Chapter III Political and security questions

Americas

In 2003, the United Nations continued its assistance to countries in the Americas region in their efforts to strengthen political stability, security and judicial reform, human rights, demilitarization and the strengthening of civilian power, indigenous rights and socio-economic development. The Organization monitored the political and security situation in Central America, where signs of fragmentation and personalism in political parties had fostered alliances that sought short-term political gain to the detriment of consensus-building around key policy issues.

The United Nations Verification Mission in Guatemala (MINUGUA) continued to fulfill its mandate of verifying compliance with the 1996 peace accords between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca, and to monitor compliance with the 2000-2004 verification timetable. Implementation of the accords fell short of expectations as progress was overshadowed by a worsening public security situation, persistent corruption, setbacks in the fight against impunity and an ongoing climate of intimidation against justice officials and human rights defenders. However, elections were held successfully in December and the General Assembly extended MINUGUA’s mandate for the final time, until 31 December 2004.

In Haiti, despite efforts by the Organization of American States and the Caribbean Community Secretariat, the political and security crisis continued. By late 2003, a newly united opposition movement was calling for the President’s resignation. The UN system continued its long-term programme of support for the country.

On 13 February, the Security Council condemned a bomb attack in Bogotá, Colombia, and urged all States to work together and to cooperate with and provide support and assistance to the Colombian authorities in their efforts to find and bring to justice the perpetrators, organizers and sponsors of that terrorist attack. The Council expressed its reinforced determination to combat all forms of terrorism.

In November, the Assembly again called on States to refrain from promulgating laws that imposed economic and trade measures on other States, such as the ongoing United States economic embargo against Cuba.

Central America

In response to General Assembly resolution 57/160 [YUN 2002, p. 241], the Secretary-General submitted an August report on the situation in Central America [A/58/270], focusing in particular on efforts to overcome the aftermath of the conflicts of the 1980s and to build equitable, democratic and peaceful societies. The report also provided information on the work of the UN system on the isthmus since September 2002 and on implementation of the 1996 Guatemala Agreement [YUN 1996, p. 168].

The Secretary-General stated that electoral processes in El Salvador and Guatemala in 2003 had brought key actors in both countries’ civil wars closer than ever to executive responsibilities at the national level since the signing of the respective peace agreements. El Salvador’s peaceful and orderly municipal and legislative elections on 16 March transformed the party of the former insurgent movement, Frente Farabundo Martí para la Liberación Nacional (FMLN), into the country’s leading political force. However, voter absenteeism reached 60 per cent, and organizational and voter-counting problems confirmed the urgent need for electoral reform. Leading up to Guatemala’s national elections (9 November and 28 December), a voter registration drive was launched to counter the historically low participation, particularly among indigenous people. However, congress was unable to obtain the two-thirds majority required to approve an Electoral and Political Parties Law that would have expanded opportunities for participation, particularly by members of the Mayan, Xinca and Garifuna indigenous groups. The Supreme Electoral Tribunal and the Supreme Court of Justice upheld the ban on retired General Efraín Ríos Montt registering as a presidential candidate. However, the ban was subsequently overturned by the Constitutional Court.

That ruling prompted an outcry by human rights representatives and many sectors of the population and was received with concern by the international community in Guatemala. The retired General, founder of the ruling Frente...
Republicano Guatemalteco, was the top military commander at the peak of the civil war, which resulted in the violent deaths of 200,000 people. In a positive step, representatives of the political parties signed on 10 July the Ethical-Political Agreement on the electoral process and a declaration of commitment to the peace agreements.

Efforts to improve the human rights situation in Central America continued to be affected by the lack of sufficient budgetary allocations to the leading national human rights institutions and deficiencies in the way States addressed the pervasive problem of common crime. In Guatemala, a climate of intimidation clouded efforts to enhance the human rights situation and to fight impunity. In March, the Guatemalan Government and the Human Rights Ombudsman’s Office reached an agreement to establish the Commission for the Investigation of Illegal Groups and Clandestine Security Apparatuses, with the participation of the United Nations and the Organization of American States (OAS). The Secretary-General was considering recommendations from an exploratory technical mission that he had sent to assess the viability of such a commission and to determine the conditions for possible UN participation. The Ombudsman’s Office continued to face challenges but showed encouraging signs of reorganization and strengthening under new leadership. However, the reform process was still hindered by low budgetary allocations and excessive reliance on international cooperation to finance reforms. The common element in the threats and attacks reported in Guatemala had been the lack of results in official investigations; the State’s institutional response had been isolated and limited in combating impunity was fragile. The Guatemalan National Civil Police was significantly weakened by lack of resources, and the Government responded to the growing crime problem by resorting to the army for joint operations.

In El Salvador, civil society and its organizations were becoming more mature in the defence, promotion and fulfilment of human rights. The Ombudsman’s Office continued to be under-funded and remained isolated from other related State institutions. A new Human Rights Division of the Salvadoran National Civil Police had yet to develop significantly, and the resolution of criminal cases continued to be low. In Honduras, the rate of extrajudicial killings of children remained high and, according to the Public Ministry, there were 74 cases against officials regarding such killings. The proliferation of largely unregistered firearms in the country posed a threat to public security, and an initiative that gave carriers three months to hand over illegal firearms had been met with a lukewarm response. However, the crime rate had decreased as a result of joint police and armed forces operations. The large number of private security companies and the increased participation in citizen security committees had raised concerns about the State’s control of such activities. In Nicaragua, the Government had launched an initiative to improve public security, which included investing in crime prevention and working closely with local communities. Also, efforts to modernize the National Police had met with significant success.

In the area of judicial reform and the rule of law, countries in the region had taken important steps to establish a more transparent justice sector. In Honduras and Nicaragua, new criminal procedure codes had introduced significant advances. In El Salvador, on the other hand, the codes still required a full review. However, measures to improve access to prompt and due justice still fell short of expectations, particularly for the indigenous population and the rural poor of the region. Penitentiary system reforms had made little headway and high levels of pre-trial detentions continued to result in overcrowding and lawlessness in prisons. On 5 April, a massacre in a Honduras prison claimed 69 lives, exposing the need for an overhaul of the penitentiary system. In further efforts to strengthen public safety in the region, the Central American countries held the Special Summit on Regional Security (Belize City, 4 September) and the Special Summit on Security (Guatemala City, 17 July).

In the area of good governance, efforts were made to tackle corruption in the region. On 12 December 2002, Nicaragua’s National Assembly had stripped former President Arnoldo Alemán, implicated in a $100 million corruption scandal, of his parliamentary immunity; Mr. Alemán was subsequently convicted of money-laundering. Nicaragua also established a multi-donor trust fund to support the fight against corruption, created a Public Ethics Office within the Presidency, advanced the implementation of the Integrated Financial Management System for real-time monitoring of budget execution, began discussing a bill to regulate the transfer of resources from the central budget to the municipalities, and was using foreign financial support to improve the internal audit capacity of its institutions and municipalities. In El Salvador, the Legislative Assembly approved a law reforming the Government’s auditing agency, the Court of Accounts. In Honduras, the Comptroller General’s Office and the Board of Administrative Integrity were replaced by the Superior Court of Accounts, and the National Congress elected the Court’s
three members. However, that process was criticized for lack of transparency. The Honduran National Anticorruption Council was limited in its ability to carry out its mandate, owing to the absence of the relevant organic law. In a positive development, Honduras undertook an international audit of the military institute and related companies, which forged a closer relationship between the armed forces and civil society. Guatemala’s 2003 budget law came slightly closer than in the previous year to realizing its institutional requirements to carry out the peace agreements but remained insufficient for any significant expansion or improvement in the services required of ministries, secretariats and the other government institutions. New accusations surfaced regarding corruption and influence of drug trafficking and organized crime in Guatemala’s governmental spheres; in January, the United States announced that it had decertified Guatemala as a cooperative ally in the fight against illegal drugs.

According to the Economic Commission for Latin America and the Caribbean, the gross domestic product (GDP) of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua grew by 1.9 per cent, but the per capita GDP fell by 0.46 per cent. The 2003 human development index of the United Nations Development Programme (UNDP), calculated on the basis of life expectancy, adult literacy, level of schooling and per capita GDP, placed the Central American countries, except Costa Rica, in the category of nations with “medium human development”; Costa Rica was classified as a country with “high human development”. In January, Central American ministers met with the United States Trade Representative to launch negotiations on the Central America Free Trade Agreement. In addition, talks regarding the Canada–Central America Free Trade Agreement, involving Canada, El Salvador, Guatemala, Honduras and Nicaragua, were ongoing. Negotiations on a Central American common customs union continued and a mechanism for trade dispute resolution was approved. On 2 June, in Washington, D.C., delegates of the eight countries involved in the Puebla–Panama Plan—a comprehensive initiative for regional integration and development [YUN 2001, p. 240]—adopted a strategy for the implementation of the Mesoamerican Initiative for Sustainable Development.

The Central American Integration System (SICA) continued to promote regional coordination. The Nineteenth Ministerial Conference on Political Dialogue and Economic Cooperation between the European Union (EU) and SICA (Panama City, 12 May) acknowledged the importance of civil society’s participation in strengthening EU–Central America relations, agreed that meetings of the civil society forums in each region should be encouraged, and stated their intention to work on the definition of international forums and mechanisms for consultation on topics such as the peaceful solution of conflicts, the fight against drugs and terrorism. The first round of negotiations of the Political Dialogue and Cooperation Agreement was held in Panama from 13 to 15 May. The OAS Inter-American Committee against Terrorism held its third regular session (San Salvador, El Salvador, 22-24 January), during which the Secretary-General of SICA informed participants of anti-terrorism actions taken by Central American countries. El Salvador ratified the 2002 Inter-American Convention against Terrorism and Nicaragua adhered in April. Costa Rica and Peru signed a letter of understanding relating to the inter-American fight against corruption. The XI Institutionalized Ministerial Meeting between the Rio Group (of Latin American and Caribbean States) and the EU (Athens, Greece, 28 March) discussed EU–Rio Group relations and social cohesion and democratic governance in the new economic environment. The Rio Group, at its XVII Summit of Heads of State and Government (Cuzco, Peru, 23-24 May), adopted the “Cuzco Consensus”, a strategic agenda for overcoming poverty and social exclusion and covering democratic governance, cultural identity and external relations, as well as the promotion of a free and fair international trade system. Signatories of the Consensus agreed to hold a special meeting within the framework of the General Assembly’s fifty-eighth (2003) session.

Border disputes between Central American countries continued their course in the International Court of Justice (see PART FOUR, Chapter I) and OAS facilitated progress in the Guatemala/Belize boundary dispute. The Secretary-General stated that it was encouraging that bilateral disputes were increasingly finding resolution through established international channels.

The United Nations continued to support the process of peace-building and development in Central America. On 29 May, El Salvador submitted an inventory of the armaments of its armed forces. FMLN, in an 8 July letter to the Secretary-General, confirmed its decision to lift its reservation regarding the permanent character of the armed forces, and its recognition of the role that the armed forces currently fulfilled and the transformation of its doctrine, vision, values and organization. In Guatemala, the United Nations continued to verify compliance with the 1996 Agreement on a Firm and Lasting Peace
Progress in implementation of the Agreement fell short of expectations and was insufficient to inject needed momentum into the peace process. Advances were recorded in such areas as legislation against discrimination, the re-deployment of military units and the development of a national reparations programme for the victims of human rights violations committed during the armed conflict. However, setbacks occurred in key areas of human rights, demilitarization and the fight against impunity. At the Consultative Group for Guatemala meeting (Guatemala City, 13–14 May), organized by the Inter-American Development Bank, participants agreed that the peace agreements should remain Guatemala’s essential road map for development.

UNDP partnered with Central American countries to respond to natural disasters and to ensure continuity after humanitarian relief by putting in place early recovery initiatives. In Guatemala, UNDP’s project on an early flood-warning system in the valleys of Madre Vieja River, implemented by the National Coordinator for Disaster Reduction, was helping to reduce risks and sustain human development among highly vulnerable communities. In Honduras, the UN system strengthened its strategic contribution to the development of rural society, and supported risk management, fortification of prevention measures, handling the hydrographic river basins, sustainable rural development, inter-institutional support to the forest sector and decentralization. By March, UNDP, through a capacity-building project in Nicaragua, had trained 86 local authorities and community members in disaster risk management.

The Secretary-General observed that concerted efforts would be required to ensure that all Central American countries and all segments of their populations benefited from new arrangements such as the Central American Free Trade Association and the Puebla-Panama Plan. Only by promoting inclusion at the political, socioeconomic and cultural levels would the region achieve peaceful, democratic and just societies, and the United Nations and the international community should continue to accompany the Central American countries in their efforts to reach those goals.

**GENERAL ASSEMBLY ACTION**

On 23 December [meeting 79], the General Assembly adopted resolution 58/239 [draft: A/58/L.38 & Add.1] without vote [agenda item 26].

**The situation in Central America: progress in fashioning a region of peace, freedom, democracy and development**

The General Assembly,

Recalling its relevant resolutions in which it requests the Secretary-General, the United Nations system and the international community to give the Central American peoples the fullest possible support and assistance for the maintenance and strengthening of peace, democracy and sustainable development, as well as the relevant Security Council resolutions,

Reaffirming all its relevant resolutions in which it stresses the importance of international economic, financial and technical cooperation and support, both bilateral and multilateral, aimed at promoting the economic and social development of Central America, and with a view to supplementing the efforts of the Central American peoples and Governments to consolidate peace and democracy;

Reaffirming also the close link and interaction between peace, democracy and sustainable development, as fundamental and permanent pillars of the political action of the Central American Governments aimed at realizing the legitimate aspirations of the Central American peoples with regard to economic development and social justice,

Recognizing that peace and democracy in Central America are the outcome of a long and arduous process in which obstacles have been encountered but have been overcome through the efforts of the peoples and Governments of the region, with the assistance and cooperation of the United Nations system and the international community,

Commending the efforts of the Central American Governments to continue fulfilling the commitments they have assumed under national, regional and international agreements with a view to strengthening democratic governance in the region by promoting and protecting human rights, implementing social programmes designed to eradicate poverty and eliminate unemployment, improving public safety, strengthening the judiciary, consolidating a modern and transparent public administration and combating corruption,

Taking note of the existence throughout Central America of freely elected Governments, indicating the achievement of political, economic and social changes that are creating a climate conducive to the promotion of economic growth and advancement towards the further development of democratic, just and equitable societies,

Emphasizing, in this context, the importance of the progress made in connection with the Central American Integration System, the Alliance for the Sustainable Development of Central America, the establishment of the regional social policy contained in the Treaty on Central American Social Integration and the Framework Treaty on Democratic Security in Central America, and in other areas,

Noting with satisfaction the progress made in the region in the search for peaceful solutions to existing territorial and border disputes, in accordance with the principles of public international law and the provisions of the Charter of the United Nations,

Recognizing that the slow development of the economies of the area has been aggravated in the past two
years by an unfavourable international economic cli-
mate, which has had an adverse effect on the efforts of
the peoples and Governments of the region to promote
sustainable economic development in an efficient
manner,

Recognizing with satisfaction the progress made by the
Central American region in the promotion and protec-
tion of human rights and fundamental freedoms, and
the obligation of States to continue guaranteeing their
effective enjoyment,

Recognizing the efforts of the region to enhance pub-
lit safety by taking steps to combat the illicit trade in
small arms and light weapons, by arms limitation and
control, and by combating transnational organized
crime and terrorism,

1. Takes note of the report of the Secretary-General
on the situation in Central America;

2. Commends the efforts of the peoples and Govern-
ments of the Central American countries to consoli-
date peace and democracy and promote sustainable
development by implementing the commitments
adopted at the meetings and summit meetings held in
the region;

3. Recognizes the progress made towards the imple-
mentation of the peace agreements in the region, and
in that context reiterates its special appreciation and
congratulations to the people and Government of El
Salvador for the successful fulfilment of the commit-
ments set forth in those agreements, and expresses its
profound thanks to the Secretary-General for accom-
panying that process and for the commendable way in
which he has carried out his verification work, which is
considered to be completed;

4. Urges the Government of Guatemala to give re-
newed impetus to the fulfilment of the commitments
contained in the peace agreements, in the context of
reprogramming for the period 2001-2004, and to the
understanding reached during the Fifth meeting of the
Consultative Group for Guatemala, organized by the
Inter-American Development Bank and held in
Guatemala City on 13 and 14 May 2003;

5. Urges the Governments of the region to continue
to guarantee free, fair and transparent elections with a
view to consolidating democracy in Central America;

6. Commends the efforts and actions undertaken in
the region to combat the scourge of corruption, urges
all the States of the area to continue their actions with a
view to eradicating that evil, and in that context takes
note of the congratulations expressed in the report of
the Secretary-General with regard to the work done by
the Government of Nicaragua in this field;

7. Views with satisfaction the approval of important
reforms relating to the conduct of public affairs and ju-
dicial matters in Central America, and in that context
expresses special satisfaction concerning the progress
made in Honduras towards completion of the political
transformation process initiated in September 2001,
and urges the Central American Governments to re-
double their efforts with a view to strengthening those
areas even further;

8. Urges Member States to continue combining
efforts to adapt, strengthen and promote even further
the Central American integration process, and appeals
to the international community to continue supporting
that process in order to contribute to the sustainable
development of the region;

9. Notes with satisfaction the progress made by the
Central American Governments in the peaceful settle-
ment of their territorial and border disputes, and
strongly urges them to continue working to resolve out-
standing issues in full compliance with the norms of
international law and the relevant international deci-
sions and judgements;

10. Emphasizes the importance of foreign trade for
the development of Central America, and in this con-
text stresses the value of negotiating balanced free-
trade agreements between the region and its counter-
parts outside the region;

11. Reaffirms the importance of the Puebla-Panama
Plan as a means of promoting the economic and social
development of the Mesoamerican region, and recog-
nizes in that connection the progress made in imple-
menting the Plan;

12. Urges the Governments of the Central Ameri-
can countries to continue strengthening the institu-
tions responsible for the promotion and protection of
human rights and fundamental freedoms, thus help-
ing to ensure their full and effective enjoyment by all
the peoples of the region;

13. Appeals to the Central American Governments
to continue their efforts to combat the illicit trade in
small arms and light weapons, promote arms limita-
tion and control and combat transnational organized
crime and terrorism by fulfilling the obligations as-
sumed in the relevant international agreements;

14. Appreciates the efforts of the Central American
countries to strengthen public safety in the area by or-
ganizing summit meetings on that issue, such as the
Special Summit on Regional Security, held in Belize
City on 4 September 2003, and the Special Summit on
Security, held in Guatemala City on 17 July 2003;

15. Welcomes the efforts made to strengthen civilian
police forces and promote the demilitarization of the
region, in particular the actions taken in the context of
the regional plan to combat organized crime, and em-
phasizes the need for the international community to
continue lending its support to the relevant institu-
tions in the field of public safety;

16. Takes note with satisfaction of the intention of the
Government of Guatemala to establish a Commission
for the Investigation of Illegal Groups and Clandes-
tine Security Apparatuses, and urges the Secretary-
General to support that initiative with a view to its
prompt implementation;

17. Appreciates the initiative of the Government of
Nicaragua relating to the programme for arms limita-
tion and control in Central America to achieve a rea-
sonable balance of forces and to foster stability, mutual
trust and transparency, which will be implemented in
the region in accordance with the established sched-
ule;

18. Emphasizes the need for the international com-
community, especially the organs, funds and programmes
of the United Nations system and the donor com-

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of the Central American Governments, in particular their efforts to consolidate democracy through the promotion of integration and the implementation of a comprehensive sustainable development programme and to submit to the General Assembly a complete consolidated report on the implementation of all the relevant resolutions on Central America: progress in fashioning a region of peace, freedom, democracy and development, and decides that, henceforth, the item will be considered every two years.

On 17 December, the Assembly adopted resolution 58/177 (see p. 950) on international assistance to and cooperation with the Alliance for the Sustainable Development of Central America.

Guatemala

Although progress in Guatemala’s peace process fell short of expectations in 2003, peaceful elections took place in December. Advances included the approval of a reparations programme for victims of human rights violations committed during the armed conflict, the partial redeployment of the military in conformity with peacetime needs and the passage of legislation that penalized discrimination, stipulated that public services should be provided in indigenous languages, broadened protection of the rights of children and created civilian service as an alternative to mandatory military service. However, too many governmental initiatives were inconclusive or limited in relation to the magnitude of the problems they sought to address. Advances were overshadowed in the public eye by the worsening public security situation, persistent corruption, obstacles in the fight against impunity and an ongoing climate of intimidation against justice officials and human rights defenders.

The United Nations Verification Mission in Guatemala (MINUGUA) (see below) continued to verify the 1996 Agreement on a Firm and Lasting Peace [YUN 1996, p. 168], signed by the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG), and monitored compliance with the 2000-2004 verification timetable [YUN 2000, p. 296]. The calendar established in the 1997 Agreement on the Implementation, Compliance and Verification Timetable for the Peace Agreements [YUN 1997, p. 76] for the period 1997-2000, also signed by the Government and URNG, expired in December 2000. Since much of the peace agenda remained outstanding, the Commission to Follow Up the Implementation of the Peace Agreements rescheduled pending commitments in an implementation timetable for 2000-2004, which recognized that the basis of the Timetable Agreement and the peace agreements as a whole remained valid. MINUGUA also embarked on a transition programme to strengthen the capacity of Guatemalan governing and civil institutions to carry forward the peace agenda after the Mission’s withdrawal.

In resolution 58/238 of 23 December, the General Assembly authorized a final renewal of MINUGUA’s mandate from 1 January to 31 December 2004 (see p. 283).

MINUGUA

The mandate of MINUGUA, which had been extended to 31 December 2003 by General Assembly resolution 57/161 [YUN 2002, p. 247], included verification of all agreements signed by the Government of Guatemala and URNG, covering human rights, demilitarization and the strengthening of civilian power, indigenous rights, and socio-economic aspects and the agrarian situation. The Mission also verified compliance with the 2000-2004 timetable for the implementation of pending commitments under the peace agreements, and provided good offices, technical assistance and information to the public on its activities and the results of its verification.

Report of Secretary-General. In response to Assembly resolution 57/161, the Secretary-General submitted an August report [A/58/262] covering the state of implementation of the 1996 peace agreements (see p. 280). He also described MINUGUA’s transition strategy in preparation for its departure from Guatemala and presented a plan for restructuring the Mission in 2004 as the final stage in the phase-out process leading to its closure.

In view of the fact that a new Government would assume office in January 2004, President Alfonso Portillo had requested in September 2002 that MINUGUA’s mandate be extended until the end of 2004.

The Secretary-General noted that implementation of the peace accords since September 2002 had fallen short of expectations and was insufficient to inject new momentum into the peace process. Although progress in specific areas had been verified by the Mission, there were also negative developments, such as the worsening public security situation, persistent corruption, obstacles in the fight against impunity and an ongoing climate of intimidation against justice officials and human rights defenders.

Violence was reported at the start of the election campaign period, and the build-up to the elections, to be held in November and December, was generating tensions at the local level. Electoral authorities had come under increased pressure, especially after a controversial ruling in July by the nation’s highest court permitting the...
presidential candidacy of retired General Efrain Rios Montt.

The Secretary-General stated that, following the elections, the country’s new leaders would face enormous challenges to overcome disunity and provide coherent direction forward. With changes at both national and local levels and the customary enormous staff turnover, it would be no small task to ensure the continuity of the important institutions and programmes that had been developed as part of the peace agreements. The new Government would have a great responsibility in that regard, but civil society and the private sector would also need to play a forceful role and lend their creativity to the building of a stronger and more effective consensus around the peace agenda. The support of the international community and of the United Nations, in particular, would continue to be crucial as new authorities took over and tackled their new functions.

During 2003, MINUGUA focused on building the capacity of partners in Guatemalan institutions to provide oversight and to promote and monitor issues defined in the peace accords. Upon MINUGUA’s departure, the Office of the Human Rights Ombudsman would have the national mandate and territorial coverage to investigate complaints and call for State action regarding human rights problems. Support for the Office, pursuant to a memorandum of understanding signed in October 2002, had involved all of the Mission’s substantive units and field offices. Major accomplishments in 2003 included country-wide staff training on human rights monitoring and other peace issues, increased joint verification and technical assistance to create computerized information systems. MINUGUA’s work with civil society aimed to complement efforts with the Office of the Human Rights Ombudsman and other key State institutions, especially on issues and in regions where the responsible State entities remained weak. That work involved training and providing technical support. Technical assistance had also been provided to local indigenous and women’s organizations working in the decentralized structures for participatory planning and oversight, known as Development Councils.

MINUGUA continued to serve as an observer on the Commission to Follow Up the Implementation of the Peace Agreements, participating in discussions to revamp the peace institutions (including the Commission itself) as a step in reinvigorating the peace process. With significant reform and sufficient resources, the Commission could provide general monitoring and oversight of the pending peace agenda and serve as a national advocate for the peace agreements.

In addition to transition efforts with national institutions and organizations, complementary measures had been advanced to ensure specific follow-on by the specialized agencies, funds and programmes of the UN system, as well as by members of the international community. That work would intensify in 2004.

It was envisaged that the Office of the United Nations High Commissioner for Human Rights (OHCHR) would upgrade its current technical assistance project. MINUGUA had been working with OHCHR to implement a joint work plan on indigenous peoples’ rights and had assisted in developing plans for OHCHR’s future work in Guatemala.

The Mission was also working with the UN country team to develop the new United Nations Development Assistance Framework and to build greater capacity for monitoring and reporting on the implementation of the pending socio-economic commitments contained in the peace agreements. It coordinated efforts to produce a supplement to the annual Human Development Report that integrated information from several UN programmes and agencies and presented a joint assessment of the status of the commitments. Follow-up needs established and lessons learned from completed Trust Fund projects on a range of socio-economic, justice, public security and defence issues had been presented to UNDP, which had taken measures to provide greater support and technical assistance to national institutions in those areas. MINUGUA staff were working with the donor community and cooperation agencies to identify priorities that had emerged as a result of the Mission’s phase-out process. The Mission also worked closely with the Dialogue Group—composed of major bilateral donors and multilateral development banks—on the implementation of the pending commitments contained in the peace agreements. It would continue to provide information and analysis to the Dialogue Group, given the Group’s key role in facilitating direct communication between the international community and Guatemalan political actors on the peace agenda and its potential for channelling cooperation efforts towards consolidation of the peace process after MINUGUA’s departure.

Beginning in the third quarter of 2003, the National Transition Volunteers programme, another component of the transition strategy, would train up to 60 Guatemalans, giving priority to indigenous people and to those committed to working in provincial areas, and would integrate them into the Mission’s substantive activi-
ties, including its verification work. The Mission would then seek formal agreements with the Ombudsman, key human rights and indigenous organizations and other appropriate institutions with the aim of facilitating the volunteers’ employment once the Mission had ended.

MINUGUA would continue to verify compliance with the peace agreements in two broad areas—human rights, and demilitarization and the strengthening of civilian power—but with sharply defined priorities, given both budgetary constraints and advances in the transition process. The Office of the Spokesperson, with fewer staff, would continue to play a key role in publicizing peace-process achievements and providing information on the Mission’s transition and withdrawal. The Transition Unit, which would also be smaller, would continue to provide strategic advice and monitor benchmarks in the transition process, coordinate follow-on with the Office of the Human Rights Ombudsman and work with the country team and bilateral cooperation agencies to ensure political, technical and financial support for national transition partners. Two thematic advisory units would be maintained in 2004—on human rights and on demilitarization and strengthening civilian power. The advisory units on indigenous rights and on economic policy and rural development would be phased out in 2003 and follow-up mechanisms would be put in place. MINUGUA was seeking support to extend the Programme of Institutional Assistance for Legal Reform into 2004, as its extensive contacts and knowledge of peace accord legislative initiatives would provide significant support to the Mission’s political focus, especially work in the new Congress. In addition, it was expected that the National Transition Volunteers programme would be financed by the Trust Fund and implemented directly by the Mission.

The Secretary-General stated that the new Government, to be elected in 2003, together with civil society and the private sector, must work with increased energy and commitment to lead the country into a new period characterized by constraints and advances in the transition process. The implementation of the commitments entered into by the two parties was governed by the Timetable Agreement [YUN 1997, p. 176], which expired in December 2000. The Commission to Follow Up the Implementation of the Peace Agreements rescheduled pending commitments in an implementation timetable for 2000-2004 [YUN 2000, p. 245].

During the first half of 2003, implementation of the peace accords had lagged and implementing institutions suffered from inadequate budget resources. The Secretary-General stated that while there had been some advances in the peace accords, the sustainability of the process could be ensured only if Guatemalans assumed full ownership and responsibility to carry it forward.

In March, the Government and the Human Rights Ombudsman agreed to establish an internationally backed investigation into the existence of clandestine groups with the participation of the United Nations and OAS. The Secretary-General sent a technical exploratory mission of independent experts and UN officials to Guatemala to assess the viability of such a commission.

New accusations surfaced regarding corruption and the influence of drug trafficking and organized crime in governmental spheres and, in January, the United States Government decertified Guatemala as a cooperative ally in the fight against illegal drugs. In positive steps, the Government dissolved its anti-narcotics police after members were implicated in corruption and serious human rights violations, and the Attorney General initiated investigations of five former military officers suspected of involvement in illicit activities.

The Government, donors and representatives of civil society and political parties participated in a Consultative Group meeting (Guatemala City, 13-14 May) to evaluate progress in implementing the peace agreements since its 2002 meeting [YUN 2002, p. 244]. Participants agreed that the peace agreements should remain Guatemala’s essential road map for development. The President of Guatemala announced that he would introduce legislation to strengthen the Commission to Follow Up the Implementation of the Peace Agreements and the Peace Secretariat of the Presidency so as to ensure the continuation of the peace accords under the next administration. The largest donors expressed continued strong support provided Guatemalans remained committed to moving ahead in the peace process. Following the Consultative Group meeting, the Government presented measures to advance the
peace agenda during the remaining months of the Administration, including full demobilization of the Presidential General Staff, passage of a 2004 budget reflecting peace priorities, reductions in the army, initiation of the national reparations programme and the investigation into clandestine groups, as well as the passage of pending legislation, including the land registry law and laws on access to information, on classification and declassification, and on elections and political parties.

The Under-Secretary-General for Political Affairs, Kieran Prendergast, visited Guatemala from 4 to 8 July to review MINUGUA’s transition plans. He met with President Portillo and high government officials, electoral authorities and leaders of civil society and underlined the need to intensify national efforts to implement the peace agreements and to hold credible and transparent elections. He emphasized that the rule of law and broader political participation were the keys to Guatemala’s future.

MINUGUA’s verification activities focused on human rights, the rights and identity of indigenous peoples, demilitarization and the strengthening of civilian power, and socio-economic aspects and the agrarian situation. It took into account the implementation and verification timetable established by the Commission to Follow Up the Implementation of the Peace Agreements, which extended through 2004. It also considered the governmental commitments made at the 2002 Consultative Group meeting for Guatemala [YUN 2002, p. 244].

With the end of the armed conflict, Guatemala’s human rights situation improved dramatically, as reflected in reduced levels of such violations as executions, forced disappearances and torture. Political killings were greatly reduced and freedom of the media increased. However, public security deteriorated, impunity persisted, and the climate of intimidation against human rights defenders, social activists and journalists continued. Human rights activists, judges, prosecutors, attorneys, witnesses and forensic anthropologists had also been subject to threats, harassment and violence. A common element in such cases was the lack of results in official investigations and a limited response from justice sector authorities.

In March, in an effort to identify and combat clandestine groups believed to be responsible for such incidents, the Government and the Human Rights Ombudsman, with the support of non-governmental human rights organizations, agreed to create a Commission for the Investigation of Illegal Groups and Clandestine Security Apparatuses and asked the United Nations to support the initiative. Although some justice sector institutions, including the National Civilian Police, received nominal budgetary increases for 2003, the amounts remained insufficient to undertake much-needed expansion and reform plans. In July, the Government inaugurated a National Reparations Commission to create and administer a national reparations programme for victims of Guatemala’s 36-year-long armed conflict. The Secretary-General stated that it was important that Congress reverse its earlier refusal to support national reparations and ensure the funding base and institutional stability of payments by enacting the programme into law.

As to the identity and rights of indigenous peoples, Congress, in May, passed a new law that facilitated the use of indigenous languages in official spheres. Legislation that penalized discrimination, including on the basis of gender, was also adopted. However, Guatemala had still not recognized the competence of the UN Committee on the Elimination of Racial Discrimination to receive individual complaints. Also pending was legislation to recognize indigenous people’s right to land ownership and indigenous access to radio frequencies and to bilingual education. In addition, the Office for the Defence of Indigenous Women’s Rights still lacked a sufficient budget to effectively expand its coverage into the country’s interior. There were few advances in promoting access to the justice system by indigenous peoples in their own languages, and educational reforms to reflect linguistic and cultural diversity progressed slowly. In March, President Portillo inaugurated a presidential commission for the elimination of discrimination and racism against indigenous peoples. Its effectiveness would ultimately depend on its ability to generate recommendations and on the Government’s willingness to implement them.

Advances in consolidating civilian institutions and reshaping the military continued to be slow, despite progress towards dissolving the Presidential General Staff and redeploying the military according to national defence criteria rather than internal security considerations. Results were mixed on the legislative agenda. Despite discussions between the Government and civil society organizations, laws on access to information and the classification of State information, controls over firearms and munitions, and the regulation of private security firms had yet to be enacted. Congress, however, passed a law establishing a civilian alternative to mandatory military service. In public security, the Government responded to the growing crime problem by involving the army in public security, rather than by strengthening the National Civilian Police. A February 2003
presidential decree established an Advisory Council on Security, composed of prominent citizens, to contribute to the formulation of public security and defence policy. Draft regulations on police discipline, which would help to remove abusive or corrupt officials, were still awaiting approval by the executive branch.

Progress under the Agreement on Social and Economic Aspects and the Agrarian Situation was hindered by inadequate resources for relevant institutions and lack of movement on key legislation in land and rural development, fiscal policy and transparency, decentralization, education, health and housing, and the resettlement of uprooted populations and incorporation of ex-combatants. On the other hand, the Government’s continued transfer of funds to the military resulted in a 24 percent increase in the 2003 budget of the National Defence Ministry and a 95 percent increase for the Presidential General Staff. On the positive side, the Government agreed to a proposal from civil society organizations to fund a “coffee emergency” plan, including crop diversification and the acquisition of new lands for unemployed peasants, as the depression of coffee prices continued; presented a land registry bill to Congress for action in April; opened discussions on defining a rural development policy with peasant and indigenous groups and members of the private sector; and created a new System for the Decentralization of Educational Management. However, the law on agrarian and environmental jurisdiction remained pending; laws regarding idle lands and territorial taxes recorded no progress; and the Trust Fund for Productive Projects, directed at both the demobilized and the resettled populations, had been awaiting implementation for two years. The Secretary-General urged that national resources be assigned to the Fund. In May, a major EU-funded project in support of the reincorporation of ex-combatants came to a close.

The Secretary-General observed that he was encouraged that Guatemala’s main political parties were committed to carrying on with the peace process and by the involvement of civil society organizations and their enthusiasm in framing future work agendas around the agreements’ implementation. He stated that, during its remaining months in office, the current Administration should make every effort to implement pending commitments in the peace accords; completely dissolve the Presidential General Staff; accelerate actions against discrimination; reduce military spending and dedicate significantly increased resources to social needs and rule of law institutions in the 2004 budget; adopt in its entirety the list of priority peace legislation prepared by the Commission to Follow Up the Implementation of the Peace Agreements, including the land registry law, the laws on access to information and the classification and declassification of State information and a framework law on civilian intelligence; pass legislation to strengthen the key institutions created by the accords; and begin implementation of the national reparations programme for victims of human rights violations. The Secretary-General indicated that the international community should continue to focus its cooperation on the framework of the peace accords, while national efforts were being strengthened to sustain the process.

On 9 November and 28 December, Guatemala held national elections, which resulted in Oscar José Rafael Berger Perdomo of the Gran Alianza Nacional party being elected President for a four-year term.

Human rights

In November, the Secretary-General transmitted to the General Assembly MINUGUA’s fourteenth report [A/58/566] on human rights in Guatemala, which described the Mission’s activities from July 2002 to June 2003.

During the reporting period, hopes for improving the human rights situation were damped by the loss of momentum for the reform of public security and justice institutions. Deterioration of the National Civilian Police and slow modernization of the courts and the Public Prosecutor’s Office had undermined key commitments of the peace agreements. There was almost no significant progress in combating impunity or eliminating clandestine groups; human rights defenders and judicial sector officials remained subject to threats, harassment and fatal attacks; and systematic discrimination against indigenous communities continued unabated. Although important advances had been made in promoting human rights since 1997, they might prove to be of limited value without the strengthening of fundamental State institutions.

The Secretary-General stated that it was a cause for concern in Guatemala that, not only were reforms progressing slowly, but the Government and a number of other political and social sectors no longer appeared committed to the changes that were at the heart of the peace process. It was thus urgent for the new Government (2004-2008), with political will, organization and adequate resources, to build on achievements to end impunity and achieve justice for human rights violations; it should adopt a public security strategy that would include the doubling of the police force to 40,000 officers by the end of 2008, the establishment of strong internal professional controls, the dis-
On 23 December [meeting 79], the General Assembly adopted resolution 58/238 [draft: A/58/L.30/Rev.1 & Add.1] without vote [agenda item 26].

**United Nations Verification Mission in Guatemala**

The General Assembly, Recalling its resolution 57/161 of 16 December 2002, in which it decided to authorize the renewal of the mandate of the United Nations Verification Mission in Guatemala from 1 January to 31 December 2003,

Taking into account the fact that the Government of Guatemala has reaffirmed its commitment to the full implementation of the peace agreements,

**United Nations Verification Mission in Guatemala**

The General Assembly, Recalling its resolution 57/161 of 16 December 2002, in which it decided to authorize the renewal of the mandate of the United Nations Verification Mission in Guatemala from 1 January to 31 December 2003,

Taking into account the fact that the peace agreements have yet to be implemented and that the timetable for implementation and verification established by the Commission to Follow Up the Implementation of the Peace Agreements extends through 2004,

Taking into account the request of the Government of Guatemala for an extension of the mandate of the Mission until the end of 2004, in view of the desirability of maintaining the presence of the Mission during the first year of the new Government, which will take office in January 2004,

Taking into account also the fact that civil society organizations in Guatemala and the international community expressed concerns about potential setbacks to implementation of the peace agreements should the Mission depart Guatemala before a new Government had taken office and demonstrated its commitment to the peace process,

Taking note of the fact that on 10 July 2003, under the auspices of the Organization of American States, representatives of the main political parties of Guatemala signed a declaration expressing support for the peace agreements as State accords that should be incorporated into government plans for the peace process,

Taking into account the eighth report of the Secretary-General on the verification of compliance with the peace agreements,

Taking into account also the fourteenth report of the Mission on human rights,

Taking into account further the report of the Commission for Historical Clarification,

Stressing the positive role played by the Mission in support of the Guatemala peace process, and emphasizing the need for the Mission to continue to enjoy the full support of all parties concerned,

Having considered the report of the Secretary-General on the work of the Mission and the recommendations contained therein,

1. Welcomes the eighth report of the Secretary-General on the verification of compliance with the peace agreements;
2. Also welcomes the fourteenth report of the United Nations Verification Mission in Guatemala on human rights;
3. Calls upon the Government of Guatemala to maintain its commitment to the full implementation of the peace agreements;
4. Also calls upon newly elected public officials to act on the commitments made by representatives of the main political parties in July 2003 to support the peace agreements as State accords that should be incorporated into government plans for the peace process;
5. Takes note of the recommendations contained in the report of the Secretary-General on the work of the Mission aimed at ensuring that the Mission responds adequately to the demands of the peace process until 31 December 2004, in view of the many outstanding
matters still to be addressed and the need to ensure the commitment of the new Government to the peace agreements;

6. Notes that, while in 2003 the Mission verified four broad areas of the peace agreements, in 2004 it will concentrate only on two areas, human rights and demilitarization and the strengthening of civilian power;

7. Also notes the results of the meeting of the Consultative Group for Guatemala, held in Guatemala City on 13 and 14 May 2003, at which all participants agreed that the peace agreements should remain Guatemala’s essential road map for development;

8. Further notes that, while advances were verified in certain areas, such as the passage of legislation against discrimination in its many manifestations, the redeployment of military units and the development of a national reparations programme for the victims of human rights violations committed during the armed conflict, shortages in the implementation of the peace agreements in the past year fell short of expectations and was insufficient to inject new momentum into the peace process;

9. Notes that the consolidation of the peace-building process remains a significant challenge which will require greater political will, the involvement of all sectors of society and the continued engagement of the international community;

10. Notes with concern the climate of intimidation against justice officials, human rights defenders, social activists and journalists;

11. Takes note of the agreement reached in March 2003 by the Government of Guatemala and the Human Rights Ombudsman, with the support of civil society, and currently being revised, to create a Commission for the Investigation of Illegal Groups and Clandestine Security Apparatuses;

12. Welcomes the agreement signed on 1 December 2003 between the Government of Guatemala and the Office of the United Nations High Commissioner for Human Rights for the establishment of an office of the High Commissioner in Guatemala, with a mandate to monitor the human rights situation in the country and advise the Government in formulating and implementing policies, programmes and measures to promote and protect human rights;

13. Calls upon the Government to further reduce military spending and to allocate adequate budgets to those institutions and programmes that are given priority under the peace accords;

14. Underlines the importance of implementing fully the Agreement on Identity and Rights of Indigenous Peoples as a key to fighting discrimination and consolidating peace and equality in Guatemala, and highlights the need to implement fully the Agreement on Social and Economic Aspects and Agrarian Situation as a means of addressing the root causes of the armed conflict;

15. Calls upon the Government to implement the recommendations of the Commission for Historical Clarification, with a view to promoting national reconciliation, upholding the right to truth and providing redress for the victims of human rights abuses and violence committed during the thirty-six-year conflict;

16. Invites the international community, and in particular the specialized agencies, funds and programmes of the United Nations system, to continue to support the consolidation of the peace-building process, with the peace agreements as the framework for their technical and financial assistance programmes and projects, and stresses the continued importance of close cooperation among them in the context of the United Nations Development Assistance Framework for Guatemala;

17. Urges the international community to support financially, through existing mechanisms of international cooperation, the strengthening of national capacities to ensure the consolidation of the peace process in Guatemala;

18. Also urges the international community to support financially the strengthening of the capacities of the specialized agencies, funds and programmes of the United Nations system, including the future office of the High Commissioner in Guatemala City, as the Mission prepares to intensify its work to ensure specific follow-on by the entities of the United Nations system, as well as by members of the international community, within the framework of a general transition strategy;

19. Stresses that, while the Mission has played a key role in promoting the consolidation of peace and the observance of human rights and in verifying compliance with the revised timetable for the implementation of pending commitments under the peace agreements, the long-term success of the peace process depends on the capacities and renewed commitment to the peace agreements of Guatemalan institutions, both of the State and of civil society;

20. Requests the United Nations system in Guatemala to continue to monitor and report annually, utilizing the methodology and indicators developed with the Mission, on the implementation of the Agreement on Social and Economic Aspects and Agrarian Situation as part of the national human development report of the United Nations Development Programme;

21. Decides to authorize a final renewal of the mandate of the United Nations Verification Mission in Guatemala from 1 January to 31 December 2004;

22. Requests the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at the beginning of its fifty-ninth session, as well as a final report on the work of the Mission before the end of that session, together with the recommendations that he may deem appropriate.

Haiti

During 2003, the political and security crisis in Haiti, which had been ongoing since the contested election of President Jean-Bertrand Aristide in 2000 (YUN 2000, p.299), deepened. By the end of the year, a newly united opposition movement, comprising political parties, civil society actors and the private sector, was calling for the President’s resignation.
Political and security situation

In an April report to the Economic and Social Council on the long-term programme of support for Haiti [E/2003/54] (see also p. 952), the Secretary-General observed that the political crisis in Haiti was continuing despite the efforts of OAS to help the country emerge from the impasse and strengthen its institutions.

On 19 and 20 March, a high-level OAS/Caribbean Community delegation visited Haiti and called on the Government to take specific steps to create a climate conducive to the holding of free and credible local and legislative elections in 2003, while calling on the opposition and civil society to respect their obligations in that regard. In its report to the OAS Permanent Council on 3 April, the delegation took a negative view of developments in Haiti and deplored the fact that the Government and the opposition were continually hurling accusations at each other, thus impeding the electoral process.

In resolution 2003/46 of 23 July (see p. 952), the Council took action on the Secretary-General’s report.

Financing of missions

UNMIH, UNSMHI, UNTMIH, MIPONUH


The Assembly, in resolution 57/323 of 18 June (see p. 85), took action on the Secretary-General’s report.

Other questions

Colombia

In an 8 February statement [SG/SM/8099], the Secretary-General expressed shock at the terrorist attack on a social club in Bogotá, Colombia, on 7 February. He condemned the bombing and all other terrorist attacks by any actor in the Colombian conflict, and stated that the killing of innocent civilians would deepen the conflict and further undermine Colombia’s hopes for the peace it sought and deserved. He extended his profound sympathy to the families of the victims.

SECURITY COUNCIL ACTION


The Security Council,
Reaffirming the purposes and principles of the Charter of the United Nations and its relevant resolutions, in particular resolution 1373(2001) of 28 September 2001,
Reaffirming also the need to combat by all means, in accordance with the Charter, threats to international peace and security caused by terrorist acts,
1. Condemns in the strongest terms the bomb attack in Bogotá on 7 February 2003 in which many lives were lost and people injured, and regards such an act, like any act of terrorism, as a threat to peace and security;
2. Expresses its deepest sympathy and condolences to the people and the Government of Colombia and to the victims of the bomb attack and their families;
3. Urges all States, in accordance with their obligations under resolution 1373(2001), to work together urgently and to cooperate with and provide support and assistance, as appropriate, to the Colombian authorities in their efforts to find and bring to justice the perpetrators, organizers and sponsors of this terrorist attack;
4. Expresses its reinforced determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter.

Cuba–United States

In August [A/58/287], the Secretary-General, in response to General Assembly resolution 57/11 [YUN 2002, p. 232], submitted information received as at 16 July 2003 from 86 States and 19 UN bodies and agencies on the implementation of the resolution, by which the Assembly had called on States to refrain from unilateral application of economic and trade measures against States, and urged them to repeal or invalidate such measures. The preamble to resolution 57/11 had made particular reference to the Helms-Burton Act, promulgated by the United States in 1996, which had strengthened sanctions against Cuba.

GENERAL ASSEMBLY ACTION

On 4 November [meeting 54], the General Assembly adopted resolution 58/7 [draft: A/58/L.4] by recorded vote (179-3-2) [agenda item 29].
Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

The General Assembly,

Determined to encourage strict compliance with the purposes and principles enshrined in the Charter of the United Nations,

Reaffirming, among other principles, the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation, which are also enshrined in many international legal instruments,

Recalling the statements of the heads of State or Government at the Ibero-American Summits concerning the need to eliminate the unilateral application of economic and trade measures by one State against another that affect the free flow of international trade,

Concerned at the continued promulgation and application by Member States of laws and regulations, such as that promulgated on 12 March 1996 known as the “Helms-Burton Act”, the extraterritorial effects of which affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation,

Taking note of declarations and resolutions of different intergovernmental forums, bodies and Governments that express the rejection by the international community and public opinion of the promulgation and application of regulations of the kind referred to above,


Concerned that, since the adoption of its resolutions 47/19, 48/16, 49/9, 50/10, 51/17, 52/10, 53/4, 54/21, 55/20, 56/9 and 57/11, further measures of that nature aimed at strengthening and extending the economic, commercial and financial embargo against Cuba continue to be promulgated and applied, and concerned also at the adverse effects of such measures on the Cuban people and on Cuban nationals living in other countries,

1. Takes note of the report of the Secretary-General on the implementation of resolution 57/11;

2. Reiterates its call upon all States to refrain from promulgating and applying laws and measures of the kind referred to in the preamble to the present resolution in conformity with their obligations under the Charter of the United Nations and international law, which, inter alia, reaffirm the freedom of trade and navigation;

3. Once again urges States that have and continue to apply such laws and measures to take the necessary steps to repeal or invalidate them as soon as possible in accordance with their legal regime;

4. Requests the Secretary-General, in consultation with the appropriate organs and agencies of the United Nations system, to prepare a report on the implementation of the present resolution in the light of the purposes and principles of the Charter and international law and to submit it to the General Assembly at its fifty-ninth session;

5. Decides to include in the provisional agenda of its fifty-ninth session the item entitled “Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba”.

RECORDED VOTE ON RESOLUTION 58/7:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, Marshall Islands, United States.

Abstaining: Micronesia, Morocco.

El Salvador-Honduras

On 12 March [S/2003/306], Honduras transmitted to the Security Council President the text of a memorandum from its Acting Minister for Foreign Affairs to the Minister for Foreign Affairs of El Salvador. The memorandum acknowledged receipt of El Salvador’s 11 March note concerning the demarcation of the common boundary delimited by the International Court of Justice (ICJ) on 11 September 1992 [YUN 1992, p. 985]. (El Salvador had filed an Application with the ICJ for revision of the Judgment in September 2002 [YUN 2002, p. 1272].) Honduras, Brazil and the United States, following agreement to start the demarcation process [ibid., p. 255], reconnaissance visits were initiated in October 2002. The small differences noted prior to that time between the coordinates fixed by the Judgment and the geographical accidents identified were natural and inherent in a delimitation process. (See also p. 1306).

On 8 April [S/2003/430], Honduras transmitted to the Council President the text of a letter to the Pan American Institute of Geography and History, in which Honduras requested the appointment of a technical expert who was not a national...
or resident of either El Salvador or Honduras to act as third and final arbitrator in resolving technical differences in the 1992 [ICJ] demarcation Judgment between the two countries. Included in the appendices to the letter were the minutes of the meeting of the Special Demarcation Commission (Metapán, El Salvador, 24-28 February), at which no agreement was reached on the appointment of an arbitrator.

On 20 May [S/2003/561], Honduras transmitted to the Council President a document announcing that OAS, on 30 April, had appointed technical expert John Gates (United States) to assist in resolving the demarcation issue.