beginning of the year, the Secretary-General warned of political and institutional instability that were generating tensions and described a deteriorating situation. Progress towards revising the constitution remained stalled and the National Assembly was not functioning. Opposition leaders accused the Government of President Koumba Yalá of arbitrary decisions, restrictions on media and harassment of political opponents. Sub-regional organizations and UN bodies became involved in the search for solutions. While internal tensions rose, particularly within the military, the security situation along the borders remained relatively calm.

Preparations for legislative elections were well under way when a military coup took place on 14 September. Three days later, an agreement was reached, providing for the resignation of President Yalá, a provisional Government of civilians, and the soldiers’ return to barracks. A Political Transition Charter, which was signed in September by the Military Committee, 23 of the 24 registered political parties and civil society organizations set up a transitional Government and a transitional National Council. The Charter also provided for legislative elections to be held within six months and for presidential elections to take place one year later.

The transitional President, Henrique Perreira Rosa, and the Government pledged to hold elections within the stated time frame. Further work was done to prepare for elections and to restore the judicial system. At the request of President Rosa, the UNOGBIS mandate was extended for one year, until the end of 2004.

Developments and UNOGBIS activities

The economic, social and political problems of Guinea-Bissau, more specifically its post-conflict needs, were studied by the Ad Hoc Advisory Group on Guinea-Bissau, which issued its report in January [E/2003/8] (see p. 948). The Advisory Group, established by Economic and Social Council decision 2002/304 [YUN 2002, p. 920], reported that Guinea-Bissau was a country still emerging from conflict, having halted its civil strife three years earlier. However, the current situation suggested that it was slowly sliding back into conflict. The President of the Economic and Social Council, on 5 February [S/2003/176], drew the attention of the Security Council to the Advisory Group’s report. He noted that the Economic and Social Council, in resolution 2003/1 of 31 January (see p. 948), had welcomed the Advisory Group’s recommendations and endorsed the proposed partnership approach. That approach foresaw a compact under which assistance would be provided contingent on political and constitutional measures being taken by the Government and plans of action being drawn up addressing both short- and long-term development needs.

The Economic and Social Council President noted with pleasure that Jagdish Koonjul (Mauritius), former Chairman of the Ad Hoc Working Group of the Security Council on Conflict Prevention and Resolution in Africa, had participated in the Advisory Group.

Security Council members, in a 5 March press statement [SC/7677-AFR/571], expressed concern at the political instability in the country. They appealed to the Government to ensure that the forthcoming legislative elections were conducted...
in a transparent, fair and credible manner. They stressed the need to elect the President and Vice-President of the Supreme Court before the elections and called on the international community to stand ready to send observers and to provide funding. Council members called on ECOWAS to become more strongly involved in the solution of the problems faced by Guinea-Bissau.

Members further expressed concern at the serious economic situation in Guinea-Bissau and called on the Government to take steps to facilitate a constructive dialogue with the international community and to fully endorse the partnership approach defined by the Advisory Group. They welcomed the Secretary-General’s decision to assist Guinea-Bissau in holding free and transparent elections and appealed to the donor community to contribute financially to the implementation of the political and economic process in the country. Members expressed concern at the proliferation of small arms in Guinea-Bissau and asked the Government to put an end to it. They were also concerned by information regarding the human rights situation. They expressed their strong support for the Representative of the Secretary-General, David Stephen (United Kingdom), and for UNOGBIS.

**Report of Secretary-General (June).** The Secretary-General, in response to Security Council resolution 1233(1999) [YUN 1999, p. 140], reported on 9 June [S/2003/621] on developments in Guinea-Bissau and UNOGBIS activities since his previous report of 13 December 2002 [YUN 2002, p. 179]. During that period, he said, the overall situation worsened. Amid political and institutional instability, electoral uncertainty had continued to generate tensions, as the question of the promulgation of the revised constitution remained unresolved. President Yalá continued to argue that, since the National Assembly was not functioning, it was not possible either to make progress on the constitutional issue or to hold elections for President and Vice-President of the Supreme Court of Justice until a new National Assembly had been elected.

The lack of progress in the constitutional and electoral spheres had been mirrored by a general deterioration in the political climate. Opposition leaders continued to accuse the Government of arbitrary executive decisions, restrictions imposed on the media, harassment of political opponents by security officials, the imposition of travel bans on prominent personalities and limitation of access to the media by political parties. Moreover, frequent ministerial changes, notably the President’s dismissal of several close associates, raised concerns about the stability and continuity of the Government’s activities. Tensions increased when the dismissed Minister of Defence was taken into custody on 30 April in connection with an alleged coup plot. Preparations for the elections, rescheduled for 6 July, were slow and by mid-May none of the benchmarks of the electoral timetable had been met. Opposition parties called for the appointment of a “Government of national unity” until elections were held.

To encourage dialogue between the ruling Partido da Renovação Social and the major opposition parties, UNOGBIS facilitated meetings on 18 March, 1 April and 22 May on the country’s future and current issues. It also completed preparations for a six-month countrywide programme of activities to consolidate the process of national reconciliation and to promote the culture of conflict prevention. In preparation for the programme, it assisted the Federation of Women of Guinea-Bissau in launching a plan of action to maximize the participation of women in the political process, including in the elections.

Subregional organizations stepped up efforts to help stabilize the country. On 14 March, the Chairman of the Organization of Portuguese-speaking African States, President dos Santos of Angola, convened an extraordinary summit, attended by President Yalá. In their 14 March communiqué, the heads of State encouraged the authorities of Guinea-Bissau to pursue dialogue and called on the international community to provide technical, logistic and material support for the legislative elections. On 7 April, the ECOWAS Medication and Security Council met in Abidjan to discuss the security situation in West Africa, including the rising political tensions in Guinea-Bissau. In a press statement, ECOWAS recommended the dispatch to Guinea-Bissau of a delegation of its Council of Elders to assist the Government to strengthen democratic governance and reduce political tensions. The Group of Friends of Guinea-Bissau, the Security Council’s Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, and the Economic and Social Council’s Ad Hoc Advisory Group on Guinea-Bissau worked together to explore ways to assist the country.

The situation along the border with Senegal remained calm and the security measures put in place two years earlier had been largely successful in preventing incursions into Guinea-Bissau by armed elements of the separatist Movement of Democratic Forces of Casamance (MFDC). In order to promote peace in the subregion, President Yalá offered to host consultations involving MFDC factions at the request of President Wade of Senegal. Internally, there were reported tensions in the armed forces over the non-payment...
of salaries and desertions. On 9 May, the Chief of Staff of the Armed Forces denounced reports of an imminent coup d'état. The Demobilization, Reinsertion and Reintegration Programme had entered the reintegration phase, which was expected to end in June with the reinsertion of 6,000 ex-combatants. Demining continued to be carried out by two NGOs with support from UNDP. Despite reports of increased criminal activity, the police lacked any quick-reaction capability and training was rudimentary.

The human rights situation had become more fragile, with frequent cases of intimidation of political opponents, sometimes involving physical force, and several prominent personalities had been prevented from travelling abroad. National radio and television broadcasting facilities were monopolized by the ruling party and the private media were subjected to repressive measures. UNOGIS continued to monitor the human rights situation. Having finally been allowed access to individuals being detained in connection with an alleged coup d'état, UNOGIS determined that the prisoners were being held in unsatisfactory conditions.

The worsening social and economic situation sharpened political tensions. With accumulated salary arrears owed by the Government reaching $11 million, public dissatisfaction and frustration resulted in periodic strikes by public sector workers, and the Government was forced to pay some workers in rice. Economic assistance was provided by a number of UN agencies.

The Secretary-General concluded that Guinea-Bissau, which had seemed so promising following the end of the 1998-1999 armed conflict and the holding of free and fair general elections, was once again embarked on a downward course. The forthcoming legislative elections were viewed as a crucial test of Guinea-Bissau’s young democratic process. The United Nations was providing technical assistance to the National Electoral Commission and would be prepared to coordinate international observers, but, should it be determined that conditions were not conducive for free, fair and credible elections, the Organization could reconsider its assistance. The Secretary-General decided to send another electoral mission to Guinea-Bissau to review the situation.

Security Council consideration. The Security Council, on 19 June [meeting 4776], considered the Secretary-General’s June report and was briefed by his Representative for Guinea-Bissau and Head of UNOGIS, David Stephen. In the context of the approaching elections scheduled for 6 July, Mr. Stephen said that the opposition continued to accuse the Government of restrictions on civil liberties. The caretaker Government continued in office, the National Assembly remained dissolved, and judicial institutions continued to be weak. An electoral needs-assessment mission of the UN Department of Political Affairs, after a visit to the country (5-11 June), noted that it was not technically feasible for the elections to be held on 6 July and urged the authorities to undertake the planned electoral census or revision of the electoral registers with a minimum of delay. Although the President had concurred that the polling date could not be maintained, he had not yet announced publicly that elections would be postponed. Meanwhile, the economic situation remained critical. Among positive developments, the private Radio Bombolom had reopened and continued to function, and the former Minister of Defence and Mr. Yala’s political adviser, who had been detained since April, were provisionally released.

Security Council Action

On 19 June [meeting 4776], following consultations among Security Council members, the President made statement S/PRST/2003/8 on behalf of the Council:

The Security Council, recalling its previous statements on Guinea-Bissau, including the statement by its President of 29 November 2000 (S/PRST/2000/37), having considered the report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peace-building Support Office in that country, and anticipating the Council mission to Guinea-Bissau, expresses its concern with regard to the fragile political situation in Guinea-Bissau, to the persistent economic and social crisis and to continuing disturbing information regarding the human rights situation. It urges the leaders of the country, and the international community, to work more purposefully together to ensure that the development, humanitarian and peace-building agendas are quickly put back on track.

The Council appeals to the President and the Government of Guinea-Bissau to organize effectively and in a timely manner the forthcoming legislative elections and to ensure that these elections are conducted in a transparent, fair and credible manner, in accordance with the Constitution and the electoral laws. It is the expectation of the Council that neither candidates nor political parties will be subjected to violence and intimidation and that the presence of international observers at these elections will be acceptable to all parties. The Council also expresses the hope that, following the successful conduct of the elections, the Government will embark upon additional concrete measures to show further proof of its commitment to democracy and the rule of law by promulgating the new Constitution and by having the President and Vice-President of the Supreme Court duly elected without further delay.
The Council calls upon the Government of Guinea-Bissau to take the necessary steps to facilitate a constructive dialogue with the international community and the Breton Woods institutions and to endorse fully the partnership approach defined by the Economic and Social Council Ad Hoc Advisory Group on Guinea-Bissau.

The Council appeals to the donor community to contribute financially to the implementation of the political and economic process in Guinea-Bissau, including necessary support for the legislative elections.

The Council expresses its concern with regard to the situation of human rights and civil liberties and urges the Government of Guinea-Bissau to take the necessary measures in order to improve this situation. It stresses the importance of full respect for freedom of speech and freedom of the press.

The Council acknowledges the importance of the regional dimension in the solution of the problems faced by Guinea-Bissau and, in that regard, calls upon the Economic Community of West African States and the Organization of Portuguese-Speaking African Countries to further strengthen their involvement, and expresses its intention to intensify its cooperation with these organizations.

The Council welcomes the willingness of President Kumba Yalá to host negotiations on the issue of Casamance and appeals to him to continue to cooperate constructively with the Government of Senegal in order to contribute to a solution of this issue.

The Council recognizes and commends the important role played by the Representative of the Secretary-General as well as by the United Nations country team towards helping to consolidate peace, democracy and the rule of law, and expresses its appreciation for their activities.

The Council expresses its full support to the forthcoming mission to Guinea-Bissau, which will be led by the Permanent Representative of Mexico to the United Nations and will be the first part of an overall mission to West Africa, and looks forward to its conclusions and recommendations.

The Council expresses its intention to keep the situation in Guinea-Bissau under regular review.

**Advisory Group.** The Economic and Social Council’s Ad Hoc Advisory Group on Guinea-Bissau, in a supplementary report dated 1 July [E/2003/93] covering its activities since January (see p. 949), noted that it had carried out a joint mission with the Security Council (see below). The Advisory Group concluded that the holding of elections was an urgent priority, and recommended that the Economic and Social Council further appeal to donors to consider funding the elections through contributions to the UNDP Trust Fund. In resolution 2003/53 of 24 July (see p. 949), the Economic and Social Council reiterated the need to foster a comprehensive approach to Guinea-Bissau’s problems in its post-conflict phase, in particular to prepare a long-term programme of support, based on its development priorities.

By a 25 August letter [S/2003/836], the President of the Economic and Social Council informed the Security Council President of the work of the Advisory Group, drawing attention to the supplementary report. He noted the growing working relationship between the two Councils on the situation in Guinea-Bissau, including the joint mission (see below). The Advisory Group’s mandate had been extended until 2004.

**Security Council mission.** The Security Council’s mission to West Africa (see p. 163), accompanied by the Economic and Social Council’s Ad Hoc Advisory Group on Guinea-Bissau, visited Guinea-Bissau on 27 and 28 June. In its 7 July report [S/2003/688], the mission said that President Yalá had set 12 October as the election date and welcomed international observers, but he made no commitments on restoring democratic freedoms or respecting human rights. The mission stressed the desire of the international community to increase assistance to Guinea-Bissau, but warned that it was contingent on the Government taking the requisite steps to fulfil the partnership approach arrangement.

The overall impression gained by the mission was that Guinea-Bissau was gripped by a deep political, economic, administrative and cultural crisis. UNOGIBS was increasingly obliged to play a preventive, pre-conflict role. There were concerns that mounting tensions and public discontent could result in popular unrest, perhaps even civil war. While welcoming the President’s statement on holding elections, the mission stated that other requirements had to be met, including the revision of electoral registers and ensuring that all parties could campaign freely and had equal access to the media. It recommended that the Security Council monitor progress in the electoral process and in implementing other steps mentioned in presidential statement S/PRST/2003/8. The mission proposed that the Council request the Secretary-General to provide an update by the end of July and regularly thereafter during the electoral period. The mission urged donors to provide financial and technical assistance for electoral preparations, contingent on the Government’s creating conditions for credible elections. International electoral observers could play an important role in that respect. The mission recommended that the Security Council continue collaborative initiatives with the Economic and Social Council in the area of peacebuilding in post-conflict countries.

**Security Council press statement (4 August).** Having heard a briefing by the Secretary-General’s Representative, Security Council members, in a
4 August press statement [SC/7838-AFR/683], welcomed the progress made since the June/July mission to West Africa, especially the announcement by President Yalà of the 12 October date for parliamentary elections, which constituted an important factor for the stability of the country. Council members encouraged President Yalà and his Government to continue working towards holding legislative elections in a transparent, fair and credible manner and commended the international community for having pledged the necessary resources for the organization of the elections. They further noted that the National Electoral Commission had invited international organizations to send observers. In regard to the electoral process, members expressed concern at the delay in voters’ registration and appealed to the Government to speed up that process. They also expressed concern at the serious economic situation in the country and appealed for assistance for sustainable development. The Council encouraged the Guinea-Bissau authorities to restore good governance.

Coup d’état

On 14 September, the military staged a coup d’état in Guinea-Bissau, overthrowing President Yalà. In a 15 September press statement [SC/7873], Security Council members condemned the assumption of power through non-constitutional means, especially by threat or the use of force. They called for the speedy restoration of constitutional order and the holding of legislative elections as soon as possible, and called on the parties concerned to ensure the safety and security of all in Guinea-Bissau. Members welcomed the constructive role played by members of ECOWAS to find a peaceful resolution to the crisis.

On 19 September [S/2003/989], Ghana transmitted to the Security Council an ECOWAS communiqué issued following a fact-finding mission to Guinea-Bissau (15-17 September). ECOWAS expressed serious concern about the deepening political crisis and the attempted armed forces to remove President Yalà from office. The visiting delegation reminded the leadership of the need to re-establish the authority of the State, to rid the public administration of partisanship, to establish a transitional Government to include all political orientations and to create the foundations for elections. Immediately following the coup, ECOWAS had undertaken mediation efforts and, with support from the Community of Portuguese-Speaking Countries, helped reach an agreement on 17 September between President Yalà and the military contingent that staged the coup. Mr. Yalà resigned and a 16-member Ad Hoc Technical Commission, which included representatives of all political parties and of civil society, and religious and traditional leaders, was established to elaborate a transitional charter. The Military Committee nominated Henrique Perreira Rosa, an economist and the former Chairman of the National Electoral Commission in 1994, as transitional President.

On 28 September, agreement was reached on the Political Transitional Charter, which would guide the process of return to constitutional normality. The 56-member National Transition Council would fulfil the role of a parliament. No dates were set for elections, but it was agreed that they would be held within six months (before 28 March 2004), followed by presidential elections within a year of the first round. The urgent task...
for the international community was to help ensure a successful transition by responding to the economic and budgetary needs of the transitional Government.

The Special Envoy of the Community of Portuguese-Speaking Countries, José Ramos Horta, said that it appeared that the military intervention that brought down Mr. Yalá was welcomed by all of Guinea-Bissau society. He reported that the change occurred without any violence and those involved were motivated by social and economic conditions.

At a private meeting on 18 November [meeting 4860], the Council continued discussions on Guinea-Bissau.

**UNOGBIS mandate.** The Secretary-General, in an 11 November letter [S/2003/1096], informed the Security Council that President Rosa had requested the extension of the UNOGBIS mandate for one year, until 31 December 2004, to facilitate dialogue among all actors in Guinea-Bissau and to promote national reconciliation during the transition. The Secretary-General proposed that the current mandate be extended for one year and be revised as follows: to support political dialogue, national reconciliation, the rule of law and respect for human rights, and to strengthen democratic institutions; to encourage the Government and other national stakeholders to restore constitutional normality and to create a conducive environment for peace, stability and the holding of free and transparent elections; to assist with elections; to support national efforts aimed at strengthening the country’s capacities for conflict prevention and for the peaceful management of differences; to encourage initiatives aimed at maintaining friendly relations between Guinea-Bissau and its neighbours; to encourage the Government to enact the programme of small arms collection and destruction; and to facilitate, in cooperation with the UN country team, the Bretton Woods institutions and others, international political support to address the post-conflict recovery priorities.

The Council, on 14 November [S/2003/1097], took note of the proposal to extend the UNOGBIS mandate and the revised mandate.

**Follow-up to Security Council mission.** The Secretary-General, in a December progress report [S/2003/1147] on the recommendations of the Security Council mission to West Africa (see p. 163), described the current situation in Guinea-Bissau. The National Election Commission had resumed its work and was expected to finalize the electoral register in November. It had recommended that the legislative elections be held by the end of January 2004, ahead of the 28 March deadline. The Secretary-General welcomed the declared commitment of the newly formed Government to restore legality and hold elections.

With regard to cooperation between the Security Council and the Economic and Social Council in peace-building, the latter’s Ad Hoc Advisory Group on Guinea-Bissau, whose mandate had been extended until February 2004, continued to monitor the electoral process and maintained close relations with Guinea-Bissau’s major development partners. On 17 November, the Group held a meeting at UN Headquarters with a high-level delegation of the transitional Government, senior UN officials, representatives of the Bretton Woods institutions and donor countries to discuss ways to provide support to the transitional Government. The next day, President Rosa appealed to the Security Council, in a private session, to mobilize urgent assistance for his country. The Secretary-General said it was essential that the international community remain engaged with Guinea-Bissau, including by providing urgent financial and other support to help the authorities follow through on their commitments.

**Report of Secretary-General (December).** On 5 December [S/2003/1157], the Secretary-General reported on developments in Guinea-Bissau and on UNOGBIS activities, focusing on the efforts of the transitional authorities to implement the transition and on the UNOGBIS contribution in that regard.

After the military coup, the transitional Government, led by a civilian Prime Minister, Artur Sanhá, the National Transitional Council, acting as a parliament, and the transitional President, Mr. Rosa, were sworn in and began to carry out their functions. During the critical time leading up to the transition, UNOGBIS and the Secretary-General’s Representative provided good offices and advice to all actors in Guinea-Bissau in order to foster dialogue.

The transitional authorities had taken a number of positive steps towards implementing the Transition Charter. The National Transitional Council approved the appointment of a new Attorney-General, who took office in November, and reinstated Supreme Court judges and other legal officials. It announced that elections for the President and Vice-President of the Supreme Court would be held on 16 December. The Government paid civil service salaries for October and planned to establish a regular payment plan. The State and independent broadcasting and print media were functioning normally. The transitional authorities had made contacts with regional and international partners to engage
them in dialogue on possible support for a transition to democracy.

The security situation in Guinea-Bissau had improved, with patrols along the borders having been strengthened. The situation along the border with Senegal remained calm although occasional incidents were reported. In August, Guinea-Bissau sent a contingent of 650 members to join UNMIL. Internally, tensions were reported among the army rank and file over the backlog of salary arrears and poor conditions in the barracks. The reintegration phase of the demobilization, reinsertion and reintegration programme was in progress and was scheduled to end in June 2004. The trust fund for the programme was able to fund only 4,372 beneficiaries, identified as the most vulnerable of a total of 11,300 ex-combatants. Despite the lack of resources and mounting salary arrears, members of the police force were still reporting to work and fulfilling their law and order duties. The transitional Government planned to establish a police training centre, and the UNOGBIS civilian police adviser was assisting in formulating those plans.

UNOGBIS continued to monitor the human rights situation, focusing on civil liberties and dialogue with the authorities. It followed the cases of 10 members of the military detained since December 2002 for allegedly plotting a coup. Former President Yalá remained under house arrest.

The economic and social situation threatened to disrupt the fragile political consensus. Revenue collection had almost collapsed, while expenditure was not controlled or recorded. The non-payment of salaries for most of the year to public sector workers, the inability of the majority of children to attend school, and the high mortality rate fed social tensions. The UN country team worked with other UN and international bodies to deal with those problems. Although the Government intended to draw up a development strategy to be presented to a roundtable conference planned for 2004, there was an immediate need for a bridging mechanism to mobilize and coordinate assistance to Guinea-Bissau. The World Bank planned an informal meeting of donors for December and UNDP had established a multi-donor fund to address the most urgent needs of the population.

The Secretary-General observed that the recent removal of the democratically elected President, however reprehensible, should not be seen as a single event interrupting an ongoing democratic process, but as the culmination of an untenable situation during which constitutional norms were repeatedly violated. It was encouraging that the transitional Government had taken some steps in the right direction. It had appealed to the international community for urgent assistance. The crucial task in 2004 would be to help Guinea-Bissau to create a propitious political environment for the peaceful conduct of the transition, as it would be nearing its conclusion in 2005, and in particular for the holding of credible legislative elections by March 2004. In that regard, he hoped that the international community would remain engaged to help ensure that commitments were fulfilled.

**Security Council press statement (December)**. The Security Council considered the Secretary-General’s report and was briefed by his Representative during informal consultations on 19 December [SC/7962-AFR/800]. The President then issued a press statement saying that Council members welcomed the positive steps taken recently by the new authorities, especially the announcement of 28 March 2004 as the date for the parliamentary elections. They expressed concern about the critical economic and social situation and renewed their appeal to the international community to provide urgent assistance to Guinea-Bissau. They welcomed the assistance by some countries and organizations, including the contributions to the Emergency Economic Management Fund, established by UNDP, and called on other donors to contribute to it. They also commended the constructive role of the Bretton Woods institutions, the African Development Bank and UNDP.

Members encouraged the AU, Ecowas and the Community of Portuguese-Speaking Countries to remain actively engaged in Guinea-Bissau. They commended the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, the Economic and Social Council’s Advisory Group on Guinea-Bissau and the Group of Friends of Guinea-Bissau for their role in the follow-up provided to the situation in Guinea-Bissau. They expressed appreciation for the support provided by the UN system for the peace-building process and encouraged it to provide further support.

**Horn of Africa**

**Appointment**. The Secretary-General, on 15 January [S/2003/66], informed the Security Council that his Special Adviser, Mohamed Sahnoun (Algeria), had been following developments in the Horn of Africa, especially Somalia and the Sudan, and was providing advice on a possible UN role in negotiating settlements of the con-
flicts in those countries. Recently, regional peace efforts under the auspices of the Intergovernmental Authority on Development (IGAD) in Somalia (see p. 241) and the Sudan (see p. 256) had been reinvigorated. Significant progress was made in the IGAD-led peace process on the Sudan, resulting in the signing of the Machakos (Kenya) Protocol in July 2002 [YUN 2002, p. 271]. The two sides were expected to resume negotiations in January 2003 on a comprehensive peace agreement, with Mr. Sahnoun representing the Secretary-General. Mr. Sahnoun had also taken part in the IGAD peace initiatives with regard to Somalia and had participated in meetings of the IGAD Partners’ Forum in support of the peace processes in both Somalia and the Sudan; he would continue to do so as the pace of negotiations to reach agreements was accelerated.

In view of those undertakings, the Secretary-General had decided to extend the appointment of his Special Adviser until 31 December 2003. The Council, on 20 January [S/2003/67], took note of the decision.

On 14 November [S/2003/1138], the Secretary-General informed the Council that Mr. Sahnoun continued to carry out his functions, especially in Somalia and the Sudan, having led the UN observer delegation at the Sudan peace talks and attended the Somalia National Reconciliation Conference, both in Kenya. He had also represented the Secretary-General at the tenth IGAD summit in Kampala, Uganda, in October. The Secretary-General had decided to extend his appointment until 31 December 2004; on 21 November [S/2003/1139], the Council took note of his decision.

Eritrea-Ethiopia

The United Nations continued to carry out oversight of the implementation of the 2000 Algers ceasefire and peace agreements between Eritrea and Ethiopia [YUN 2000, p. 180] (known collectively as the Algiers Agreements), including regulating their border dispute, which had led to armed conflict in 1998 and periodic outbreaks of fighting since then. The United Nations Mission in Ethiopia and Eritrea (UNMEE), established in 2000, continued to monitor the border region inside and near the Temporary Security Zone and to support the work of the Boundary Commission, a body set up by the Agreements to determine the border. In 2003, the Commission focused on demarcation of the border, following the completion in 2002 of the border’s delimitation. The border area remained generally calm throughout 2003.

In the early months of the year, both sides cooperated with the Boundary Commission and UNMEE, and progress was made in implementing the Algiers Agreements, particularly regarding the release of the remaining prisoners of war. However, progress on the boundary question soon stalled. The Commission submitted maps indicating the delimitation line to both parties and they responded with comments. Despite having previously accepted the delimitation decision, Ethiopia raised issues questioning the boundary as determined by that decision. Eritrea raised issues of a technical nature. Both sides continued to restrict the freedom of movement of UNMEE in areas inside and adjacent to the Temporary Security Zone and both banned direct flights by UN aircraft between Addis Ababa and Asmara. The Secretary-General described the peace process as being at a critical stage and warned that the loss of momentum could have an impact on the longer-term goals of reconstruction and development. Preliminary arrangements were made for placing demarcation pillars along the border. However, the work came to a standstill by the end of the year and the Boundary Commission decided to reduce its activity in the area to a minimum so that it could be resumed, if required.

Implementation of Algiers Agreements

In early 2003, further progress was made in implementing the Algiers Agreements and the parties had generally been cooperating throughout the peace process, according to the Secretary-General [S/2003/257]. Security Council members, having been briefed by Hedi Annabi, Assistant Secretary-General, Department of Peacekeeping Operations, during informal consultations on 7 January, issued a press statement [SC/7625-AFR/599] welcoming the progress made since the Secretary-General’s last (December 2002) report [YUN 2002, p. 192]. They urged Ethiopia and Eritrea to continue to extend to UNMEE and the Boundary Commission full cooperation in order to ensure the smooth demarcation of the border. In that regard, members welcomed the seventh report of the Eritrea-Ethiopia Boundary Commission, in particular the schedule for demarcation [ibid., p. 193], and urged the two sides to engage in discussions with the Secretary-General’s Special Representative, Legwaila Joseph Legwaila (Botswana), to address any issues that might arise during the demarcation process.

Council members welcomed the release by Ethiopia of all remaining Eritrean prisoners of war in November 2002, under the auspices of the International Committee of the Red Cross (ICRC), as did Eritrea for the Ethiopian prisoners. They called on both parties to resolve all other
outstanding issues, including the establishment of a direct high-altitude air corridor between the two capitals.

Members expressed concern about the likely shortfall in the Trust Fund for the Delimitation and Demarcation of the Border once demarcation began. They called on the international community to contribute to the Fund so that the demarcation process could be concluded, in accordance with the Boundary Commission’s schedule. Also expressing concern about the looming drought in the two countries and the implications for the peace process, they supported the Secretary-General’s appeal for assistance for humanitarian operations through the consolidated appeals process and other mechanisms.

Eritrea, on 6 January [S/2003/8], raised with the Council the Secretary-General’s failure to mention, in his December 2002 report, Ethiopia’s violation of an order of the Boundary Commission concerning the removal of Ethiopian settlers from the Eritrea territory of Dembe Mengul.

Report of Secretary-General (March). On 6 March [S/2003/257], the Secretary-General submitted a progress report on Ethiopia and Eritrea, updating developments since his December 2002 report [YUN 2002, p. 192] and describing UNMEE activities. As at 26 February, the total strength of UNMEE’s military component stood at 4,082 personnel. Annexed to the report was the eighth report of the Eritrea-Ethiopia Boundary Commission.

During the review period, stated the Secretary-General, the situation in the Temporary Security Zone along the joint border and its adjacent areas remained generally calm. UNMEE continued to conduct aerial reconnaissance and ground patrols of the Zone and frequent inspections of militia and police weapon cantonment sites there, and also maintained checkpoints and standing patrols at various strategic locations. The armed forces of both countries cooperated relatively well with UNMEE and no significant changes in military activities were observed. However, local Ethiopian herdsmen and their livestock had been entering grazing land in the Zone’s Sector Centre, around Drum Drum and Gafnath Aromo, almost on a daily basis, despite the warnings of UNMEE peacekeepers. Although generally peaceful in nature, the incursions had caused tension and, on 18 December 2002, an Ethiopian herdsman was found shot in the Zone. UNMEE worked to keep the situation calm and met with local authorities to encourage them to be more active in preventing cross-border incidents.

UNMEE continued to experience restrictions on its freedom of movement and denial of access to military authorities by Eritrea, primarily in Sector East, in violation of the model status-of-forces agreement. In Ethiopia, UNMEE personnel passing through the Addis Ababa airport were subjected to immigration formalities in violation of the existing status-of-forces agreement. There had been no progress regarding the establishment of a direct high-altitude flight route for UNMEE aircraft between Asmara and Addis Ababa, compelling UNMEE to have to fly via longer routes at considerable expense and with security implications. The Secretary-General appealed to both parties to resolve that issue immediately.

The Military Coordination Commission held its fifteenth meeting in Nairobi on 29 January, focusing on recent incidents within the Temporary Security Zone and adjacent areas, and on ways to strengthen existing mechanisms for resolving such problems at the local level. The Commission also discussed preparations for demining in support of demarcation of the border.

The Eritrean authorities maintained their position that UNMEE national staff should discharge national service obligations, and some national mission staff had been detained, contravening the model status-of-forces agreement.

In meetings with the Special Representative, Prime Minister Meles Zenawi of Ethiopia expressed concerns regarding the Boundary Commission’s demarcation of the border and noted that if those concerns were not addressed, Ethiopia might reject the Commission’s demarcation decisions. Mr. Legwaila immediately consulted with the representatives of the Guarantors and Facilitators of the peace process and the group of Friends of UNMEE regarding Ethiopia’s position.

At a meeting between the Commission and the parties (London, 8–9 February), a number of matters were discussed that were covered in the Commission’s eighth report (see p. 222). Meanwhile, in accordance with its adjusted mandate under resolution 1430(2002) [YUN 2002, p. 189], UNMEE provided support to the Commission in the implementation of the delimitation decision, including through demining activities and providing security for Commission personnel in the field. Landmines and unexploded ordnance constituted a major threat to the population on both sides of the border, as well as to UN personnel. From December 2002 to early February 2003, nine civilians were killed in mine accidents. A recent spate of incidents involving newly laid anti-tank mines in Sector West was of grave concern. Increasingly, UNMEE was focusing on mine action activities associated with the demarcation of the border. In that connection, the Mission consulted with the parties to establish coordination and liaison procedures to facilitate movement for demining operations in support of demarcation.
Progress was made in clearing routes in the Temporary Security Zone, with over 2,000 kilometres of routes having been surveyed or cleared. It was expected that the two countries would provide freedom of movement in the border areas for UNMEE demining efforts for demarcation.

The border areas of Ethiopia and Eritrea were hard hit by the prevailing drought in the region (see also p. 927 and 961). According to humanitarian agencies, malnutrition was rising in both countries and donor response had been slow. Quick-impact projects were an important part of UNMEE’s work in the Mission area. Repatriations of civilians by both Ethiopia and Eritrea, under ICRC auspices, had declined. During the reporting period, Ethiopia repatriated 99 persons of Eritrean origin, while Eritrea repatriated 155 persons of Ethiopian origin.

The Secretary-General concluded that, while further progress had been made in implementing the Algiers Agreements, the peace process had reached a critical stage. The parties had generally been cooperating throughout the process; however, it was time for them to translate their commitments into real action, by implementing the April 2002 delimitation decision [YUN 2002, p. 187]. He called on the leaders of both countries to exercise statesmanship and flexibility. Recent démarches made to his Special Representative and to the diplomatic community, together with representations made to the Boundary Commission (see below), could have serious consequences. Issues that arose in the Commission had to be addressed within its proper legal framework, as efforts to reopen fundamental matters already settled through binding arbitration could only be counterproductive. The United Nations was prepared to facilitate the resolution of problems that might arise as a result of the transfer of territorial control, possibly by dispatching a needs-assessment mission and/or mobilizing international assistance. However, such support could be provided only on the basis of an accepted demarcation line.

The Secretary-General noted that although there had been no serious ceasefire violations since the establishment of the Temporary Security Zone, recent cross-border incidents were a source of concern. It was particularly important that both countries begin to sensitize their populations about the demarcation process and its implications. UNMEE, meanwhile, would continue to monitor the situation in the Zone and adjacent areas, and was prepared to assist the parties in normalizing relations. To that end, he recommended that the UNMEE mandate be extended for six months, until 15 September 2003.

**Boundary Commission (March).** In the eighth report of the Boundary Commission, which was annexed to the Secretary-General’s 6 March report, the Commission confirmed that the maps drawn up indicating the demarcation line had been delivered to the two parties for their comments, which, the Commission indicated, were to be of an essentially technical nature. The comments were received in January. Those filed by Eritrea (17 pages) were of a technical nature, while those filed by Ethiopia (41 pages) went far beyond the scope intended. They contained a detailed exposition of views regarding the steps Ethiopia deemed necessary for completing the demarcation. In a number of respects, the comments amounted to an attempt to reopen the substance of the Commission’s April 2002 decision on delimitation [YUN 2002, p. 187], notwithstanding Ethiopia’s repeated statements of its acceptance of that decision. The main thrust of the Ethiopian comments was that the boundary should be varied so as to take better account of human and physical geography. The Commission had always made it clear that it did not have the power to vary the boundary delimited by the April 2002 decision. In the absence of agreement by both sides on variations to the boundary line, the Commission’s ability to ameliorate problems was limited to minor clarifications justified principally by the enlargement of the scale of the maps with which it was working. In addition to seeking variations to the boundary line in terms that appeared to undermine not only the delimitation decision but also the peace process as a whole, Ethiopia had complained that Eritrea had been using the Commission’s fieldwork as a cover for an Eritrean military intelligence-collection operation and stated that fieldwork would only be allowed to continue if Eritrea nominated new field liaison officers. Since demarcation could not continue in the absence of field liaison officers of one party, Ethiopia’s demand amounted to a prohibition of further fieldwork pending Eritrea’s replacement of its officers by others acceptable to Ethiopia. In response to the Commission’s requirement that each party appoint two ad hoc field officers in order for demarcation to continue, Eritrea had nominated two officers but Ethiopia had not. The Commission further noted that Ethiopia had not implemented the Commission’s order of 17 July 2002 requiring it to withdraw its nationals from Dembe Mengul in Eritrea, after they had returned there with Ethiopian governmental support.

Other issues that remained to be resolved were the preparation of large-scale maps, the marking of boundary pillar sites, arrangements relating to pillar construction and mine clearance and
maintenance of cleared areas. The Commission hoped that the Security Council would: confirm that the Commission did not have the authority to vary the delimitation line to meet local needs as asserted by Ethiopia; call on the parties to cooperate with the Commission so that it could fulfill its mandate of expeditiously delimiting and demarcating the boundary; clarify UNMEE’s mandate so as to permit accommodation of contractors’ personnel within UNMEE encampments; and authorize UNMEE to provide security for Commission personnel.

The Boundary Commission, in a 31 March addendum to the Secretary-General’s report [S/2003/257/Add.1], provided observations on its approach to the demarcation phase of its work in the light of certain considerations advanced by the parties in their January comments on the maps indicating the demarcation line. It explained the basis on which the delimitation process was carried out and stated that the next steps were clear: the surveyors would establish locations of the marker pillars and the contractors would construct them. During those operations, the parties had to cooperate with the Commission and the Commission’s personnel had to be fully safeguarded. The parties needed to discuss with the chief surveyor the manner in which they would fulfill those undertakings.

Communication. Eritrea, on 11 March [S/2003/305], stated that Ethiopia’s efforts to impede the preparatory fieldwork of demarcation ranged from threatening to shoot down the Boundary Commission’s helicopter carrying Commission personnel and contractors to refusal to issue appropriate flight permits. Most significantly, Ethiopia refused to accept the delimitation decision of the Commission, in violation of the Algiers Agreements. Those actions were a recipe for conflict and posed a threat to regional peace and security.

SECURITY COUNCIL ACTION (March)


The Security Council,
Reaffirming all its previous resolutions and statements pertaining to the situation between Ethiopia and Eritrea, and the requirements contained therein, including in particular its resolution 1454(2002) of 6 September 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,
Commending the Governments of Ethiopia and Eritrea on the progress made thus far in the peace process, including the recently concluded release and repatriation of prisoners of war, and calling upon both parties to cooperate with the International Committee of the Red Cross to clarify and to resolve the remaining issues in accordance with the Geneva Conventions of 12 August 1949, and with the commitments made in the Algiers Agreements,
Reiterating 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 Boundary Commission, the International Committee of the Red Cross and other humanitarian organizations,
Noting that the peace process is about to enter its crucial phase of demarcation, and emphasizing the importance of ensuring expeditious implementation of the Boundary Decision while maintaining stability in all areas affected by the Decision,
Stressing that only the full implementation of the Algiers Agreements will lead to sustainable peace, which is a crucial precondition to address reconstruction and development needs as well as economic recovery,
Noting with concern the continued violations of the model status-of-forces agreement, which Ethiopia has signed and Eritrea has agreed to respect,
Welcoming the eighth report of the Boundary Commission, noting the concerns expressed therein with regard to full adherence by the parties to the Boundary Decision and demarcation-related decisions of the Commission, and expressing its full support for the work of the Commission and the legal framework within which the Commission is taking its decisions,
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 September 2003 at the troop and military observer levels authorized by its resolution 1320(2000) of 13 September 2000;
2. Urges both Ethiopia and Eritrea to continue to assume their responsibilities and fulfill their commitments under the Algiers Agreements, and calls upon them to cooperate fully and promptly with the Boundary Commission to enable it to fulfill the mandate conferred upon it by the parties of expeditiously delimiting and demarcating the boundary, to implement fully the binding Demarcation Directions of the Commission, to abide promptly by all its Orders, including those issued on 17 July 2002, and to take all steps necessary to provide the necessary security on the ground for the staff of the Commission operating in territories under their control;
3. Expresses concern regarding recent incidents of incursions across the southern boundary of the Tem-
porary Security Zone and calls upon both parties to ensure an immediate end to such incidents and to cooperate fully with investigations by the Mission in this regard, and expresses further concern about the placement by unknown entities of anti-tank mines in the Temporary Security Zone;

4. **Calls upon** the parties to cooperate fully and expeditiously with the Mission in the implementation of its mandate to ensure the personal security of the staff of the Mission when operating in territories under their control, and to facilitate their work, including by establishing a direct high-altitude flight route for the Mission between Asmara and Addis Ababa, which would relieve the unnecessary additional cost to the Mission;

5. **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;

6. **Affirms** the ability of the Mission, within its existing verification mandate, to monitor fulfillment by the parties of their responsibilities with regard to the security of the Boundary Commission staff working in the field;

7. **Notes** the work done by the Mine Action Coordination Centre of the Mission in demining and education on risk related to mines, and urges the parties to pursue efforts on mine clearance;

8. **Urges** the two parties to engage expeditiously in further discussions with the Special Representative of the Secretary-General so that they reach agreement on the timing and modalities of territorial transfer, which could include the establishment by the parties of a mechanism for the resolution of problems in this regard;

9. **Also urges** the two parties to begin to sensitize their populations about the demarcation process and its implications, including the role of the United Nations in support of this process;

10. **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;

11. **Reaffirms** its decision to review frequently the progress made by the parties in the implementation of their commitments pursuant to the Algiers Agreement, 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;

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 further their contacts with the authorities of both countries with a view to contributing to an expeditious demarcation process;

13. **Welcomes** the contributions by Member States to the Trust Fund in Support of the Delimitation and Demarcation of the Ethiopia-Eritrea Border, and calls upon the international community to continue to contribute urgently to the Trust Fund in order to facilitate the conclusion of the demarcation process in accordance with the schedule of the Boundary Commission;

14. **Calls again upon** the parties to increase their efforts to take measures that will build confidence and contribute to the normalization of relations between them, including in particular their political relations and those in the areas listed in paragraph 14 of resolution 1398(2002) of 15 March 2002;

15. **Expresses its concern** at the prevailing drought and worsening humanitarian situation in Ethiopia and Eritrea and the implications this could have for the peace process, and calls upon Member States to continue to provide prompt and generous support for humanitarian operations in Ethiopia and Eritrea;

16. **Invites** the African Union to continue to lend its full support to the peace process;

17. **Expresses its strong support** for the Special Representative of the Secretary-General, Mr. Legwaila Joseph Legwaila, the Force Commander of the Mission, Major General Robert Gordon, the military and civilian personnel of the Mission and the Boundary Commission for their work in support of the peace process;

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

**Report of Secretary-General (June).** On 23 June [S/2003/665], the Secretary-General issued a progress report on Ethiopia and Eritrea.

In general, the situation in the UNMEE area remained calm during the three-month reporting period and the parties cooperated with the Mission. Both countries maintained a defensive military posture on either side of the Temporary Security Zone, with no observed change in force levels. The number of border incursions by Ethiopian herdsmen entering the Zone to graze their livestock had increased, especially in Sector Centre, and UNMEE raised the matter with Ethiopia because it heightened the risk of conflict. The Mission was investigating three shooting incidents, two in Sector Centre and one in Sector West. Restrictions continued to be imposed on UNMEE freedom of movement in areas adjacent to the Zone. Eritrea had still not signed the status-of-forces agreement with the United Nations and, until it did, the model status-of-forces agreement would continue to be in effect.

The Military Coordination Commission held its sixteenth meeting (Djibouti, 19 March) and both parties agreed to do all in their power to prevent mine placement in the Temporary Security Zone and adjacent areas. They agreed to cooperate in the repatriation or burial of mortal remains in the Zone. At the Commission’s seventeenth meeting (Nairobi, 16 June), the parties agreed to an UNMEE proposal on the collection and repatriation of an estimated 164 bodies.

Some progress was made in the demarcation process, but it had not proceeded as quickly as anticipated. Demining activities continued, but the
Temporary Security Zone remained dangerous, and four civilians were killed in mine accidents during the reporting period.

The Secretary-General reiterated that the peace process was at a critical stage. Although the parties, in general, respected the integrity of the Temporary Security Zone, lasting peace could not be built on the basis of temporary arrangements. Lost momentum could prove difficult to regain and could impact on the longer-term goals of reconstruction and development. Specifically, progress was required in two areas—expediting demarcation of the border and political dialogue between the parties to consolidate the peace process. The absence of political contacts since the negotiation of the Algiers Agreements had hindered the normalization of bilateral relations, a vital element of any peace process.

Claims Commission. The Eritrea-Ethiopia Claims Commission, established under the Algiers Agreements to decide on claims for loss, damage or injury by one Government against the other, and by nationals against the Government of the other party or government-owned entities, issued a report which was annexed to the Secretary-General’s June report. An independent body based in The Hague, the Claims Commission received claims in 2001 and held hearings on liability, memorials and counter-memorials in those claims in 2002. Hearings on the parties’ prisoner-of-war claims took place over 10 days in December 2002, and the Commission was preparing its awards. In the light of requests from both parties, the Commission, in February 2003, adjusted its schedule of future filings and hearings to take account of requirements resulting from other proceedings involving the parties and of the complexity of the remaining work. The Commission and the parties met informally several times to discuss the means for facilitating the claims process.

Boundary Commission (June). The Boundary Commission, in its ninth report, which was annexed to the Secretary-General’s June report, said that Eritrea, on 15 April, had submitted its consolidated comments on the boundary in the area of Tserona and Zalambessa and on the specific provisions of Ethiopia’s January comments. Ethiopia’s comments were submitted on 2 May. The Commission’s work continued with regard to: preparing and revising maps in response to the parties’ January comments; marking boundary pillar sites on a sector-by-sector basis, beginning with the Eastern Sector; drafting specifications for pillar emplacement and transmitting them to prospective bidders; preparing field accommodation and facilities for contractors; and exploring the security needs of construction personnel.

In July [S/2003/665/Add.1], the Commission issued a schedule of its activities for the next 12 months.

Boundary Commission decision. The Boundary Commission issued a 7 July decision on the difference concerning the appointment by Eritrea and Ethiopia of field liaison officers for the boundary demarcation process (see p. 232). The Secretary-General transmitted the decision to the Security Council on 18 July [S/2003/792]. The Commission noted that difficulties arose in the initial appointment of the officers, attributable to a lack of specificity in appointment procedures, notably concerning the appointment of currently serving military officers. The Commission decided that field liaison officers would have to be appointed for the remaining demarcation activity under more detailed appointment procedures, and it amended the demarcation directions accordingly.

SECURITY COUNCIL ACTION (July)

On 17 July [meeting 4787], following consultations among Security Council members, the President made statement S/PRST/2003/10 on behalf of the Council:

The Security Council, recalling all its resolutions and statements by its President regarding the situation between Ethiopia and Eritrea, as well as the conclusions of the Security Council mission to Eritrea and Ethiopia in 2002, welcomes the progress report of the Secretary-General of 23 June 2003.

The Council reaffirms the commitment of all Member States to the sovereignty, independence and territorial integrity of Ethiopia and Eritrea, and its support for the Delimitation Decision of the Eritrea-Ethiopia Boundary Commission of 13 April 2002.

The Council welcomes the public commitment of both parties to a full and expeditious implementation of the comprehensive Peace Agreement signed in Algiers on 12 December 2000, and reaffirms its commitment to contribute to the completion of the peace process. The Council welcomes the parties’ acceptance of the Delimitation Decision of 13 April 2002 as final and binding.

The Council welcomes the fact that the situation in the Temporary Security Zone has remained calm and that the parties have cooperated well with the Special Representative of the Secretary-General and with the United Nations Mission in Ethiopia and Eritrea. The Council reiterates its serious concern about outstanding issues referred to in the report of the Secretary-General, in particular some restrictions on the freedom of movement of the Mission that remain and the continuing absence of a direct high-altitude flight route for aircraft of the Mission between Asmara and Addis Ababa, resulting in additional costs to the Mission.

The Council supports the observation made by the Secretary-General in his progress report that ex-
pedious demarcation of the border is crucial, and expresses concern at the delays so far, particularly given the operational cost of the Mission at a time of growing demands on United Nations peacekeeping. Delays would be contrary to the wish of both parties to achieve lasting peace and stability as manifested in the Algiers Agreement.

The Council urges the parties to provide their full and prompt cooperation to the Boundary Commission for the beginning of demarcation in Sector East and for the initiation of survey work in Sectors Centre and West. The Council calls upon the parties to pursue any matters that may arise in connection with the implementation of the Delimitation Decision of the Boundary Commission within the provisions of the Algiers Agreement.

The Council encourages the parties to continue their cooperation with the Military Coordination Commission in order to resolve military and security coordination issues arising from the activities of the Boundary Commission. The Council welcomes assurances given by both parties regarding the provision of security for the staff of the Boundary Commission and contractors operating in the Temporary Security Zone and adjacent areas during demarcation.

The Council regrets the absence of political contacts between the parties. It believes that political dialogue between the two countries is crucial for the success of the peace process and the consolidation of progress made thus far. The Council calls upon both parties to normalize their relationship through political dialogue, including confidence-building measures such as holding alternating meetings of the Military Coordination Commission in each other’s capital.

The Council underlines the readiness of the United Nations to facilitate political dialogue if requested and to offer strong support in addressing the humanitarian and development challenges that would result from the demarcation of the border.

The Council encourages the Mission to continue its local outreach activities in order to provide valuable information about the peace process and mine-awareness programmes to the local population. The Council welcomes the intention of the Mission to continue quick-impact projects, which provide direct assistance to communities in the border regions, and welcomes the recommendation of the Secretary-General contained in paragraph 22 of his report. The Council, expressing appreciation to those Member States that have already provided contributions to the Trust Fund in Support of the Delimitation and Demarcation of the Ethiopia-Eritrea Border and to the Trust Fund to Support the Peace Process in Ethiopia and Eritrea, calls upon Member States in a position to do so to urgently provide further support to these Trust Funds.

The Council is concerned about the serious shortfall of resources received in response to the consolidated appeals to address the humanitarian consequences of the drought in Ethiopia and Eritrea and calls upon Member States and the international community to contribute generously to these appeals.

Report of Secretary-General (September). To his 4 September progress report on Ethiopia and Eritrea [S/2003/858], the Secretary-General annexed the Boundary Commission’s tenth report (see below).

During the reporting period, the situation in the Temporary Security Zone and the adjacent areas remained generally calm, and the opposing forces reduced their training and related activities at forward locations on both sides of the Zone. UNMEE, in monitoring the positions of the armed forces of both sides and observing militia and police activities, found that cooperation remained good. However, the number of Ethiopian herdsmen and livestock entering the Zone on a daily basis in Sector Centre had again increased. On a number of occasions, Ethiopian militia fired shots from their territory to signal to the herdsmen the presence of Eritrean militia in the vicinity. In August, several more serious incidents occurred in Sector Centre. Ethiopian militia, on two occasions, pointed their weapons at UNMEE patrols in response to advice not to enter the Zone. At other times, a total of 102 personnel, most of them in Ethiopian army uniforms, entered the Zone and refused to leave when UNMEE protested. In Sector West, livestock rustling increased across the southern boundary of the Zone. With ICRC assistance, UNMEE recovered and repatriated to Ethiopia the mortal remains of 220 fallen soldiers discovered in former battlefields.

The two parties continued to impose restrictions on the Mission’s freedom of movement in the Zone and adjacent areas, particularly in Sector Centre. There was no improvement with regard to the difficulties faced by UNMEE personnel entering and exiting the airports in Addis Ababa and Asmara and there were still no direct UN flights between the capitals.

The Military Coordination Commission held its seventeenth and eighteenth meetings (Nairobi, 16 June and 30 July) to discuss demining in support of demarcation; the recovery and repatriation of mortal remains in Sector East; demobilization and restructuring of the armed forces of the two countries; the schedule of the Boundary Commission’s activities; security of Commission contractors; and other demarcation issues. Efforts to have the parties hold meetings alternately in the two capitals were not successful.

The Boundary Commission held an internal meeting (New York, 10-11 August) to discuss technical issues relating to the demarcation of the border. The Special Representative attended part of the meeting in order to brief the Commission on UNMEE efforts to support demarcation. He also discussed means of monitoring the par-
ties’ provision of security for the Commission’s field staff and contractors, in accordance with Security Council resolutions. Meanwhile, the Commission had prepared marked maps of Sector East, showing the line and proposed sites for the boundary pillars. The maps were sent to the parties for comments on 21 August. As the work progressed, UNMEE intensified its demining activities in the border areas, including access routes to possible boundary pillar sites.

The Eritrea-Ethiopia Claims Commission issued its first awards on 1 July. They concerned the treatment of prisoners of war by the two countries during the 1998-2000 conflict. The Commission made 12 findings of liability for violation of international law against Eritrea and eight findings against Ethiopia. The most serious issues of liability against Ethiopia were the failure to provide a proper diet and the delay in repatriation. Those against Eritrea were the refusal to find prisoners of war, failing to protect Ethiopian prisoners of war from being killed at capture and permitting pervasive and continuous physical and mental abuse.

Demining activities continued, but the danger of landmines and unexploded ordnance remained. From early June to mid-August, 14 mine-related incidents occurred in Sectors West and Centre, killing two civilians and injuring 17. Investigations revealed that some of the mines in Sector West were newly planted by unknown perpetrators. From 1 June to 10 August, UNMEE destroyed 62 mines and 821 pieces of unexploded ordnance, and cleared 2.4 million square metres of land and 282.5 kilometres of road. Route verification and road clearance for Sector West were completed in mid-July.

The drought in Ethiopia and Eritrea remained a major concern (see also p. 927 and 961), with more than 13.2 million people in Ethiopia and 2 million in Eritrea in need of relief. In view of the seriousness of the situation, the Secretary-General appointed Martti Ahtisaari in June as his Special Envoy for the Humanitarian Crisis in the Horn of Africa. UNMEE and its implementing partners completed 77 quick-impact projects in the areas of water supply, education and health and sanitation, and 31 additional projects were approved. UNMEE requested Ethiopia to permit access to refugee camps near the Temporary Security Zone, but was turned down. Under ICRC auspices, 213 Ethiopian and six Eritrean civilians were repatriated.

The Secretary-General urged Eritrea and Ethiopia to do their utmost to prevent cross-border incidents before they escalated, and, above all, to proceed with the expeditious demarcation of the border. According to the Boundary Commission’s schedule of activities, the first step was the appointment of field liaison officers for the remaining demarcation activities. Eritrea had made those appointments, but until Ethiopia made its appointments and provided the necessary security assurances, it would not be possible for the Commission to begin the field surveys. The Secretary-General again warned that the peace process should not be allowed to lose momentum. The delays in the demarcation process were a source of concern, particularly given the operational cost of UNMEE at a time of growing demands on UN peacekeeping. UNMEE was never meant to be a permanent arrangement. The time might be approaching when the parties would have to be more actively assisted in fulfilling both the letter and the spirit of the Algiers Agreements and concluding the process without further delay. In the meantime, UNMEE had to carry out its mandate, which the Secretary-General recommended should be extended for an additional six months, until 15 March 2004.

**Boundary Commission (August).** In its tenth report covering 10 June to 29 August, the Boundary Commission stated that the UN Committee on Contracts had approved the selection of contractors for boundary pillar emplacement and the survey of boundary pillars. Once the contracts had been signed, deployment of staff and equipment to the Eastern Sector could begin, with pillar emplacement scheduled to commence shortly thereafter. Preparations for pillar emplacement were continuing in the remaining two sectors. Eritrea had notified the Commission of the appointment of its field liaison officers and had approved the establishment of contractors’ accommodation and meal facilities at Barentu. Preparations were continuing for establishing similar facilities in Adigrat and Assab. The Commission had requested the parties to develop procedures for ensuring the security of all demarcation personnel, including arrangements for communication and for facilitating UNMEE’s role. Expeditious demarcation of the boundary depended on the cooperation of the two parties, including the granting of prompt approval for flights and site inspections.

**SECURITY COUNCIL ACTION (September)**


The Security Council,

Reaffirming all its previous resolutions and the statements by its President pertaining to the situation between Ethiopia and Eritrea, and the requirements contained therein, including in particular resolution
Reaffirming its unswerving 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 at Algiers by the Governments of Ethiopia and Eritrea (hereinafter referred to as "the parties") on 18 December 2000 and the preceding Agreement on Cessation of Hostilities signed on 18 June 2000 ("the Algiers Agreements"), and 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,

Noting that the peace process has now entered its crucial phase of demarcation, and emphasizing the importance of ensuring expeditious implementation of the decisions of the Boundary Commission while maintaining stability in all areas affected by the decision,

Expressing concern at delays in the demarcation process, particularly given the operational cost of the Mission at a time of growing demands on United Nations peacekeeping,

Expressing concern also at the continuing humanitarian crisis in Ethiopia and Eritrea and the implications that this could have on the peace process, and calling upon Member States to continue to provide prompt and generous support for humanitarian operations in Ethiopia and Eritrea,

Noting the urgent demand 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 their mandate.

Expressing concern regarding the reported increase in incidents of incursions at the local level into the Temporary Security Zone and calling upon both parties to prevent such incidents, and expressing further concern about the increasing number of mine incidents in the Temporary Security Zone, including newly planted mines,

Noting the work done by the Mine Action Coordination Centre of the Mission in demining and education on risk related to mines, and urging the parties to pursue efforts on mine clearance.

Having considered the report of the Secretary-General of 4 September 2003, and fully supporting the observations and recommendations made therein,

1. Decides to extend the mandate of the United Nations Mission in Ethiopia and Eritrea until 15 March 2004 at the troop and military observer levels authorized by its resolution 1320(2000) of 15 September 2000;
2. Calls for the demarcation of the boundary to begin as scheduled by the Boundary Commission, and further calls upon the parties to create the necessary conditions for demarcation to proceed, including the appointment of field liaison officers;
3. Urges the Governments of Ethiopia and Eritrea to assume their responsibilities and to take further concrete steps to fulfil their commitments under the Algiers Agreements;
4. Calls upon Ethiopia and Eritrea to cooperate fully and promptly with the Boundary Commission to enable it to fulfil the mandate conferred upon it by the parties of expeditiously demarcating the boundary and to implement fully the Demarcation Directions and Orders of the Commission, and to take all necessary steps to provide the necessary security on the ground for the staff and contractors of the Commission operating in territories under their control, and welcomes assurances given by both parties in this regard;
5. Urges the parties to cooperate fully and expeditiously with the Mission in the implementation of its mandate, to ensure the personal security of all Mission staff operating in territories under their control and to facilitate their work, including by establishing a direct high-altitude flight route between Asmara and Addis Ababa to relieve the unnecessary additional cost to the Mission and by lifting all visa restrictions on Mission personnel and mission partners;
6. Reaffirms the crucial importance of political dialogue between the two countries for the success of the peace process and the consolidation of progress made so far, welcomes initiatives to facilitate this dialogue, and calls again upon both parties to normalize their relations through political dialogue, including confidence-building measures;
7. Decides to follow closely the progress made by the parties in the implementation of their commitments under the Algiers Agreements, including through the Boundary Commission, and to review any implications for the Mission;
8. Welcomes the contributions by Member States to the Trust Fund in Support of the Delimitation and Demarcation of the Ethiopia/Errirea Border, and calls upon the international community to contribute urgently to the Trust Fund in order to facilitate the conclusion of the demarcation process in accordance with the schedule of the Boundary Commission;
9. Decides to remain actively seized of the matter.

Communication. The EU Presidency, in a 23 September statement [S/2003/925], expressed concern at delays in the demarcation process and called on the parties to abide by the peace agreements, the Boundary Commission’s rulings and Security Council resolution 1507(2003) (above) so as to ensure that the border demarcation began as scheduled. The EU called on both Governments to normalize their relationship through political dialogue in order to ensure the success of the peace process.

Report of Secretary-General (December). On 19 December [S/2003/1186], the Secretary-General issued a progress report on Ethiopia and Eritrea, to which was annexed the eleventh report of the Boundary Commission (see p. 239).

During the reporting period, serious difficulties in the peace process had resulted from delays in implementing the Boundary Commission’s decision and inflammatory rhetoric of the parties in that regard. However, the overall situation in the Temporary Security Zone and adjacent areas remained relatively stable. UNMEE re-
ported that cooperation with the parties on the ground remained relatively good, although Eritrea continued to hinder the Mission’s freedom of movement. There was an increase in military training exercises in September and October on both sides, in particular in Ethiopia, but those manoeuvres subsided towards the end of the reporting period. The incursions by Ethiopian herdsmen and their livestock into the Zone decreased marginally and incidents of armed Eritrean militia accompanying them had all but ceased. On 1 November, a shooting incident took place near Fawlina in the Zone’s Sector West. Reportedly, a small group of uniformed men fired on two Eritrean militiamen, killing one of them. Another incident occurred on 10 December, when Eritrean militiamen exchanged fire with four Ethiopian soldiers.

Towards the end of the reporting period, UNMEE faced greater restrictions on its movement, particularly on the Eritrean side, and it appeared that Eritrea was hardening its unfounded position that the UNMEE mandate was limited solely to monitoring the Zone and that it had no mandate to monitor the redeployed positions of the armed forces of both parties outside the Zone. UNMEE staff entering and exiting Ethiopia and Eritrea continued to experience difficulties at the airports in Addis Ababa and Asmara, including through the imposition of visa regimes. No direct flights were allowed between the capitals.

The Military Coordination Commission held meetings in Nairobi on 17 September, 5 November and 15 December. While acknowledging difficulties in the peace process at the political level, the two sides stressed their commitment to the Commission process and their intention to ensure military stability on the ground. As at 10 December, the total strength of the UNMEE military component was 4,098. Eritrea had still not signed the status-of-forces agreement, despite repeated requests to do so.

Landmines remained a threat to everyone in the Temporary Security Zone and three children were killed in incidents during the reporting period. UNMEE made further progress in mine-clearing, having destroyed 67 mines and 152 pieces of unexploded ordnance and cleared 830,000 square metres of land and 525 kilometres of road. In addition, UNMEE provided training to 3,610 Eritrean civilians in the Temporary Security Zone.

The drought and consequences of the border war, coupled with the poverty in Eritrea and Ethiopia, remained of major concern to the United Nations and its humanitarian partners. Related issues of concern included malnutrition, displaced persons unable to return to their homes, the repatriation and reintegation of Eritrean refugees from the Sudan, and widespread disease. The General Assembly, in resolution 58/24 of 5 December (see p. 961), took action on emergency humanitarian assistance to Ethiopia. A total of 82 quick-impact projects had been completed in the Zone and adjacent areas, most of which focused on water, education and health.

In the area of human rights, UNMEE continued to monitor cross-border abductions, detentions and disappearances, most of which were resolved quickly. It monitored camps populated by internally displaced persons, deportees and returnees, and sought to improve conditions for the safe return of Eritrean civilians to five border villages. The number of Eritrean refugees and asylum-seekers at the camp near Shiraro, Ethiopia, continued to grow. In October, the arrival of 300 new refugees brought the total to 6,200, including nearly 4,000 ethnic Kunama who left Eritrea after the war when the Ethiopian forces withdrew from Sector West. UNMEE had not been allowed to visit that camp although the population fell within the Mission’s human rights mandate.

In general, the situation between Ethiopia and Eritrea remained difficult, even precarious, at the end of the year. While there were no evident signs of preparations for hostilities by either side, recent inflammatory statements, in particular in Eritrea, had done nothing to advance the peace process. A fundamental requirement for the successful completion of the peace process and normalization of relations between the two sides lay in the expeditious demarcation of their common border. While welcoming Eritrea’s continued cooperation with the Boundary Commission, the Secretary-General regretted Ethiopia’s failure to extend the necessary cooperation, and he emphasized the importance and mutual benefits that would be derived from normalizing relations. He encouraged any positive initiative undertaken towards political dialogue between the two countries, including that of the AU Chairman.

**Boundary Commission (November).** In its eleventh report, which was annexed to the Secretary-General’s December report (above), the Boundary Commission stated that Eritrea had appointed its field liaison officers, submitted a proposal for security arrangements for the boundary demarcation work and paid its contributions to the Commission’s expenses. Although Ethiopia had yet to respond on those matters, it had indicated that it would appoint field liaison officers and give security assurances in relation...
only to the Eastern Sector and Mareb River section of the boundary. The contractors selected to
place pillars along the whole boundary would not conclude a contract unless given security as-
surances. A work programme had been prepared for the field assessment of pillar sites and the par-
ties’ liaison representatives had been contacted to
discuss the programme, security in the field and the
demarcation in the Eastern Sector. On 19
September, the Prime Minister of Ethiopia wrote
to the Secretary-General, describing the Com-
mission’s decision to place pillars at the UNMEE
Centre as illegal, unjust and irresponsible, thus
making it clear that Ethiopia’s complaint was
with the delimitation decision rather than with
the demarcation process. At a meeting between
the Commission and the parties (The Hague, 19
November), Ethiopia expressed willingness to
agree to pillar emplacement in the Eastern Sec-
tor, while refusing to permit work in the other
two sectors. Eritrea maintained its position that
the demarcation of the boundary could not be di-
vided as Ethiopia sought since there was no assur-
ance that Ethiopia would not raise insuperable
problems in relation to the demarcation of the re-
main ing sectors of the boundary. The Commis-
sion concluded that Ethiopia was presenting its
dissatisfaction with the boundary as laid down in
the delimitation decision in the form of proce-
dural impediments to the demarcation process,
which it was not entitled to interpose. Until the
positions of either or both parties were modified,
there was nothing more that the Commission
could do. For the time being, it would maintain
its presence in the area but would reduce its
activity to the minimum compatible with its be-
ing able to resume it, if and when the parties
made it possible.

UNMEE financing

On 5 February [A/57/672], the Secretary-
General submitted to the General Assembly the financial performance report on UNMEE
for 1 July 2001 to 30 June 2002. The Assembly
had apportioned $198,400,000 for the opera-
tion of the Mission for that period, of which
$155,700 was spent, resulting in an unen-
cumbered balance of $13,392,300, a variance of
6.8 per cent.

Having reviewed that report, as well as the Secretary-General’s proposed budget for UNMEE
for 1 July 2003 to 30 June 2004 [YUN 2003, p. 195],
ACABQ issued an 8 April report [A/57/772/Add.8 &
Corr.1] containing its comments. It recommended
that the unencumbered balance and interest and
other income in the amount of $10,547,000 be
credited to Member States in a manner to be de-
termined by the Assembly. In view of the persist-
est underexpenditures experienced by UNMEE,
ACABQ recommended that the estimated budget
requirement of $198,400,000 be reduced by
$10,000,000, or approximately 5 per cent. Ac-
cordingly, it recommended that the Assembly ap-
propriate $188,400,000 gross for the period
1 July 2003 to 30 June 2004.

GENERAL ASSEMBLY ACTION

On 18 June [meeting 90], the General Assembly,
on the recommendation of the Fifth Committee
[A/57/828], adopted resolution 57/328 without
vote [agenda item 130].

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 Mis-
sion in Ethiopia and Eritrea and the related reports of the
Advisory Committee on Administrative and Bud-
etary Questions,

Bearing in mind Security Council resolution
1312(2000) of 31 July 2000, by which the Council estab-
lished the United Nations Mission in Ethiopia and
Eritrea, and the subsequent resolutions by which the
Council extended the mandate of the Mission, the lat-
est of which was resolution 1460(2003) of 14 March
2003,

Recalling its resolution 55/237 of 23 December 2000
on the financing of the Mission and its subsequent res-
olutions thereon, the latest of which was resolution
56/250 B of 27 June 2002,

Reaffirming the general principles underlying the
financing of United Nations peacekeeping operations,
as stated in General Assembly resolutions 574(S-IV)
of 27 June 1963, 301(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 en-
able 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
31 March 2003, including the contributions outstand-
ing in the amount of 30.3 million United States dol-
ars, representing some 6 per cent of the total assessed
contributions, notes with concern that only thirty-two
Member States have paid their assessed contributions
in full, and urges all other Member States, in particu-
lar those in arrears, to ensure payment of their out-
standing assessed contributions;

2. Expresses its appreciation to those Member States
which have paid their assessed contributions in full,
and urges all other Member States to make every possi-
ble effort to ensure payment of their assessed contribu-
tions to the Mission in full;

3. Expresses concern at the financial situation with
regard to peacekeeping activities, in particular as re-
gards 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 from 1 July 2001 to 30 June 2002

11. Takes note of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2001 to 30 June 2002;

Budget estimates for the period from 1 July 2003 to 30 June 2004

12. Decides to appropriate to the Special Account for the United Nations Mission in Ethiopia and Eritrea the amount of 196,890,300 dollars for the period from 1 July 2003 to 30 June 2004, inclusive of 188.4 million dollars for the maintenance of the Mission, 6,501,300 dollars for the support account for peacekeeping operations and 1,989,000 dollars for the United Nations Logistics Base;

Financing of the appropriation

13. Decides also to apportion among Member States the amount of 196,890,300 dollars at a monthly rate of 16,407,325 dollars, in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolutions 55/236 and 57/290 A, and taking into account the scale of assessments for 2003, as set out in its resolutions 55/5 B and 57/4 B;
14. Decides further 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 13 above, their respective share of the unencumbered balance and other income in the total amount of 23,939,300 dollars in respect of the financial period ended 30 June 2002, in accordance with the scheme set out in paragraph 14 above;
15. Decides that for Member States that have not fulfilled their financial obligations to the Mission, there shall be set off against their apportionment, as provided for in paragraph 13 above, their respective share of the unencumbered balance and other income in the total amount of 23,939,300 dollars in respect of the financial period ended 30 June 2002, in accordance with the scheme set out in paragraph 14 above;
16. Decides also that for Member States that have not fulfilled their financial obligations to the Mission, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the total amount of 23,939,300 dollars in respect of the financial period ended 30 June 2002, in accordance with the scheme set out in paragraph 14 above;
17. Decides further that the decrease of 402,200 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2002 shall be set off against the credits from the amount referred to in paragraphs 15 and 16 above;
18. Emphasizes that no peacekeeping operation shall be financed by borrowing funds from other active peacekeeping operations;
19. 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;
20. 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;
21. Decides to include in the provisional agenda of its fifty-eighth session the item entitled “Financing of the United Nations Mission in Ethiopia and Eritrea”.

On 19 December [A/57/658], the Secretary-General submitted to the Assembly the budget for UNMEE for 1 July 2004 to 30 June 2005, which amounted to $201,460,800 gross. The budget provided for the deployment of 3,980 troops, 220 military observers, 256 international staff, 273 national staff and 82 United Nations Volunteers.

Somalia

During 2003, Somali leaders and their representatives, with the notable exception of those from Somaliland, continued to participate in the deliberations of the Eldoret (Kenya) Conference Process, which, in October 2002, under the auspices of IGAD, had led to the signing of the Declaration on Cessation of Hostilities and the Struc-
Conflict and violence within Somalia continued to cause suffering and to hinder humanitarian activities throughout the year. UN activities were curtailed due to the insecurity prevailing in many parts of the country. In December, the General Assembly, in resolution 58/115 (see p. 928), called on the international community to assist in providing humanitarian relief and in the economic and social rehabilitation of Somalia.

Twice during the year, the Panel of Experts established by the Security Council to investigate violations of the arms embargo against Somalia reported on its findings. It determined that Somalia was subject to ongoing violations of the arms embargo, mainly by a continuous inflow of small quantities of weapons and ammunition from regional countries, which led the local open arms markets and faction leaders’ warehouses.

The arms flow had consequences for the security and stability of the region. The Council decided to establish a monitoring group to investigate violations of the arms embargo and to make recommendations on strengthening the ban.

**National reconciliation process and security situation**


During the reporting period, many Somali leaders and their representatives participated in the Eldoret Conference discussions, with the main exception of Somaliland, which refused to join the peace process. Inter- and intra-clan fighting continued to break out in a number of places, particularly in south Mogadishu, Baidoa, Luq, Kismayo and Qardho district. In Somaliland, security conditions remained generally calm, and local and municipal elections took place in December 2002 without incident. “Presidential” and “parliamentary” elections were scheduled for 15 April and late May 2003, respectively.

The security situation in several areas, particularly in the south, the Mogadishu area and Baidoa, posed serious difficulties for the delivery of humanitarian aid, as did the continued closure of the seaport and airport in Mogadishu. The level of banditry and extortion remained high and the kidnapping of Somalis working for the United Nations and other international aid organizations remained a serious concern. Following attacks on aid workers in October and December 2002, a security assessment was carried out and all UN operations in the area were suspended until 14 January 2003. The provision of humanitarian assistance to a significant proportion of the population, already facing destitution, malnutrition and lack of basic social services, was repeatedly disrupted. Baidoa and Mogadishu remained closed to UN international staff because of fighting. Internally displaced persons continued to live in congested and unsanitary conditions in camps. The United Nations Humanitarian Coordinator launched a two-pronged strategy for addressing the issue of humanitarian access, first, by directly engaging with clan and faction leaders in Eldoret; and, secondly, by approaching representatives of the leaders and civil society, business and religious leaders in the field. Once access was more assured, a coordinated response to the needs of vulnerable communities would be established.

The second phase of the Somali national reconciliation process experienced difficulties due to controversy regarding the number of partici-
pants both in the plenary meeting of the Conference and in the six reconciliation committees that would report on specific aspects of the process. The Kenyan Special Envoy and Chairman of the IGAD Technical Committee, Elijah Mwangale, decided on a formula that gave an equal number of seats (84 each) to the four main clans of Somalia and half that number to the minority clans as a group. Membership in the six committees remained unresolved, as did the issue of civil society representation. Bethuel Kiplagat was named Kenya’s new Special Envoy on 18 January.

The Foreign Ministers of the front-line States (Djibouti, Ethiopia, Kenya) held consultations on the reconciliation process in Addis Ababa on 2 February. Expressing concern about the violations of the Eldoret Declaration, they established a committee to monitor implementation and take appropriate action. They agreed to establish a mechanism to monitor ceasefire violations, which would consist of representatives of the IGAD Technical Committee and international partners. They welcomed the planned relocation of the Conference venue from Eldoret to Mbagathi, on the outskirts of Nairobi, as a cost-saving measure, and agreed to meet once a month to discuss the process; the first meeting was scheduled for 1 March. On 26 January, the Leaders Committee of the Eldoret Conference called for the representation of Somaliland at the national reconciliation process, a call that was promptly rejected by Somaliland.

The Secretary-General’s Representative and staff of UNPOS, located in Nairobi, maintained a permanent presence at the Conference and provided assistance to the IGAD Technical Committee, the Somali parties and civil society groups. The Representative also participated in the meeting of the IGAD Foreign Ministers of the front-line States (Addis Ababa, 2 February). Many UN-affiliated bodies and agencies provided assistance in support of peace and reconciliation in Somalia, including the World Bank, UNDP, the United Nations Development Fund for Women, UNHCR, UNESCO, UNFPA, FAO, and WHO.

Efforts by the international community to support the Somali national reconciliation process, launched under IGAD auspices and led by Kenya, included the AU’s appointment of a Special Envoy for Somalia and a generous financial contribution from the EU.

The Secretary-General observed that the continued outbreaks of hostilities were motivated by individual rivalries of faction leaders and criminal activities rather than wider issues. It was those with weapons of war who continued to hold the people of Somalia hostage to the cycle of violence. He encouraged the Somali leaders participating in the Conference to cooperate in the IGAD-led endeavour aimed at ending over a decade of conflict in Somalia and the suffering it had caused the Somali people. The work of the six reconciliation committees had continued despite controversy regarding representation at the plenary meetings of the Conference. However, serious hostilities involving the militias and supporters of some of the very leaders who had signed the Eldoret Declaration and the December 2002 agreements had hindered the delivery of essential humanitarian and development assistance. The Mogadishu seaport and airport remained closed and fighting in and around Baidoa had blocked off an essential port of entry for delivering assistance.

While some parts of Somalia remained unstable, relative stability continued to prevail in significant portions of the country. In some of those areas, community-based peace-building activities had evolved with little outside support. Those initiatives presented windows of opportunity for the United Nations, NGOs and donors to help to maintain and build upon the peace and stability that had been achieved. Failure to do so could result in renewed conflict over scarce resources as an impoverished people struggled to survive and rebuild their lives. The Secretary-General welcomed contributions to the Trust Fund for Peace-building in Somalia and the early contributions to the 2003 Consolidated Inter-Agency Appeal for Somalia (see p. 928).

SECURITY COUNCIL ACTION (March)

On 12 March [meeting 4718], following consultations among Security Council members, the President made statement S/PRST/2003/2 on behalf of the Council:

The Security Council, recalling its decisions concerning the situation in Somalia, in particular the statements by its President of 28 March (S/PRST/2002/8) and 12 December 2002 (S/PRST/2002/35), and welcoming the report of the Secretary-General of 26 February 2003, reaffirms its commitment to a comprehensive and lasting settlement of the situation in Somalia, and its respect for the sovereignty, territorial integrity, political independence and unity of the country, consistent with the purposes and principles of the Charter of the United Nations.

The Council reiterates its firm support for the Somalia National Reconciliation Process and the ongoing Somalia National Reconciliation Conference in Kenya, launched under the auspices of the Intergovernmental Authority on Development and led by the Government of Kenya. The Council strongly encourages all parties throughout Somalia to participate in the process, which offers a unique opportunity for all Somalis to end the suffering of their people and to restore peace and stability to their country. The Council demands that the Somali par-
ties abide by and implement expeditiously the decisions adopted throughout the process, including the Declaration on Cessation of Hostilities and the Structures and Principles of the Somalia National Reconciliation Process of 27 October 2002 (hereinafter referred to as “the Eldoret Declaration”), as well as the December 2002 agreement reached by five Mogadishu faction leaders and the Transitional National Government regarding the restoration of peace and security in Mogadishu and a subsequent agreement among the five faction leaders which included a commitment to make efforts to reopen the international airport and seaport in Mogadishu, as mentioned in paragraph 26 of the report of the Secretary-General.

The Council commends the Government of Kenya for its crucial role in facilitating the Somalia National Reconciliation Process, and calls upon the Technical Committee of the Intergovernmental Authority comprising the three front-line States (Djibouti, Ethiopia and Kenya) to continue their active role in promoting the Process. The Council welcomes the appointment of Ambassador Bethuel Kiplagat as the Special Envoy of Kenya to the Process. The Council also welcomes the appointment of Mr. Muhammad Ali Foom as the Special Envoy of the African Union for Somalia, the generous financial contribution of the European Union, Norway and the United States of America, and the sustained engagement of their envoys, as well as those of the Partners Forum of the Intergovernmental Authority and the League of Arab States. The Council strongly encourages their continued active and positive role in support of the reconciliation process.

The Council notes that the six reconciliation committees of the Somalia National Reconciliation Process have continued their work despite difficulties faced by the Somali participants regarding representation. The Council urges all parties involved to participate fully in the six reconciliation committees and to resolve the representation issue, and welcomes the establishment of an arbitration committee in this regard. The Council supports the commitment of the Secretary-General to assist in the work of the six reconciliation committees with technical support and relevant expertise.

The Council expresses its strong regret that, even after the signing of the Eldoret Declaration, fighting continued to break out in Somalia, in particular in Mogadishu and Baidoa. The Council condemns all those involved in the fighting and calls for an immediate end to all acts of violence in Somalia. The Council shares the conclusion of the Secretary-General that it is those that have weapons of war who continue to hold the people of Somalia hostage to the cycle of violence. The Council also shares the view of the Secretary-General that these people will be held accountable by the Somali people and the international community for their actions if they persist on the path of confrontation and conflict. In this regard, the Council welcomes the establishment of a mechanism by the front-line States of the Intergovernmental Authority to monitor compliance with the Eldoret Declaration and their intention to consider appropriate measures against all individuals and groups violating the Eldoret Declaration and the December 2002 agreements.

The Council notes with serious concern the continued flow of weapons and ammunition supplies to Somalia, as well as allegations of the role of some of the neighbouring States in breach of the arms embargo established pursuant to resolution 1432 (2002) of 25 January 1992, and calls upon all States and other actors to comply scrupulously with the arms embargo. The Council welcomes the work of the Panel of Experts established pursuant to resolution 1425 (2002) of 22 July 2002, and expresses its intention to give full consideration to and take appropriate action regarding the report of the Panel as a step towards reinforcing the arms embargo and disarmament.

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) of 28 September 2001.

The Council expresses serious concern regarding the humanitarian situation in Somalia, in particular that of internally displaced persons, especially in the area of Mogadishu. The Council urges the Somali leaders to live up to their commitments under the Eldoret Declaration, to facilitate the delivery of much-needed humanitarian assistance, to ensure the safety of all international and national aid workers, to provide immediate safe access for all humanitarian personnel, and to support the return and reintegration of refugees. The Council calls upon Member States to respond urgently and generously to the United Nations Consolidated Inter-Agency Appeal for 2003.

The Council notes that, while some parts of Somalia remain unstable, relative stability continues to prevail in significant portions of the country. The Council welcomes the evolution of the community-based peace-building activities and calls for the acceleration of comprehensive peace-building activities. 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, which should take into account combating poverty and strengthening public institutions.

The Council stresses that a comprehensive post-conflict peace-building programme with special emphasis on disarmament, demobilization, rehabilitation and reintegration will be an important contribution towards the restoration of peace and stability in Somalia. The Council welcomes the contribution of Ireland, Italy and Norway to the Trust Fund for Peace-building in Somalia and calls upon other donors to do the same without delay.
The Council commends the work done by the United Nations Country Team, the Red Cross and Red Crescent Movements and non-governmental organizations in support of peace and reconciliation in Somalia. The Council encourages the Secretary-General to continue to support actively the Intergovernmental Authority-sponsored Somalia National Reconciliation Process and to continue to implement and enhance ongoing humanitarian and peace-building activities on the ground.

The Council reiterates its commitment to assist the Somali parties and support the mediation by the Intergovernmental Authority in the implementation of the steps and conclusions for peace, as adopted throughout the Somalia National Reconciliation Process.

Report of Secretary-General (June). On 10 June [S/2003/636], the Secretary-General reported on the situation in Somalia over the preceding four months, focusing on the national reconciliation process at Mbagathi, Kenya, and covering political and security developments, humanitarian conditions and UN development activities.

Kenya’s new Special Envoy, Mr. Kiplagat, undertook several initiatives to restructure the reconciliation process: he set up a Somali arbitration committee, with representatives from each major clan, to handle the persistent problems relating to representation at the Conference; and, in order to harmonize the reports of the six reconciliation committees, he set up a technical harmonization committee composed of Somali experts. Those committees were working on draft texts on federalism and a provisional charter; disarmament, demobilization and reintegration; land and property rights; economic recovery; institution-building and resource mobilization; conflict resolution and reconciliation; and regional and international relations. Some members of the Somali Leaders Committee objected to the establishment of the technical harmonization committee, preferring instead to handle the harmonization effort at the political level.

The Kenyan Foreign Minister, on 14 May, launched the plenary of the second phase of the Reconciliation Conference, which was to consider the committees’ reports. TNG, represented by its Prime Minister and the Speaker of the Transitional National Assembly, and many other leaders continued to participate in the Conference. Others, based in Mogadishu and Kismayo, were absent for almost two months but returned to Mbagathi for the start of the second phase. On 11 March, a TNG representative accused Ethiopia of amassing troops on its border with Somalia and of crossing the border at several locations. He demanded that Ethiopia be excluded from the IGAD Technical Committee (comprising the front-line States and the IGAD secretariat) that was overseeing the reconciliation process. Ethiopia denied the allegations.

Following the decision of the Foreign Ministers of the front-line States to establish a committee to monitor implementation of the Eldoret Declaration, comprising IGAD, the AU, the United Nations, the European Commission, the League of Arab States and some IGAD Partners Forum member States, the Ceasefire Monitoring Committee, on 4 March, addressed the escalation of hostilities in Somalia, in particular the fighting in the Medina district of Mogadishu and the fighting at Buale in the Juba Valley.

The Secretary-General’s Representative and UNPOS continued to actively monitor and support the reconciliation process, while the country team and its partners contributed to peace-building and reconciliation efforts inside Somalia. The Representative met with Somali leaders, IGAD representatives and donors to coordinate support for the process. The United Nations continued to support women’s human rights issues at the Conference and provided a gender expert to work with the IGAD mediation team. Two meetings of the Somalia Contact Group were held during the reporting period (New York, 14 March; Nairobi, 27 March), at which progress in the reconciliation process was discussed, as well as the need for increased international support in that process. The Commission on Human Rights extended the mandate of the independent expert on the human rights situation in Somalia for another year (see p. 685).

The TNG President, Abdikassim Salad Hassan, and some faction leaders based in Mogadishu met on 27 March. Citing the lack of progress at the Mbagathi Conference, they affirmed their intention to proceed with efforts to restore security in Mogadishu and to convene a Somali national reconciliation conference inside Somalia. Hussein Aidid and a number of Somali leaders who continued their participation at the Mbagathi Conference denounced the Mogadishu meeting as divisive. He urged the Somali leaders meeting in Mogadishu to proceed to Mbagathi. According to the Prime Minister’s Office, the Mogadishu meeting was not intended to be an alternative to the Mbagathi Conference but a way to bring security and stability to the capital. Reports indicated that disagreements had emerged between President Hassan, who remained in Mogadishu, and the Prime Minister and the Speaker of the Transitional National Assembly, who were leading the TNG delegation at Mbagathi. Differences on how the reconciliation process should proceed were also reported among members of the delegation. On 26 May,
the Prime Minister returned to Mogadishu for consultations.

After an eight-month recess, the Transitional National Assembly reconvened on 28 April with 165 of the 245 members present. It debated the possibilities of reviewing the Transitional National Charter, with the aim of extending TNG’s term of office beyond August 2003, when its three-year term expired.

In Somaliland, “presidential elections” took place on 14 April, and the announced winner was the incumbent, Dahir Riyale Kahin. In Puntland, Colonel Abdullahi Yusuf Ahmed and his opponents participated in a reconciliation conference in Bossasso to end the conflict between his administration and the Puntland Salvation Movement, led by General Ade Muse Hirse. The two sides entered into a power-sharing agreement on 17 May. While the security conditions in Somaliland and Puntland remained calm, the border dispute with regard to Sool and Sanaag districts caused tensions between the two administrations.

Security conditions in southern Somalia remained a serious concern, with no clear local authority in many areas that could control the activities of bands who extorted money from travellers and merchants and where clan feuds continued to claim lives. In March, humanitarian staff were withdrawn from areas where fighting occurred between the Abgal and Habr Gedir subclans. The security situation also remained difficult in Baidoa, Gedo and Kismayo. Although fighting had subsided in the Buale district, the conflict had claimed numerous lives and led to the displacement of people. The situation in Mogadishu remained dangerous and unpredictable, and access to the city for humanitarian agencies was very limited.

The Somali people continued to struggle with chronic food insecurity, poverty, disease, drought and severely limited educational and employment opportunities. Its human development index remained one of the lowest in the world. About 400,000 Somalis were refugees in neighbouring countries, while up to 370,000 others were internally displaced. In May, the UN country team and its partners reviewed the 2003 Common Humanitarian Action Plan, as well as the international response to the United Nations Consolidated Appeal (see p. 928). They noted that considerable progress had been made in the delivery of humanitarian relief, the reintegration of refugees, the promotion of the rule of law through law enforcement training and judicial reform, and poverty reduction through increased remittance flows and livestock exports. However, at that time, only 24 per cent of the $77.8 million requested through the Appeal had been funded.

Peace-building activities by UN agencies were focused on four strategic operational objectives of the country team: protection and human rights; provision of basic services; HIV/AIDS prevention; and education. Progress in all of those areas was ongoing through multi-agency, multi-sectoral peace-building initiatives focused on the enhancement of skills for Somalis, the provision of basic services and exchanges of technical personnel.

Observing that the Somalia National Reconciliation Conference at Mbagathi was about to enter its final phase, which would entail negotiations on the formation of an all-inclusive Government for Somalia, the Secretary-General stated that the future of the reconciliation process continued to rest largely in Somali hands. The international community could only assist the Somali efforts and commitment to end years of conflict and deprivation. He deplored the frequent violations by the Somali parties of their commitments under the Eldoret Declaration and commended the IGAD efforts to monitor implementation of the Declaration, its appointment of a Coordinator of the Ceasefire Monitoring Committee and the AU decision to dispatch monitors to Somalia. He also expressed concern about the absence of some Somali leaders from the Conference, in some cases for two months, alleging insufficient representation or displeasure with the IGAD efforts. Most of them, however, had returned to the Conference to complete the second phase and to initiate the third and final phase on formation of an all-inclusive Government.

Press statement by Security Council (16 July). Following informal consultations on 16 July, the Security Council President issued a press statement [SC/7816-AFR/668] saying that members reiterated their firm support for the ongoing Somali National Reconciliation Conference at Mbagathi. They took note of recent progress and expressed the hope that the Conference would conclude successfully in the near future. Members noted the efforts of the Ceasefire Monitoring Committee in preparing the monitoring of the implementation of the Eldoret Declaration, and the work of the AU and IGAD fact-finding mission to Somalia. They called on all States to comply with the arms embargo against Somalia (see p. 250). They expressed concern regarding the humanitarian situation in Somalia and urged the Somali parties to assure the delivery of humanitarian assistance.

Communications. On 16 June [S/2003/654], South Africa forwarded to the Security Council a communiqué issued by the AU Central Organ of
the Mechanism for Conflict Prevention, Management and Resolution (Addis Ababa, 12-13 June), which included a decision on Somalia. The Central Organ expressed appreciation to the IGAD front-line States for their involvement and welcomed the dispatch of the joint technical IGAD-AU fact-finding mission to Somalia from 22 May to 2 June. It expressed the AU’s readiness to play the role expected of it in establishing a mechanism to monitor the cessation of hostilities in Somalia, including the deployment of an AU observer mission there, and requested the Interim Chairperson of the Commission of the AU to undertake the necessary consultations with IGAD and the Somali parties towards the establishment of such a mechanism.

On 10 September [S/2003/756], Mozambique forwarded the decisions of another meeting of the Central Organ (Addis Ababa, 29 August). With regard to Somalia, the Central Organ recalled an earlier appeal to the international community to support the deployment of an international force in Somalia to help facilitate the disarmament, demobilization and reintegration process and requested the Commission Chairperson to study all aspects of such a force. It took note of the outcome of the AU reconnaissance mission to Somalia from 22 to 31 July. It requested the Commission Chairperson to pursue his consultations with the Somali parties, the IGAD Technical Committee and AU members on the deployment of an AU Military Observer Mission in Somalia that would precede the deployment of an international force. The Central Organ urged the Somali parties to demonstrate the political will required to bring the Mbagathi Conference to a successful conclusion.

On 16 July [S/2003/756], Italy submitted to the Council an EU statement on the peace process in Somalia. The Union welcomed the signing on 5 July by Somali leaders in Kenya of a document setting out the principles that would govern the passage from the second to the third phase of the Mbagathi Conference, as well as the four years of the transitional federal Government of the Republic of Somalia (see below). The EU urged those leaders who had been unable to return to Kenya to do so, allowing the Conference to move into the third phase.

Agreement on transitional federal Government

The Secretary-General reported in October [S/2003/987] (see p. 248) that the plenary of the Somalia National Reconciliation Conference had endorsed, by mid-June, the reports prepared by five of the six reconciliation committees, namely those on disarmament, demobilization and reintegration; land and property rights; economic recovery, institution-building and resource mobilization; regional and international relations; and conflict resolution and reconciliation. Disagreements in the committee on federalism and a provisional charter prevented it from concluding its report. The major points of disagreement concerned the length of the transitional period, the members of Parliament and the modality for their selection, the timing of the establishment of a federal system of government and the status of the existing regional and local authorities, in particular Somaliland.

President Mwai Kibaki of Kenya announced the appointment of Mohammed Abdi Affey as Kenya’s Ambassador to Somalia. He would assist Mr. Kiplagat, the Kenyan Special Envoy and Chairman of the Conference.

On 5 July, after three weeks of negotiations, the Somali Leaders Committee at the Conference reached an accord that was expected to be part of a draft charter. It was agreed that a federal system of government, to be called the transitional federal Government, would be formed in Somalia during a four-year transitional period. The process of federalism would develop gradually and be completed in two and a half years. The Parliament would comprise 331 members, 12 per cent of whom would be women. The signatories to the Eldoret Declaration and political leaders at the Conference, in consultation with traditional leaders within their respective clan structures, would select the members of Parliament. The transitional federal Government would immediately initiate a dialogue on national unity with Somaliland. The agreement was put before the Conference plenary and adopted by acclamation.

The TNG President, Mr. Hassan, criticized the agreement, claiming that it would divide the country because it would implicitly recognize Somaliland. Stating that his Government would not be party to such a process, he disowned the signatures of the TNG Prime Minister and Speaker of the Transitional National Assembly, whom he had designated to lead the TNG delegation to the Conference. He disagreed with the selection process for members of Parliament and objected to the placing of Arabic, along with English, as one of the two official languages, instead of placing it on the same level as Somali as one of the two first official languages. Other Somali leaders also denounced the 5 July agreement and declared they had withdrawn from the Conference.

The agreement sharpened the differences between Mr. Hassan on the one hand and his Prime Minister and the Speaker of the Assembly on the other. A session of the Assembly was convened in Mogadishu on 9 August, with 124 of the 245
members in attendance, and it voted for the removal of the Prime Minister and the Speaker. Discussions on the draft charter continued from 5 July until 15 September, and the IGAD Technical Committee worked with the participants to address the concerns raised by some Somali leaders. Mr. Kiplagat circulated a fourth version raising the status of Arabic and affirming the sovereignty and territorial integrity of Somalia. A fifth version removed the call for negotiations with Somaliland. Differences remained on implementation of federalism during the transition. After protracted discussions, a draft charter was adopted on 15 September, but that outcome was rejected by Mr. Hassan and other Somali leaders who had returned to Nairobi. International observers, including the Secretary-General’s Representative, tried to find a middle ground between the 5 July agreement and the 15 September decision. On 20 September, Mr. Hassan and the other leaders returned to Mogadishu, stating that the Conference had collapsed and that they would open another reconciliation process in Somalia.

The AU (Maputo, Mozambique, 10-12 July) endorsed the Somali national reconciliation process and undertook to deploy a military observer mission to Somalia to monitor the cessation of hostilities as provided for in the Eldoret Declaration once a comprehensive agreement was reached. Subsequently, an AU/IGAD reconnaissance mission visited Somalia (21-31 July) in an effort to establish mechanisms to support the deployment of some 75 AU monitors. Having encountered difficulties and threats during its visit, the mission concluded that, given the prevailing political and military conditions, more work was needed before military observers could be deployed. It emphasized that the Somali leaders it had consulted were ready to disarm but that for that to happen the assistance of the international community was essential.

Report of Secretary-General (October). In his October report [S/2003/987], the Secretary-General stated that security in the southern parts of Somalia, including Mogadishu, remained precarious. Mounting crime in Mogadishu included frequent abductions, carjackings and civilian deaths. Fierce clashes broke out in Jawhar in July but calmed returned in September. Militias clashed in July over control of water in South Mudug, resulting in some 50 people killed. Inter-clan fighting around Baidoa also continued. The lack of local authority and lawlessness made many areas inaccessible to aid workers. Nonetheless, several NGOs and UN agencies continued minimal operations, primarily in the health and education sectors. Puntland authorities agreed that aid workers could visit vulnerable communities in the Sool and Sanaag regions. Those areas, claimed by both Somaliland and Puntland, were visited by the resident and humanitarian coordinator for an assessment. As a result of the combination of food insecurity and poor health conditions, Somalis continued to suffer from malnutrition.

UN agencies were helping authorities in Somalia to improve the administration of justice by developing the rule of law, building their capacity to enforce the law and improving the application of human rights standards. Those programmes had been implemented only in the relatively peaceful area in the north-west, mainly in Somaliland, but plans were being made to expand them to less stable regions in the north-east, centre and south. Activities included the drawing up of training programmes for legal professionals and administrators, helping to draft a statute on establishing a human rights commission, working on establishing legal aid clinics, assessing the rehabilitation needs of court buildings, and building up the capacity of mine action services. On the basis of a child protection study, priority areas to be addressed were identified, including sexual violence, children engaged in exploitative labour, protection of children with disabilities, and minority children. UN agencies and their partners completed assessments of the judiciary system and collated recommendations on ways to improve justice as it affected women. Training was provided to women’s organizations for the formation of a women’s national human rights advocacy network, the development of advocacy tools and training manuals, the integration of gender and human rights issues into legal systems, and the inclusion of a bill of rights in the future federal and regional charters.

With regard to the refugee situation, UNHCR and other agencies worked with local authorities to assure protection, assistance and durable solutions. From the beginning of 2003, 5,569 people were voluntarily repatriated to Somaliland and Puntland from Djibouti, Ethiopia and Kenya. A UN reintegration programme in north-west Somalia provided new classrooms and furniture for 16 schools. It also carried out projects to repair roads, rehabilitate dams and wells, reconstruct schools and health facilities, and complete a water system to provide clean water to 60,000 people. The World Bank, in addition to its low-income countries under stress initiative, was funding, with the European Commission, the development of a Somali livestock sector strategy. UN agencies continued efforts to improve the standards, procedures and international acceptance of the Somali remittance industry. The strategic framework for the prevention and control of
HIV/AIDS and sexually transmitted infections within Somali populations was finalized, providing a foundation on which to build interventions throughout the country.

The Secretary-General observed that, notwithstanding the progress made at the Mbagathi Conference in approving the reports of the five reconciliation committees, further advances had been slow owing to the differences on the issue of federalism and on the relationship of the future transitional Government with existing regional and local authorities, in particular Somaliland. The situation had been complicated by the expiration on 26 August of the TNG mandate, deriving from the agreement reached in August 2000 at the Somali National Peace Conference held at Arta, Djibouti [YUN 2000, p. 215]. Somali leaders faced the challenge of bridging their differences in order to reach agreement on a viable government.

At the current critical juncture in the reconciliation process, the sustained commitment of the IGAD front-line States, in particular, remained vital for the success of the Conference, the Secretary-General affirmed. Key UN Member States, from within and outside the region, should monitor and support the efforts of Somali leaders and the IGAD Technical Committee to help ensure that the Conference culminated in an inclusive and comprehensive agreement. UNPOS and the UN country team were developing a peace-building plan to be implemented in Somalia once a definitive agreement was reached at the Conference.

Pending an agreement at the Conference and improvement of the security situation that would permit him to propose the establishment of a peace-building office in Somalia and adjustments to the UNPOS mandate, the Secretary-General intended to continue UNPOS activities for the 2004-2005 biennium at the current resource level.

The Secretary-General restated that intention on 10 November [S/2003/1092]; on 13 November [S/2003/1093], the Council took note of the information and intention.

**Appointment.** The Secretary-General, on 22 October [S/2003/1054], informed the Security Council that the mandate of his Representative for Somalia, Winston A. Tubman, would expire at the end of 2003. Mr. Tubman had been working to advance the peace process through contacts with Somali leaders, civic organizations and the States and organizations concerned, and had provided support to the National Reconciliation Conference that was ongoing in Kenya. The Secretary-General intended to extend his mandate until 31 December 2004. On 28 October [S/2003/1092], the Council took note of the information.

**SECURITY COUNCIL ACTION (November)**

On 11 November [meeting 4856], following consultations among Security Council members, the President made statement S/PRST/2003/19 on behalf of the Council:

The Security Council, recalling its previous decisions concerning the situation in Somalia, in particular the statement by its President of 12 March 2003, and welcoming the report of the Secretary-General of 15 October 2003, reaffirms its commitment to a comprehensive and lasting settlement of the situation in Somalia and its respect for the sovereignty, territorial integrity, political independence and unity of the country, consistent with the purposes and principles of the Charter of the United Nations.

The Council reiterates its firm support for the Somali National Reconciliation Process launched under the auspices of the Intergovernmental Authority on Development and led by Kenya. The Council commends the progress made and acknowledges the challenges ahead.

The Council welcomes the relevant decisions made by the tenth Summit of the Intergovernmental Authority on Development and the first Intergovernmental Authority on Development Ministerial Facilitation Committee meeting on the Somali peace process in October 2003.

The Council urges all Somali leaders to participate constructively in the meeting of leaders planned by the Facilitation Committee in Kenya in November 2003 to bridge their differences and to reach agreements on a viable government and a durable and inclusive solution to the conflict in Somalia.

The Council commends the Government of Kenya for its crucial role in facilitating the Somali National Reconciliation Process, and President Yoweri Museveni of Uganda for joining in the facilitation work, and encourages the Facilitation Committee to work concertedly towards a successful conclusion of the Process.

The Council also commends the support given by the African Union to the Somali National Reconciliation Process, including its participation in the Process and its commitment to deploy a military observer mission to Somalia once a comprehensive agreement is reached.

The Council calls upon the international community to continue its efforts to support the Intergovernmental Authority in its facilitation of the Somali National Reconciliation Process, and calls upon the donor countries to contribute to the Process, the Trust Fund for Peace-building in Somalia and the United Nations Consolidated Inter-Agency Appeal for Somalia.

The Council expresses serious concern regarding the humanitarian situation in Somalia, and calls upon the Somali leaders to facilitate the delivery of much-needed humanitarian assistance and to assure the safety of all international and national aid workers.
The Council welcomes the forthcoming mission of the Security Council Committee established pursuant to resolution 751 (1992) to Somalia and States in the region, from 11 to 21 November 2003, as a step towards giving full effect to the arms embargo. The Council calls upon relevant States and organizations to cooperate with the above-mentioned mission.

The Council reiterates that a comprehensive peace-building programme with special emphasis on disarmament, demobilization, rehabilitation and reintegration will be important to post-conflict Somalia.

The Council expresses its readiness to assist the Somali parties and support the Intergovernmental Authority in implementation of the agreements reached in the Somali National Reconciliation Process.

**Communication.** The EU Presidency, in a 16 December statement [S/2005/191], welcomed the decision of the IGAD Facilitation Committee to convene a retreat of Somali leaders in order to prepare the third and final phase of the National Reconciliation Conference. It urged all Somali leaders to return to Kenya without delay, with a view to achieving a political settlement for the good of the Somali people.

**Further developments.** By mid-September, developments at the Somalia National Reconciliation Conference in Mbagathi, which was largely financed by the EU, led to an impasse over the contested adoption of a charter [S/2004/115]. Some leaders, including transitional President Hassan, rejected the adoption and returned to Somalia. On 30 September, a group of them announced the formation of the National Salvation Council consisting of 12 factions under the chairmanship of Musse Sudi. On 7 October, the National Salvation Council signed a memorandum of understanding with the TNG President, in which it acknowledged the TNG’s continuance in office. The signatories also announced their intention to convene a new national reconciliation conference separate from the one at Mbagathi.

At the tenth IGAD summit (Kampala, Uganda, 24 October), the heads of State focused on ways to get the national reconciliation process back on track. They decided to expand the membership of the IGAD Technical Committee to include Eritrea, the Sudan and Uganda, in addition to Djibouti, Ethiopia and Kenya, and renamed it the IGAD Facilitation Committee. The EU Special Envoy for Somalia was made a member of the Committee.

The Facilitation Committee, at a ministerial-level meeting (Nairobi, 28 October), agreed that Somali leaders would be invited to a Leaders’ Consultation in Kenya on 20 November and that phase three of the Conference would commence only after the successful conclusion of the Consultation. The National Salvation Council and TNG raised several objections to the proposed Consultation, mainly centred on representation. International observers at the Conference, including the Secretary-General’s Representative, met with representatives of the TNG and the National Salvation Council in Mogadishu in order to persuade them to participate in the Leaders’ Consultation, as well as with leaders of opposing views. Despite its efforts, the Facilitation Committee was obliged to postpone the Leaders’ Consultation until 2004 due to the continuing impasse.

The Under-Secretary-General for Political Affairs, Kieran Prendergast, visited the region from 7 to 16 November and held discussions with a wide spectrum of Somali leaders and others involved in the issue of Somali reconciliation to assess the situation and plan for a future UN role in the country.

Following the removal of the Prime Minister and Speaker of the Transitional National Assembly, Mustafa Gududow was elected as the new Speaker on 4 December, and transitional President Hassan appointed Mohamed Abdi Yussuf as the new Prime Minister, who then appointed a cabinet of 37 ministers.

On 21 December, the Somaliland Parliament adopted a resolution asserting Somaliland’s authority over the Sool and Sanaag regions, which were also claimed by Puntland. On 27 December, forces loyal to the Puntland administration assumed control of Las-Anod district in the Sool region.

During the last three months of the year, breaches in security in Somaliland, a previously peaceful area, raised serious concerns. In other areas, sporadic inter-clan fighting took place, leaving many dead. Crime and violence in Mogadishu remained a problem and threats of kidnapping and direct attacks on UN and other humanitarian workers continued to be high. Humanitarian deliveries were reduced in most parts of the country.

**Arms embargo**

support to Somali factions had been given regularly by neighbouring States and others since the arms embargo was established in 1992. Weapons were also purchased by Somali factions on the international market. Those violations continued, even as the factions and their neighbours were participating in the Somalia National Reconciliation Conference.

The Panel believed that the sanctions regime should be enhanced and implemented with determination. The Somali faction leaders were convinced that they could proceed as usual since they had not seen any real enforcement of the embargo over the preceding 12 years. Those years of conflict had further fragmented Somali society as the fighting increasingly was carried out for the advancement of personal material interests.

The vast majority of the cases investigated by the Panel involved numerous shipments of relatively small amounts of arms and ammunition; the nature of the Somali conflict demanded little more. Fighting in Somalia was normally carried out by small numbers of poorly trained and undisciplined militia members and lasted no more than a few days before ammunition and other supplies were exhausted. Since Somalia was a deeply impoverished country, the faction leaders had to struggle to raise sufficient money to pay their militia members and obtain arms and ammunition. Fighting centred on the control of property or income-generating infrastructure, such as harbours, airports, markets, bridges or road junctions that could be “taxed”. Faction leaders had also devised other schemes to raise money, some clearly illegal.

The arms market in Somalia was supplied by both external and internal sources, and arms, cash and ammunition were readily fungible and used to purchase other goods, such as food and khat, the local drug of choice. Ethiopia had played an overt military role in Somalia. It was a major source of weapons for a number of Somali groups and had also invaded and occupied parts of Somalia. After the establishment of the TNG, Ethiopia helped to establish the Somali Reconciliation and Restoration Council, made up of factions hostile to the TNG and its allies. The Ethiopian military provided training and some arms and supplies to all members of the Council. Eritrea had also been a major supplier of arms and ammunition to Somali groups and, at times, Somalia had become a secondary battleground in the war between Eritrea and Ethiopia. Yemen provided a small amount of military assistance to the TNG soon after it was established. According to reliable sources, Djibouti was a trans-shipment point for weapons to Somalia, principally for the TNG. Egypt had acknowledged providing training and uniforms to the TNG police. The TNG also received assistance from Kuwait, the Libyan Arab Jamahiriya, Qatar, Saudi Arabia and the Sudan.

One concern about Somalia was that because of its lack of an effective central Government it could become a haven for international terrorists; so far there was no evidence of that. The continuing lawlessness in Somalia, particularly in the coastal areas, was a threat not only to Somalis but also to the international community. The recent finding that material and explosives used in the terrorist attack of November 2002 in Mombasa, Kenya [YUN 2002, p. 51], were trans-shipped through Somalia to north Kenya was a case in point. The international community could and should do more about security and unsustainable exploitation in Somalia’s exclusive economic zone.

The warlords’ use of extortion to raise money and the creeping trend to corruption, made possible by the general lawlessness of the country, would be a serious problem over the long term. Piracy and kidnapping were other means by which local militias extorted money from both the international community and the Somalis. The trade in khat was a significant source of revenue for the warlords. The long and remote Somali coast had the potential to accommodate both trade for the north-eastern region of Africa and a wide range of undesirable activities, from unsustainable exploitation of natural resources to arms trafficking, piracy and terrorist operations.

Although the Eldoret Declaration [YUN 2002, p. 202] was signed by all factions attending the Conference and witnessed by the neighbouring countries, most factions continued to fight and import weapons. The Panel therefore recommended that the sanctions be implemented with increased determination. Successful enforcement required an alliance of Governments and Somalis to monitor violations of the arms embargo and deprive violators of any safe haven. The Panel also recommended that all commercial relationships and banking activities that might be linked to arms purchases and the financing of war in Somalia be prevented. It welcomed and encouraged efforts by Somalia’s business and civil community and certain segments of non-Somali interest groups to support and participate in actions to strengthen the embargo and the affiliated prohibitions on the financing of arms purchases. Most notably, such support had been expressed in the Declaration of Support by the members of the Dubai-based Somali Business Council and the Somali Intellec-
ntal independence and unity of Somalia, consistent with the purposes and principles of the Charter of the United Nations, and commending the efforts of Kenya as the host of the Somalia National Reconciliation Conference sponsored by the Intergovernmental Authority on Development.

Reiterating 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 and impacts adversely on human rights, and could jeopardize the sovereignty, territorial integrity, political independence and unity of Somalia. Stressing that the territory of Somalia should not be used to undermine stability in the subregion.

Reiterating its serious concern over 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, and which undermines the commitments made at the Great Lakes and the Horn of Africa Conference on the Proliferation of Small Arms and Light Weapons, held in Nairobi from 12 to 15 March 2000.

Recognizing the importance of improving the implementation and enhancing the monitoring of the arms embargo in Somalia through persistent and vigilant investigation into violations of the arms embargo.

Determining that the situation in Somalia constitutes a threat to international peace and security in the region.

Acting under Chapter VII of the Charter,

1. Stresses the obligation of all States and other actors to comply fully with resolution 733 (1992), and reaffirms that non-compliance constitutes a violation of the provisions of the Charter;
2. Welcomes the report of the Panel of Experts dated 25 March 2003 submitted pursuant to paragraph 11 of resolution 1425 (2002), notes with interest the observations and recommendations contained therein, and expresses its intention to give full consideration to the report;
3. Decides to re-establish a Panel of Experts for a period of six months commencing no later than three weeks from the date of the adoption of the present resolution, to be based in Nairobi, with the following mandate:
   (a) To investigate 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;
   (b) To detail information and make specific recommendations in relevant areas of expertise related to violations and measures to give effect to and strengthen the arms embargo in its various aspects;
   (c) To carry out field-based research, where possible, in Somalia, States neighbouring Somalia and other States, as appropriate;
   (d) To assess the capacity of States in the region to implement fully the arms embargo, including through a review of national customs and border-control regimes;
   (e) To focus on the ongoing arms embargo violations, including transfers of ammunition, single-use weapons, and small arms;
(f) To seek to identify those who continue to violate the arms embargo inside and outside Somalia, and their active supporters, and to provide the Security Council Committee established pursuant to resolution 731(1992) of 24 April 1992 (hereinafter referred to as “the Committee”) with a draft list for possible future actions;

(g) To explore the possibility of establishing a monitoring mechanism for the implementation of the arms embargo with partners inside and outside Somalia in close cooperation with regional and international organizations, including with the African Union;

(h) To refine the recommendations provided in the report of the Panel of Experts;

4. Requests the Secretary-General, upon the adoption of the present resolution and acting in consultation with the Committee, to appoint up to four experts, including the Chairman, drawing as much as possible and as appropriate on the expertise of the members of the Panel of Experts appointed pursuant to resolution 1425(2002), and also requests the Secretary-General to make the necessary financial arrangements to support the work of the Panel;

5. 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 the 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 H07(2002);

6. Requests 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 the discharge of its mandate, and requests the Panel of Experts to notify the Council immediately, through the Committee, of any lack of cooperation;

7. Requests the Panel of Experts to provide a mid-term briefing to the Council, through the Committee, and to submit a final report at the end of its mandated period to the Council, through the Committee, for its consideration;

8. Decides to send a mission of the Committee, led by the Chairman of the Committee, to the region at the earliest possible stage after the Panel of Experts has resumed its work to demonstrate the determination of the Council to give full effect to the arms embargo;

9. 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;

10. Invites the neighbouring States to report to the Committee quarterly on their efforts to implement the arms embargo;

11. Calls upon regional organizations, in particular the African Union and the League of Arab States, as well as States that have the resources, to assist Somali parties and the States in the region in their efforts to implement fully the arms embargo;

12. Expresses its determination to review the situation regarding the implementation of the arms embargo in Somalia on the basis of information provided by the Panel of Experts in its reports;

13. Decides to remain actively seized of the matter.

Following a 14 April briefing on the Panel’s report by the Chairman of the Committee on the arms embargo, the Council President issued a press statement [SC/7728-AFR/601] in which members welcomed the report, which recommended that all parties inside and outside Somalia be invited to take up their responsibilities in implementing the arms embargo. They expressed concern about the continued flow of weapons and military equipment from sources outside Somalia and called on all Member States to cooperate with the re-established Panel of Experts.

On 10 April [S/2003/425], the TNG of Somalia welcomed the Panel’s report, expressed appreciation for the concern expressed on the flow of arms to Somalia and welcomed the extension of the Panel’s mandate. It also welcomed the Panel’s findings that, among the neighbouring countries of Somalia, Ethiopia and its favourite Somali warlords continued to be the major violators of the arms embargo. The TNG concurred with the Panel’s view that the arms embargo should be enforced and sanctions imposed against violators (States or individuals). On the other hand, the TNG refuted the Panel’s assertion that the TNG had not fully cooperated with it. The TNG also objected to the Panel’s description of police uniforms and equipment as military assistance and the Panel’s recommendation for creating regulatory caretaker agencies for Somalia to deal with civil aviation, fiduciary and maritime administration matters.

The Secretary-General, on 30 April [S/2003/355], informed the Council of his appointment of four experts who would form the Panel to investigate violations of the arms embargo. When one member was unable to complete his service, the Secretary-General informed the Council on 28 July [S/2003/770] of his replacement.

On 20 August, following a briefing by the Chairman of the Committee on sanctions against Somalia on the mid-term report of the Panel of Experts, the Council President issued a press statement [SC/7849-AFR/690] in which Council members welcomed the Panel’s work so far, which was in support of the Somali national reconciliation process and the ongoing Somali National Reconciliation Conference in Kenya. They reiterated their concern about the persistent flow of weapons and ammunition to Somalia, stressed the responsibility of Member States to implement the arms embargo and reiterated the call on all Somali and regional parties, as well as officials and other actors contacted outside the region, to cooperate with the Panel. Members welcomed the working relationships set up between the Panel and regional and international organizations, in particular the AU and IGAD, and...
the decision of the Chairman to lead a mission to the region in October. Members emphasized the need for an information campaign to publicize the mission’s objectives.

Panel of Experts (November). The Panel of Experts, in accordance with resolution 1474 (2003) (see p. 232), issued a report that was transmitted to the Council by its Committee on sanctions against Somalia on 4 November [S/2003/1035]. The report, based on thorough monitoring over the previous six months, showed a continuous influx of small quantities of weapons and ammunition into Somalia that fed the local open arms markets and faction leaders’ warehouses. Major violations of the arms embargo during that period using large vessels or heavy cargo aircraft showed a reduction over previous years, but the constant micro-flow of weapons and ammunition represented hundreds of tons of arms in violation of the embargo.

The Panel also found evidence linking violations of the arms embargo with illicit arms flows to neighbouring countries, piracy in Somali and international waters, and activities of armed groups and extremists beyond Somalia’s borders. Weapons shipments destined for Somalia tended to originate in or were routed through Djibouti, Eritrea, Ethiopia, the United Arab Emirates and Yemen. The main entry points were the ports that served Puntland (Boosaaso), Mogadishu (Marha and El Ma’an) and Kismayo, together with airstrips around Mogadishu. The preferred method of sanctions-busting was to transport weapons in a small fishing vessel or concealed in an aircraft’s cargo hold. They were then distributed through a long chain of brokers throughout Somalia. Dhows sailing from Yemen to northeast Somalia carried much of the traffic and most shipments went unnoticed and unreported. The bulk of the merchandise was destined for Mogadishu, the hub of the Somali arms trade. About 1,250 flights arrived in Somalia each month, mainly from other States in the region. Their cargo was rarely inspected and regulation of air traffic was limited. Likewise the 1,600-kilometre border between Somalia and Ethiopia was largely unmonitored and traffic passed freely.

Somali faction leaders paid for their arms in a variety of ways, for example, with cash received from foreign sponsors, with the proceeds of taxes and charges levied at ports, airports and roadblocks, with khat, or with counterfeit Somali shillings printed abroad. Transnational terrorists had been able to obtain not only small arms but also portable air defence systems, light anti-tank weapons and explosives. The Panel determined that it remained relatively easy to obtain surface-to-air missiles and import them into Somalia.

The front-line States and regional actors were key external players in Somali affairs. Although they had shown greater respect for the arms embargo over the past six months than in previous years, many persisted in violations and few had taken active measures to curb commercial arms transfers to Somalia. The Panel often found their support for its work lacking, but even where support was provided many lacked the tools to sufficiently monitor exports and/or trans-shipments through their ports, airports, land border crossings, territorial waters and airspace. Many observers attributed reduced arms flows in recent months to the Security Council’s monitoring of the embargo. As the Somali peace process entered a critical stage, enforcement of the embargo and robust monitoring could help to reinforce commitment to dialogue, reduce the scope for armed conflict and mitigate its consequences if it happened.

Having discussed the Panel’s report, Council members, in a 3 December press statement [SC/794-APR/78], said that they had begun to consider a range of measures to improve the effectiveness of the arms embargo. Council members underlined the critical role of the effective enforcement and monitoring of the sanctions regime for the Somalia national peace and reconciliation talks and reiterated the Council’s active engagement in the process. They emphasized the need for a united approach and stronger support of the international community for enhanced implementation of the arms embargo and urged the front-line and neighbouring States to comply fully with their obligations under the relevant Council resolutions. They stressed the risks of the continued flow of weapons and ammunition supplies to and through Somalia for stability and security in Africa, and appealed for sustained regional efforts and cooperation to improve the monitoring and implementation of the embargo.

SECURITY COUNCIL ACTION (December)


The Security Council,


Reiterating its firm support for the Somali National Reconciliation Process and the ongoing Somali National Reconciliation Conference, commending the efforts of Kenya as the host of the Conference sponsored by the Intergovernmental Authority on Development, and reaffirming the importance of the sovereignty, territorial integrity, political independence and unity of Somalia, consistent with the purposes and principles of the Charter of the United Nations,

Reiterating its insistence that 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 and impacts adversely on human rights, and could jeopardize the sovereignty, territorial integrity, political independence and unity of Somalia—and stressing that the territory of Somalia should not be used to undermine stability in the subregion,

Reiterating its serious concern over the continued flow of weapons and ammunition supplies to and through Somalia from sources outside the country, in contravention of the arms embargo, bearing in mind that the Somali National Reconciliation Process and the implementation of the arms embargo serve as mutually reinforcing processes,

Having considered the report of the Panel of Experts of 4 November 2003, submitted pursuant to paragraph 7 of resolution 1674(2003),

Welcoming the mission of the Security Council Committee established pursuant to resolution 751(1992) of 24 April 1992 (hereinafter referred to as “the Committee”), led by the Chairman of the Committee, to the States in the region, from 11 to 21 November 2003, as a step towards giving full effect to the arms embargo,

Reiterating the importance of improving the implementation and enhancing the monitoring of the arms embargo in Somalia through persistent and vigilant investigation into violations of the arms embargo, and expressing its determination to hold those violators accountable,

Determining that the situation in Somalia constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter,

1. Stresses the obligation of all States and other actors to comply fully with resolution 751(1992) and resolution 1556(2001), and reaffirms that non-compliance constitutes a violation of the provisions of the Charter of the United Nations;

2. Requests the Secretary-General to establish a monitoring group (hereinafter referred to as the “Monitoring Group”) composed of up to four experts, for a period of six months commencing as soon as possible from the date of adoption of the present resolution, to be based in Nairobi, with the following mandate, which should focus on the ongoing arms embargo violations, including transfers of ammunition, single-use weapons, and small arms:

(a) To investigate the violations of the arms embargo covering access to Somalia by land, air and sea;

(b) To detail information and make specific recommendations in relevant areas of expertise related to violations and measures to give effect to and strengthen the implementation of the arms embargo in its various aspects;

(c) To carry out field-based investigations in Somalia, where possible, and in States neighbouring Somalia and other States, as appropriate;

(d) To assess the progress made by the States in the region to implement fully the arms embargo, including through a review of national customs and border control regimes;

(e) To provide the Committee in its final report with a draft list of those who continue to violate the arms embargo inside and outside Somalia, and their active supporters, with a view to possible future measures by the Council;

(f) To make recommendations based on its investigations and the previous reports of the Panel of Experts appointed pursuant to resolutions 1425(2002) and 1474(2003);

3. Also requests the Secretary-General to make the necessary financial arrangements to support the work of the Monitoring Group;

4. Requests all Somali and regional parties as well as Government officials and other actors contacted outside the region to cooperate fully with the Monitoring Group in the discharge of its mandate, and requests the Monitoring Group to notify the Security Council immediately, through the Committee, of any lack of cooperation;

5. Calls upon all States in the region and regional organizations, in particular the Intergovernmental Authority on Development, the African Union and the League of Arab States, to establish focal points to enhance cooperation with the Monitoring Group and to facilitate information exchange;

6. Requests the Monitoring Group to provide a midterm briefing to the Council, through the Committee, and to submit a final report at the end of its mandated period to the Security Council, through the Committee, for its consideration;

7. Encourages all States signatories to the Nairobi Declaration on the Problem of the Proliferation of I licit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa to implement quickly the measures required by the Coordinated Agenda for Action as an important means in support of the arms embargo on Somalia;

8. Calls upon the neighbouring States to report to the Committee quarterly on their efforts to implement the arms embargo, bearing in mind their crucial role in the implementation of the arms embargo;

9. Encourages the donor community, including the Partner Forum Group of the Intergovernmental Authority on Development, to provide technical and material assistance to States in the region, as well as to the regional organizations, in particular the Intergovernmental Authority on Development, the African Union and the League of Arab States, in support of their national and regional capacity for monitoring and implementing the arms embargo, including for monitoring the coastline, land and air boundaries with Somalia;

10. Encourages Member States from the region to continue their efforts in enacting legislation or regulations necessary to ensure the effective implementation of the arms embargo;

11. Expresses its determination to review the situation regarding the implementation of the arms embargo in Somalia on the basis of information provided by the Monitoring Group in its reports;
Security Council Committee. On 31 December, the Chairman of the Security Council Committee established pursuant to resolution 751(1992) [YUN 1992, p. 202] concerning the arms embargo on Somalia submitted its report covering activities in 2003 [S/2003/1216]. The Committee held a number of meetings to discuss the findings of the two reports issued by the Panel of Experts (see p. 254). It sent a mission to the region from 11 to 21 November, which visited Djibouti, Egypt, Eritrea, Ethiopia, Italy, Kenya and Yemen; owing to security considerations, travel to Somalia was not possible.

The Committee approved three requests from the United Kingdom to import humanitarian mine-clearance equipment to Somalia and one similar request from UNDP.

During the year, the Committee stepped up its level of engagement. The activities of the Panel of Experts and the Committee’s mission to the region were indications of its determination to give full effect to the arms embargo. As in the past, the Committee continued to rely on the cooperation of States and organizations in a position to provide information on violations of the arms embargo.

Sudan

Internal situation

More than two decades of turmoil had taken their toll on the Sudan; the consequence of protracted warfare between government troops based in the north and rebels based in the south. The situation improved following the July 2002 signing of the Machakos (Kenya) Protocol between the Government and the rebel group, the Sudan People’s Liberation Movement/Army (SPLM/A) [YUN 2002, p. 237].

With the improved security, delivery of humanitarian assistance increased (see p. 929). Nevertheless, armed conflict and ethnic violence continued to destroy infrastructure, isolate populations, erode coping mechanisms and limit access to markets and resulted in human rights violations. Natural calamities further diverted and drained vital government resources and caused new large-scale displacement of people. The war had resulted in 2 million deaths, and some 4 million people had been displaced. A memorandum of understanding on resumption of peace negotiations, signed on 15 October 2002 by the Government and SPLM/A, provided for the two sides to extend the cessation of hostilities and to facilitate humanitarian access. Further progress on humanitarian access was made under the auspices of the Technical Committee on Humanitarian Assistance, which was chaired by the Secretary-General’s Special Envoy for Humanitarian Affairs for the Sudan.

In September, the Government and SPLM/A met in Naivasha, Kenya, and signed an agreement on security arrangements. Under its terms, the Sudan would have two armies under separate command and control during a six-year interim period. The two sides also agreed on a proportional reduction of forces and on establishing joint units under the command of the President.

Communications. The AU Central Organ of the Mechanism for Conflict Prevention, Management and Resolution, at its ninety-second ordinary session (Addis Ababa, 12-13 June), forwarded the decisions adopted to the Security Council on 16 June [S/2000/644], including one on the Sudan. The Central Organ welcomed the progress made in the peace process under the auspices of IGAD, and commended Kenya and its Special Envoy, Lazarus K. Sumbeiywo, for their efforts in facilitating the negotiations between the Sudanese Government and SPLM/A. It appealed to both parties to display the necessary spirit of accommodation so that a lasting solution could be found to the conflict. The Central Organ welcomed the adoption by the parties, during the fifth session of the Political Committee Task Force (Nairobi, 7-21 May), of the Verification and Monitoring Team’s Tasking Procedures, within the framework of the addendum of 4 February 2003 to the Memorandum of Understanding on Cessation of Hostilities of 15 October 2002. The Central Organ supported the AU’s participation in the work of the Verification and Monitoring Team. It appealed to the international community to provide the necessary resources for post-conflict reconstruction efforts.

In a 15 January statement forwarded to the Council [S/2003/80], the EU Presidency condemned the executions of three persons recently sentenced to death in the Sudan and called on the Government to refrain from further executions and other forms of cruel or inhuman punishment. It stressed that such actions went against the benchmarks applied in the framework of the ongoing dialogue between the EU and the Government of the Sudan.

On 8 August [S/2003/87], the EU Presidency, welcoming the forthcoming resumption, on 10 August, of the IGAD-sponsored peace talks on the Sudan, said that it was time to strike final compromises on the outstanding issues and reach a comprehensive agreement to end the conflict and the sufferings of the civilian population in the Sudan. It called on the parties to work with
the IGAD mediators, led by Kenya, with a view to achieving a comprehensive solution, based on strict observance of the rule of law and full respect for human rights and fundamental freedoms. The EU welcomed the extension of the cessation of hostilities and of the addendum on the Verification and Monitoring Team’s procedures for a further three months and stood ready to support the monitoring mechanism.

Framework agreement on security

The Government of the Sudan and SPLM/A, on 25 September in Naivasha, Kenya, signed the Framework Agreement on Security Arrangements during the Interim Period, which the Sudan forwarded to the Security Council on 2 October [S/2003/944]. Under its terms, the Sudan would have two armies under separate command and control during the six-year interim period. They agreed on the principles of proportional downsizing of the forces on both sides, following the completion of comprehensive ceasefire arrangements, which would be monitored by international observers. Both sides agreed to contribute troops to serve in joint/integrated units to be deployed by the President.

The EU Presidency, in a 25 September statement [S/2003/948], welcomed the Agreement, which it said augured well for the continuation of negotiations on the remaining outstanding issues. It encouraged the parties to seize the momentum and to reach a final and comprehensive agreement.

SECURITY COUNCIL ACTION

On 10 October [meeting 4839], following consultations among Security Council members, the President made statement S/PRST/2003/16 on behalf of the Council:

The Security Council welcomes the agreement on security arrangements reached in Naivasha, Kenya, on 25 September 2003, between the Government of the Sudan and the Sudan People’s Liberation Movement/Army. The Council reiterates its welcome for the signing of the Machakos Protocol on 20 July 2002, which represents a viable basis for a resolution of the conflict in the Sudan. The Council looks forward to the successful conclusion of a comprehensive peace agreement, based on the Machakos Protocol. The Council further expresses its appreciation of the key role played by the Intergovernmental Authority on Development, under the leadership of the Kenyan President, the Kenyan Special Envoy, the envoys of the other Intergovernmental Authority member States and the International Observers in the Sudan peace talks.

The Council also welcomes the continuation of the ceasefire and the establishment of the Verification and Monitoring Team, the Joint Military Commission and the Civilian Protection Monitoring Team and encourages Member States in a position to do so to contribute financial and logistical resources.

The Council assures the parties of its readiness to support them in the implementation of the comprehensive peace agreement and requests the Secretary-General, in this connection, to initiate preparatory work, as soon as possible, in consultation with the parties, the Intergovernmental Authority facilitators and the International Observers, on how the United Nations could best fully support the implementation of a comprehensive peace agreement.

Sudan-Uganda

The Defence Minister of the Sudan, Major General Bakri Hassan Saleh, and his Ugandan counterpart, Amama Mbabazi, met in Uganda on 8 and 9 January and issued a communiqué, which Uganda forwarded to the Security Council on 15 January [S/2003/71]. They reviewed cooperation in defence, in particular implementation of existing agreements and protocols. The Ministers agreed that the Sudan People’s Armed Forces would deploy in the camps formerly occupied by the Uganda-based Lord’s Resistance Army (LRA) as soon as possible. The Sudanese Government reiterated its position against any contacts between its army and the LRA. The two countries agreed to deploy liaison army officers in the joint operations rooms at Gulu, Juba, Arua and Kitgum, on both sides of the joint border.

North Africa

Western Sahara

The United Nations continued its efforts to bring an end to the dispute over the governance of Western Sahara. The Personal Envoy of the Secretary-General attempted to bring the two parties together to reach agreement based on his new proposal. Those parties, Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y de Rio de Oro (POLISARIO), had agreed in 1990 to hold a referendum for the people to decide between independence or integration of the Territory with Morocco. Since then, United Nations plans to organize elections had been resisted by both sides. On the ground, the Secretary-General’s Special Representative continued to meet with representatives of the parties and neighbouring States. The United Nations Mission for the Referendum in Western Sahara (MINURSO), established by Security Council resolution 690(1991) [YUN 1991, p. 794] to implement the settlement plan approved by the Council in reso-

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POLISARIO continued to impose some minor restrictions on the freedom of movement of Moroccan prisoners of war. More than 600 were still detained by POLISARIO, some of whom had been in detention for more than 20 years. Some progress was made on other confidence-building measures, including an agreement on telephone and personal mail services between some refugee camps in Tindouf, Algeria, and the Territory. However, those steps were not implemented in 2003.


Since his previous report of April 2002 [YUN 2002, p. 211], his Special Representative, William Lacy Swing (United States), continued his regular contacts with representatives of the parties and neighbouring States, holding exchanges with representatives of Morocco and POLISARIO in Laayoune (northern sector of Western Sahara) and the Tindouf (western Algeria) area, respectively, in order to keep an open channel of communication with them and to review the situation on the ground. He also visited the capitals of regional countries.

The Identification Commission continued its work in offices in both Laayoune and Tindouf on the electronic archiving of the 244,643 individual files of persons who had applied to be included in the list of voters for the referendum in Western Sahara. Initiated in August 2001, that work had so far resulted in the electronic archiving of some 177,000 files and was expected to be completed in April 2003.

The MINURSO military component, which stood at 211 military observers and troops, continued to monitor the ceasefire between the Royal Moroccan Army and the POLISARIO military forces, which had been in effect since 1991. The MINURSO area of responsibility remained generally calm. The civilian police component of MINURSO continued to provide protection for the files and sensitive materials at the Identification Commission centres at Laayoune and Tindouf. Training activities also continued. MINURSO military observers were deployed across Western Sahara at 10 sites.

The Secretary-General’s Personal Envoy, James A. Baker III (United States), had embarked on a visit to the region to present to the parties and neighbouring countries a proposal for a political solution to the conflict over Western Sahara, as requested by the Council in resolution 1429(2002). For almost two decades, the Council and the United Nations had worked diligently to assist the parties to find a solution to the conflict. During that time, every possible option had been presented to them aimed at reaching an agreed solution. The responsibility for a positive culmination of those efforts rested solely with the parties. To give them time to consider the proposal presented by his Personal Envoy, the Secretary-General recommended a technical rollover of MINURSO’s mandate for two months, until 31 March 2003. During that period, the United Nations would do all it could to address the humanitarian requirements of the Saharan
refugees and to work with ICRC to address the plight of the prisoners of war and persons unaccounted for. He called on the international community to provide the resources necessary for WFP and UNHCR to cover the refugee food requirements. He urged the parties to release all those retained for so long, in contravention of international humanitarian law, and to embark on confidence-building measures to help to alleviate the suffering of the refugees.

**Security Council statement.** In a 23 January press statement (S/2003/116), the Security Council President said that Council members welcomed the Secretary-General’s January report (above) and agreed with his observation that the responsibility for a solution rested solely with the parties. They recalled the need to release without further delay all remaining prisoners of war, in compliance with international humanitarian law. They also recalled that Council resolution 1429(2002) called on Morocco and POLISARIO to continue to cooperate with ICRC to resolve the problem of the fate of all those unaccounted for since the beginning of the conflict. Council members expressed concern that confidence-building measures remained stalled and called on the parties to make the necessary compromises to allow person-to-person contact between Saharanis on both sides of the berm (defensive sandwall). They agreed to extend MINURSO’s mandate to give the parties time to consider the proposal presented to them by the Secretary-General’s Personal Envoy.

**SECURITY COUNCIL ACTION (January)**


*The Security Council*

*Reaffirms all its previous resolutions on Western Sahara, in particular resolution 1429(2002) of 30 July 2002.*

1. **Decides** to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 31 March 2003 in order to give the parties time to consider the proposal presented to them by the Personal Envoy of the Secretary-General;

2. **Requests** the Secretary-General to provide a report on the situation by 17 March 2003;

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

**Communication.** The Secretary-General, on 19 March [S/2003/341], informed the Security Council of the activities of his Personal Envoy, pursuant to resolution 1463(2003) (above). In January, Mr. Baker had presented his proposal, entitled “Peace plan for self-determination for the people of Western Sahara”, to King Mohammed VI of Morocco, to President Abdelaziz Bouteflika of Algeria, to the Secretary-General of POLISARIO, Mohamed Abdelaziz, and to President Maaouya Ould Sid’ Ahmed Taya of Mauritania. Council members had received a copy of the proposal in March. When presenting his proposal to the parties, Mr. Baker indicated that their views on it should be made available to him by early March, but not all parties had responded. In order to allow sufficient time to those parties and to the Personal Envoy to assess the responses, the Secretary-General proposed to defer submission of his report to the Council until 19 May. He also proposed that the Council consider authorizing a technical extension of MINURSO’s mandate for another two months, until 31 May 2003.

**Security Council statement.** In a 25 March press statement (S/2003/366), Security Council members stated that they intended to extend MINURSO’s mandate to 31 May in order to give the Secretary-General’s Personal Envoy sufficient time to evaluate the parties’ responses to his proposal. They welcomed POLISARIO’s recent release of prisoners of war; they recalled, however, that all prisoners of war still in detention should be released without further delay. The members requested the two parties to continue to cooperate with ICRC’s efforts to solve the problem of the fate of all persons who had disappeared since the beginning of the conflict. They also expressed concern at the humanitarian situation of persons affected by the ongoing crisis.

**SECURITY COUNCIL ACTION (March)**


*The Security Council*

*Reaffirming all its previous resolutions on Western Sahara, in particular resolution 1429(2002) of 30 July 2002.*

1. **Decides** to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 31 May 2003;

2. **Requests** the Secretary-General to provide a report on the situation by 19 May 2003 as proposed by the Secretary-General in his letter dated 19 March 2003 addressed to the President of the Security Council;

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

**Report of Secretary-General (May).** In response to resolution 1469(2003) (see above), the Secretary-General submitted a 23 May report on
the situation concerning Western Sahara [S/2003/565 & Corr.1]. Annexed to the report were the Person- al Envoy’s proposal for a peace plan for the self-determination of the people of Western Sahara, as well as the responses of the parties (Morocco, POLISARIO) and the neighbouring States (Algeria, Mauritania).

During the period since his previous (January) report, the Special Representative continued to maintain regular contacts with representatives of the parties and with senior officials of neighbouring countries during visits to Rabat, Tindouf, Algiers and Nouakchott. The Identification Commission completed its work on the electronic archiving of the 244,643 individual files of persons who applied to be included in the list of voters for the referendum in Western Sahara. All files had been scanned, archived and stored on both hard disks and back-up tapes to ensure security of the database. Continuing its monitoring duties, the MINURSO military component, which stood at 229 military observers and troops, reported that the area remained calm. POLISARIO continued to impose some minor limitations on MINURSO’s freedom of movement. The Mission cooperated with the parties on the marking and disposal of mines and unexploded ordnance, and also assisted in preparing a regional landmine safety workshop for Western Sahara, to be held in Mauritania in June. Work began on establishing an information system that would consolidate data on mines and unexploded ordnance that MINURSO had collected over the years.

The Special Representative continued to impress upon POLISARIO the need to release all remaining prisoners of war and upon both parties to cooperate with ICRC in determining the fate of persons who were unaccounted for. On 26 February, ICRC repatriated 100 prisoners of war to Morocco. POLISARIO continued to hold 1,160 prisoners of war, some of whom had been in detention for more than 20 years.

Although the parties had agreed in late 2002 on certain confidence-building measures concerning Western Saharan refugees, the two sides expressed divergent views on the selection criteria of family visits between the Tindouf area refugees and their communities of origin in Western Sahara. Efforts to achieve a compromise formula had failed so far, and neither side was willing to reconsider the use of the provisional list of voters as the primary basis for participant selection. The United Nations pursued other confidence-building measures, focusing on activities that were not contested, such as telephone and personal mail services between some Tindouf refugee camps and the Territory, which the two parties approved.

The Secretary-General assessed the progress achieved and problems encountered by his Personal Envoy, summarizing activities since his appointment in 1997. By late 2002, there was still little movement by either side towards a feasible settlement plan to resolve the dispute over Western Sahara; therefore, the Secretary-General and his Personal Envoy presented to the Security Council four options that would not have required the concurrence of the parties [UN 2002, p. 21]. The Council was not able to agree on any of those options; instead it supported efforts to find a political solution. The Council expressed its readiness to consider any approach providing for self-determination that might be proposed by the Secretary-General and his Personal Envoy. Subsequently, Mr. Baker, assisted by a constitutional expert, drafted a peace plan for self-determination for the people of Western Sahara, which was annexed to the Secretary-General’s report. The proposal was presented and explained to the parties and neighbouring countries during his visit to the region from 14 to 17 January 2003.

The Secretary-General believed that the peace plan provided a fair and balanced approach towards a political solution, giving each side some of what it wanted and incorporating elements of previous plans they had agreed on. It envisaged a period of transition during which there would be a division of responsibilities between the parties before the holding of a referendum that would provide the bona fide residents of Western Sahara with an opportunity to decide their future. Unlike the earlier settlement plan, the peace plan did not require the consent of both parties at each and every step of its implementation.

The Secretary-General observed that the proposed plan offered an optimum political solution to the conflict, providing the bona fide residents of Western Sahara, following an appropriate transitional period, the opportunity to determine their own future, which, in turn, would promote peace and stability in the region and would open the way to enhanced exchanges and cooperation between the countries of the Arab Maghreb Union. By combining elements of the framework agreement, favoured by Morocco, and the settlement plan, favoured by POLISARIO, it represented a compromise.

The main objection of Morocco to the peace plan seemed to be that, in the referendum to determine the final status of Western Sahara, one of the ballot choices was independence; however, independence was also one of the two ballot choices under the settlement plan, which Mo-
rococo had accepted. It was difficult to envision a political solution that, as required by Security Council resolution 1429(2002) [YUN 2002, p. 212], provided for self-determination but precluded the possibility of independence as one of several ballot questions. The Secretary-General noted that there was one amendment to the peace plan that might assuage the concern of Morocco over the ballot for the referendum. That would be to provide a third ballot choice providing for continuation of the division of authority as set forth in the peace plan, in other words, self-government or autonomy. Morocco had for some time supported the concept of self-government or autonomy as the solution to the conflict over Western Sahara. The Secretary-General and his Personal Envoy proposed that the third ballot question be included on the ballot for the referendum on the peace plan. If none of the three ballot questions obtained a majority of votes, the one receiving the fewest votes would be eliminated and a run-off referendum would be held to allow the voters to choose between the two other possibilities. If the third option, self-government or autonomy, prevailed, the electorate for future elections of the executive and legislative bodies of the Western Sahara Authority would be the bona fide residents of Western Sahara over the age of 18.

POLISARIO’s chief objection seemed to be that the peace plan was not the settlement plan. POLISARIO suggested that the parties revert to the implementation of the settlement plan, with two new elements: that the Identification Commission would process all 130,000 appeals, with no requirement that sheikhs participate, and the Commission’s decisions would be accepted as final; and that a mechanism would be added to provide for enforcement of the referendum results under Chapter VII of the UN Charter. The Secretary-General observed that even with those two new elements, the settlement plan would still require the parties’ consent at every stage of implementation. It was difficult to envision Morocco consenting to POLISARIO proposal as a way of implementing the settlement plan. As far as adding a Chapter VII mechanism to enforce the referendum results, the Secretary-General recalled that, following his report of February 2002 [YUN 2002, p. 210], the Security Council would not choose any of the four options he and his Personal Envoy had proposed because neither party would consent or agree to one of them. It was therefore unlikely that the Council would decide to enforce the referendum result under Chapter VII.

The responses of the parties also contained a number of ostensibly technical objections to the peace plan. In the Secretary-General’s view, when taken together, the objections suggested that the parties lacked the genuine will required to achieve a political solution to the conflict. He cautioned that one or both parties might approach the Council to elicit support for a process in which objections and/or changes to the peace plan would be negotiated between them; however, the Secretary-General felt that such an approach would not be conducive to moving forward. He and his Personal Envoy believed that the parties should accept the plan as proposed. Recommending that the Council endorse the peace plan, or fifth option, the Secretary-General said that it combined elements of the draft framework agreement and agreed elements of the settlement plan, and that it was fair and balanced. Following a transitional period of self-government, the proposal offered the bona fide residents of Western Sahara an opportunity to determine their future for themselves.

The Secretary-General stated that he had reluctantly come to the conclusion that unless and until the parties demonstrated their readiness to assume their own responsibilities and make the compromises necessary to reach a successful outcome to the conflict, a fresh initiative to find a solution to the issue was likely to suffer the same fate as earlier ones. He urged the Council to seize the opportunity to address the long-standing issue of Western Sahara by requesting the parties to agree to the peace plan as amended and to work with the United Nations in its implementation. He added that if the parties could not agree on an approach for a political solution and if the Council was not in a position to ask them to take steps that they did not perceive to be in their own interest, despite the fact that it might be in the interest of the population of Western Sahara, the Council might consider whether it would remain actively seized of that political process. In order to give the Council sufficient time to reflect on its decision, the Secretary-General proposed that the MINURSO mandate be extended for two months, until 31 July.

SECURITY COUNCIL ACTION (May, July)


The Security Council,
Recalling all its resolutions on Western Sahara, in particular resolution 1429(2002) of 30 July 2002,
Taking note of the report of the Secretary-General of 25 May 2003,
Commending the work of the Special Representative of the Secretary-General for Western Sahara, includ-
ing his efforts to resolve the pending humanitarian issues related to the conflict and to implement Office of the United Nations High Commissioner for Refugees confidence-building measures,

1. **Decides to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 31 July 2003 in order to consider further the report of the Secretary-General;**

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

On 31 July [meeting 4801], the Council unanimously adopted **resolution 1495(2003).** The draft [S/2003/771] was prepared in consultations among Council members.

The Security Council,

**Recalling all its resolutions on the question of Western Sahara, and reaffirming in particular resolution 1429(2002) of 30 July 2002,**

**Stressing that, in view of the lack of progress in the settlement of the dispute over Western Sahara, 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 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, and noting the role and responsibilities of the parties in this respect,**

**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 23 May 2003 and the peace plan for self-determination of the people of Western Sahara presented by his Personal Envoy, as well as the responses of the parties and the neighbouring States,**

**Acting under Chapter VI of the Charter,**

1. **Continues to support strongly the efforts of the Secretary-General and his Personal Envoy, and similarly supports their peace plan for self-determination of the people of Western Sahara as an optimum political solution on the basis of agreement between the two parties;**

2. **Calls upon the parties to work with the United Nations and with each other towards acceptance and implementation of the peace plan;**

3. **Calls upon all the parties and the States of the region to cooperate fully with the Secretary-General and his Personal Envoy;**

4. **Reaffirms its call upon the Frente Popular para la Liberación de Saguía El-Hamra y de Río de Oro to continue to cooperate with the International Committee of the Red Cross to resolve the fate of persons who are unaccounted for since the beginning of the conflict;**

5. **Reiterates its call upon the parties to collaborate with the Office of the United Nations High Commissioner for Refugees in the implementation of confidence-building measures, and continues to urge 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;**

6. **Decides to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 31 October 2003;**

7. **Requests that the Secretary-General submit a report on the situation, before the end of the present mandate, that contains information on progress made in the implementation of the present resolution;**

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

**Appointment.** The Secretary-General, on 5 August [S/2003/796], informed the Security Council of his intention to appoint Alvaro de Soto (Peru) as his Special Representative for Western Sahara. Mr. de Soto would replace Mr. Swing, who had been appointed as Special Representative for the Democratic Republic of the Congo. The Council took note of his intention on 8 August [S/2003/797].

**Report of Secretary-General (October).** In response to Security Council resolution 1495(2003) (above), the Secretary-General submitted a 16 October report on the situation concerning Western Sahara [S/2003/1016], covering developments since his May report.

His Personal Envoy had met with a high-level delegation from Morocco (Houston, Texas, United States, 17 September) to discuss the peace plan for self-determination of the people of Western Sahara. The delegation asked for some more time to reflect and consult before giving its final response to resolution 1495(2003), in particular the Council’s call on the parties to work with the United Nations and with each other towards acceptance and implementation of the plan.

MINURSO, on 7 October, completed the transfer of all sensitive files of the Identification Commission to the United Nations Office at Geneva for safe storage. The Commission would therefore be reduced and its staff was scheduled to be withdrawn from the Mission by the end of the year. The authorized Commission posts would remain budgeted to the end of the current fiscal year (30 June 2004) to permit the Council to reactivate the Commission quickly should it decide to do so. With the transfer of files, the civilian police component completed its protection duties; accordingly, the remaining police officers were being withdrawn from the Mission, with the
In regard to refugees. On 15 April, UNHCR inaugurated a package of confidence-building measures with Secretary-General, who reiterated his call to POLISARIO to expedite the release of all remaining prisoners of war. According to ICRC figures, 949 such prisoners remained, most of whom had been in detention for more than 20 years. Some progress was reported concerning the determination of the fate of unaccounted-for persons, who were subsequently removed from the list.

While the food pipeline for the Western Sahara refugees was relatively stable for some months, WFP foresaw shortages in basic foodstuffs by December if new contributions were not made. Donor interest in the refugee assistance programme remained relatively low.

UNHCR and MINURSO continued to promote a package of confidence-building measures with regard to refugees. On 15 April, UNHCR inaugurated a pilot telephone service between a refugee camp and the Territory; however, the programme was suspended by POLISARIO the next day. In May, Morocco reiterated its agreement to start mail service between the Tindouf refugee camps and the Territory, but requested that further technical discussions on modalities be held before it was started. During those discussions in October, UNHCR informed Algeria that Morocco was proposing that a direct mail service be established between the two national postal services and reminded Algeria that its formal concurrence was needed before the UNHCR-operated telephone service between the refugee camps in Algeria and the Territory could be resumed. The issue of family visits was not on the agenda of the UNHCR talks given the long-standing disagreement between the parties on selection criteria for the participants.

The Secretary-General congratulated the parties on the release of 243 Moroccan prisoners of war, the clarification of the fate of four previously unaccounted-for persons and the agreement on implementing confidence-building measures, all steps towards fostering a positive atmosphere between the parties. He called on the two sides to pursue the confidence-building measures. He also pointed out that Morocco continued to oppose the proposed peace plan, even after it had been adjusted to include a third ballot choice in the referendum, i.e., autonomy for Western Sahara, in addition to the choices of independence or integration with Morocco. Should the parties not be willing to make the necessary compromises on a political solution, the latest initiative would likely meet the same fate as earlier proposals. The acceptance of the peace plan by POLISARIO offered a window of opportunity for solving the long-standing dispute, the Secretary-General said, and he urged Morocco to seize the opportunity and engage in the process by accepting and implementing the plan.

In that context, following his 17 September discussions with the Moroccan delegation, Mr. Baker recommended that Morocco, as it had requested, be given more time to reflect before giving its final response by extending MINURSO’s mandate. The Secretary-General agreed with the recommendation and proposed an extension of three months, until 31 January 2004.

**Communication.** Morocco, in a 21 October letter to the Security Council [S/2003/1028], commented on the Secretary-General’s report (above). It claimed that the Secretariat had departed from its neutrality and objectivity by deliberately misinterpreting Council resolution 1495(2003), failing to take into account the content of the resolution, the work done in preparation for its adoption and comments made following its adoption. It was incorrect to infer from that resolution that Morocco was expected to simply sign the Personal Envoy’s plan and implement it. Morocco also took issue with the Secretariat’s selective presentation and partial interpretation of its objections to the Personal Envoy’s proposal. Morocco’s reaction concerned the entire architecture of the proposed framework, which was more a product of the settlement plan—a plan Morocco described as unworkable—than of the quest for a third way, or a definitive political solution that would respect Morocco’s sovereignty and territorial integrity. All of Morocco’s objections were recorded and confirmed.
in its 10 March observations on the draft peace plan. Since the process of settling the Western Sahara question was at a crucial stage, Morocco called on the Council to assume its responsibilities by putting an end to the dangerous turn that the process had taken. In particular, it called for respecting the terms of resolution 1495(2003).

SECURITY COUNCIL ACTION (October)


The Security Council,
Recalling all its previous resolutions on Western Sahara, and reaffirming, in particular, resolution 1495 (2003) of 31 July 2003,
1. Decides to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 31 January 2004;
2. Requests that the Secretary-General provide a report on the situation before the end of the present mandate;
3. Decides to remain seized of the matter.

Communication. Algeria, on 28 October [S/2003/1045], affirmed its support for the peace plan and for the Council’s decision to give Morocco a reprieve to reflect on its final response. It hoped that Morocco would follow POLISARIO’s steps and choose to seize the opportunity that was offered.

Further developments. The new Special Representative for Western Sahara, Mr. de Soto, assumed his duties in Laayoune on 29 October and, in November, visited Rabat, Tindouf, Algiers and Nouakchott, where he had introductory meetings with officials of the Governments of Algeria, Mauritania and Morocco and of POLISARIO [S/2004/99]. He was in contact with ICRC officials regarding Moroccan prisoners of war and the fate of persons unaccounted for. With WFP and UNHCR officials, he discussed humanitarian assistance to the refugees in the Tindouf area and other issues.

On 23 December, the Personal Envoy met with a Moroccan delegation to discuss issues pertaining to Morocco’s final response to resolution 1495(2003).

The civilian police component of MINURSO completed its mandated duties with the transfer of the Identification Commission files and materials to the United Nations Office at Geneva and was withdrawn from the Mission on 31 December.

On 7 November, POLISARIO announced the release of a further 300 Moroccan prisoners of war, who were repatriated to Morocco under ICRC auspices. That move left 613 such prisoners still in detention.

In November, UNHCR, in consultation with the Special Representative, submitted to Morocco and POLISARIO, and Algeria as the country of asylum, a detailed plan of action defining the modalities for the implementation of the exchange of family visits between the refugee camps in Tindouf and the Territory. In December, the Special Representative and UNHCR staff met in Geneva with POLISARIO representatives to discuss the proposed plan for the exchange of family visits and to seek activation of other confidence-building measures, namely telephone and mail services. POLISARIO reiterated its support for the measures as a package, while accepting that implementation could take place gradually. It expressed readiness to resume the UNHCR telephone service and to start the mail service under the terms proposed by UNHCR, which was, that mail would be collected and distributed by UNHCR on both sides. During discussions in Rabat on 19 December, the Moroccan authorities urged the Special Representative and UNHCR to work for the quick resumption of the telephone service between the camps and the Territory and supported mail service using the Moroccan postal service for the collection and distribution of mail in the Territory. UNHCR stressed the need for its unhindered access to the beneficiaries of the service and assurance of confidentiality of the mail and neutrality in its handling. Following consultations with the parties, UNHCR adjusted its initial plan for implementing confidence-building measures, taking into account the comments of Morocco, POLISARIO and Algeria. A new version of the plan of action for the confidence-building measures was submitted to the parties for their final consideration.

GENERAL ASSEMBLY ACTION

The General Assembly had before it the Secretary-General’s July report summarizing developments in Western Sahara from 1 July 2002 to 30 June 2003 [A/58/171].

On 9 December [meeting 72], the Assembly, on the recommendation of the Fourth (Special Political and Decolonization) Committee [A/58/480], adopted resolution 58/109 without vote [agenda item 9].

Question of Western Sahara

The General Assembly,
Having considered in depth the question of Western Sahara,
Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and General Assembly resolution 1514(XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,
Recalling its resolution 57/135 of 11 December 2002,
Recalling also all resolutions of the General Assembly and the Security Council on the question of Western Sahara,
Taking note of the responses of the parties and neighbouring States to the Personal Envoy of the Secretary-General, concerning the peace plan, contained in the report of the Secretary-General of 25 May 2003,
Reaffirming the responsibility of the United Nations towards the people of Western Sahara,
Noting with satisfaction the entry into force of the ceasefire in accordance with the proposal made by the Secretary-General, and stressing the importance it attaches to the maintenance of the ceasefire as an integral part of the settlement plan,
Underlining, in this regard, the validity of the settlement plan, while noting the fundamental differences between the parties in its implementation,
Stressing that the lack of progress in the settlement of the dispute on Western Sahara 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 and that, in view of this, the search for a political solution is critically needed,
Welcoming the efforts of the Secretary-General and his Personal Envoy in search of a mutually acceptable political solution, which will provide for self-determination of the people of Western Sahara,
Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,
Having also examined the report of the Secretary-General,
1. Takes note of the report of the Secretary-General;
2. Underlines Security Council resolution 1495 (2003), in which the Council expressed its support of the peace plan for self-determination of the people of Western Sahara as an optimum political solution on the basis of agreement between the two parties;
3. Continues to support strongly the efforts of the Secretary-General and his Personal Envoy in order to achieve a mutually acceptable political solution to the dispute over Western Sahara;
4. 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;
5. Calls upon all the parties and the States of the region to cooperate fully with the Secretary-General and his Personal Envoy;
6. Reaffirms the responsibility of the United Nations towards the people of Western Sahara;
7. 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 the 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;
8. 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 and to report thereon to the General Assembly at its fifty-ninth session;
9. Invites the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution.

MINURSO

In 2003, the military component of the United Nations Mission for the Referendum in Western Sahara (MINURSO), which was under the command of Major General Gyorgy Száraz (Hungary), continued its functions of monitoring the ceasefire between the Royal Moroccan Army and the POLISARIO forces that came into effect in 1991 (YUN 1991, p. 796). It maintained a strength of approximately 230 troops, its authorized size, throughout the year. The civilian police component, with an authorized strength of 26, was withdrawn at the end of the year, following completion of its mandated duties to protect the Identification Commission’s files and documents, as those records were sent to the United Nations Office at Geneva for safe storage.

On 13 February [S/2003/192], the Secretary-General informed the Security Council of his intention to add Croatia, Mongolia and Sri Lanka to the list of countries providing military personnel to MINURSO. The Council took note of the intention on 18 February [S/2003/193].

MINURSO financing

The resumed fifty-seventh session of the General Assembly had before it the performance report on the MINURSO budget for 1 July 2001 to 30 June 2002 [A/57/65]. Expenditures for the year totalled $39,090,500 (gross), against a total apportionment of $48,849,600, leaving an unencumbered balance of $9,759,100. The Secretary-General also submitted the MINURSO budget for 1 July 2003 to 30 June 2004 [A/57/675 & Corr.1], which amounted to $44,239,400, inclusive of budgeted voluntary contributions in kind of $1,776,100.

Having reviewed those reports, ACABQ, in April [A/57/772/Add.2], recommended that $41,529,500 gross ($38,488,500 net) be appropriated for the maintenance of MINURSO for 1 July 2003 to 30 June 2004 and that the amount be as-
essed 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 May 2003.

GENERAL ASSEMBLY ACTION

On 18 June [meeting 90], the General Assembly, on the recommendation of the Fifth Committee [A/57/854], adopted resolution 57/331 without vote [agenda item 135].

Financing of the United Nations Mission for the Referendum in Western Sahara

The General Assembly, mindful of 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,

Recalling Security Council resolution 690(1991) of 29 April 1991, by which the Council established the United Nations Mission for the Referendum in Western Sahara, and the subsequent resolutions by which the Council extended the mandate of the Mission, the latest of which was resolution 1485(2003) of 30 May 2003,

Recalling 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 56/298 of 27 June 2002,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions ES-IV(1975) of 17 December 1973 and 55/255 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 31 March 2003, including the contributions outstanding in the amount of 48.1 million United States dollars, representing some 10 per cent of the total assessed contributions, notes with concern that only twenty-three 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 other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

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 without prejudice to a future discussion and decision on the proposal to create the post of Deputy Force Commander;

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 2001 to 30 June 2002

12. Takes note of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2001 to 30 June 2002;

Budget estimates for the period from 1 July 2003 to 30 June 2004

13. Decides to appropriate to the Special Account for the United Nations Mission for the Referendum in Western Sahara the amount of 43,401,000 dollars for the period from 1 July 2003 to 30 June 2004, inclusive of 41,329,500 dollars for the maintenance of the Mission, 1,433,100 dollars for the support account for peacekeeping operations and 1,638,400 dollars for the United Nations Logistics Base;

Financing of the appropriation

14. Decides also to apportion among Member States the amount of 43,401,000 dollars at a monthly rate of 3,646,750 dollars, in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolutions 55/236 of 25 December 2000 and 57/290 A of 20 December 2002, and for 2004, subject to a decision of the Security Council to extend the mandate of the Mission;

15. Decides further that, in accordance with the provisions of its resolution 979(X) 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 3,389,800 dollars at a monthly rate of 292,485 dollars, comprising the estimated staff assessment income of 3,041,000 dollars approved for the Mission, the pro-
rated share of 322,900 dollars of the estimated staff assessment income approved for the support account and the prorated share of 25,900 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

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 4 above, their respective share of the unencumbered balance and of other income in the total amount of 12,289,500 dollars in respect of the financial period ended 30 June 2002, in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolutions 55/236 and 57/290 A, and taking into account the scale of assessments for 2002, as set out in its resolutions 55/5 B and 57/4 B;

17. Decides also that for Member States that have not fulfilled their financial obligations to the Mission, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the total amount of 12,289,500 dollars in respect of the financial period ended 30 June 2002, in accordance with the scheme set out in paragraph 16 above;

18. Decides further that the decrease of 817,500 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2002 shall be set off against the credits from the amount 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. Decides to include in the provisional agenda of its fifty-eighth session the item entitled “Financing of the United Nations Mission for the Referendum in Western Sahara”.

Libyan Arab Jamahiriya

In 2003, the Libyan Arab Jamahiriya informed the Security Council of the steps it had taken to comply with Council resolutions adopted in 1992 and 1993, by which the Council had imposed sanctions on Libya because of its failure to cooperate in establishing responsibility for the terrorist attacks against Pan Am Flight 103 on 21 December 1988 and Union de transports aériens (UTA) Flight 772 on 19 September 1989. The steps taken by Libya related to bringing to justice two suspects charged with the bombing of Pan Am Flight 103 and accepted responsibility for the actions of its officials. The Council decided in September to lift the sanctions, with immediate effect. In December, Libya announced that it was halting its programmes for developing weapons of mass destruction and agreed to sign a number of international treaties on fighting terrorism.

Lockerbie question

The Libyan Arab Jamahiriya, on 20 January [A/57/716, S/2003/82], reacted to the 2 January decision of President George W. Bush of the United States to extend the comprehensive sanctions against Libya for a further year, beginning on 7 January. The sanctions included the freezing of Libyan assets in United States banks, the barring of Libyan students from advanced studies in the United States and a ban on the export to Libya of United States technical equipment. Libya expressed its displeasure at that measure, which it found in contradiction with events, particularly Libya’s positive attitude with regard to improving relations between the two countries. Noting that the United States sanctions had been unilaterally applied since 1986, Libya said that Mr. Bush was linking them with the 1988 Pan Am 103 incident (see p. 1300) and with Libya’s failure to comply with Security Council resolutions 731 (1992) [YUN 1992, p. 55], 748(1992) [ibid., p. 55] and 883(1993) [YUN 1995, p. 100]. Libya contended that it had complied with those resolutions and trusted that the United States would rescind its coercive measures.

On 15 August [S/2003/818], Libya informed the Council that the remaining issues relating to the fulfillment of all Council resolutions resulting from the Lockerbie incident had been resolved. It had facilitated bringing to justice the two suspects charged with the bombing of Pan Am Flight 103 and accepted responsibility for the actions of its officials. It had cooperated with the Scottish investigating authorities before and during the trial and had arranged for payment of appropriate compensation. In addition, Libya was committed to cooperating in the international fight against terrorism.

The United Kingdom and the United States, referring to the Libyan statement in a letter of their own dated 15 August [S/2003/899], noted recent actions by Libya and said they were prepared to lift the measures set forth by the Council in resolutions 748(1992) and 883(1993) once the necessary compensation sums were transferred to the agreed escrow account.

Security Council consideration. On 9 and 12 September (meeting 4620, Parts I & II), the Security Council considered the 15 August letters from Libya and from the United Kingdom and the United States (above) concerning the Lockerbie question. The Council President observed that
the bombing of Pan Am flight 103 over Lockerbie was an appalling act of terrorism which cost the lives of 270 people. Following painstaking negotiations, Libya had accepted responsibility and had agreed to pay a substantial sum of compensation to victims’ relatives; in addition, it had agreed to cooperate with any further Lockerbie investigation and had renounced terrorism. Those actions opened the possibility of Libya moving back into the international community and of the lifting of sanctions. The President added that the Council needed to act unanimously on the question and that other related issues needed to be resolved; he therefore suggested that the Council adjourn for consultations. The Council voted unanimously in favour of that procedural motion and resumed its discussion on 12 September.

SECURITY COUNCIL ACTION


The Security Council,


Recalling also the statement by its President of 8 April 1999,

Welcoming the letter dated 15 August 2003 from the Chargé d’affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council recounting steps that the Government of the Libyan Arab Jamahiriya has taken to comply with the above-mentioned resolutions, particularly concerning acceptance of responsibility for the actions of Libyan officials and making arrangements for paying compensation. However, the United States continued to have serious concerns about other aspects of Libyan behaviour, including its poor human rights record, its rejection of democratic norms and standards, its irresponsible behaviour in Africa, its history of involvement in terrorism and, in particular, its pursuit of weapons of mass destruction and their delivery.

The United Kingdom said that Libya, by accepting responsibility and agreeing to pay compensation, had met the requirements the Council had placed on it when imposing sanctions. It had also denounced terrorism, and, as a demonstration, had signed the 12 international conventions on the fight against terrorism.

France announced that an agreement had been reached on 11 September between the representatives of the families of those lost on UTA flight 772 and the Qaddafi Foundation. That had allowed France not to oppose the lifting of sanctions.

Communication. On 19 December [A/58/664, S/2003/1896], Libya said that during talks between Libyan, United States and United Kingdom experts concerning Libyan military activities, the Libyan experts briefed their counterparts on Libya’s materials, equipment and programmes, such as centrifuges and containers for transporting chemicals that might be used to produce internationally banned weapons. Following those talks, Libya decided to eliminate such materials, equipment and programmes, thus ridding itself of all internationally proscribed weapons. Libya also decided to limit its missile activities to missiles with a range consistent with that agreed under the Missile Technology Control Regime. It would take such steps in a transparent manner that permitted verification, including immediate international monitoring.

Libya affirmed that it considered itself bound by the 1968 Treaty on the Non-Proliferation of Nuclear Weapons [YUN 1968, p. 17], the Agreement on Safeguards of the International Atomic Energy Agency (IAEA) and the 1971 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological)
and Toxin Weapons and on Their Destruction [YUN 1973, p. 19] and that it accepted any other commitments, including the Model Protocol Additional to the Safeguards Agreement, approved by the IAEA Board of Governors in 1997 [YUN 1997, p. 486], and the Convention.

Libya believed that the arms race was conducive neither to its own security nor to that of the region and ran counter to its strong desire for a peaceful world. Through its unilateral initiative, Libya wished to encourage all countries to follow its example, starting with those of the Middle East region.

Press statement. In a 23 December press statement [SC/7967], Security Council members took note of Libya’s 19 December letter announcing that it would abandon voluntarily its programmes for developing weapons of mass destruction (WMDs). They welcomed Libya’s announcement and its recognition of the strength of the international community’s concerns over WMD proliferation and its voluntary decision to address those concerns. Council members looked forward to an early implementation of all the commitments made in the announcement, including the subjection to urgent international verification. In that context, they welcomed and encouraged Libya’s cooperation with others, including the United Nations and other relevant international bodies, to ensure the verified elimination of all its WMD programmes.

1986 attack against Libya

Southern Africa

Angola
Within a year of the signing of a memorandum of understanding between the Angolan Government and the National Union for the Total Independence of Angola (UNITA), Angola was firmly placed on the path of political, social and economic recovery. For the first time since independence in 1975 [YUN 1975, p. 853], Angolans could live without fear of a recurrent war. The AU Executive Council (Ndjamena, Chad, 3-6 March) [A/57/775] lifted its sanctions against UNITA, as the Security Council had done by resolution 1448(2002) in December 2002 [YUN 2002, p. 232].

During 2003, the Government and UNITA held discussions on the structure of the new Government and agreement was reached on a basic outline. Some other political parties did not support those decisions, however, claiming that the bilateral talks had circumvented them. The Government announced that the next general elections would take place in 2004, but other parties believed that the time frame was insufficient for proper preparations.

The United Nations Mission in Angola (UNMA) continued to assist with the reintegration of ex-combatants, coordination of humanitarian assistance, support for mine action and protection of human rights. The Secretary-General reported that UNMA had completed its political mandate and called for the UN Resident Coordinator to take over the responsibility for UN system activities in Angola at the completion of the UNMA mandate on 15 February.

Political developments

The Secretary-General recalled that UNMA’s mandate, as laid out in resolution 1433(2002), by which the Mission was established, was to assist the parties in the consolidation of peace. He reported that there was a consensus between the Government and UNITA that the implementation of the 1994 Lusaka Protocol for the Cessation of Hostilities and the Resolution of Outstanding Military Issues [YUN 1994, p. 346] had been completed. Those two actors, along with other political parties and members of civil society, had since been engaged in identifying the priorities to move the country from a state of armed conflict towards normalcy.

The political commissions of the ruling party, Movimento Popular da Libertação de Angola (MPLA), and UNITA held high-level talks in Luanda from 2 to 5 December 2002 to discuss issues of national interest, in particular a review of the Constitution. They agreed on four main issues, namely, that the President should remain head of State and Government, as well as party leader, the President would appoint provincial Governors on the recommendation of the majority party in each province, the legislature would
be unicameral, and a National Council would be established in addition to the legislature, as a consultative body in which “traditional rulers” could participate. Some other political parties did not support those conclusions, however, arguing that the bilateral agreements between MPLA and UNITA had circumvented the Parliament’s Constitution Drafting Committee, in which other parties were represented.

President José Eduardo dos Santos appointed the Minister of the Interior, Fernando da Piedade Dias do Nascimento, Minister of the Government of Unity and National Reconciliation on 5 December 2002 and the Cabinet was named. Some opposition parties and members of civil society felt that the new Cabinet did not represent sufficient change. The National Assembly approved the $6 billion budget for 2003 that was submitted by the new Government. UNITA abstained in the vote, stating that it had not been consulted beforehand.

The Government indicated that the next general elections would take place in 2004; however, some MPLA and UNITA representatives said the necessary conditions did not yet exist. They proposed postponing the elections by one or two years to allow time to achieve national objectives such as revising the Constitution, elaborating a new electoral law, establishing an independent electoral commission, registering eligible voters and resettling or returning internally displaced persons and ex-combatants. Some representatives from both parties, however, felt that elections should be held as soon as possible. President dos Santos promised to pursue a national consensus on fixing the date for the next general elections.

UNMA activities

UNMA continued to implement its mandated tasks, which included support for the reintegration of ex-combatants, the facilitation and coordination of humanitarian assistance, the provision of technical support for mine action and the protection and promotion of human rights.

The demobilization, resettlement and reintegration of ex-combatants was one of the Government’s main priorities to ensure stability. By the end of January, approximately 90,000 ex-combatants had been registered, and an estimated 15,000 were waiting to move to their designated reception areas from the provinces and neighbouring countries. Owing to operational problems, however, the registration process was halted. Among factors that hindered the demobilization, resettlement and reintegration process was a politicized ex-combatant population, which was not always cooperative with the authorities. A lack of adequate facilities, inaccessible roads, mine infestation and inadequately prepared resettlement areas had added considerably to delays. A further difficulty was that government payments to ex-combatants had been irregular and not universal. About 20 per cent of ex-combatants were still waiting to be included on the payroll. Some communities had expelled resettled ex-combatants, forcing them to return to reception areas. Despite the Government’s announced intention to close all reception areas by the end of 2002, only four had been closed by reporting time and 34 were still open. The Government estimated that it could take up to one year to transfer the remaining ex-combatants and their dependants from their current locations to the more than 600 areas designated for resettlement.

UNMA continued to play a coordinating role, including by ensuring that information on ex-combatants gathered by the Angolan Armed Forces during the disarmament phase was shared with the civilian institutions that provided social services. The Technical Group on demobilization, resettlement and reintegration, under the chairmanship of UNMA, integrated and coordinated the activities of the UN system in Angola. It worked with the World Bank, which was preparing to fund a multi-donor resettlement programme to cover the demobilization of some 167,000 and the payment of reintegration benefits to 108,000 ex-combatants.

Although the humanitarian situation in the country had become more stable since late 2002, the need for emergency assistance remained pressing in many parts of Angola. Approximately 1.8 million people, including ex-combatants and their family members, required food assistance to survive, and that number was expected to increase until the April harvest. Mortality rates remained at emergency levels, particularly in remote locations. The onset of seasonal rains and mine incidents had severely affected humanitarian operations.

The end of hostilities had led to major population movements. During 2002, 1.3 million internally displaced persons returned to 500 communities and 85,000 refugees spontaneously returned from neighbouring countries. Basic conditions were in place in 30 per cent of the return sites. According to the Government, 2.8 million people were displaced at the beginning of 2003, and as many as 400,000 refugees remained in neighbouring countries. It was expected that some 1.2 million internally displaced persons, ex-combatants and refugees would return to their areas of origin during 2003. UN assistance was focused on reducing poverty and creating the conditions for sustainable development. Other
areas that received UN support included mine action, promotion and protection of human rights, child protection and development activities.

The Secretary-General reported that UNMA had completed its mandated political tasks, as set out in resolution 1433(2002) [YUN 2002, p. 221]. However, the residual tasks foreseen in that resolution, including in the areas of human rights, mine action, reintegration and resettlement of ex-combatants, humanitarian assistance, economic recovery and electoral assistance, required continued attention and support, for which financing was needed. In that context, the Secretary-General requested his Special Representative to consult with Angola and other national and international stakeholders to determine how the United Nations could continue to assist the Government and people in the consolidation of peace in the country. Those discussions took place in Luanda from 18 January to 1 February. As a result, the Secretary-General proposed that the UN Resident Coordinator resume the residual tasks foreseen in that resolution.

The Secretary-General requested his Special Representative in Angola, Ibrahim A. Gambari, for his efforts to bring that phase of the UN involvement in Angola to a conclusion.

Financing of UNAVEM/MONUA

On 17 April, the Secretary-General submitted the final performance report of the United Nations Angola Verification Mission (UNAVEM) and the United Nations Observer Mission in Angola (MONUA). The former’s mandate expired in 1997 [YUN 1997, p. 103], when it was transformed into the latter, whose mandate expired in 1999 [YUN 1999, p. 106]. The report contained information on income and expenditure, assets, outstanding liabilities and reserves and fund balances as at 30 June 2002, when net cash (assets less liabilities) for UNAVEM/MONUA totalled $54,658,000. That amount plus uncollected assessments and other receivables in the amount of $60,434,000 brought the fund balance to $115,092,000. The Secretary-General recommended that an amount of $12,458,000 be retained from the balance of appropriations to meet the cost of outstanding government claims. In the light of the overall financial situation of the Organization and the fact that assessed contributions to peacekeeping as at 15 March in the amount of $1.5 billion remained unpaid, he recommended that the return of cash available for credit to Member States be suspended until the financial situation improved.

GENERAL ASSEMBLY ACTION

On 18 June [meeting 90], the General Assembly, on the recommendation of the Fifth Committee [A/57/830], adopted resolution 57/329 without vote [agenda item 151].


The General Assembly, having considered the report of the Secretary-General on the financing of the United Nations Angola Verification Mission and the United Nations Observer Mission in Angola and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. Authorizes the Secretary-General to retain an amount of 12,458,000 United States dollars from the balance of appropriations of 72,831,000 dollars to meet the cost of outstanding government claims;

2. Decides to include in the provisional agenda of its fifty-eighth session the item entitled “Financing of the United Nations Angola Verification Mission and the United Nations Observer Mission in Angola”.

Other questions

Cooperation between the AU and the UN system

The United Nations and the African Union (AU) continued to cooperate in many areas, especially regarding the conflict situations and threats to peace and security in Africa. The AU forwarded to the United Nations the decisions and statements of its various bodies on African political issues [S/2003/142, A/57/775, S/2003/654, S/2003/760, S/2003/876, A/58/626], including those concerning Angola, Burundi, Côte d’Ivoire, the Central African Republic, the DRC, Liberia, Rwanda, Somalia and the Sudan (see above under relevant country headings). Other decisions or statements concerned the Comoros, Madagascar, Mauritania and Sao Tome and Principe (see below), and the
broader issues of terrorism in Africa, combating corruption, defence and security, and democracy and good governance.

**Comoros**

With regard to the Comoros, the AU Central Organ of the Mechanism for Conflict Prevention, Management and Resolution, at a meeting held at the level of heads of State and Government (Addis Ababa, Ethiopia, 3 February) [S/2003/142], took note of the outcome of the ministerial meeting of the countries of the region and the Troika (Mozambique, South Africa, Zambia) (Moroni, Comoros, 28-29 January) and endorsed its recommendations. It called on the Comorian parties to cooperate in implementing those recommendations, in particular the holding of legislative elections according to the timetable proposed by the Follow-up Committee of the Fomboni Agreement of 17 February 2001, in order to complete the process of establishing institutions of the Union of the Comoros, including the National Assembly, Assemblies of the islands and the Constitutional Court.

The Fomboni Agreement (the Framework Agreement for Reconciliation in the Comoros) between the Government and separatist leaders outlined a plan for decentralizing political power in the Comoros. It provided for a new Comorian State with a new Constitution and institutions. The establishment of the new State was accepted by a referendum in December 2001, and an interim Government of transition was established in January 2002.

The AU Executive Council, at its third ordinary session (Maputo, Mozambique, 4-8 July) [A/58/626], expressed concern at the difficulties encountered in implementing the Fomboni Agreement and reiterated that it remained the appropriate framework for resolving the crisis in the Comoros. Taking note of the results of the official visit to South Africa on 20 June of the three Presidents of the autonomous islands of the Comoros, the Executive Council encouraged the Ministerial Committee of the countries of the region and the Troika to pursue their efforts to resolve all outstanding issues in order to pave the way for legislative elections.

**Madagascar**

The AU Central Organ of the Mechanism for Conflict Prevention, Management and Resolution, at its level of heads of State and Government (Addis Ababa, 3 February) [S/2003/142], took note of the evolution of the situation in Madagascar and recommended that the AU Assembly recognize Marc Ravalomanana as the legitimate President of Madagascar. It underscored the need for national reconciliation to create conditions for lasting peace and stability and requested the engagement of the Government and the Malagasy parties, including through the convening of a round table to address all outstanding issues related to human rights, the rule of law and the issue of political detainees.

The AU Assembly also adopted a decision on Madagascar at its second ordinary session (Maputo, 10-12 July) [A/58/626]. The Assembly endorsed the Central Organ’s decision and decided that Madagascar should resume its seat within the AU. It encouraged the Government to continue its policy of national reconciliation.

**Mauritania**

The AU Central Organ of the Mechanism for Conflict Prevention, Management and Resolution, at its ninety-second ordinary session (Addis Ababa, 12-13 June) [S/2003/654], condemned the attempted coup d’état that took place in Mauritania on 8 June, which was in flagrant contradiction with the principles of the AU Constitutive Act and with relevant AU declarations and decisions. It expressed satisfaction that constitutional order had been restored and appealed to the people of Mauritania to respect that order and uphold democratic principles.

**Sao Tome and Principe**

The AU Central Organ of the Mechanism for Conflict Prevention, Management and Resolution, in a communiqué issued after its ninety-third ordinary session (Addis Ababa, 24 July) [S/2003/760], condemned the coup d’état that took place in Sao Tome and Principe on 16 July and welcomed the successful resolution of the crisis through the restoration of constitutional order and the return of the elected President, Fradique de Menezes, thanks to international mediation by representatives of the Economic Community of Central African States (ECCAS), the AU, the Community of Portuguese-speaking Countries and Nigeria. The Central Organ expressed grave concern over the resurgence of coups d’état on the continent.