

Repertoire of the Practice of the Security Council
Supplement 1993-1995

Chapter V

SUBSIDIARY ORGANS OF THE SECURITY COUNCIL

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INTRODUCTORY NOTE

This chapter covers procedures of the Security Council relating to the establishment and control of subsidiary organs deemed necessary for the performance of its functions under the Charter of the United Nations. The Council's power to establish subsidiary organs is set out in Article 29 of the Charter and reflected in Rule 28 of the provisional rules of procedure as follows:

Article 29 of the Charter

“The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.”

Rule 28 of the provisional rules of procedure

“The Security Council may appoint a commission or committee or a rapporteur for a specified question.”

The period 1993 to 1995 saw a further expansion in the number of subsidiary organs established by the Council, as compared with the previous reporting period. The Council mandated the establishment of twelve new peacekeeping operations and established four new committees to oversee the implementation of measures adopted pursuant to Chapter VII. The Council also authorized the establishment of a commission of experts to examine reported violations of international humanitarian law in Rwanda, a commission of enquiry to investigate armed attacks on UNOSOM personnel in Somalia, an International Commission of Inquiry in connection with the assassination of the President of Burundi and an International Commission of Enquiry to, inter alia, investigate reports relating to the sale or supply of arms to former Rwandese Government Forces. Further, the Council established two international criminal tribunals.

Part I of this chapter considers all new organs, together with those established prior to 1993 and continuing during part or all of the period under review. The organs are divided into six main categories, reflecting their main character or functions: standing and ad hoc committees; investigative bodies; peacekeeping missions; committees to oversee the implementation of measures adopted pursuant to Article 41; ad hoc commissions; and international tribunals. Ten peacekeeping operations were terminated during the period under review, as were three investigative bodies, two Security Council Committees and one ad hoc Commission. This is reflected in Part II. Part III concerning subsidiary organs that were formally proposed but not established, indicates that there was no such proposed organ during the period under review.

PART I

SUBSIDIARY ORGANS OF THE SECURITY COUNCIL ESTABLISHED OR CONTINUING DURING THE PERIOD 1993 TO 1995

A. Standing committees / Ad hoc committees

During the period 1993-1995, the Committee of Experts on Rules of Procedure and the Committee on Council Meetings Away from Headquarters continued to exist but did not meet.

The Committee on the Admission of New Members was asked to consider the applications for admission to membership in the United Nations of seven States, referred to it by the Council under rule 59 of the provisional rules of procedure.¹ Another body concerned with membership, the Committee of Experts established by the Council at the 1506th meeting, concerning the question of associate membership, continued to exist but did not meet.

Other ad hoc subsidiary organs established prior to 1993 which continued to exist during the period under review included the Committee established by Security Council resolution 446 (1979), concerning the situation in the occupied Arab territories; and the Ad Hoc Committee established under Security Council resolution 507 (1982), concerning the Seychelles. There was no activity during the period under review on the part of either body.

B. Investigative bodies

During the period under review, pursuant to the Council's requests to the Secretary-General in its resolutions, four new investigative bodies were established: Commissions of Inquiry concerning Somalia and Burundi, and the Commission of Experts and the International Commission of Inquiry concerning Rwanda. The Council also oversaw the activities of the Commission of Experts concerning the former Yugoslavia that had been established in the previous reporting period.

¹ The recommendations made by the Committee and the Council concerning admission are considered in Chapter VII.

1. Commission of Experts established pursuant to resolution 780 (1992) concerning the former Yugoslavia

The Security Council had requested the Secretary-General, by its resolution 780 (1992) of 6 October 1992, to establish a Commission of Experts to examine and analyse information gathered with a view to providing the Secretary-General with its conclusions on the evidence of grave breaches of the Geneva Conventions and other violations of international humanitarian law committed in the territory of the former Yugoslavia.²

During the period under review, the five-member Commission submitted, via the Secretary-General, two interim reports,³ on 9 February and 3 October 1993, respectively, and a final report,⁴ on 24 May 1994, in which they concluded that grave breaches of the Geneva Conventions and other violations of international humanitarian law had been committed in the territory of the former Yugoslavia on a large scale, and were particularly brutal and ferocious in their execution. In his letter⁵ accompanying the final report, the Secretary-General stated that he had examined the report carefully and fully concurred with the Commission's conclusions. He therefore considered that the Commission had discharged its mandate. He also expressed his confidence that the material collected and analysed by the Commission, which had been forwarded to the Prosecutor of the International Tribunal for the former Yugoslavia, would greatly facilitate in carrying out the Tribunal's mandate.

2. Commission of Inquiry established pursuant to resolution 885 (1993) concerning Somalia

By its resolution 814 (1993) of 26 March 1993, the Security Council, acting under Chapter VII of the Charter, authorized the expansion of the size and mandate of the United Nations Operation in Somalia (thereafter to be known as UNOSOM II). By its resolution 837 (1993) of 6 June 1993, the Council, acting under Chapter VII of the

² For details on the establishment and composition of the Commission, see the *Eleventh Supplement*, Chapter V.

³ S/25274 and S/26545.

⁴ S/1994/674. See also Adds. 1 and 2.

⁵ Ibid.

Charter, condemned the unprovoked armed attacks that had occurred against UNOSOM II personnel on 5 June, and reaffirmed that the Secretary-General was authorized under resolution 814 (1993) to take “all necessary measures” against all those responsible for those attacks, including to secure the investigation of their actions and their arrest and detention for prosecution, trial and punishment.

On 16 November 1993, the Security Council adopted resolution 885 (1993), by which it authorized the establishment of a Commission of Inquiry, in further implementation of its resolutions 814 (1993) and 837 (1993), to investigate the armed attacks on UNOSOM II personnel which had led to casualties among them. The Council requested the Secretary-General to appoint the Commission at the earliest possible time, and to report to the Council on the establishment of the Commission. It directed the Commission to determine procedures for carrying out its investigation, and requested the Commission to report its findings through the Secretary-General as soon as possible, taking into consideration the need for a thorough inquiry. The Council further requested that the Secretary-General, under his authority in resolutions 814 (1993) and 837 (1993), pending completion of the report of the Commission, suspend arrest actions against those individuals who might be implicated but were not detained pursuant to resolution 837 (1993), and make appropriate provision to deal with the situation of those already detained under the provisions of the resolution.

Through an exchange of letters⁶ between the Secretary-General and the President of the Security Council, dated 23 and 30 November 1993 respectively, the members of the Council took note of the composition of the three-member Commission and welcomed the Secretary-General’s decision to establish a separate secretariat to assist the Commission in carrying out its tasks.

Subsequently, in a letter⁷ dated 1 June 1994 addressed to the Secretary-General, the President of the Council conveyed the Council’s decision that the report of the Commission established pursuant to resolution 885 (1993), which had been received earlier by the members of the Council, should be circulated as a document of the Security Council in the normal manner. The President also stated that, in connection with the

⁶ S/26823 and S/26824, respectively.

⁷ S/1994/652.

report, it was noted that many of the suggestions contained therein had already been acted upon by UNOSOM II and by the Security Council. The members of the Council believed that the report demonstrated the complexity and difficulty of the operation in Somalia. Many lessons had been learned and the Security Council would be able to build upon that experience in future peace-keeping operations. The President asked that his letter be circulated as a document of the Security Council at the same time as the report was circulated. The report⁸ was issued concurrently with the letter.

3. Commission of Experts established pursuant to resolution 935 (1994) concerning Rwanda

On 31 May 1994, pursuant to a request⁹ by the Security Council, the Secretary-General submitted his report¹⁰ on the investigation of serious violations of international humanitarian law committed in Rwanda during the conflict. He noted that massacres and killings had continued in a systematic manner throughout Rwanda and also that “only a proper investigation [could] establish the facts and definite culpability”. On 1 July 1994, the Security Council adopted resolution 935 (1994). By that resolution, the Council requested the Secretary-General to establish, as a matter of urgency, “an impartial Commission of Experts to examine and analyse information submitted pursuant to the present resolution, together with such further information as the Commission may obtain through its own investigations or the efforts of other persons or bodies, including the information made available by the Special Rapporteur for Rwanda, with a view to providing the Secretary-General with its conclusions on the evidence of grave violations of international humanitarian law committed in the territory of Rwanda, including the evidence of possible acts of genocide”.

In the same resolution, the Council called upon States and, as appropriate, international humanitarian organizations, to collate substantiated information in their possession or submitted to them relating to grave violations of international humanitarian law, including breaches of the Convention on the Prevention and Punishment of the

⁸ S/1994/653.

⁹ S/RES/918 (1994), para. 18.

¹⁰ S/1994/640.

Crime of Genocide, committed in Rwanda during the conflict. The Council requested States, relevant United Nations bodies and relevant organizations to make that information available within 30 days of the adoption of the resolution and as appropriate thereafter and to provide appropriate assistance to the Commission.

The Council also requested the Secretary-General to report to it on the establishment of the Commission and, within 4 months from its establishment, on the conclusions of the Commission, and to take account of those conclusions in any recommendations for further appropriate steps.

Finally, the Council requested the Secretary-General and, as appropriate, the United Nations High Commissioner for Refugees, through the Secretary-General, to make the information submitted to the Special Rapporteur for Rwanda available to the Commission and to facilitate adequate coordination and cooperation between the work of the Commission and the Special Rapporteur in the performance of their respective tasks.

On 26 July 1994 the Secretary-General submitted his report¹¹ on the establishment of the Commission and on 29 July, in a letter¹² addressed to the President of the Council, he notified the Council of his appointment of 3 members of the Commission, reserving the right to expand the membership as necessary. The Security Council welcomed¹³ those developments.

The Commission submitted, via the Secretary-General, a preliminary report¹⁴ on 1 October 1994. It submitted a final report¹⁵ on 9 December 1994, confirming that genocide and other systematic, widespread and flagrant violations of international humanitarian law had been committed in Rwanda. In his letter¹⁶ accompanying the Commission's final report, the Secretary-General noted that, by resolution 955 (1994) of 8 November 1994, the Security Council had decided to establish an international tribunal for Rwanda, in view of that resolution, the Commission's recommendation that an international tribunal should be established and that the investigation into allegations of violations of international humanitarian law should continue, had already been acted

¹¹ S/1994/879.

¹² S/1994/906.

¹³ S/PRST/1994/42.

¹⁴ S/1994/1125.

¹⁵ S/1994/1405.

¹⁶ Ibid.

upon. The Secretary-General also expressed his confidence that the material collected by the Commission, which would be transmitted to the Prosecutor of the International Tribunal for Rwanda, would greatly facilitate the latter's task. He therefore considered that the Commission had discharged its mandate.

4. International Commission of Inquiry established under resolution 1012 (1995) concerning Burundi

On 28 August 1995, the Security Council adopted resolution 1012 (1995). In the preambular paragraphs of that resolution, the Council: recalled the statement¹⁷ by the President of the Council of 29 March 1995, in which the Council, *inter alia*, underlined the role that could be played in Burundi by an international commission of inquiry into the 1993 *coup* attempt and into the massacres that had followed; welcomed the letter¹⁸ of the Secretary-General to the President of the Security Council dated 28 July 1995 recommending that such a commission of inquiry should be created by resolution of the Council; took into account the initiative of the Government of Burundi in calling for the establishment of an international judicial commission of inquiry as referred to in the Convention of Government;¹⁹ and recalled also the letter²⁰ of the Permanent Representative of Burundi to the President of the Council dated 8 August 1995 noting with interest the letter²¹ of the Secretary-General of 28 July 1995.

By this resolution, the Council it requested the Secretary-General to establish, as a matter of urgency, an international commission of inquiry with the following mandate: (a) to establish the facts relating to the assassination of the President of Burundi on 21 October 1993, the massacres and other related serious acts of violence which had followed; (b) to recommend measures of a legal, political or administrative nature, as appropriate, after consultation with the Government of Burundi, and measures with regard to the bringing to justice of persons responsible for those acts, to prevent any

¹⁷ S/PRST/1995/13.

¹⁸ S/1995/631.

¹⁹ S/1995/190, annex.

²⁰ S/1995/673.

²¹ S/1995/631.

repetition of deeds similar to those investigated by the commission and, in general, to eradicate impunity and promote national reconciliation in Burundi.

The Council recommended that the International Commission of Inquiry be composed of five impartial and internationally respected, experienced jurists who would be selected by the Secretary-General and would be furnished with adequate expert staff, and that the Government of Burundi be duly informed. It called upon States, relevant United Nations bodies and, as appropriate, international humanitarian organizations to collate substantiated information in their possession relating to the above-mentioned acts, to make such information available as soon as possible and to provide appropriate assistance to the Commission. It requested the Secretary-General to report to the Council on the establishment of the Commission, and further requested him, within three months from the establishment of the Commission, to submit an interim report to the Council on the work of the Commission and to submit a final report when the Commission had completed its work.

The Council also called upon the Burundi authorities and institutions, including all Burundi political parties, to fully cooperate with the Commission in the accomplishment of its mandate, including responding positively to requests from the Commission for security, assistance and access in pursuing investigations, including: (a) adoption by the Government of Burundi of any measures needed for the Commission and its personnel to carry out their functions throughout the national territory with full freedom, independence and security; (b) provision by the Government of Burundi of all information in its possession which the Commission requested or was otherwise needed to carry out its mandate and free access for the Commission and its staff to any official archives related to its mandate; (c) freedom for the Commission to obtain any information the Commission considered relevant and to use all sources of information which the Commission considered useful and reliable; (d) freedom for the Commission to interview, in private, any persons the Commission judged necessary; (e) freedom for the Commission to visit any establishment or place at any time; and (f) guarantee by the Government of Burundi of full respect for the integrity, security and freedom of witnesses, experts and any other persons who helped the Commission in its work.

The Council further called upon all States to cooperate with the Commission in facilitating its investigations. It requested the Secretary-General to provide adequate security for the Commission in cooperation with the Government of Burundi, and also requested him to establish, as a supplement to financing as an expense of the Organization, a trust fund to receive voluntary contributions to finance the Commission. It urged States and intergovernmental and non-governmental organizations to contribute funds, equipment and services to the Commission including the offer of expert personnel in support of the implementation of the resolution.

Via letter²² dated 22 September 1995, the Secretary-General informed the President of the Security Council that, in accordance with resolution 1012 (1995), he had appointed five internationally respected jurists as members of the Commission. As soon as the Advisory Committee on Administrative and Budgetary Questions (ACABQ) had approved the Commission's budget and once the support team which would accompany the Commission to Bujumbura had been formally recruited, he would ask the members of the Commission to assemble in New York before they started their mission. The Council would be kept informed of the progress achieved in this regard. In a reply²³ dated 27 September, the President of the Council stated that the members of the Council took note of the decision contained in the Secretary-General's letter.

5. International Commission of Inquiry established under resolution 1013 (1995) concerning Rwanda

On 7 September 1995 by resolution 1013 (1995), the Council requested the Secretary-General to establish, as a matter of urgency, an International Commission of Inquiry with the following mandate: (a) to collect information and investigate reports relating to the sale or supply of arms and related *materiel* to former Rwandese Government Forces in the Great Lakes region in violation of Council resolutions 918

²² S/1995/825.

²³ S/1995/826.

(1994), 997 (1995) and 1011 (1995);²⁴ (b) to investigate allegations that such forces were receiving military training in order to destabilize Rwanda; (c) to identify parties aiding and abetting the illegal acquisition of arms by former Rwandese Government Forces, contrary to the Council resolutions referred to above; (d) to recommend measures to end the illegal flow of arms in the region in violation of the Council resolutions referred to above. The Council recommended that this Commission be composed of five to ten impartial and internationally respected persons, including legal, military and police experts, under the chairmanship of an eminent person, and assisted by the appropriate support staff. It requested the Secretary-General to report to it on the establishment of the Commission and to submit, within three months of its establishment, an interim report on the conclusions of the Commission and, as soon as possible thereafter, to submit a final report containing the Commission's recommendations.

Via letter²⁵ dated 20 October 1995 addressed to the President of the Security Council, the Secretary-General informed the Council that arrangements for the establishment of the Commission had been completed. He had appointed six individuals to the Commission; they would be accompanied by a small support staff, including a legal expert and a security officer. In a reply²⁶ of the same date, the President of the Council stated that the members of the Council welcomed the Secretary-General's decision and took note of the information contained in his letter.

²⁴ These resolutions relate to the imposition, initially, of an arms embargo against the territory of Rwanda in general and modified, subsequently, to an arms embargo against non-Government entities in Rwanda or entities in neighbouring States who might forward the arms to the non-Government entities in Rwanda.

²⁵ S/1995/879.

²⁶ S/1995/880.

C. Peacekeeping operations

As noted in the report of the Secretary-General²⁷ on the Work of the Organization of 22 August 1995, peacekeeping operations, during the period under review, became more complex, being involved in a wider spectrum of operations ranging from the monitoring of traditional cease-fires to the task of armed protection of humanitarian convoys, and from the control of buffer zones to assistance in the implementation of peace settlements²⁸. During the period under review, the Security Council adopted several decisions²⁹ which dealt with various aspects of peacekeeping operations, including security of peacekeeping operations, communication with troop-contributing countries and stand-by arrangements for rapid deployment.

Between 1993 and 1995, the Council mandated the establishment of 12 new peacekeeping operations – in Angola,³⁰ Somalia,³¹ Uganda and Rwanda,³² Rwanda,³³ Liberia,³⁴ Chad and Libya,³⁵ Haiti,³⁶ Tajikistan,³⁷ Croatia,³⁸ Former Yugoslav Republic of Macedonia,³⁹ Bosnia and Herzegovina⁴⁰ and Georgia,⁴¹ while authorizing the termination or transition to new peacekeeping missions of nine operations.⁴² In some cases, the

²⁷ A/50/1.

²⁸ Ibid., para. 602.

²⁹ S/25696, S/25859, Resolution 868 (1993) of 29 September 1993, S/PRST/1994/22, S/PRST/1994/36, S/PRST/1994/62.

³⁰ United Nations Angola Verification Mission (UNAVEM III).

³¹ United Nations Operation in Somalia (UNOSOM II).

³² United Nations Observer Mission Uganda-Rwanda (UNOMUR).

³³ United Nations Assistance Mission for Rwanda (UNAMIR).

³⁴ United Nations Observer Mission in Liberia (UNOMIL).

³⁵ United Nations Aouzou Strip Observer Group (UNASOG).

³⁶ United Nations Mission in Haiti (UNMIH).

³⁷ United Nations Mission of Observers in Tajikistan (UNMOT).

³⁸ United Nations Confidence Restoration Operation in Croatia (UNCRO).

³⁹ United Nations Preventive Deployment Force in the former Yugoslav Republic of Macedonia (UNPREDEP).

⁴⁰ United Nations Mission in Bosnia and Herzegovina (UNMIBH).

⁴¹ United Nations Observer Mission in Georgia (UNOMIG).

⁴² United Nations Angola Verification Mission (UNAVEM II), United Nations Operation in Somalia (UNOSOM I), United Nations Observer Mission in South Africa (UNOMSA), United Nations Operation in Mozambique (ONUMOZ), United Nations Observer Mission Uganda-Rwanda (UNOMUR), United Nations Aouzou Strip Observer Group (UNASOG), United Nations Observer Mission in El Salvador

Council authorized significant changes and expansions in the mandates of peacekeeping operations including a number of those established during an earlier period.

Twenty-six peacekeeping operations in total are considered below, by geographic regions. Studies of peacekeeping operations in each region are generally in the order of their establishment, while inter-linked operations are jointly dealt with. As a full account of Council proceedings, such as the details of deliberations by the Council on the topic and the content of the reports of the Secretary-General on the situations on the ground are set out in Chapter VIII of this volume, this Section focuses on procedures of the Council concerning the establishment, mandate, composition, implementation of mandate, and termination or transition of peacekeeping operations during the period under review. It is noted that, in accordance with the general principles set out in General Assembly resolutions 874 (S-IV) of 27 June 1963 and 3101 (XXVIII) of 11 December 1973, peacekeeping operations during the period under review were financed through assessed contributions by Member States.⁴³

Africa

1. United Nations Mission for the Referendum in Western Sahara (MINURSO) established pursuant to resolution 690 (1991)

During the period under review, the United Nations Mission for the Referendum in Western Sahara (MINURSO) continued to perform its task of monitoring the ceasefire

(ONUSAL), United Nations Transitional Authority in Cambodia (UNTAC) and United Nations Protection Force in the former Yugoslavia (UNPROFOR).

⁴³ Previously, UNFICYP was the only United Nations peacekeeping operation not financed from assessed contributions by Member States. In accordance with resolution 186 (1964), the costs of the Force were met by the Governments providing the military contingents, by the Government of Cyprus, and by voluntary contributions. As a result of decisions taken by troop-contributing countries to reduce their contingents, the Secretary-General, in his report dated 30 March 1993 (S/25492), outlined two alternative proposals, one of which he recommended, for restructuring UNFICYP, stressing that both proposals would be practical only if the Council changed the financing from voluntary to assessed contributions. On 27 May 1993, by resolution 831 (1993) of 27 May 1993, the Council decided that, with effect from the next extension of the Force's mandate on or before 15 June 1993, those costs of the Force which were not covered by voluntary contributions should be treated as expenses of the Organization under Article 17 (2) of the Charter. A majority of peacekeeping operations during the period under review were financed through the peacekeeping budget of the United Nations, while two peacekeeping operations, UNTSO and UNMOGIP are funded from the regular budget of the United Nations.

between Morocco and the Frente Popular de Liberación de Saguía el Hamra y Río de Oro (POLISARIO Front) and facilitating the organization of a referendum over the future control of the territory in accordance with the Settlement Plan.⁴⁴

Mandate Implementation

Extension of Mandate: Between 1993 and 1995, following the consideration of the reports⁴⁵ of the Secretary-General on the situation concerning Western Sahara, the Security Council, by adopting a series of resolutions,⁴⁶ extended the mandate of MINURSO on four occasions, for the periods of between three and four months, the last of which was until 31 January 1996.⁴⁷

Reinforcement of MINURSO: By resolution 973 (1995) of 13 January 1995, the Council approved the expansion of the Mission, as proposed by the Secretary-General,⁴⁸ to reinforce personnel, including civilian police, for the completion of registration and identification in a reasonable time.

2. United Nations Angola Verification Mission (UNAVEM II) established pursuant to resolution 696 (1991)

During the period under review, the United Nations Angola Verification Mission (UNAVEM II) continued to carry out its mandate of overseeing and maintaining the ceasefire, and as authorized by resolution 747 (1992), monitoring the process of elections.

⁴⁴ S/21360 and S/22464 and Corr. 1. The Settlement Plan was approved by the Security Council by resolution 658 (1990).

⁴⁵ S/25170, S/25818, S/26185, S/26797, S/1994/1420, S/1994/283, S/1995/404, S/1995/779.

⁴⁶ Resolutions 973 (1995) of 13 January 1995, 995 (1995) of 26 May 1995, 1002 (1995) of 30 June 1995, and 1017 (1995) of 22 September 1995.

⁴⁷ In most cases, the duration of the mandate was for three months, as recommended by the Secretary-General. In one case, however, while the Secretary-General, in his report of 19 May 1995 (S/1995/404), recommended that the mandate of MINURSO be extended for a four month period, by resolution 995 (1995) of 26 May 1995, the Council extended it for one month, and decided to send a mission of the Council to the region, with a view to accelerating the implementation of the Settlement Plan.

⁴⁸ In paragraphs 17 to 19 of the report of the Secretary-General of 14 December 1994 (S/1994/1420).

Mandate Implementation

Adjustment and Extension of Mandate: By resolution 804 (1993) of 29 January 1993, as recommended by the Secretary-General,⁴⁹ the Council authorized, as a provisional measure based on security considerations, the concentration of UNAVEM II's deployment in Luanda and, at the discretion of the Secretary-General, in other provincial locations, with the levels of personnel and equipment he deemed appropriate to allow for the subsequent expeditious redeployment of UNAVEM II, as soon as it became feasible. The mandate of UNAVEM II was extended for three months, until 30 April 1993, by resolution 804 (1993), and then for a further month, until 31 May 1993, by resolution 823 (1993) of 30 April 1993.

Adjustment and Extension of Mandate and Reduction of Strength: Following the breakdown of meetings held at Abidjan between the Government of Angola and UNITA to achieve an agreement on cease-fire, by resolution 834 (1993) of 1 June 1993, the Council agreed to extend the existing mandate of the Mission for 45 days, in accordance with the Secretary-General's recommendations⁵⁰ in which, stressing the importance of deciding again the UN's role in Angola, he recommended a further two-month interim extension of the Mission's mandate, on a reduced basis. UNAVEM II would provide good offices and mediation, with the goal of restoring the cease-fire and reinstating the peace process. UNAVEM would consist of a smaller number of military, police and political personnel of which some might also be deployed in several locations outside Luanda.

Extension of Mandate: On the basis of reports⁵¹ of the Secretary-General, the mandate of the Mission was subsequently extended on six occasions, by a series of resolutions⁵², for further periods of between half a month and three months.

⁴⁹ Report of the Secretary-General dated 21 January 1993 (S/25140).

⁵⁰ As set out in paragraphs 36 and 37 of the report of the Secretary-General dated 25 May 1993 (S/25840).

⁵¹ S/26060 and Add. 1. and 2, S/26434 and Add. 1, S/1994/282 and Add. 1, S/1994/611, S/1994/740 and Add. 1, S/1994/1019, S/1994/1197.

⁵² Resolutions 851 (1993) of 15 July 1993, 864 (1993) of 15 September 1993, 890 (1993) of 15 December 1993, 922 (1994) of 31 May 1994, 945 (1994) of 29 September 1994, 952 (1994) of 27 October 1994.

Restoration of Strength: By resolution 952 (1994) of 27 October 1994, encouraged by the substantial progress made in the Lusaka peace talks, the Council authorized, with the aim of consolidating the implementation of the peace agreement in its initial and most critical stages, the restoration of the strength of UNAVEM II to its previous level of 350 military observers and 126 police observers, upon receipt of a report from the Secretary-General to the Council that the parties had initialled a peace agreement and that an effective cease-fire was in place.

Extension of Mandate: By resolution 966 (1994) of 8 December 1994, the Council extended the mandate of UNAVEM II until 8 February 1995 in order to monitor the cease-fire established by the Lusaka Protocol which was signed on 20 November 1994.

Through exchanges of letters between the Secretary-General and the President of the Council, the Chief Military Observer⁵³ of, and countries⁵⁴ contributing military personnel to UNAVEM II during the period under review were confirmed.

Termination/Transition to a New Mission

By resolution 976 (1995) of 8 February 1995, the Council, on the basis of the Secretary-General's recommendations,⁵⁵ established an enlarged United Nations operation in Angola, UNAVEM III, which replaced UNAVEM II.

3. United Nations Angola Verification Mission (UNAVEM III) established pursuant to resolution 976 (1995)

Establishment

Following the signing of the Lusaka Protocol⁵⁶ on 20 November 1994, the Security Council, by resolution 976 (1995) of 8 February 1995, authorised the

⁵³ S/25342 and S/25343.

⁵⁴ S/1995/36 and S/1995/37.

⁵⁵ In the report of the Secretary-General dated 1 February 1995 (S/1995/97 and Add. 1).

⁵⁶ S/1994/1441.

establishment of the United Nations Angola Verification Mission III (UNAVEM III), for an initial mandate until 8 August 1995.

Mandate

The mandate of UNAVEM III, as set out in resolution 976 (1995), was to assist the parties in restoring peace and achieving national reconciliation in Angola, on the basis of the “Acordos de Paz,”⁵⁷ the Lusaka Protocol⁵⁸ and relevant Security Council resolutions.⁵⁹

Composition

UNAVEM III was authorised with a maximum deployment of 7,000 military personnel, in addition to the 350 military observers and 260 police observers mentioned in the report⁶⁰ of the Secretary-General, with an appropriate number of international and local staff. By exchanges of letters between the Secretary-General and the President of the Council, the Force Commander⁶¹ of, and countries⁶² contributing military personnel to UNAVEM III were confirmed.

Mandate Implementation

Extension of Mandate: By resolution 1008 (1995) of 7 August 1995, the Council extended the mandate of UNAVEM III, until 8 February 1996.

Termination

The Council, by resolution 976 (1995) of 8 February 1995, declared its intention to conclude the Mission when the objectives of the Lusaka Protocol had been achieved in accordance with the schedule attached to the Lusaka Protocol and with the expectation of its completion by February 1997.

⁵⁷ S/22609.

⁵⁸ S/1994/1441.

⁵⁹ As outlined in section IV of the report of the Secretary-General dated 1 February 1995 (S/1995/97).

⁶⁰ S/1995/97 and Add. 1.

⁶¹ S/1995/668 and S/1995/669.

⁶² S/1995/204 and S/1995/205, S/1995/648 and S/1995/649, S/1995/912 and S/1995/913.

4. United Nations Operation in Somalia (UNOSOM I) established pursuant to resolution 751 (1992)

Termination/Transition to a New Mission

By resolution 814 (1993) of 26 March 1993, the Security Council, acting under Chapter VII of the Charter, decided to expand both the size of the force of the United Nations Operation in Somalia and its mandate in accordance with the Secretary-General's recommendations⁶³. By this expansion, UNOSOM I made a transition to UNOSOM II.

5. United Nations Operation in Somalia (UNOSOM II) established pursuant to resolution 814 (1993)

Establishment

By resolution 814 (1993), the Security Council, acting under Chapter VII of the Charter, decided to establish UNOSOM II for an initial period through 31 October 1993 and requested the Secretary-General to direct the Force Commander of UNOSOM II to assume responsibility for the consolidation, expansion and maintenance of a secure environment throughout Somalia, taking account of the particular circumstances in each locality, on an expedited basis in accordance with the recommendations contained in his report of 3 March 1993 and in that regard, to organize a prompt, smooth and phased transition from the United Task Force (UNITAF)⁶⁴ to the UNOSOM II.

Mandate

As recommended by the Secretary-General,⁶⁵ the mandate of UNOSOM II was the following: (a) to monitor that all factions continue to respect the cessation of hostilities and other agreements to which they had agreed, particularly the Addis Ababa agreements of January 1993; (b) to prevent any resumption of violence and, if necessary, take appropriate action against any faction that violated or threatened to violate the

⁶³ As contained in paragraphs 56 to 88 of the report of the Secretary-General dated 3 March 1993 (S/25354).

⁶⁴ By resolution 794 (1992), the Council, acting under Chapter VII of the Charter, authorized UNITAF in order to establish a secure environment for humanitarian relief operations in Somalia as soon as possible.

⁶⁵ S/25354.

cessation of hostilities; (c) to maintain control of the heavy weapons of the organised factions which would have been brought under international control pending their eventual destruction or transfer to a newly constituted national army; (d) to seize the small arms of all unauthorised armed elements and to assist in the registration and security of such arms; (e) to secure or maintain security at all ports, airports and lines of communications required for the delivery of humanitarian assistance; (f) to protect, as required, the personnel, installations and equipments of the United Nations and its agencies, the ICRC as well as NGOs, and to take such forceful action as might be required to neutralise armed elements that attacked or threatened to attack such facilities and personnel, pending the establishment of a new Somali police force which could assume that responsibility; (g) to continue the programme for mine-clearing in the most afflicted areas; (h) to assist in the repatriation of refugees and displaced persons within Somalia; and (i) to carry out such other functions as might be authorized by the Security Council.

Composition

UNOSOM II was to be comprised of 20,000 troops made up of five brigades, as well as 8,000 personnel to provide logistical support. By exchanges of letters between the Secretary-General and the President of the Council, the Force Commander⁶⁶ of, and the troop-contributing countries⁶⁷ to UNOSOM II were confirmed.

Mandate Implementation

Extension of Mandate: During the reporting period, the Council, by adopting a number of resolutions,⁶⁸ extended the mandate of UNOSOM II in six instances until its termination on 31 March 1995. Among them, the extension of the mandate by resolution 923 (1994) was subject to a review by the Council based on a report by the Secretary-General on the humanitarian mission carried out by UNOSOM II and on the political and security situation in Somalia and progress made in achieving national reconciliation.

⁶⁶ S/1994/21 and S/1994/22.

⁶⁷ S/25532 and S/25533, S/25673 and S/25674.

⁶⁸ Resolutions 878 (1993) of 29 October 1993, 886 (1993) of 18 November 1993, 923 (1994) of 31 May 1994, 946 (1994) of 30 September 1994, 953 (1994) of 31 October 1994, and 954 (1995) of 4 November 1995.

Following the unprovoked armed attacks against the personnel of UNOSOM II on 5 June 1993, the Council, by resolution 837 (1993) of 6 June 1993, reaffirmed that the Secretary-General was authorized, under resolution 814 (1993), to take “all necessary measures” against all those responsible for such attacks, including against those responsible for publicly inciting such attacks, to establish the effective authority of UNOSOM II throughout Somalia.

Revision of Mandate: By resolution 897 (1994) of 4 February 1994, the Council approved the Secretary-General’s recommendation⁶⁹ for the continuation of UNOSOM II, with a revised mandate for the following: (a) encouraging and assisting the Somali parties in implementing the Addis Ababa Agreements, in particular in their cooperative efforts to achieve disarmament and to respect the cease-fire; (b) protecting major ports and airports and essential infrastructure and safeguarding the lines of communications vital to the provision of humanitarian relief and reconstruction assistance; (c) continuing its efforts to provide humanitarian relief to all in need throughout the country; (d) assisting in the reorganization of the Somali police and judicial system; (e) helping with the repatriation and resettlement of refugees and displaced persons; (f) assisting also in the ongoing political process in Somalia, which should culminate in the installation of a democratically elected government; and (g) providing protection for the personnel, installations and equipment of the United Nations and its agencies, as well as of non-governmental organizations providing humanitarian relief and reconstruction assistance.

Reduction of Strength: Following the report of the Secretary-General dated 17 August 1994⁷⁰ in which he recommended immediate steps to reduce the force level of UNOSOM II by 1,500 and thereafter to bring it down to 15,000 all ranks as soon as possible, in a Presidential Statement⁷¹ dated 25 August 1994, the Council believed that the Secretary-General’s proposed initial reduction of the UNOSOM-II troops was appropriate in the circumstances prevailing in Somalia.

⁶⁹ As set out in his further report dated 6 January 1994 (S/1994/12, para. 57).

⁷⁰ S/1994/977.

⁷¹ S/PRST/1994/46.

Termination

By a preambular paragraph of resolution 897 (1994) of 4 February 1994, the Council reaffirmed the objective that UNOSOM II complete its mission by March 1995, which was reiterated in resolution 923 (1994) of 31 May 1994.

In a Presidential Statement⁷² dated 6 April 1995, the Council noted the successful conclusion of the withdrawal of UNOSOM II forces from Somalia. It also stated that the continuing lack of progress in the peace process and in national reconciliation, in particular the lack of sufficient cooperation from the Somali parties over security issues, had prevented the continuation of the mandate of UNOSOM II beyond 31 March 1995.⁷³

6. United Nations Observer Mission in South Africa (UNOMSA) established pursuant to resolution 772 (1992)

During the period under review, the United Nations Observer Mission in South Africa (UNOMSA) continued its mandate, in coordination with the structures set up under the National Peace Accord signed on 14 September 1991, to bring an effective end to the violence and thus to create the conditions for the resumption of negotiations envisaged in resolution 765 (1992).

Mandate Implementation

Increase of Strength: The Council, by a letter⁷⁴ dated 19 February 1993 from the President of the Council addressed to the Secretary-General, welcomed the latter's

⁷² S/PRST/1995/15.

⁷³ Following the withdrawal of the forces of the UNOSOM II from Somalia, in accordance with the Secretary-General's proposal set out in his report dated 28 March 1995 (S/1995/231), a small political office, the United Nations Political Office in Somalia (UNPOS), was established in order to monitor the situation in Somalia and keep contact with the parties concerned to the extent possible (see the Secretary-General's letter addressed to the President of the Council dated 18 April 1995 (S/1995/322)). Such a decision concerning the political office for Somalia was welcomed by Council members (see a letter dated 21 April 1995 from the President of the Council addressed to the Secretary-General (S/1995/323)).

⁷⁴ S/25315.

decision⁷⁵ to reinforce UNOMSA with an increment of 10 additional observers, for a total strength of 60 observers.

By an exchange of letters⁷⁶ between the Secretary-General and the President of the Council dated 29 September and 9 October 1993, the Council members agreed with the Secretary-General's request to increase the number of observers by 40 for a total complement of 100 observers to reinforce security and stability in the country during the transitional period.

By resolution 894 (1994) of 14 January 1994, the Council agreed with the Secretary-General's proposals⁷⁷ concerning the mandate and size of UNOMSA, that is, to include the observation of the elections scheduled for 27 April 1994, and to increase the Mission's strength by an additional number of 1,278 United Nations observers.⁷⁸

Termination

Subsequent to the establishment of a united, non-racial and democratic Government of South Africa, by resolution 930 (1994) of 27 June 1994, the Council decided that, with the successful completion of its mandate, UNOMSA was terminated forthwith.

7. United Nations Operation in Mozambique (ONUMOZ) established pursuant to resolution 797 (1992)

During the period under review, the United Nations Operation in Mozambique (ONUMOZ) continued to fulfil its mandate to help implement the General Peace Agreement ("the Agreement"), signed on 4 October 1992, by performing its principal

⁷⁵ In his report dated 22 December 1992, the Secretary-General expressed his intention to reinforce the Mission's strength with an increment of ten additional observers, due to the delicate situation prevailing in South Africa (S/25004).

⁷⁶ S/26558 and S/26559.

⁷⁷ S/1994/16 and Add.1.

⁷⁸ Prior to adoption of resolution 894 (1994), by a Statement by the President of the Council dated 23 November 1993 (S/26785), the Council welcomed the successful completion of the multi-party negotiating process and the conclusion of agreements reached therein on an interim constitution and electoral bill, and invited the Secretary-General to accelerate contingency planning for a possible United Nations role in the election process in South Africa. In response, the Secretary-General, in his report dated 10 January 1994 (S/1994/16 and Add.1), proposed to expand the mandate and the size of UNOMSA, in order to include the observation of the elections scheduled for 27 April 1994.

tasks of monitoring the ceasefire, promoting security and providing technical assistance for the electoral process.

Mandate Implementation

Through exchanges of letters between the Secretary-General and the President of the Security Council, the Force Commander⁷⁹ of, and countries⁸⁰ contributing to military elements of ONUMOZ during the period under review were confirmed.

Extension of Mandate: By resolution 879 (1993) of 29 October 1993, the Council extended the mandate of ONUMOZ until 5 November 1993.

Extension of Mandate and Deployment of Police Observers: Subsequent to the consideration of the report of the Secretary-General,⁸¹ by resolution 882 (1993) of 5 November 1993, the Council authorized the Secretary-General to proceed with the selection and deployment of 128 police observers approved by resolution 797 (1992) and renewed the mandate of the Mission for a further six months, subject to the proviso that the Council would review the status of the mandate within 90 days on the basis of a report by the Secretary-General to be submitted every three months.

Establishment of Police Component: By resolution 898 (1994) of 23 February 1994, the Council authorized the establishment of the United Nations police component of up to 1,144 personnel as an integral part of ONUMOZ, with the mandate and deployment described in the report of the Secretary-General⁸² dated 28 January 1994.

⁷⁹ S/25285 and S/25286; S/1994/259 and S/1994/260.

⁸⁰ S/25121 and S/25122; S/25211 and S/25212; S/25368 and S/25369, S/25655 and S.25656; S/25964 and S/25965; S/26291 and S/26292; S/26920 and S/26921.

⁸¹ S/26666 and Add.1.

⁸² The Secretary-General recommended that, given that the political situation in Mozambique had developed in such a way as to allow the shift in focus of ONUMOZ away from the monitoring of the ceasefire towards the verification of police activities in the region and the respect for civil rights, the Council authorize the deployment of a United Nations Police component (CIVPOL) as an integral part of ONUMOZ. The Secretary-General also noted that, given political developments in the country and the costs of the proposed CIVPOL, he would instigate a gradual reduction in the military elements of ONUMOZ in May 1994 (S/1994/89/Add.1, paras. 9-18).

Extension of Mandate: By resolution 916 (1994) of 5 May 1994, the Council renewed the mandate of the Operation for a final period until 15 November 1994, at the strength described in paragraphs 22, 24 and 25 of the Secretary-General's report⁸³ dated 28 April 1994, subject to the proviso that the Council would review the status of the mandate of the Operation by 15 July 1994 and also by 5 September 1994, based on further reports by the Secretary-General. By resolution 957 (1994) of 15 November 1994, the Council extended the mandate of ONUMOZ until the new Government of Mozambique took office, as recommended by the Secretary-General,⁸⁴ but no later than 15 December 1994.

Termination

By resolution 957 (1994) of 15 November 1994, the Council authorized the ONUMOZ to complete its residual operations prior to its withdrawal on or before 31 January 1995. The Council also approved the withdrawal schedule,⁸⁵ for the safe and orderly withdrawal of all military and civilian personnel of the Operation before 31 January 1995.

Following the installation of the President of the Republic of Mozambique and the inauguration of the new Assembly of the Republic of Mozambique on 8 and 9 December 1994, the Council, by a Presidential Statement⁸⁶ dated 14 December 1994, noted that the mandate of ONUMOZ had come to an end and the Operation would be finally withdrawn from Mozambique by 31 January 1995, in accordance with resolution 957 (1994).

⁸³ S/1994/511.

⁸⁴ In his letter dated 9 November 1994 addressed to the President of the Council (S/1994/1282), the Secretary-General, in reporting the first multi-party elections in Mozambique held from 27 to 29 October 1994, recommended that the mandate of ONUMOZ be extended until such time as the new government was installed, which was expected to take place by 15 December 1994. He recommended that in the meantime, the Operation continue its good offices functions as well as its verification and monitoring activities.

⁸⁵ As described by the Secretary-General in his report of 26 August 1994 (S/1994/1002, paras. 34-38) and in his letter dated 9 November 1994 (S/1994/1282). Prior to the submission of the Secretary-General's recommendations, by resolution 916 (1994) of 5 May 1994, the Council requested the Secretary-General to begin preparing proposals for the drawdown of an appropriate number of military personnel, to prepare a timetable for the completion of ONUMOZ's mandate, by the target date of the end of November 1994, and to ensure maximum economy in the operation of ONUMOZ, while remaining mindful of the importance of the effective discharge of its mandate.

⁸⁶ S/PRST/1994/80.

8. United Nations Observer Mission Uganda-Rwanda (UNOMUR) established pursuant to resolution 846 (1993)

Establishment

Following the report of the Secretary-General⁸⁷ dated 20 May 1993 submitted pursuant to resolution 812 (1993),⁸⁸ the Council, by resolution 846 (1993) of 22 June 1993, established the United Nations Observer Mission Uganda-Rwanda (UNOMUR) on the Ugandan side of the border, for an initial period of six months, as recommended by the Secretary-General,⁸⁹ and subject to review every six months.

Mandate

The mandate of UNOMUR, as set out in resolution 846 (1993), was to monitor the Uganda-Rwanda border in order to verify that no military assistance reached Rwanda, focus being put primarily in that regard on the transit or transport, by roads or tracks which could accommodate vehicles, of lethal weapons and ammunition across the border, as well as any other material which could be of military use.

Composition

UNOMUR was authorized to be composed of 81 military observers and 17 international and 7 local civilian support staff. Through a subsequent exchange of letters⁹⁰ between the Secretary-General and the President of the Council, the Chief Military Observer of, and countries contributing military observers to UNOMUR were confirmed.

Mandate Implementation

⁸⁷ S/25810 and Add. 1.

⁸⁸ By resolution 812 (1993) of 12 March 1993, the Security Council invited the Secretary-General to examine the requests of the Governments of Rwanda and Uganda (S/25355 and S/25356, respectively) for the deployment of observers at the border between those two countries.

⁸⁹ S/25810 and Add. 1.

⁹⁰ S/26019 and S/26020.

Integration within the United Nations Assistance Mission for Rwanda (UNAMIR): Following the signing of a peace agreement, on 4 August 1993, between the Rwandan Government and the Rwandan Patriotic Front (RPF) in Arusha, United Republic of Tanzania (the “Arusha Peace Agreement”), and on the basis of the Secretary-General’s recommendation,⁹¹ the Council, by resolution 872 (1993) of 4 October 1993, approved the Secretary-General’s proposal concerning the integration of UNOMUR within the United Nations Assistance Mission for Rwanda (UNAMIR) which was established by that resolution. By resolution 891 (1993) of 20 December 1993, the Council noted that this integration was “purely administrative in nature” and would in no way affect the mandate of UNOMUR as set out in resolution 846 (1993) of 22 June 1993.

Extensions of mandate: By resolution 891 (1993), the Council extended the mandate of UNAMIR for six months, after consideration of the report of the Secretary-General.⁹²

Termination

In his report⁹³ dated 16 June 1994, the Secretary-General reported the extension, as of 14 May 1994, of UNOMUR’s observation and monitoring activities to the entire Uganda/Rwanda border, following the drastic change in the overall situation in Rwanda, after the deaths of the presidents of Rwanda and Burundi in a plane crash in Kigali on 6 April 1994. By resolution 928 (1994) of 20 June 1994, on the basis of the above-mentioned report, the Council decided to extend the mandate of UNOMUR for a final period of three months until 21 September 1994 and agreed with the reduction of military observers by phases.⁹⁴

⁹¹ In his report dated 24 and 29 September 1993 (S/26488).

⁹² S/26618 and S/26878, respectively.

⁹³ S/1994/715.

⁹⁴ In his final report dated 19 September 1994 (S/1994/1073), submitted pursuant to resolution 928 (1994) of 20 June 1994, the Secretary-General noted that UNOMUR had played a useful role as a confidence-building mechanism in the months following the conclusion of the Arusha Peace Agreement and during UNAMIR’s initial efforts to defuse tensions between the Rwandese parties and to facilitate the implementation of that Agreement. Following the resumption of the civil war in Rwanda, UNOMUR had also played an important role in support of the deployment of the expanded UNAMIR and of the coordination of humanitarian relief activities in the country.

9. United Nations Assistance Mission for Rwanda (UNAMIR) established pursuant to resolution 872 (1993)

Establishment

Following the signing of the Arusha Peace Agreement on 4 August 1993 and on the basis of the report of the Secretary-General⁹⁵ dated 24 and 29 September 1993, by resolution 872 (1993) of 5 October 1993, the Council established the United Nations Assistance Mission for Rwanda (UNAMIR) for a period of six months, subject to the proviso that the Mission would be extended beyond the initial 90-day period only upon a review by the Council on the basis of a report by the Secretary-General as to whether or not substantive progress had been made by the parties towards the implementation of the Arusha Peace Agreement.⁹⁶

Mandate

The mandate of UNAMIR, as set out in resolution 872 (1993), was as follows: (a) to contribute to the security of the city of Kigali, inter alia, within a weapons-secure area established by the parties in and around the city; (b) to monitor observance of the cease-fire agreement, which called for the establishment of cantonment and assembly zones and the demarcation of the new demilitarized zone and other demilitarization procedures; (c) to monitor the security situation during the final period of the transitional Government's mandate, leading up to the elections; (d) to assist with mine clearance, primarily through training programmes; (e) to investigate at the request of the parties, or on its own initiative, instances of alleged non-compliance with the provisions of the Protocol of Agreement on the Integration of the Armed Forces of the Two Parties, and to pursue any such instances with the parties responsible and report thereon as appropriate to the Secretary-General; (f) to monitor the process of repatriation of Rwandese refugees and resettlement of displaced persons to verify that it was carried out in a safe and orderly manner; (g) to assist in the coordination of humanitarian assistance activities in

⁹⁵ S/26488 and Add. 1.

⁹⁶ Earlier, in a letter dated 14 June 1993 addressed to the President of the Council (S/25951), the representative of Rwanda had informed the Council that the Rwandan Government and the RPF had drawn up a joint request, which was annexed to his present letter, for the stationing of a neutral international force in Rwanda, as soon as the peace agreement had been signed.

conjunction with relief operations; and (h) to investigate and report on incidents regarding the activities of the gendarmerie and the police.

Composition

UNAMIR was authorized with the maximum strength of 2,548 military personnel, of whom 2,217 would be staff officers and formed troops and 311 would be military observers, to be deployed in four phases in accordance with the Secretary-General's peace plan, as set out in his report.⁹⁷ Through exchanges of letters between the Secretary-General and the President of the Council, the Force Commander⁹⁸ of, and military personnel contributing countries⁹⁹ to UNAMIR were confirmed.

Mandate Implementation

Extension of Mandate: While the Secretary-General, in his report,¹⁰⁰ recommended an extension of the mandate of UNAMIR for six months, the Council, by resolution 909 (1994) of 5 April 1994, extended the mandate of UNAMIR until 29 July 1994, with a six-week review provision on the understanding that progress would be made in establishing the transitional institutions provided for under the Arusha Peace Agreement. By resolution 925 (1994) of 8 June 1994, the Council extended the mandate of UNAMIR until 9 December 1994. Subsequently, by a series of resolutions,¹⁰¹ the Council extended the mandate of UNAMIR in four instances for additional periods of between three and six months, except for one occasion.¹⁰²

Adjustment of Mandate: Following the Secretary-General's special report¹⁰³ dated 20 April 1993, which informed of the situation in Rwanda after the plane crash that resulted in the deaths of the Presidents of Rwanda and Burundi on 6 April 1994,

⁹⁷ S/25488, paras. 39-43.

⁹⁸ S/26593 and S/26594, S/1994/963 and S/1994/964.

⁹⁹ S/26699 and S/26700; S/26850 and S/26851, S/1994/965 and S/1994/966, S/1994/990 and S/1994/991.

¹⁰⁰ S/1994/360.

¹⁰¹ Resolutions 965 (1994) of 30 November 1994, 997 (1995) of 9 June 1995, resolution 1028 (1995) of 8 December 1995, 1029 (1995) of 12 December 1995.

¹⁰² On 8 December 1995, by resolution 1028 (1995) the Council extended the mandate of UNAMIR, expiring that day, until 12 December 1995.

¹⁰³ S/1994/470.

including the large-scale violence in Rwanda, and proposed options for adjustment of mandate of UNAMIR, by resolution 912 (1994) of 5 April 1994, the Council adjusted the mandate of UNAMIR to encompass the following tasks: (a) to act as an intermediary between the parties in an attempt to secure their agreement to a cease-fire; (b) to assist in the resumption of humanitarian relief operations to the extent feasible; (c) to monitor and report on developments in Rwanda, including the safety and security of the civilians who sought refuge with UNAMIR.

By resolution 918 (1994) of 17 May 1994, the Council revised the mandate of UNAMIR to include the following additional responsibilities: (a) to contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda, including through the establishment and maintenance, where feasible, of secure humanitarian areas; and (b) to provide security and support for the distribution of relief supplies and humanitarian relief operations. By the same resolution, the Council recognized that the Mission might be required to take action in self-defence against persons or groups who threatened protected sites and populations, United Nations and other humanitarian personnel or the means of delivery and distribution of humanitarian relief.¹⁰⁴

By resolution 925 (1994) of 8 June 1994, the Council endorsed the Secretary-General's proposals contained in his report¹⁰⁵ for the deployment of the expanded UNAMIR,¹⁰⁶ and reaffirmed that UNAMIR, in addition to continuing to act as an

¹⁰⁴ Earlier, in his letter dated 29 April 1994 (S/1994/518), the Secretary-General reported that in the circumstances in which massacres continued to occur, serious questions about the viability of the mandate of UNAMIR, revised by resolution 912 (1994), were raised. In particular, the mandate did not give UNAMIR the power to take effective action to halt the continuing massacres and at best the Mission could provide "limited protection" to small groups of threatened persons in Kigali. He urged the Council to reexamine the decision taken in resolution 912 (1994) and to consider what action, including forceful action, UNAMIR could take, or could authorize Member States to take, in order to restore law and order and end the massacres. In a letter addressed to the Secretary-General (S/1994/530), the President of the Council indicated that the Council had considered the Secretary-General's letter and had agreed that urgent and effective means of action needed to be considered.

¹⁰⁵ S/1994/640.

¹⁰⁶ In particular: (a) the immediate initiation of the deployment of the two additional battalions in phase 2 in close synchronization with phase 1; (b) the continuation of urgent preparations for the deployment of the two battalions envisaged for phase 3; and (c) flexible implementation of all three phases to ensure effective use of available resources to accomplish the tasks to (i) contribute to the security and protection of

intermediary between the parties in an attempt to secure their agreement to a cease-fire, would: (a) contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda, including through the establishment and maintenance, where feasible, of secure humanitarian areas; and (b) provide security and support for the distribution of relief supplies and humanitarian relief operations. At the same time, the Council recognized that UNAMIR might be required to take action in self-defence against persons or groups who threatened protected sites and populations, United Nations and other humanitarian personnel or the means of delivery and distribution of humanitarian relief.

By resolution 965 (1994) of 30 November 1994, the mandate of UNAMIR was expanded to be as follows: (a) contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda, including through the establishment and maintenance, where feasible, of secure humanitarian areas; (b) provide security and support for the distribution of relief supplies and humanitarian relief operations, (c) exercise its good offices to help achieve national reconciliation within the frame of reference of the Arusha Peace Agreement, (d) contribute to the security in Rwanda of personnel of the International Tribunal for Rwanda and human rights officers, including full-time protection for the Prosecutor's Office, as well as security details for missions outside Kigali; and (e) assist in the establishment and training of a new, integrated, national police force.

By resolution 997 (1995) of 9 June 1995, in the light of the situation in Rwanda, the mandate of UNAMIR was adjusted to be as follows: (a) exercise its good offices to help achieve national reconciliation within the frame of reference of the Arusha Peace Agreement; (b) assist the Government of Rwanda in facilitating the voluntary and safe return of refugees and their reintegration in their home communities, and, to that end, to support the Government of Rwanda in its ongoing efforts to promote a climate of confidence and trust through the performance of monitoring tasks throughout the country

displaced persons, refugees and civilians at risk in Rwanda, including through the establishment and maintenance, where feasible, of secure humanitarian areas; and (ii) provide security and support for the distribution of relief supplies and humanitarian relief operations.

with military and police observers;(c) support the provision of humanitarian aid, and of assistance and expertise in engineering, logistics, medical care and demining;(d) assist in the training of a national police force; (e) contribute to the security in Rwanda of personnel and premises of United Nations agencies, of the International Tribunal for Rwanda, including full-time protection for the Prosecutor's Office, as well as those of human rights officers, and to contribute also to the security of humanitarian agencies in case of need.

By resolution 1028 (1995) of 8 December 1995, in the light of efforts to restore peace and stability through the voluntary and safe repatriation of Rwandan refugees, the Council adjusted the mandate of UNAMIR to (a) exercise its good offices to assist in achieving the voluntary and safe repatriation of Rwandan refugees within the frame of reference of the recommendations of the Bujumbura Conference and the Cairo Summit of the Heads of State of the Great Lakes Region, and in promoting genuine national reconciliation, (b) assist the Government of Rwanda in facilitating the voluntary and safe return of refugees and, to this end, to support the Government of Rwanda in its ongoing efforts to promote a climate of confidence and trust through the performance of monitoring tasks, (c) assist the United Nations High Commissioner for Refugees and other international agencies in the provision of logistical support for the repatriation of refugees, (d) contribute, with the agreement of the Government of Rwanda, to the protection of the International Tribunal for Rwanda as an interim measure until alternative arrangements agreed with the Government of Rwanda could be put in place.

Change in Strength:

Reduction: By resolution 912 (1994) of 5 April 1994, by which the mandate of UNAMIR was adjusted, the force level was authorized at 270 total, as set out as one of the options in the Secretary-General's special report¹⁰⁷ dated 20 April 1994.

¹⁰⁷ S/1994/470, paras. 15 to 18.

Expansion: By resolution 918 (1994) of 17 May 1994, the Council authorised the expansion of the Mission's forces to a level up to 5,500, as recommended by the Secretary-General, in his report dated 13 May 1994.¹⁰⁸

Increase in Civilian Police: Subsequent to the Secretary-General's recommendation¹⁰⁹ that civilian police be increased in order to fulfill its expanded functions, by a letter¹¹⁰ dated 10 February 1995 from the President of the Council addressed to the Secretary-General, Council members agreed that the strength of civilian police should be increased from 90 to 120 observers.

Reduction : By resolution 997 (1995) of 9 June 1995, the Council authorized a reduction of the force level to 2,330 troops within three months of the adoption of the resolution and to 1,800 troops within four months, while maintaining the current level of military observers and civilian police personnel. By resolution 1029 (1995) of 12 December 1995, the Council requested the Secretary-General to reduce the force level to 1,200 troops and the number of military observers, headquarters and other military support staff to 200, and to withdraw the civilian police component.

Termination

By resolution 872 (1993) of 5 October 1993, the Council noted that the mandate of UNAMIR, if extended, was expected to terminate following national elections and the installation of a new Government of Rwanda, events which were scheduled to occur by October 1995, but no later than December 1995.

By resolution 1029 (1995) of 12 December 1995, the Council requested the Secretary-General to initiate planning for the complete withdrawal of UNAMIR after the expiry of the mandate on 8 March 1996, that withdrawal to take place within a period of six weeks after the expiry of the mandate.

¹⁰⁸ S/1994/565, paras. 16-17. By the same resolution, the Council requested the Secretary-General, as a first phase, immediately to redeploy to Rwanda the military observers of UNAMIR in Nairobi and to bring up to the full strength the elements of the mechanized infantry battalion in Rwanda.

¹⁰⁹ In his report dated 6 February 1995 (S/1995/107, para. 35).

¹¹⁰ S/1995/130.

10. United Nations Observer Mission in Liberia (UNOMIL) established pursuant to resolution 866 (1993)

Establishment

Following the signing of the Peace Agreement¹¹¹ on 25 July 1993 between the three Liberian parties at Cotonou, which called on the United Nations and the Military Observer Group of the Economic Community of West African States (ECOMOG) to assist in the implementation of the Agreement, by resolution 866 (1993) of 22 September 1993, the Security Council established the United Nations Observer Mission in Liberia (UNOMIL). UNOMIL was established, for an initial period of seven months, subject to the proviso that it would continue beyond 16 December 1993 only upon a Council review, based on a report from the Secretary-General, on whether or not substantive progress had been made towards the implementation of the Peace Agreement.

Mandate

As set out in resolution 866 (1993), the mandate of UNOMIL was as follows: (a) to receive and investigate all reports on alleged incidents of violations of the cease-fire agreement and, if the violation could not be corrected, to report its findings to the Violation Committee established pursuant to the Peace Agreement, and to the Secretary-General; (b) to monitor compliance with other elements of the Peace Agreement, including at points on Liberia's borders with Sierra Leone and other neighbouring countries, and to verify its impartial application, and in particular to assist in the monitoring of compliance with the embargo on delivery of arms and military equipment to Liberia and the cantonment, disarmament and demobilization of combatants; (c) to observe and verify the election process, including the legislative and presidential elections to be held in accordance with the provisions of the Peace Agreement; (d) to assist, as appropriate, in the coordination of humanitarian assistance activities in the field in conjunction with the existing United Nations humanitarian relief operation; (e) to develop a plan and assess financial requirements for the demobilization of combatants; (f) to report on any major violations of international humanitarian law to the Secretary-

¹¹¹ S/26272, Annex.

General; (g) to train the Military Observer Group engineers in mine clearance and, in cooperation with the Group, coordinate the identification of mines and assist in the clearance of mines and unexploded bombs; and (h) without participation in enforcement operations, to coordinate with the Military Observer Group in the discharge of the Group's separate responsibilities both formally, through the Violation Committee and, and informally.

Composition

In accordance with resolution 866 (1993), and on the basis of the estimate by the Secretary-General,¹¹² UNOMIL was to comprise 303 military observers, a military medical unit of at least 20 staff, a military engineering unit of 45 staff, an electoral component of 13 professionals, 40 United Nations volunteers and necessary support staff. Through exchanges of letters between the Secretary-General and the President of the Council, the Chief Military Observer¹¹³ and countries¹¹⁴ contributing to the military elements of UNOMIL during the period under review were confirmed.

Mandate Implementation

Extension of Mandate: During the period under review, by a series of resolutions,¹¹⁵ the Council extended the mandate of UNOMIL on six occasions for additional periods of between three and six months, on the basis of the reports of the Secretary-General¹¹⁶. In particular, by resolution 1001 (1995) of 30 June 1995, the Council extended the mandate of the Mission until 15 September 1995, while declaring its intention that the mandate of the Mission would not be renewed on 15 September 1995, unless the Liberian parties made serious and substantial progress toward implementation of the Akosombo and Accra Agreements¹¹⁷ and specifically to accomplish the steps set out in that resolution, by that date. By resolution 1014 (1995) of

¹¹² In his report dated 9 September 1993 (S/26422 and Add.1 and Add.1/Corr.1).

¹¹³ S/26532, S/26533, S/1995/959 and S/1995/960.

¹¹⁴ S/26554, S/26555, S/26778, S/26779, S/26857, S/26858.

¹¹⁵ Resolution 911 (1994) of 21 April 1994, 950 (1994) of 21 October 1994, 972 (1995) of 13 January 1995, 985 (1995) of 13 April 1995, 1001 (1995) of 30 June 1995, 1014 (1995) of 15 September 1995.

¹¹⁶ Those dated 18 April 1994 (S/1994/463), 14 October 1994 (S/1994/1167), 24 February 1995 (S/1995/158), 10 April 1995 (S/1995/279), 10 June 1995 (S/1995/473) and 9 September 1995 (S/1995/781).

¹¹⁷ S/1994/1174 and S/1995/7.

15 September 1995, the Council, noting the positive political developments that the Liberian parties had made, extended the mandate of UNOMIL until 31 January 1996.

Reduction of Strength: Following the consideration of the report of the Secretary-General,¹¹⁸ by resolution 950 (1994) of 21 October 1994, the Council recognized that the circumstances on the ground had warranted the Secretary-General's decision to reduce the strength of UNOMIL, and considered that any decision to return it to the authorized level would depend on the consideration by the Council of a further report from the Secretary-General reflecting a real improvement in the situation on the ground, in particular the security situation.

By resolution 972 (1995) of 13 January 1995, the Council requested that the Secretary-General base any decision to return the Mission and its civilian staff to the level authorized under resolution 866 (1993) on the existence of any effective ceasefire and on the ability of the Mission to carry out its mandate.

By resolution 1001 (1995) of 30 June 1995,, the Council decided that if sufficient progress in the peace process regarding those steps in resolution was achieved by 15 September 1995, the Council would consider restoring the Mission to its full strength with appropriate adjustment of its mandate.

By resolution 1014 (1995) of 15 September 1995, on the basis of the report of the Secretary-General,¹¹⁹ the Council, noting the positive political developments that the Liberian parties had made, welcomed the intention of the Secretary-General to increase immediately the number of military observers by forty-two, to monitor the ceasefire and the disengagement of forces.

By resolution 1020 (1995) of 10 November 1995, the number of military observers was decided to be a maximum of 160.

¹¹⁸ S/1994/1167.

¹¹⁹ S/1995/781.

Revision of Mandate: Following the signing of the Abuja Agreement¹²⁰ by the parties on 19 August 1995, by resolution 1020 (1995) of 10 November 1995, the Council adjusted the mandate of UNOMIL as follows: (a) to exercise its good offices to support the efforts of ECOWAS and the Liberian National Transitional Government (LNTG) to implement the peace agreements and to cooperate with them for this purpose; (b) to investigate all allegations of violations of the cease-fire reported to the Cease-fire Violations Committee, to recommend measures to prevent the recurrence of such violations and to report to the Secretary-General accordingly; (c) to monitor compliance with the other military provisions of the peace agreements including disengagement of forces, disarmament and observance of the arms embargo and to verify their impartial application; (d) to assist, as appropriate, in the maintenance of assembly sites agreed upon by ECOMOG, the LNTG and the factions, and in the implementation of a programme for demobilization of combatants, in cooperation with the LNTG, donor agencies and non-governmental organizations; (e) to support, as appropriate, humanitarian assistance activities; (f) to investigate and report to the Secretary-General on violations of human rights and to assist local human rights groups, as appropriate, in raising voluntary contributions for training and logistic support; and (g) to observe and verify the election process, in consultation with the Organization of African Unity and ECOWAS, including the legislative and presidential elections to be held in accordance with provisions of the peace agreements.

11. United Nations Aouzou Strip Observer Group (UNASOG) established pursuant to resolution 915 (1994)

Establishment

By resolution 915 (1994) of 4 May 1994, the Council established the United Nations Aouzou Strip Observer Group (UNASOG) for a single period of up to 40 days, following the signing of an agreement between Chad and Libya on the implementation of the Judgment of the International Court of Justice (ICJ) regarding the Aouzou Strip.

¹²⁰ S/1995/742.

Mandate

The mandate of UNASOG was, as set out by resolution 915 (1994), to observe the implementation of the agreement signed on 4 April 1994 at Surt by the Governments of Chad and the Libyan Arab Jamahiriya concerning the practical modalities for the implementation of the Judgment delivered by ICJ on 3 February 1994.¹²¹ The agreement called for the withdrawal of the Libyan administration and forces from the Aouzou Strip and for the United Nations observers to establish that the withdrawal had actually been effected, in accordance with article 1 thereof.

Composition

By resolution 915 (1994), the deployment of nine United Nations observers and six support staff to UNASOG was authorized.¹²²

Termination

Following the report¹²³ of the Secretary-General in which he stated that UNASOG had successfully completed the task assigned to it by the Council and departed from the area on 5 June 1994, the Council, by resolution 926 (1994) of 13 June 1994, decided to terminate the mandate of the Group with immediate effect.

Americas

12. United Nations Observer Mission in El Salvador (ONUSAL) established pursuant to resolution 693 (1991)

During the period under review, the United Nations Observer Mission in El Salvador (ONUSAL) continued to fulfil its mandate, as set out in resolutions 693 (1991) and 729 (1991), of verifying and monitoring all agreements between the Government of

¹²¹ S/1994/402 and S/1994/424.

¹²² For details regarding staff, see the report of the Secretary-General dated 6 June 1995 (S/1994/672, para. 3).

¹²³ S/1994/672.

El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN), including a ceasefire and related measures, reform and reduction of the armed forces, creation of a new police force, reform of the judicial and electoral systems, human rights, land tenure and other economic and social issues.

Mandate Implementation

Enlargement of Mandate: By resolution 832 (1993) of 27 May 1993, noting that the Government of El Salvador had requested the United Nations to verify the general elections to be held in March 1994 and on the basis of the report¹²⁴ of the Secretary-General, the Council enlarged the mandate of ONUSAL to include the observation of the electoral process due to conclude with the general elections.

Extension of Mandate: During the period under review, by a series of resolutions,¹²⁵ the Council, on the basis of the reports¹²⁶ of the Secretary-General, extended the ONUSAL's mandate in four instances until its termination on 30 April 1995.

Termination

By resolution 991 (1995), recognizing with satisfaction that El Salvador had evolved from a country riven by conflict into a democratic and peaceful nation, the Council paid tribute to the accomplishments of ONUSAL and affirmed, in accordance with paragraph 8 of resolution 961 (1994), that the mandate of ONUSAL would terminate as of 30 April 1995.¹²⁷

¹²⁴ S/25812 and Add. 1 and 2.

¹²⁵ Resolutions 832 (1993) of 27 May 1993, 888 (1993) of 30 November 1993, 920 (1994) of 26 May 1994, 961 (1994) of 23 November 1994 and 991 (1995) of 28 April 1995.

¹²⁶ Those dated 31 March 1994 (S/1994/375), 4 May 1994 (S/1994/536), 11 May 1994 (S/1994/612), 31 October 1994 (S/1994/1212 and Add. 1), and 24 March 1995 (S/1995/220).

¹²⁷ By an exchange of letters between the Secretary-General and the President of the Council (S/1995/143 and S/1995/144), it was agreed upon that following the termination of ONUSAL, verification responsibilities and the good offices function would be carried out by a small United Nations office (to be known as the United Nations Mission in El Salvador (MINUSAL)) under the Secretary-General's authority, as proposed by the Secretary-General in his above-mentioned letter.

13. United Nations Mission in Haiti (UNMIH) established pursuant to resolution 867 (1993)

Establishment

By resolution 867 (1993) of 23 September 1993, the Security Council approved the Secretary-General's recommendations¹²⁸ to authorize the establishment and immediate dispatch, on an urgent basis, of the United Nations Mission in Haiti (UNMIH).¹²⁹

Mandate

The mandate of UNMIH was, as recommended by the Secretary-General,¹³⁰ to help implement the Governors Island Agreement, by providing guidance and training to the Haitian police and modernization of the armed forces. The Mission was established for a period of six months, subject to the provision that it would be extended beyond 75 days only upon a review by the Council to be based on a report from the Secretary-General on whether or not substantive progress had been made towards the implementation of the Governors Island Agreement and the political accords contained in the New York Pact.¹³¹

Composition

¹²⁸ Contained in his reports of 25 August and 21 September 1993 (S/26352 and S/26480 and Add.1).

¹²⁹ The Governors Island Agreement, as contained in the annex to the letter from the Secretary-General dated 22 October 1994 (S/1994/1144), signed by the President of Haiti and the Commander-in-Chief of the Haitian Armed Forces on 3 July 1993, called for international assistance in modernizing the armed forces of Haiti and establishing a new police force "with the presence of United Nations personnel" in those fields. In a letter dated 24 July 1993 from the President of Haiti addressed to the Secretary-General (S/26180), President Aristide conveyed proposals of the Government of Haiti for United Nations assistance in creating a new police force and professionalizing the Haitian armed forces. In his report dated 25 August 1993 (S/26352), the Secretary-General recommended the establishment of a United Nations Mission in Haiti (UNMIH) consisting of the civilian police and military assistance components, for an initial period of six months, to be dispatched as soon as the conditions set up in the Governors Island Agreement were met. By resolution 862 (1993), the Council approved the dispatch, as soon as possible, of an advance team, with a mandate expiring within a month, of not more than 30 personnel to assess requirements and prepare for the possible dispatch of both civilian police and military assistance components of the proposed UNMIH.

¹³⁰ S/26352.

¹³¹ S/26297, annex.

As recommended by the Secretary-General in his report,¹³² the Mission was initially to be comprised of up to 567 United Nations police monitors and a military construction unit with a strength of approximately 700, including 60 military trainers. Through exchanges of letters between the Secretary-General and the President of the Council, the composition of the military and police components¹³³ and the Commanders¹³⁴ of the military and police units of UNMIH were confirmed.

Mandate Implementation

In a Statement¹³⁵ by the President of the Council dated 11 October 1993, and similarly in a preambular paragraph of resolution 875 (1993), the Council expressed its concerns with the continued obstruction to the dispatch of UNMIH and the failure of the armed forces of Haiti to carry out their responsibilities to allow the Mission to begin its work. In a Statement¹³⁶ of the President of the Council dated 15 November 1993, the Council requested the Secretary-General to continue planning for additional measures, including for an appropriate United Nations mission in Haiti to be deployed, as conditions permitted, consistent with the Governors Island Agreement. In his letter¹³⁷ dated 10 December 1993, the President of the Council informed the Secretary-General that Council members welcomed his report of 26 November 1993, on the basis of which they had found no reason why the mandate of UNMIH should not be continued for the full six-month period authorized by resolution 867 (1993).

Extension of Mandate: While the deployment of UNMIH was not realized due to the continued obstruction to the dispatch of UNMIH, the Council, by resolutions 905 (1994) of 23 March 1994 and 933 (1994) of 30 June 1994, decided to extend the mandate of UNMIH until 30 June 1994 and 31 July 1994, respectively, as recommended by the

¹³² S/26480 and Add. 1.

¹³³ S/26535 and S/26536, S/26579 and S/26580, S/1995/31 and S/1995/32, S/1995/60 and S/1995/61, S/1995/67 and S/1995/68.

¹³⁴ S/26537 and S/26538, S/26539 and S/26540.

¹³⁵ S/26567.

¹³⁶ S/26747.

¹³⁷ S/26864.

Secretary-General.¹³⁸ By resolution 975 (1995) of 30 January 1995, the Council decided to extend the mandate of UNMIH for a period of six months, until 31 July 1995. By resolution 1007 (1995) of 31 July 1995, the Council decided, in order to achieve the objectives established in resolution 940 (1994), to extend the mandate of UNMIH for a period of seven months.

Revision of Mandate: By resolution 940 (1994) of 31 July 1994, the Council, acting under Chapter VII of the Charter, authorized Member States to form a multinational force under unified command and control and to use all necessary means to facilitate the departure from Haiti of the military leadership, and decided to revise and extend the mandate of UNMIH, for a period of six months, to assist the democratic Government of Haiti in fulfilling its responsibilities in connection with (a) sustaining the secure and stable environment established during the multinational phase and protecting international personnel and key installations; and (b) the professionalization of the Haitian armed forces and the creation of a separate police force. Also, the Council requested that UNMIH assist the legitimate constitutional authorities of Haiti in establishing an environment conducive to the organization of free and fair legislative elections.

Transfer of responsibilities from Multinational Force: By resolution 975 (1995) of 30 January 1995, determining that a secure and stable environment appropriate for the deployment of UNMIH existed in Haiti, the Council authorized the Secretary-General to recruit and deploy military contingents, civilian police and other civilian personnel sufficient to allow UNMIH to assume the full range of its functions as established by resolution 867 (1993) and as revised and extended by paragraphs 9 and 10 of resolution 940 (1994). The Council also authorized the Secretary-General to take the necessary steps in order for UNMIH to assume those responsibilities as soon as possible, with the

¹³⁸ S/1994/311.

full transfer of responsibilities from the multinational force to the Mission to be completed by 31 March 1995.¹³⁹

Change in Strength:

By resolution 940 (1994) of 31 July 1994, the Council approved the establishment of an advance team of UNMIH of not more than 60 personnel, including a group of observers, whose term would expire on the date of termination of the mission of the multinational force, to establish the appropriate means of coordination with the multinational force, to carry out the monitoring of the operations of the multinational force and other functions described in paragraph 13 of the report¹⁴⁰ of the Secretary-General of 15 July 1994, and to assess requirements and to prepare for the deployment of UNMIH upon completion of the mission of the multinational force. Also by the same resolution, the Council decided to increase the troop level of UNMIH to 6,000.

By resolution 944 (1994) of 29 September 1994, welcoming the peaceful deployment of initial units of the multinational force in Haiti on 9 September 1994, the Council requested the Secretary-General to take steps to ensure the immediate completion of the deployment of the observers and other elements of the sixty-person advance team of UNMIH established pursuant to resolution 940 (1994) of 31 July 1994.

In a Presidential Statement¹⁴¹ dated 24 April 1995, the Council welcomed the transfer of responsibilities from the multinational force to UNMIH that took place on 31 March 1995. The Council also welcomed the Secretary-General's decision to coordinate the Mission's peacekeeping mission with development activities carried out by others, in

¹³⁹ In a Presidential Statement dated 24 April 1995 (S/PRST/1995/20), the Council welcomed the transfer of responsibilities from the multinational force to UNMIH that took place on 31 March 1995. The Council also welcomed the Secretary-General's decision to coordinate the Mission's peacekeeping mission with development activities carried out by others, in a manner consistent with the Mission's mandate, to help the Government of Haiti to strengthen its institutions, particularly the judicial system.

¹⁴⁰ S/1994/828 and Add. 1.

¹⁴¹ S/PRST/1995/20.

a manner consistent with the Mission's mandate, to help the Government of Haiti to strengthen its institutions, particularly the judicial system.

By resolution 975 (1995) of 30 January 1995, the Council authorized the Secretary-General to deploy in Haiti, in accordance with resolution 940 (1994), up to 6,000 troops and, as recommended by the Secretary-General in his report¹⁴², up to 900 civilian police officers.

Termination

By resolution 940 (1994) of 31 July 1994, the Council established the objective of completing UNMIH's mission, in cooperation with the constitutional Government of Haiti, not later than February 1996.

Asia

14. United Nations Military Observer Group in India and Pakistan (UNMOGIP) established pursuant to resolution 47 (1949)

The United Nations Military Observer Group in India and Pakistan (UNMOGIP), established in 1948, continued to monitor the ceasefire between India and Pakistan in the State of Jammu and Kashmir on the basis of resolution 91 (1951).¹⁴³ During the period under review, through exchanges of letters between the Secretary-General and the President of the Security Council, countries¹⁴⁴ contributing military observers to and the Chief Military Observer¹⁴⁵ of UNMOGIP were confirmed.

¹⁴² S/1995/46, para. 87.

¹⁴³ Since 1971, the Council has not formally discussed UNMOGIP, which is funded from the regular UN budget without requirement of a periodic renewal procedure. Following the Simla Agreement of 2 July 1972 between India and Pakistan, India took the position that UNMOGIP's mandate had lapsed, a position not accepted by Pakistan. Successive Secretaries-General have maintained that UNMOGIP can be terminated only by a Security Council decision.

¹⁴⁴ S/1994/1112 and S/1994/1113.

¹⁴⁵ S/1994/1146 and S/1994/1147.

15. United Nations Transitional Authority in Cambodia (UNTAC) established pursuant to resolution 745 (1992)

Mandate Implementation

The United Nations Transitional Authority in Cambodia (UNTAC) continued to ensure implementation of the Paris Agreements,¹⁴⁶ including human rights monitoring, organization of elections, maintenance of law and order, repatriation and resettlement of refugees and internally displaced persons, and rehabilitation of Cambodian infrastructure. The mandate of UNTAC, in accordance with resolution 745 (1992), extended for a period not to exceed 18 months until the end of the transitional period, that is, until the establishment of a new Cambodian Government. Through exchanges of letters¹⁴⁷ between the Secretary-General and the President of the Security Council, countries contributing military personnel to UNTAC were confirmed.

Termination

By resolution 860 (1993) of 27 August 1993, the Council approved the withdrawal plan for UNTAC outlined by the Secretary-General in his reports.¹⁴⁸ Furthermore, the Council decided that UNTAC's functions under the Paris Agreement should end upon the creation of a new government in Cambodia in September 1993, and that the period of withdrawal of the military component of UNTAC should end on 15 November 1993. In resolution 880 (1993) of 4 November 1993, the Council, recognizing termination of the mandate of UNTAC following the establishment of the constitutional government on 24 September 1993, paid tribute to the work of UNTAC. At the same time, while reiterating that the safe and orderly withdrawal of the military component of UNTAC provided for in resolution 860 (1993) should end on 15 November 1993, the Council extended the period of withdrawal, for the Mine Clearance and Training Unit, until 30 November 1993, and for elements of the military police and medical components

¹⁴⁶ S/23177, annex.

¹⁴⁷ S/25770 and S/25771, S/25816 and S/25817.

¹⁴⁸ S/26090 and S/26360.

of UNTAC, beyond 15 November 1993 on the basis that all of those elements would be withdrawn by 31 December 1993.¹⁴⁹

16. United Nations Mission of Observers in Tajikistan (UNMOT) established pursuant to resolution 968 (1994)

Establishment

Following the signing by the Tajik parties of the Agreement on a Temporary Cease-fire and the Cessation of Other Hostile Acts on the Tajik-Afghan Border and Within the Country for the Duration of the Talks, at Tehran on 17 September 1994 (“Tehran Agreement”)¹⁵⁰ and subsequent to the consideration of the report¹⁵¹ of the Secretary-General, the Council, by resolution 968 (1994) of 16 December 1994, established a United Nations Mission of Observers in Tajikistan (UNMOT), for a period of up to six months.

Mandate

UNMOT was mandated to undertake the following tasks: (a) to assist the Joint Commission¹⁵² to monitor the implementation of the Tehran Agreement; (b) to investigate reports of cease-fire violations and to report on them to the United Nations and to the Joint Commission; (c) to provide its good offices as stipulated in the Agreement; (d) to maintain close contacts with the parties to the conflict, as well as close liaison with the mission in Tajikistan of the Conference on Security and Cooperation in Europe (CSCE) and with the collective peace-keeping forces in Tajikistan of the Commonwealth of Independent States (CIS) and with the border forces; (e) to provide support for the efforts of the Special Envoy of the Secretary-General; and (f) to provide political liaison and

¹⁴⁹ By resolution 880 (1993) of 4 November 1993, the Council also decided to establish a team of 20 military liaison officers for a single period of six months with a mandate to report on matters affecting security in Cambodia, to maintain liaison with the Government of Cambodia and to assist the Government in dealing with residual military matters relating to the Paris Agreements. Subsequently, by an exchange of letters dated 16 November 1993 and 19 November 1993 (S/26773 and S/26774, respectively), the establishment of a United Nations Military Liaison Team in Cambodia was agreed upon.

¹⁵⁰ S/1994/1080, annex I.

¹⁵¹ S/1994/1363.

¹⁵² Established to ensure the effective implementation of the Tehran Agreement.

coordination services, which could facilitate expeditious humanitarian assistance by the international community.

Composition

UNMOT was to consist of 40 military officers, four civilian professionals, and three to four civil-affairs officers. Through an exchange of letters¹⁵³ between the Secretary-General and the President of the Council, the composition of the military elements of UNMOT was confirmed.

Mandate Implementation

Extension of Mandate: During the period under review, on six occasions, following consideration of the Secretary-General's progress reports,¹⁵⁴ the Council, by a series of resolutions,¹⁵⁵ extended the mandate of UNMOT, the last of which was until 15 June 1996.

Increase in Strength: Following the Secretary-General's recommendation in his reports,¹⁵⁶ by a Presidential Statement¹⁵⁷ dated 6 November 1995, the Council agreed to the establishment of a liaison post of UNMOT in Taloqan (northern Afghanistan) and supported the increase in the Mission's strength, to include five military observers and three civil affairs officers.

Europe

¹⁵³ S/1994/1455, S/1994/1456.

¹⁵⁴ See report of the Secretary-General dated 4 February 1995 and letter dated 6 February 1995 from the President of the Council (S/1995/105, S/1995/109); exchange of letters dated 3 and 6 March 1995 (S/1995/179, S/1995/180); exchange of letters dated 26 April 1995 (S/1995/331, S/1995/332); report of the Secretary-General dated 12 May 1995 and statement by the President of 19 May 1995 (S/1995/390, S/PRST/1995/28); report of the Secretary-General dated 10 June 1995 (S/1995/472 and Corr.1) and resolution 999 (1995) of 16 June 1995; and report of the Secretary-General dated 8 December 1995 (S/1995/1024) and resolution 1030 (1995) of 14 December 1995. For the full text of decisions, see Chapter VIII, under 'Items relating to the situation in Tajikistan'.

¹⁵⁵ Resolutions 999 (1995) of 16 June 1995, 1030 (1995) of 14 December 1995.

¹⁵⁶ S/1995/472 and Corr.1 and S/1995/799.

¹⁵⁷ S/PRST/1995/54.

17. United Nations Peacekeeping Force in Cyprus (UNFICYP) established pursuant to resolution 186 (1964)

During the period under review, pursuant to resolution 186 (1964), the United Nations Peacekeeping Force in Cyprus (UNFICYP) continued to perform its task of conflict control.

Mandate Implementation

Extension of Mandate: Following the consideration of the reports¹⁵⁸ of the Secretary-General, the Security Council continued to extend the mandate of UNFICYP for six-month periods,¹⁵⁹ the last of which was to expire on 30 June 1996.

By resolution 831 (1993) of 27 May 1993, the Council decided that UNFICYP should be restructured as a first step on the basis of the Secretary-General's proposal¹⁶⁰ – which would reduce the Force to the minimum number of infantry battalions required to maintain effective control of the buffer zone – and with the addition of a limited number of observers for reconnaissance, with a view to further restructuring in light of a comprehensive reassessment to be conducted in December 1993. However, by resolution 889 (1993) of 15 December 1993, the Council noted the Secretary-General's conclusion¹⁶¹ that the prevailing circumstances did not allow for any modification in UNFICYP's strength and structure, and requested him to keep those matters under constant review with a view to possible restructuring. The Council reiterated this request in the subsequent resolutions¹⁶² extending the mandate of UNFICYP.

¹⁵⁸ S/25912 and Add. 1; S/26777 and Add. 1; S/1994/680 and Add. 1; S/1994/1407 and Add. 1; S/1995/488 and Add. 1; and S/1995/1020 and Add. 1.

¹⁵⁹ Resolutions 839 (1993) of 11 June 1993, 889 (1993) of 15 December 1993, 927 (1994) of 15 June 1994, 969 (1994) of 21 December 1994, 1000 (1995) of 23 June 1995 and 1032 (1995) of 19 December 1995.

¹⁶⁰ In his report dated 30 March 1993 (S/25492, paras. 16-19).

¹⁶¹ S/26777.

¹⁶² Resolutions 927 (1994) of 15 June 1994, 969 (1994) of 21 December 1994, 1000 (1995) of 23 June 1995 and 1032 (1995) of 19 December 1995.

18. United Nations Protection Force in the former Yugoslavia (UNPROFOR) established pursuant to resolution 743 (1992)

Mandate Implementation

(1) Extension of Mandate

Until the termination of UNPROFOR's mandate on 20 December 1995, the Council, by a series of resolutions,¹⁶³ extended the mandate of UNPROFOR for the duration of between two and eight months, with a few exceptions.¹⁶⁴

(2) Change in Strength of UNPROFOR

During the period under review, the Council authorized the increase in the strength of UNPROFOR on five occasions:¹⁶⁵ by resolution 824 (1993) of 6 May 1993, by an additional 50 military observers; by resolution 844 (1993) of 18 June 1993, by an increase of some 7,600 personnel;¹⁶⁶ by resolution 908 (1994) of 31 March 1994, by up to 3,500 additional troops;¹⁶⁷ by resolution 914 (1994) of 27 April 1994, by up to 6,550 additional troops, 150 military observers and 275 civilian police monitors;¹⁶⁸ and by resolution 998 (1995) of 16 June 1995, by up to 12,500 additional troops.¹⁶⁹ Through exchanges of letters between the Secretary-General and the President of the Council, the

¹⁶³ Resolutions 815 (1993) of 30 March 1993, 847 (1993) of 30 June 1993, 871 (1993) of 4 October 1993, 908 (1994) of 31 March 1994, 947 (1994) of 30 September 1994, 982 (1995) of 31 March 1995, 1016 (1995) of 21 September 1995.

¹⁶⁴ Prior to the extension of mandate for six months, until 31 March 1994, by resolution 871 (1993) of 4 October 1993, the Council, extended the mandate for a short period of time: by resolution 869 (1993) of 30 Sep 1993 until 1 October 1993 and by resolution 970 (1993) of 1 Oct 1993, until 5 October 1993.

¹⁶⁵ Also by a Statement by the President of the Council of 3 March 1993 (S/25361), the Council, concerned with the continuing military attacks in eastern Bosnia, requested the Secretary-General to take immediate steps to increase the presence of UNPROFOR in eastern Bosnia and that following the rapid deterioration of the situation in Srebrenica and its surrounding areas, the Council, by resolution 819 (1993) of 16 April 1993, requested the Secretary-General, with a view to monitoring the humanitarian situation in the safe area, to take immediate steps to increase the presence of UNPROFOR in Srebrenica and its surroundings.

¹⁶⁶ For details, see the report of the Secretary-General of 14 and 17 June 1993 (S/25939, para. 6).

¹⁶⁷ See the reports of the Secretary-General of 11 March 1994 (S/1994/291) and 16 March 1994 (S/1994/300), and his letter of 30 March 1994 (S/1994/367).

¹⁶⁸ As recommended by the Secretary-General in his reports of 11 March 1994 (S/1994/291) and 16 March 1994 (S/1994/300) and 24 March 1994 (S/1994/333) and his letter of 30 March 1994 (S/1994/367).

¹⁶⁹ This was in order to establish the Rapid Reaction Force. The terms were set out in the letter of the Secretary-General of 9 June 1995 (S/1995/470 and Add.1).

Force Commander¹⁷⁰ of, and countries contributing to UNPROFOR¹⁷¹ during the period under review were confirmed.

(3) Change of Mandate

By resolution 836 (1993) of 4 June 1993, the Council, acting under Chapter VII, decided to expand the mandate of the UNPROFOR, in order to enable it in the safe areas referred to in resolution 824 (1993), (a) to deter attacks against the safe areas, (b) to monitor the cease-fire, (c) to promote the withdrawal of military or paramilitary units other than those of the Government of the Republic of Bosnia and Herzegovina and (d) to occupy some key points on the ground, in the addition to participating in the delivery of humanitarian relief to the population, as provided for in resolution 776 (1992). By the same resolution, the Council requested the Secretary-General (a) to make the adjustments or reinforcement of the Force, and to consider assignment of elements of UNPROFOR in support of the elements entrusted with protection of safe areas, and (b) to direct the Force Commander to redeploy to the extent possible the forces under his command in Bosnia and Herzegovina.

Use of Force: Also by the same resolution, the Council authorized UNPROFOR, in carrying out its mandate, acting in self-defence, to take the necessary measures, including the “use of force”, in reply to bombardments against the safe areas by any of the parties or to armed incursion into them or in the event of any deliberate obstruction in or around those areas to the freedom of movement of UNPROFOR or of protected humanitarian convoys. By resolution 871 (1993) of 4 October 1993, the Council also authorized the UNPROFOR, in carrying out its mandate in Croatia, acting in self-defence, to take the necessary measures, including the “use of force”, to ensure its security and its freedom of movement.

¹⁷⁰ S/26000 and S/26001, S/1994/121 and S/1994/122, S/1995/41 and S/1995/42.

¹⁷¹ S/26619 and S/26620, S/1994/935 and S/1994/936, S/1995/585 and S/1995/586.

Establishment of three interlinked peacekeeping operations: UNPROFOR (Croatia), UNPROFOR (Bosnia and Herzegovina) and UNPROFOR (the former Yugoslav Republic of Macedonia): By resolution 871 (1993) of 4 October 1993, the Council noted the Secretary-General's intention,¹⁷² to establish three subordinate commands within UNPROFOR – UNPROFOR (Croatia), UNPROFOR (Bosnia and Herzegovina) and UNPROFOR (the former Yugoslav Republic of Macedonia)- while retaining the existing dispositions in all other respects for the direction and the conduct of the UN operation in the territory of the former Yugoslavia.

Expansion of Mandate: By resolution 947 (1994) of 30 September 1994, the Council approved the Secretary-General's proposals,¹⁷³ concerning UNPROFOR's activities in relation to mine-clearance,¹⁷⁴ public information¹⁷⁵ and civilian police.¹⁷⁶

Reaffirmation of Mandate of UNPROFOR (Bosnia and Herzegovina): By resolution 982 (1995) of 31 March 1995, the Council authorized the Secretary-General to redeploy before 30 June 1995, all UNPROFOR personnel and assets from Croatia, and decided that (a) UNPROFOR should continue to perform fully the functions envisaged in the implementation of the Cease-Fire Agreement¹⁷⁷ of 29 March 1994 and the Economic Agreement¹⁷⁸ of 2 December 1994 between the Republic of Croatia and the local Serb authorities and all relevant Council resolutions, and to facilitate the delivery of international humanitarian assistance to Bosnia and Herzegovina through the territory of Croatia until the effective deployment of the United Nations Confidence Restoration Operation in Croatia (UNCRO) or 30 June 1995, whichever was sooner; and (b) UNPROFOR should retain its existing support structures in Croatia including the operation of its headquarters.

¹⁷² As outlined in his report dated 20 September 1993 (S/26470).

¹⁷³ In his report dated 17 September 1994 (S/1994/1067).

¹⁷⁴ Ibid., paras. 26-29.

¹⁷⁵ Ibid., paras. 30-32.

¹⁷⁶ Ibid., para. 49.

¹⁷⁷ S/1994/367.

¹⁷⁸ S/1994/1375.

Termination

By resolution 1031 (1995) of 15 December 1995, acting under Chapter VII of the Charter, the Council decided that the mandate of UNPROFOR should terminate on the date on which the Secretary-General reported to the Council that the transfer of authority from UNPROFOR to a multinational implementation force (IFOR) had taken place, and approved the arrangements set out in the report of the Secretary-General on the withdrawal of UNPROFOR and headquarters elements from the United Nations Peace Force (UNPF). On 20 December 1995, the transfer of authority from UNPROFOR to IFOR took place.

**19. United Nations Confidence Restoration Operation in Croatia (UNCRO)
established pursuant to resolution 981 (1995)**

Establishment

By resolution 981 (1995) of 31 March 1995, noting the letter from the representative of Croatia dated 17 March 1995¹⁷⁹ regarding his Government's views on the establishment of a United Nations peace-keeping operation in the Republic of Croatia, and acting under Chapter VII of the Charter, the Council decided to establish the United Nations Confidence Restoration Operation in Croatia (UNCRO), in accordance with the report¹⁸⁰ of the Secretary-General, for a period terminating on 30 November 1995.

Mandate

As set out in resolution 981 (1995), the mandate of UNCRO included (a) performing fully the functions envisaged in the Cease-Fire Agreement of 29 March 1994 between the Republic of Croatia and the local Serb authorities;¹⁸¹ (b) facilitating implementation of the Economic Agreement of 2 December 1994;¹⁸² (c) facilitating implementation of all relevant Council resolutions; (d) assisting in controlling, by

¹⁷⁹ S/1995/206, para. 84.

¹⁸⁰ S/1995/222 and Corr.1.

¹⁸¹ S/1994/367.

¹⁸² S/1994/1375.

monitoring and reporting, the crossing of military personnel, equipment, supplies and weapons, over the international borders between Croatia and Bosnia and Herzegovina, and Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) at the border crossings for which UNCRO was responsible; (e) facilitating the delivery of international humanitarian assistance to Bosnia and Herzegovina, through the territory of Croatia; (f) monitoring the demilitarization of the Prevlaka peninsula in accordance with resolution 779 (1992). It was also decided that UNCRO should be an interim arrangement to create the conditions that would facilitate a negotiated settlement consistent with the territorial integrity of Croatia and which guaranteed the security and rights of all communities living in a particular area of Croatia, irrespective of whether they constituted in that area a majority or minority. In order to fulfil the above-mentioned functions, by resolution 990 (1995) of 28 April 1995, the Council approved the arrangements, as proposed by the Secretary-General,¹⁸³ for the implementation of the mandate of UNCRO.

Composition

As recommended by the Secretary-General,¹⁸⁴ and as authorized by resolution 990 (1995) of 28 April 1995, UNCRO was authorized with an overall total of some 8,750 troops.

Termination

By resolution 1025 (1995) of 30 November 1995, the Council decided that the mandate of UNCRO should terminate on 15 January 1996 or when the Council had decided on the deployment, including on the necessary period for the transfer of authority, of the transitional peace-keeping force, whichever was sooner.

20. United Nations Preventive Deployment Force in the Former Yugoslav Republic of Macedonia (UNPREDEP) established pursuant to resolution 983 (1995)

¹⁸³ In his report dated 18 April 1995 (S/1995/320, paras. 11-28).

¹⁸⁴ S/1995/320, para. 29.

Establishment

By resolution 983 (1995) of 31 March 1995, the Council decided that UNPROFOR within the former Yugoslav Republic of Macedonia should be known as the United Nations Preventive Deployment Force (UNPREDEP) whose mandate should continue for a period terminating on 30 November 1995.

Mandate and composition

As recommended by the Secretary-General,¹⁸⁵ UNPREDEP would have the same responsibilities and composition as UNPROFOR had in the former Republic of Macedonia.

Mandate Implementation

Extension of Mandate: By resolution 1027 (1995) of 30 November 1994, the Council decided to extend the mandate for a period terminating on 30 May 1996.

21. United Nations Mission in Bosnia and Herzegovina (UNMIBH) established pursuant to resolution 1035 (1995)

Establishment

By resolution 1035 (1995) of 21 December 1995, the Council, endorsing the arrangements set out in the report¹⁸⁶ of the Secretary-General, established an International Police Task Force (IPTF) and a UN civilian office (both of which to be known as the “United Nations Mission in Bosnia and Herzegovina (UNMIBH)”), for a period of one year from the transfer of authority from UNPROFOR to the multinational implementation force (IFOR).

Mandate

¹⁸⁵ S/1995/222, para. 85.

¹⁸⁶ S/1995/1031.

IPTF was entrusted with the tasks set out in Annex 11 of the Peace Agreement, that is, to assist the parties in carrying out their law enforcement responsibilities. The UN civilian office was entrusted with the responsibilities set out in the report¹⁸⁷ of the Secretary-General.

22. United Nations Observer Mission in Georgia (UNOMIG) established pursuant to resolution 858 (1993)

Establishment

By resolution 858 (1993) of 24 August 1993, the Council established a United Nations Observer Mission in Georgia (UNOMIG) in accordance with the report of the Secretary-General¹⁸⁸. UNOMIG was established for a period of six months, subject to the proviso that it would be extended beyond the initial 90-day period only upon a review by the Council based on a report from the Secretary-General on whether or not substantive progress had been made towards implementing measures aimed at establishing a lasting peace.

Mandate

The mandate of UNOMIG, in accordance with resolution 858 (1993), was the following: (a) to verify compliance with the cease-fire agreement of 27 July 1993, with special attention to the situation in Sukhumi; (b) to investigate reports of cease-fire violations and to attempt to resolve such incidents with the parties involved; and (c) to report to the Secretary-General on the implementation of its mandate including, in particular, violations of the cease-fire agreement.

¹⁸⁷ Ibid.

¹⁸⁸ S/26250 and Add.1. Prior to the establishment of UNOMIG, by resolution 854 (1993), the Council approved the Secretary-General's proposal, as contained in his letter dated 4 August 1993 (S/26254), that an advance team of up to ten United Nations military observers be deployed to the region, as soon as possible, to begin to help verify compliance with the cease-fire as envisaged in the Cease-fire Agreement of 27 July 1993, the mandate of the team to expire within three months.

Composition

UNOMIG would comprise up to 88 military observers, plus minimal staff necessary to support the Mission. Through exchanges of letters between the Secretary-General and the President of the Council, the Chief Military Observer¹⁸⁹ of, and countries¹⁹⁰ contributing military elements to UNOMIG were confirmed.

Mandate Implementation

Extension of Mandate: During the period under review, by a series of resolutions,¹⁹¹ and on the basis of the reports¹⁹² of the Secretary-General, the Council successively extended the mandate of UNOMIG for additional interim periods, the last of which was until 12 January 1996. Among them, the Council decided the extension of mandate with the following provisions: By resolution 881 (1993) of 4 November 1993, the Council decided that UNOMIG would not be extended beyond 31 January 1994, “unless the Secretary-General report[ed] to it that substantive progress ha[d] been made towards implementing measures aimed at establishing a lasting peace or that the peace process [would] be served by the prolongation of its mandate”. By resolution 993 (1995) of 12 May 1995, the Council decided to extend the mandate of UNOMIG, “subject to review by the Council in the event of any changes that [might] be made in the mandate of the CIS peacekeeping force”.

Interim Mandate: Noting with concern that the original mandate of UNOMIG had been overtaken by the military developments of 16 to 27 September 1993, the Council, by resolution 881 (1993) of 4 November 1993, on the basis of the report¹⁹³ of the Secretary-General, approved the continued presence of UNOMIG until 31 January 1994, comprising up to five military observers plus minimal support staff. The interim mandate

¹⁸⁹ S/26391 and S/26392.

¹⁹⁰ S/26405 and S/26406, S/1994/23 and S/1994/24, S/1994/929 and S/1994/930.

¹⁹¹ Resolutions 881 (1993) of 4 November 1993, 896 (1994) of 31 January 1994, 901 (1994) of 4 March 1994, 934 (1994) of 30 June 1994, 937 (1994) of 21 July 1994, 971 (1995) of 12 January 1995, 993 (1995) of 12 May 1995, and 993 (1995) of 12 May 1995.

¹⁹² S/26646, S/1994/80 and Add. 1, S/1994/253, S/1994/312 and Add. 1, S/1994/725, S/1994/818 and Add. 1, S/1995/10 and Add. 1 and 2 and S/1995/342.

¹⁹³ S/26646.

set out by resolution 881 (1993) was as follows: (a) to maintain contacts with both sides to the conflict and military contingents of the Russian Federation; (b) to monitor the situation and report to Headquarters, with particular reference to any developments relevant to the efforts of the United Nations to promote a comprehensive political settlement.

Following the consideration of the Secretary-General's letter¹⁹⁴ dated 16 December 1993, by resolution 892 (1993) of 22 December 1993, the Council, noting that encouraging progress had been achieved in the negotiations between the parties, which justified the deployment of additional United Nations military observers, authorized the phased deployment of up to 50 additional military observers to UNOMIG. Those military observers were to perform the interim mandate described in resolution 881 (1993), and in a manner to contribute to the implementation by the parties of the provisions of the Memorandum of Understanding of 1 December 1993.¹⁹⁵

In a Presidential Statement¹⁹⁶ of 8 April 1994, the Council supported a further increase in the deployed strength of UNOMIG up to the limit specified in resolution 892 (1993) – 55 military observers – if the Secretary-General considered that the conditions on the ground made that appropriate.¹⁹⁷

Expanded UNOMIG: Following the signing of the Agreement¹⁹⁸ on a Cease-fire and Separation of Forces, in Moscow on 14 May 1994, by resolution 937 (1994) of 21 July 1994, the Council authorized the increase in the strength of UNOMOG, as required, up to 136 military observers with appropriate civilian support staff.

¹⁹⁴ S/26901.

¹⁹⁵ S/26875, annex.

¹⁹⁶ S/PRST/1994/17.

¹⁹⁷ By a letter dated 16 June 1994 from the President of the Council addressed to the Secretary-General (S/1994/714), Council members, following the consideration of the latter's report (S/1994/529 and Add. 1), noted the Secretary-General's intention, as a first step and in consultation with the parties, to increase the number of military observers of UNOMIG up to 55 as authorized by the Council in its resolution 892 (1993). Council members further noted the Secretary-General's ideas for a possible mandate for an expanded Mission set out in paragraph 7 of his report (S/1994/529, Add. 1) and his provisional assessment of the strength of the Mission that might be required to perform that task.

¹⁹⁸ S/1994/583, annex I.

The expanded mandate of the Mission was as follows: (a) to monitor and verify the implementation by the parties of the Agreement; (b) to observe the operation of the CIS peacekeeping force within the framework of the implementation of the Agreement; (c) to verify, through observation and patrolling, that troops of the parties did not remain in or re-enter the security zone and that heavy military equipment did not remain or was not reintroduced in the security zone or the restricted weapons zone; (d) to monitor the storage areas for heavy military equipment withdrawn from the security zone and the restricted weapons zone in cooperation with the CIS peacekeeping force as appropriate; (e) to monitor the withdrawal of troops of the Republic of Georgia from the Kodori valley to places beyond the boundaries of Abkhazia, Georgia; (f) to patrol regularly the Kodori valley; (g) to investigate, at the request of either party or the CIS peacekeeping force or on its own initiative, reported or alleged violations of the Agreement, and to attempt to resolve or contribute to the resolution of such incidents; (h) to report regularly to the Secretary-General within its mandate, in particular on the implementation of the Agreement, any violations and their investigation by the Mission, as well as other relevant developments; and (i) to maintain close contacts with both parties to the conflict and to cooperate with the CIS peacekeeping force and, by its presence in the area, to contribute to conditions conducive to the safe and orderly return of refugees and displaced persons.

Middle East

23. United Nations Truce Supervision Organization (UNTSO) established pursuant to resolution 50 (1948)

Between 1993-1995, the military observers of the United Nations Truce Supervision Organization (UNTSO) continued to assist and cooperate with the United Nations Disengagement Observer Force (UNDOF), in accordance with the ceasefire and disengagement agreements of 1973/74, and with the United Nations Interim Force in Lebanon (UNIFIL) established in 1978, in accordance with its terms of reference.

24. United Nations Disengagement Observer Force (UNDOF) established pursuant to resolution 350 (1974)

During the period under review, United Nations Disengagement Observer Force (UNDOF), stationed at the armistice line between Israel and Syria, continued to serve as an interposition force between the parties.

Mandate Implementation

The Security Council extended its mandate on six occasions¹⁹⁹ following consideration of the reports of the Secretary-General.²⁰⁰ Through exchanges of letters between the Secretary-General and the President of the Council, the troop-contributing countries²⁰¹ and the Force Commander²⁰² of UNDOF during the period under review were confirmed.

25. United Nations Interim Force in Lebanon (UNIFIL) established pursuant to resolutions 425 (1978) and 426 (1978)

During the period under review, the United Nations Interim Force in Lebanon (UNIFIL) continued to fulfill its mandate of “confirming the withdrawal of Israeli forces, restoring international peace and security and assisting the Government of Lebanon in restoring its effective authority in the area”.

Mandate Implementation

During the period under review, following the consideration of the reports of the Secretary-General on UNIFIL,²⁰³ the Council, by adopting six resolutions,²⁰⁴ successively extended the Force’s mandate, the last of which was until 31 January 1996. Through an

¹⁹⁹ The mandate of the Force was extended by Resolutions 830 (1993) of 26 May 1993, 887 (1993) of 29 November 1993, 921 (1994) of 26 May 1994, 962 (1994) of 29 November 1994, 996 (1995) of 30 May 1995 and 1024 (1995) of 28 November 1995.

²⁰⁰ S/25809, S/26781, S/1994/587 and Corr.1, S/1994/1311, S/1995/398 and S/1995/952.

²⁰¹ S/26225 and S/26226, S/1995/1022 and S/1995/1023.

²⁰² S/1994/1431 and S/1994/1432.

²⁰³ S/25150 and Add.1, S/26111, S/1994/62, S/1994/856, S/1995/66 and S/1995/595.

²⁰⁴ Resolutions 803 (1993), 852 (1993), 895 (1994), 938 (1994), 974 (1995) and 1006 (1995).

exchange of letters²⁰⁵ between the Secretary-General and the President of the Council, the change of the Force Commander of UNIFIL was confirmed.

Reduction of Strength: By resolution 1006 (1995)²⁰⁶ of 28 July 1995, the Council concurred with the streamlining of the Force, as proposed by the Secretary-General,²⁰⁷ to reduce the strength of UNIFIL by 10 percent, without affecting its operational capacity.²⁰⁸

26. United Nations Iraq-Kuwait Observation Mission (UNIKOM) established pursuant to resolution 687 (1991)

United Nations Iraq-Kuwait Observation Mission (UNIKOM) continued to monitor the Khawr ‘Abd Allah and the demilitarized zone between Iraq and Kuwait, to deter violations of the boundary, and to observe any hostile or potentially hostile action mounted from the territory of one State against the other.

Mandate Implementation

During the period under review, in accordance with resolution 689 (1991),²⁰⁹ the Council held periodic reviews of the question of termination or continuation of UNIKOM and its modalities of operation, on the basis of the reports of the Secretary-General.²¹⁰ By letters²¹¹ from the President of the Council addressed to the Secretary-General, Council members continued to concur with the Secretary-General’s recommendation that UNIKOM be maintained. In a letter dated 6 October 1995 from the President of the Council addressed to the Secretary-General, Council members decided to review the

²⁰⁵ S/1995/217 and S/1995/218.

²⁰⁶ Prior to this decision, by resolution 974 (1995) of 30 January 1995, the Council endorsed the Secretary-General’s intention to pursue the possibilities for streamlining and achieving economies in the areas of maintenance and logistic support of UNIFIL, as noted in his report dated 23 January 1995 (S/1995/66).

²⁰⁷ S/1995/595.

²⁰⁸ Ibid., para. 11.

²⁰⁹ By which the Security Council decided that UNIKOM could be terminated only by a further decision of the Council and that the Council should review the question of termination or continuation of UNIKOM and its modalities of operation every six month.

²¹⁰ S/25514, S/26520, S/1994/388, S/1994/1111, S/1995/521, S/1995/836.

²¹¹ See letters from the President to the Secretary-General dated 13 April and 11 October 1993, 8 April and 7 October 1994, and 10 April and 6 October 1995: S/25588, S/26566, S/1994/411, S/1994/1141, S/1995/280, S/1995/ 847.

question once again by 6 April 1996. Through exchanges of letters between the Secretary-General and the President of the Council, the Force Commander²¹² of, and troop contributing countries²¹³ to UNIKOM during the period under review were confirmed.

Expansion of Mandate: By resolution 806 (1993) of 5 February 1993, the Council, approving the report²¹⁴ of the Secretary-General of 18 and 19 January 1993, decided to extend the terms of reference of UNIKOM to include the capacity to take action to prevent or redress: (a) small-scale violations of the demilitarized zone; (b) violations of the boundary between Iraq and Kuwait, for example by civilians or police; and (c) problems that might arise from the presence of Iraqi installations and Iraqi citizens and their assets in the demilitarized zone on the Kuwaiti side of the newly demarcated boundary.

D. Security Council Committees

During the period 1993 to 1995, the Council established four new Security Council Committees to supervise the implementation of measures adopted pursuant to Chapter VII against Haiti,²¹⁵ the National Union for the Total Independence of Angola (UNITA),²¹⁶ Rwanda,²¹⁷ and Liberia.²¹⁸ During the same period, the previously established Council Committees concerning the question of South Africa, the situation between Iraq and Kuwait, the former Yugoslavia, the Libyan Arab Jamahiriya, and

²¹² See exchanges of letters between the Secretary-General and the President of the Council dated 1 and 9 November 1993 and 23 and 26 October 1995 (S/26735 and S/26736; S/1995/885 and S/1995/886).

²¹³ S/26621 and S/26622.

²¹⁴ S/25123 and Add.1.

²¹⁵ Security Council Committee established pursuant to resolution 841 (1993) concerning Haiti.

²¹⁶ Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola.

²¹⁷ Security Council Committee established pursuant to resolution 918 (1994) concerning Rwanda.

²¹⁸ Security Council Committee established pursuant to resolution 985 (1995) concerning Liberia

Somalia continued its work. Of nine Security Council Committees in total, two²¹⁹ were terminated during the reporting period.

General issues

On 29 March 1995, via a presidential note,²²⁰ Council members confirmed their agreement to the following proposals:

“The following improvements should be introduced to make the procedures of the Sanctions Committees more transparent:

“(a) The practice of issuing press releases after meetings of the Committee should be increased;

“(b) The Status-of-Communication lists under the “No Objection” procedure prepared by the Secretariat should be made available to any delegation which wishes to have a copy;

“(c) A list of all other decisions by each active Committee should be prepared by the Secretariat, on a regular basis, and be made available to any delegation which requests it;

“(d) The annual report of the Council to the General Assembly should contain, in the introduction, more information about each Committee than it does at present;²²¹

“(e) An annual report to the Council should be prepared by each Committee, providing a concise indication of each Committee’s activities;

“(f) An effort should be made to expedite the preparations of the summary records of each Committee.

“For the implementation of these measures, the existing procedures of the Committees should be respected.

²¹⁹ Security Council Committees established pursuant to resolution 421 (1977) concerning the question of South Africa and pursuant to resolution 841 (1993) concerning Haiti.

²²⁰ S/1995/234.

²²¹ At the time of the issuance of this note, the annual report simply listed the number of meetings held by each Committee during the year.

“Meetings of the Sanctions Committees should remain closed, as they are now, and the summary records of those meetings should continue to be distributed according to the existing pattern.”

On 31 May 1995, via a second presidential note,²²² Council members confirmed their agreement to the following proposal:

“The practice of hearing comments by States and organizations concerned during closed meetings of the Sanctions Committees on issues arising from implementation of sanctions regimes imposed by the Security Council should be continued while respecting the existing procedures followed by such Committees.”

1. Security Council Committee established pursuant to resolution 421 (1977) concerning the question of South Africa

Termination

The Committee established pursuant to resolution 421 (1977) following the imposition²²³ of an arms embargo against South Africa, was dissolved during the period under review. On 25 May 1994, welcoming the establishment of “a united, democratic and non-racial government of South Africa”, which was inaugurated on 10 May with Mr. Nelson Mandela as President, the Security Council adopted resolution 919 (1994). By this resolution the Council terminated the arms embargo against South Africa and decided to dissolve the Committee effective from the date of the adoption of the resolution.

2. Security Council Committee established pursuant to resolution 661 (1990) concerning the situation between Iraq and Kuwait

Mandate Implementation

²²² S/1995/438.

²²³ S/RES/418 (1977).

The Committee established pursuant to resolution 661 (1990) at the same time as the imposition of a comprehensive sanctions régime against Iraq, consisting of economic and financial sanctions as well as an arm embargo,²²⁴ continued to exist during the period under review.²²⁵ The Committee submitted, in accordance with the guidelines approved under Council resolution 700 (1991), twelve reports²²⁶ on the implementation of the arms embargo and related sanctions.

On 14 April 1995 by resolution 986 (1995), the Council authorized the sale and transport of Iraqi petroleum and petroleum products sufficient to produce a sum not exceeding a total of one billion United States dollars every 90 days, to meet the humanitarian needs of the Iraqi population and for other purposes.²²⁷ Each proposed purchase of Iraqi petroleum and petroleum products was made subject to approval by the Committee established pursuant to resolution 661 (1990). The Committee was also directed to monitor the sale of petroleum and petroleum products to be exported by Iraq via the Kirkuk-Yumurtalik pipeline and from the Mina al-Bakr oil terminal, with the assistance of independent inspection agents appointed by the Secretary-General.

In addition, by resolution 986 (1995), the Security Council authorized the export to Iraq of parts and equipment that were essential for the safe operation of the Kirkuk-Yumurtalik pipeline. Each export contract was made subject to approval by the Committee, as were the financing arrangements for such exports and related activities. The Committee was requested, in close coordination with the Secretary-General, to develop expedited procedures as necessary to implement the arrangements contained in specific paragraphs of this resolution.

Resolution 986 (1995) was, however, not implemented during the period covered by the present Supplement, owing to objections made by Iraq.²²⁸

²²⁴ On the economic and financial sanctions, including exemptions, see also the following resolutions: S/RES/666 (1990), S/RES/670 (1990), S/RES/687 (1991), S/RES/706 (1991) and S/RES/778 (1992).

²²⁵ For details on the establishment and mandate of the Committee, see the previous Supplement to the *Repertoire*, under Chapter V.

²²⁶ S/25442, S/25930, S/26430, S/26874, S/1994/274, S/1994/695, S/1994/1027, S/1994/1367, S/1995/169, S/1995/442, S/1995/744 and S/1995/992.

²²⁷ For details, see paragraph 8 of resolution 986 (1995).

²²⁸ For details, see the exchange of letters (S/1995/495 and S/1995/507, respectively) between the Secretary-General and the President of the Security Council.

Via a letter²²⁹ dated 7 December 1995 addressed to the President of the Security Council, the Chairman of the Committee forwarded to the Council, in accordance with the Council's request contained in resolution 715 (1991),²³⁰ a proposal for a mechanism to monitor Iraq's exports and imports of dual-purpose capabilities.

By a letter²³¹ dated 26 August 1996 addressed to the President of the Security Council, the Chairman of the Committee submitted, in accordance with the presidential note²³² of 29 March 1995, a report focusing primarily on the Committee's activities during 1995 and early 1996.

3. Security Council Committee established pursuant to resolution 724 (1991) concerning the former Yugoslavia

Mandate Implementation

The Committee established pursuant to resolution 724 (1991) following the imposition²³³ of an arms embargo against the territory of the former Yugoslavia and, subsequently, the imposition²³⁴ of a comprehensive sanctions régime consisting of economic, financial and diplomatic sanctions, as well as prohibitions on participation in sporting events, on scientific and technical cooperation and on cultural exchanges and visits, against the Federal Republic of Yugoslavia (Serbia and Montenegro) (hereafter referred to as "the FRY"), continued to exist during the period under review.²³⁵

On 17 April 1993 by resolution 820 (1993), the Council tightened the existing economic and financial sanctions against the FRY. Certain exemptions to the sanctions were made subject to approval by the Committee established pursuant to resolution 724 (1991).²³⁶ The Committee was also requested to submit periodic reports on information

²²⁹ S/1995/1017.

²³⁰ Paragraph 7.

²³¹ S/1996/700.

²³² S/1995/234. See subparagraph (e), whereby it was stated that an annual report to the Council should be prepared by each Sanctions Committee, providing a concise indication of the Committee's activities

²³³ S/RES/713 (1991).

²³⁴ For details on these measures, including exemptions, see S/RES/757 (1992), S/RES/760 (1992) and S/RES/787 (1992).

²³⁵ For more details on the establishment and mandate of the Committee, see the previous Supplement to the *Repertoire*, under Chapter V.

²³⁶ See paragraphs 15, 22(a)-(c), 23, 27, and 28 of resolution 820 (1993).

submitted to it regarding alleged violations of the relevant Council resolutions, identifying where possible persons or entities, including vessels, reported to be engaged in such violations. By the same resolution, the Council imposed economic sanctions against the Bosnian Serbs.

On 18 June 1993, by resolution 843 (1993), the Council confirmed that the Committee established pursuant to resolution 724 (1991) was entrusted with the task of examining requests for assistance under the provisions of Article 50 of the Charter. The Council welcomed the establishment by the Committee of a working group to examine these requests, and invited the Committee, as it completed the examination of each request, to make recommendations to the President of the Security Council for appropriate action.

On 23 September 1994, by resolution 942 (1994), the Council imposed additional economic sanctions, as well as an assets freeze and a travel ban, targeting the Bosnian Serb forces. Certain exemptions to the sanctions were made subject to approval by the Committee established pursuant to resolution 724 (1991).²³⁷ The Committee was also requested to establish and maintain an updated list of persons meeting the criteria established for the imposition of the travel sanctions.

On 23 September 1994 by resolution 943 (1994), the Council suspended the prohibitions on participation in sporting events and cultural exchanges as well as the economic sanctions relating to the operation of certain aircraft and ferries.²³⁸ The Council also invited the Committee established pursuant to resolution 724 (1991) to adopt appropriate streamlined procedures for expediting its consideration of applications concerning legitimate humanitarian assistance, in particular applications from the United Nations High Commissioner for Refugees and the International Committee of the Red Cross.

In 1994 and 1995, following recommendations²³⁹ to that effect from the Committee, the Security Council adopted resolutions 967 (1994) and 992 (1995),

²³⁷ See paragraphs 7(ii)(b), 13 and 15 of resolution 942 (1994).

²³⁸ The suspension was for an initial period of 100 days, and was extended through the period under review by resolutions 970 (1995), 988 (1995), 1003 (1995) and 1015 (1995).

²³⁹ See S/1994/1418 and S/1995/372, letters dated 14 December 1994 and 8 May 1995, respectively, from the Chairman of the Committee addressed to the President of the Council.

respectively, by which it made temporary exceptions²⁴⁰ to the economic sanctions against the FRY. In the latter resolution, which allowed the passage of FRY vessels through the locking system on the left bank of the Danube while the locking system on the right bank was being repaired, the Council also decided that the Chairman of the Committee should, after consulting members of the Committee, transmit to the Council any substantiated evidence of a violation of the relevant Council resolutions by those vessels. The resolution also confirmed that the import to the FRY of supplies essential to the repair was subject to approval by the Committee.

Following the initialling of the General Framework for Peace in Bosnia and Herzegovina (the “Peace Agreement”) by the Republic of Bosnia and Herzegovina, the Republic of Croatia and the FRY on 21 November 1995 at Dayton, Ohio, signifying agreement between the parties to formally sign the Peace Agreement, the Security Council, on 22 November 1995, by resolution 1021 (1995), terminated the general arms embargo maintained against the successor States of the former Yugoslavia under resolution 713 (1991), on a phased schedule. On the same day the Council also adopted resolution 1022 (1995), by which it suspended the sanctions against the FRY; it left the sanctions against the Bosnian Serb party in place until the latter had met certain obligations.

4. Security Council Committee established pursuant to resolution 748 (1992) concerning the Libyan Arab Jamahiriya

Mandate Implementation

The Committee established pursuant to resolution 748 (1992) at the same time as the imposition of sanctions against Libya, which consisted of an arms embargo together with aviation, travel and diplomatic sanctions, continued to exist during the period under

²⁴⁰ The exceptions consisted of allowing the export of diphtheria anti-serum from the FRY and allowing the passage of vessels registered in, or owned or controlled by persons in, the FRY, through the left bank of the Danube.

review.²⁴¹ On 11 November 1993 by resolution 883 (1993), the Council expanded the sanctions régime to include additional aviation-related sanctions, financial sanctions, and prohibitions on the supply of equipment used to refine, transport and export oil. The Council instructed the Committee established pursuant to resolution 748 (1992) to draw up expeditiously guidelines for the implementation of the relevant provisions of resolution 883, and to amend and supplement, as appropriate, the guidelines for the implementation of the relevant provisions of resolution 748 (1992), especially the paragraph relating to the non-provision of arms and military equipment and expertise. It also entrusted the Committee with the task of examining possible requests for assistance under the provisions of Article 50 of the Charter and making recommendations to the President of the Security Council for appropriate action.

On two occasions in 1994, the Security Council requested²⁴² the Secretary-General to inform the Committee of flights made to or from Libya, by the Secretary-General's reconnaissance team and, subsequently, the United Nations Aouzou Strip Observer Group (UNASOG), both of which were exempted from the aviation sanctions.

By a letter²⁴³ dated 29 December 1995 addressed to the President of the Security Council, the Chairman of the Committee submitted, in accordance with the presidential note²⁴⁴ of 29 March 1995, a report on the Committee's activities since the beginning of that year.

5. Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

The Committee established pursuant to resolution 751 (1992) following the imposition²⁴⁵ of an arms embargo against Somalia, continued to exist during the period under review.²⁴⁶

²⁴¹ For more details on the establishment and mandate of the Committee, see the previous Supplement to the *Repertoire*, under Chapter V.

²⁴² See S/RES/910 (1994) and S/RES/915 (1994).

²⁴³ S/1996/2.

²⁴⁴ S/1995/234. See subparagraph (e), whereby it was stated that an annual report to the Council should be prepared by each Sanctions Committee, providing a concise indication of the Committee's activities

²⁴⁵ S/RES/733 (1992).

6. Security Council Committee established pursuant to resolution 841 (1993) concerning Haiti

Establishment and mandate

On 16 June 1993, by resolution 841 (1993), the Council, targeting the “de facto authorities” in Haiti, imposed an arms embargo and financial and petroleum sanctions. The Council also decided 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 and to report on its work with observations and recommendations: (a) to examine the reports submitted by States on the measures they had initiated for meeting their obligations concerning the sanctions; (b) to seek from all States further information regarding the action taken by them concerning the effective implementation of the resolution; (c) to consider any information brought to its attention by States concerning violations of the measures imposed by the present resolution and to recommend appropriate measures in response thereto; (d) to consider and decide expeditiously requests for the approval of imports of petroleum and petroleum products for essential humanitarian needs in accordance with the relevant provision of the resolution; (e) to make periodic reports to the Council on information submitted to it regarding alleged violations of the resolution, identifying where possible persons or entities, including vessels, reported to be engaged in such violations; and (f) to promulgate guidelines to facilitate implementation of the resolution.

Mandate Implementation

Following the signing of the Governors Island Agreement between the President of Haiti and the Commander-in-Chief of the Armed Forces in Haiti, and the confirmation and assumption of office of the Prime Minister of Haiti, the Security Council, on 27

²⁴⁶ For more details on the establishment and mandate of the Committee, see the previous Supplement to the *Repertoire*, under Chapter V.

August 1993, by resolution 861 (1993), the Council suspended the sanctions against Haiti. On 13 October 1993 the Council adopted resolution 873 (1993), noting that the military authorities in Haiti had not complied in good faith with the Governors Island Agreement and thus revoking the suspension of sanctions. The Council also decided that the Committee established pursuant to resolution 841 (1993) would have the authority to grant exceptions to the financial sanctions, and to the other prohibitions on a case-by-case basis under the no-objection procedure, at the request of President Aristide or Prime Minister Malval of Haiti.

On 6 May 1994 by resolution 917 (1994), the Council imposed additional measures against Haiti, consisting of economic sanctions, aviation sanctions (excluding regularly scheduled commercial passenger flights) and a travel ban on individuals to be designated based on the criteria contained in the resolution. The Council also decided that the Committee established pursuant to resolution 841 (1993) would undertake the following tasks in addition to those set out in resolutions 841 (1993) and 873 (1993): (a) to maintain an updated list, based on information provided by States and regional organizations, of persons subject to the travel ban; (b) to examine the reports submitted by States on the measures they had initiated on the implementation of resolution 917 (1994) and earlier relevant resolutions; (c) to seek from all States, in particular neighbouring States, further information regarding the action taken by them concerning the effective implementation of the measures contained in the resolution and earlier relevant resolutions; (d) to consider any information brought to its attention by States concerning violations of such measures and, in that context, to make recommendations to the Council on ways to increase their effectiveness; (e) to make recommendations in response to violations of such measures and provide information on a regular basis to the Secretary-General for general distribution to Member States; (f) to consider and to decide upon expeditiously any application by States for the approval of flights or entries exempt from the aviation and travel sanctions; (g) to amend the guidelines referred to in resolution 841 (1993) to take into account the measures contained in the present resolution; and (h) to examine possible requests for assistance under Article 50 of the Charter and to make recommendations to the President of the Council for appropriate action.

Termination

On 29 September 1994 by resolution 944 (1994), the Council decided to terminate the sanctions against Haiti and to dissolve the Committee established pursuant to resolution 841 (1994), with effect from 0001 hours eastern standard time on the day after the return to Haiti of President Aristide.

7. Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola

Establishment and mandate

On 15 September 1993 the Security Council adopted resolution 864 (1993). By section B of this resolution the Council imposed an arms embargo and petroleum sanctions against the National Union for the Total Independence of Angola (UNITA). The Council also decided 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 and to report on its work with observations and recommendations: (a) to examine the reports that all States were requested to submit, by 15 October 1993 to the Secretary-General, on the measures they had adopted in order to meet their obligations concerning the sanctions against UNITA; (b) to seek from all States further information regarding the action taken by them with a view to effectively implementing the sanctions; (c) to consider information brought to its attention by States concerning violations of the sanctions and to recommend appropriate measures in response thereto; (d) to make periodic reports to the Council on information submitted to it regarding alleged violations of the sanctions, identifying where possible persons or entities, including vessels, reported to be engaged in such violations; and (e) to promulgate guidelines that may be necessary to facilitate the implementation of the sanctions.

Mandate Implementation

On 30 June 1994 by resolution 932 (1994), the Council, *inter alia*, urged the two neighbouring States which had thus far failed to respond substantively to the requests from the Committee established pursuant to resolution 864 (1993) for information required regarding alleged sanctions violations to do so promptly. It also requested the Committee to provide a report, by 15 July 1994, on compliance with the sanctions régime and in particular on possible violations of that regime by those neighbouring States. The Committee submitted its report²⁴⁷ pursuant to paragraph 8 of resolution 932 (1994). A similar reminder of their obligations vis-à-vis the Committee was addressed to the Member States concerned in a subsequent presidential statement.²⁴⁸

8. Security Council Committee established pursuant to resolution 918 (1994) concerning Rwanda

Establishment and mandate

On 17 May 1994 the Security Council adopted resolution 918 (1994). By section B of this resolution the Council imposed an arms embargo against Rwanda. The Council also decided 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 and to report on its work with observations and recommendations: (a) to seek from all States information regarding the action taken by them concerning the effective implementation of the arms embargo; (b) to consider any information brought to its attention by States concerning violations of the embargo, and in that context to make recommendations to the Council on ways of increasing the effectiveness of the embargo; and (c) to recommend appropriate measures in response to the violations of the embargo and provide information on a regular basis to the Secretary-General for general distribution to all Member States.

²⁴⁷ S/1994/825.

²⁴⁸ S/PRST/1994/45.

Mandate Implementation

In a presidential statement²⁴⁹ of 27 April 1995, the Council, *inter alia*, invited States and organizations which had information on the transport of arms into countries neighbouring Rwanda for the purpose of their use in Rwanda in contravention of resolution 918 (1994) to pass that information to the Committee established pursuant to resolution 918 (1994), and requested the Committee to consider that information as a matter of urgency and to report thereon to the Council. On 17 July 1995 by resolution 1005 (1995), the Council decided that appropriate amounts of explosive intended exclusively for use in established humanitarian demining programmes might be supplied to Rwanda upon application to and authorization by the Committee established pursuant to resolution 918 (1994).

On 16 August 1995 the Security Council adopted resolution 1011 (1995). By section B of this resolution the Council exempted the Government of Rwanda from the arms embargo, while confirming that the embargo continued to apply to non-Government entities in Rwanda or entities in States neighbouring Rwanda who might forward the arms to the non-Government entities in Rwanda. The Council decided that all States would notify the Committee established pursuant to resolution 918 (1994) of all exports from their territories of arms or related *matériel* to Rwanda, that the Government of Rwanda would mark and register and notify the Committee of all imports of arms and related *matériel*, and that the Committee would report regularly to the Council on notifications so received.

On 7 September 1995 the Council, by resolution 1013 (1995), requested the Secretary-General to establish an International Commission of Inquiry with the mandate, *inter alia*, of collecting information and investigating reports relating to the sale or supply of arms and related *matériel* to former Rwandese Government Forces in the Great Lakes region. In that context, the Council called upon States, relevant United Nations bodies, including the Committee established pursuant to resolution 918 (1994), and, as appropriate, international humanitarian organizations, to collate information in their

²⁴⁹ S/PRST/1995/22.

possession relating to the mandate of the Commission, and requested them to make this information available as soon as possible.

9. Security Council Committee established pursuant to resolution 985 (1995) concerning Liberia

Establishment and mandate

By resolution 788 (1992) of 19 November 1992 the Security Council imposed an arm embargo against Liberia. On 13 April 1995 by resolution 985 (1995), the Council decided 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 and to report on its work with observations and recommendations: (a) to seek from all States information regarding the action taken by them concerning the effective implementation of the arms embargo imposed by resolution 788 (1992); (b) to consider any information brought to its attention by States concerning violations of the embargo, and, in that context, to make recommendations to the Council on ways of increasing the effectiveness of the embargo; and (c) to recommend appropriate measures in response to violations of the embargo and provide information on a regular basis to the Secretary-General for general distribution to Member States.

E. Ad Hoc Commissions

During the period under review, the Security Council continued to oversee three Ad Hoc Commissions: United Nations Iraq-Kuwait Boundary Demarcation Commission, United Nations Special Commission and United Nations Compensation Commission -and the United Nations Coordinator for the Return of Property, all of which were established during the prior reporting period. Among them, one Commission²⁵⁰ was terminated.

²⁵⁰ United Nations Iraq-Kuwait Boundary Demarcation Commission.

1. United Nations Iraq-Kuwait Boundary Demarcation Commission established pursuant to resolution 687 (1991)

Termination

The United Nations Iraq-Kuwait Boundary Demarcation Commission, established pursuant to resolution 687 (1991), concluded its work during the period under review.²⁵¹ By a letter²⁵² dated 21 May 1993, the Secretary-General transmitted to the Council the Commission's final report. He noted that, as stated in the report, the Commission had fulfilled its mandate: it had demarcated in geographic coordinates of latitude and longitude the international boundary between Iraq and Kuwait set out in the agreement²⁵³ signed between them on 4 October 1963, made arrangements for the physical representation of the boundary through the emplacement of an appropriate number of boundary pillars or monuments, and provided for arrangements for continuing maintenance and location accuracy of the surficial boundary representation.

On 27 May 1993, by resolution 833 (1993), acting under Chapter VII of the Charter, the Council *inter alia* welcomed the successful conclusion of the Commission's work and reaffirmed that the Commission's decisions regarding the demarcation of the boundary were final. Via two subsequent presidential statements,²⁵⁴ of 28 June 1993 and 16 November 1994, the Council reacted to two separate letters²⁵⁵ from Iraq concerning the Commission's decisions and resolution 833 (1993).

2. United Nations Special Commission established pursuant to resolution 687 (1991) (UNSCOM)

²⁵¹ For details on the establishment and mandate of the Demarcation Commission, see the previous Supplement to the *Repertoire*, under Chapter V.

²⁵² S/25811. See also Add. 1.

²⁵³ Agreed Minutes Between the State of Kuwait and the Republic of Iraq Regarding the Restoration of Friendly Relations, Recognition and Related Matters, United Nations Document 7063, Treaty Series, 1964.

²⁵⁴ S/26006 and S/PRST/1994/68.

²⁵⁵ A letter dated 6 June 1993 from the representative of Iraq addressed to the Secretary-General (S/25905). The second letter, dated 12 November 1994 addressed to the President of the Security Council, was not issued as an official document. A similar communication, which was addressed to the Secretary-General with a request that it be circulated as a document of the Security Council had been circulated as S/1994/1288.

Mandate Implementation

The United Nations Special Commission (UNSCOM) established pursuant to section C of resolution 687 (1991), to implement those provisions of the resolution relating to the elimination of Iraq's chemical and biological weapons and ballistic missiles with a range greater than 150 kilometers and to the non-acquisition by Iraq of the prohibited items, as well as to assist the International Atomic Energy Agency (IAEA) in implementing the nuclear areas of the resolution, continued to exist during the period under review.²⁵⁶

The Executive Chairman of UNSCOM submitted, via the Secretary-General, the fifth through tenth reports²⁵⁷ on the activities of UNSCOM pursuant to resolution 687 (1991). He also submitted the third through sixth reports²⁵⁸ on the implementation of UNSCOM's plan, approved by resolution 715 (1991), for the ongoing monitoring and verification of Iraq's compliance with the relevant part of section C of resolution 687 (1991).

In two presidential statements,²⁵⁹ the Security Council reacted to impediments to the activities of UNSCOM and the IAEA in Iraq, and demanded that Iraq abide by its obligations under all relevant Security Council resolutions and cooperate fully with those two bodies. Subsequently, in a letter²⁶⁰ dated 3 December 1993 addressed to the representative of Iraq, the President of the Council stated that the members of the Council had welcomed the "unconditional acknowledgement"²⁶¹ of Iraq's obligations under resolution 715 (1991). Finally, in 1994, in a third presidential statement²⁶² the Council "underline[d] the complete unacceptability" of the possible withdrawal of cooperation by Iraq with UNSCOM.

²⁵⁶ For details on the establishment and mandate of UNSCOM, see the previous Supplement to the *Repertoire*, under Chapter V.

²⁵⁷ S/25977, S/26910, S/1994/750, S/1994/1422 and Add. 1, S/1995/494.

²⁵⁸ S/25620 (this report was submitted by the Secretary-General), S/26684, S/1994/489, S/1994/1138, S/1995/284, S/1995/864.

²⁵⁹ S/25081 of 8 January 1993; S/25970 of 18 June 1993.

²⁶⁰ S/26841.

²⁶¹ See S/26811, letter dated 26 November 1993 from the representative of Iraq.

²⁶² S/PRST/1994/58.

3. United Nations Coordinator for the Return of Property from Iraq to Kuwait under resolutions 686 (1991) and 687 (1991)

Mandate Implementation

The United Nations Coordinator for the Return of Property from Iraq to Kuwait continued his work under the relevant provisions of Security Council resolutions 686 (1991) and 687 (1991).²⁶³ On 2 March 1994, the Secretary-General submitted, pursuant to the above resolutions as well as a letter²⁶⁴ from the President of the Security Council dated 25 January 1994, a report²⁶⁵ on the return of Kuwaiti property seized by Iraq, annexed to which was a list of all the hand-over operations which had been carried out. In the report, the Secretary-General noted that the Coordinator's role had been one of receiving, registering and submitting to Iraq claims presented by Kuwait and facilitating the return of property which Iraq had declared that it had in its possession and was ready to return. Therefore the Coordinator had not considered it within the scope of his mandate to investigate or verify claims from Kuwait that specific property items were removed by Iraq or claims by Iraq that specific items were not removed or, if removed, were subsequently destroyed during the hostilities.

4. United Nations Compensation Commission established pursuant to resolutions 687 (1991) and 692 (1991)

Mandate Implementation

Mandated to verify and value the claims of loss, damage and injury to foreign Governments, nationals and corporations resulting from Iraq's unlawful invasion and occupation of Kuwait, and to administer the payment of compensation, the United Nations Compensation Commission established pursuant to resolutions 687 (1991) and 692 (1991) continued to exist during the period under review.²⁶⁶ In 1994 the

²⁶³ For details on the appointment of the Coordinator, see the previous Supplement to the *Repertoire*, under Chapter V.

²⁶⁴ Not issued as an official document.

²⁶⁵ S/1994/243.

²⁶⁶ For details on the establishment and mandate of the Compensation Commission, see the previous Supplement to the *Repertoire*, under Chapter V.

Commission faced what the Secretary-General described as a “financial emergency” as it would be unable to pay in full the second group of compensation payments, estimated to be over \$200 million, by the end of that year.²⁶⁷ In light of this, the Secretary-General put forward, and the members of the Council approved, a proposal to seek information directly from oil companies in order to identify Iraqi oil-related funds, thirty percent of which were earmarked for the Compensation Fund, and to arrange for their transfer to an escrow account, in accordance with Council resolution 748 (1992).²⁶⁸

Via letters addressed to the President of the Security Council, the President of the Commission’s Governing Council reported on the Commission’s activities at its 9th through 18th regular sessions²⁶⁹ and its 2nd and 3rd special sessions.²⁷⁰ In the letters²⁷¹ submitted between November 1994 and November 1995, he also noted that compensation for many approved claims could not be paid because of lack of sufficient resources in the Compensation Fund. He expressed concern over the “serious negative repercussions” that the lack of resources entailed for the credibility of the Commission and eventually for the whole United Nations system. He stated that the Governing Council looked to the Security Council for finding appropriate and expedited solutions to ensure that the increasing number of compensation awards that were issued, were honoured.

F. International Tribunals

During the period under review, the Security Council, acting under Chapter VII of the Charter, established International Tribunals for the former Yugoslavia and for Rwanda, as detailed below.

1. International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia Since 1991

²⁶⁷ S/1994/566, letter dated 28 April 1994 from the Secretary-General addressed to the President of the Security Council. See also S/1994/366, letter dated 24 March 1994 from the President of the Governing Council of the United Nations Compensation Commission addressed to the President of the Council.

²⁶⁸ S/1994/566, S/1994/567, S/1994/907 and S/1994/908.

²⁶⁹ S/25717, S/26251, S/26544, S/1994/409, S/1994/792, S/1994/1337, S/1995/285, S/1995/471, S/1995/903.

²⁷⁰ S/1994/107 and S/1994/984.

²⁷¹ S/1994/1337, S/1995/285, S/1995/471, S/1995/903.

Establishment and mandate

On 22 February 1993, by resolution 808 (1993), the Security Council decided that an international tribunal should be established for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991. It requested the Secretary-General to submit a report on all aspects of this matter, taking into account suggestions put forward by Member States.

On 25 May 1993, by resolution 827 (1993), acting under Chapter VII of the Charter, the Council approved the report²⁷² of the Secretary-General and decided to establish “an international tribunal for the sole purpose of prosecuting persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia between 1 January 1991 and a date to be determined by the Security Council upon the restoration of peace (hereafter to be known as the ICTY)”. The Council also adopted the statute of the Tribunal which was annexed to this report.

The Council decided that the ICTY would consist of three organs; the Chambers, comprising two trial chambers and an Appeals Chamber, to which eleven judges were assigned; the Office of the Prosecutor, headed by the Prosecutor; and the Registry, headed by the Registrar. The expenses of the Tribunal were to be borne by the regular budget of the United Nations, in accordance with Article 17 of the Charter. As proposed²⁷³ by the Secretary-General, and subsequently decided²⁷⁴ by the Security Council, The Hague was determined to be the seat of the ICTY, with the proviso that the Tribunal may sit elsewhere when it considered it necessary for the efficient exercise of its functions.

Election of Judges

²⁷² S/25704 and Corr.1. See also S/25704/Add.1 which contains the cost estimate for the first full year of operation of the Tribunal.

²⁷³ S/25704.

²⁷⁴ See S/RES/823 (1993), para. 6; and S/1994/849, letter dated 25 July 1994 from the President of the Security Council addressed to the Secretary-General.

In accordance with article 13 of the Statute of the ICTY, the Security Council adopted resolution 857 (1993) whereby it established a list of 23 candidates from which the General Assembly could elect the 11 Judges of the Tribunal. The Assembly elected these judges for a term of four years, beginning on 17 November 1993. The judges then proceeded to elect a President of the Tribunal, from among themselves.

Appointment of the Prosecutor

In accordance with article 16 of the Statute of the ICTY, the Security Council adopted resolution 877 (1993) whereby it appointed the Secretary-General's nominee, Mr. Ramón Escovar-Salom, as Prosecutor of the Tribunal for a term of four years. However, Mr. Escovar-Salom did not take up his functions and, in February 1994, informed the Secretary-General that he was no longer available for this appointment. Consequently, the Security Council adopted resolution 936 (1994), whereby it appointed the Secretary-General's new nominee, Mr. Richard Goldstone, as Prosecutor for a term of four years.

Annual reports to the Security Council and to the General Assembly

During the period under review, in accordance with article 34 of the Statute of the ICTY, the President of the Tribunal submitted, via the Secretary-General, two annual reports²⁷⁵ of the Tribunal to the Security Council and to the General Assembly.

2. International 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 Neighbouring States, between 1 January 1994 and 31 December 1994

Establishment and mandate

²⁷⁵ S/1994/1007 and S/1995/728.

On 8 November 1994, by resolution 955 (1994), acting under Chapter VII of the Charter, the Council decided, having received the request²⁷⁶ of the Government of Rwanda, to establish “an international tribunal for the sole purpose of prosecuting 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 neighbouring States, between 1 January 1994 and 31 December 1994 (hereafter to be known as the ICTR)”. The Statute of the Tribunal was annexed to the resolution. The Council also requested the Secretary-General to report periodically to it on the implementation of the resolution, which he did.²⁷⁷

The Council decided that the ICTR would consist of three organs; the Chambers, comprising 2 trial chambers and an Appeals Chamber to which were assigned eleven judges; the Office of the Prosecutor, headed by the Prosecutor; and the Registry, headed by the Registrar. The expenses of the Tribunal were to be borne by the regular budget of the United Nations, in accordance with Article 17 of the Charter. As recommended²⁷⁸ by the Secretary-General, and subsequently decided²⁷⁹ by the Security Council, Arusha was determined to be the seat of the ICTR, with the proviso that the Tribunal may sit elsewhere when it considered it necessary for the efficient exercise of its functions. The Council also decided²⁸⁰ that an office would be established and proceedings would be conducted in Rwanda, where feasible and appropriate.

Election of Judges

In accordance with article 12 of the Statute of the ICTR, the members of the Appeals Chamber of the ICTY would also serve as members of the Appeals Chamber of the ICTR. On 24 April 1995, the Security Council adopted resolution 989 (1995)

²⁷⁶ S/1994/1115, letter dated 28 September 1994 from the representative of Rwanda addressed to the President of the Security Council, requesting, among other things, that the international community reinforce the Government of Rwanda’s efforts by “(c) Setting up as soon as possible an international tribunal to try the criminals”.

²⁷⁷ See S/1995/134; S/1995/533; S/1995/341.

²⁷⁸ S/1995/134.

²⁷⁹ See S/RES/955 (1994), para. 6; and S/RES/977 (1994), operative para.

²⁸⁰ S/RES/955 (1994), para. 6.

whereby it established a list of 12 candidates for judges of the ICTR, from which the General Assembly could elect 6. The Assembly elected these judges for a term of four years, to begin, upon two months' notice, shortly before the commencement of trial proceedings. The judges then proceeded to elect a President of the Tribunal, from among themselves.

The Prosecutor

In accordance with article 15 of the Statute of the ICTR, the Prosecutor of the ICTY, Mr. Richard Goldstone, also served as the Prosecutor of the ICTR.

Annual reports to the Security Council and to the General Assembly

In accordance with article 34 of the ICTR, the President of the Tribunal submitted, via the Secretary-General, the first annual report²⁸¹ of the Tribunal to the Security Council and to the General Assembly, on 24 September 1996.

²⁸¹ S/1996/77.

Part II

SUBSIDIARY ORGANS OF THE SECURITY COUNCIL WHOSE MANDATE WAS COMPLETED OR TERMINATED DURING THE PERIOD 1993 TO 1995

<i>Investigative bodies</i>	<i>Completion of mandate / Termination*</i>
Commission of Experts established under resolution 780 (1992) concerning the former Yugoslavia	Final report submitted in May 1994
Commission of Inquiry established under resolution 885 (1993) concerning Somalia	Report submitted in February 1994 (published in June 1994)
Commission of Experts established pursuant to resolution 935 (1994) concerning Rwanda	Final report submitted in December 1994

<i>Peacekeeping operations</i>	<i>Completion of mandate / Termination*</i>
United Nations Operation in Somalia (UNOSOM I) established pursuant to resolution 751 (1992)	March 1993
United Nations Transitional Authority in Cambodia (UNTAC) established pursuant to resolution 745 (1992)	September 1993
United Nations Observer Mission in South Africa (UNOMSA) established pursuant to resolution 772 (1992)	June 1994
United Nations Aouzou Strip Observer Group (UNASOG) established pursuant to resolution 915 (1994)	June 1994
United Nations Observer Mission Uganda-Rwanda (UNOMUR) established pursuant to resolution 846 (1993)	September 1994
United Nations Operation in Mozambique (ONUMOZ) established pursuant to resolution 797 (1992)	December 1994
United Nations Angola Verification Mission (UNAVEM II) established pursuant to resolution 696 (1991)	February 1995
United Nations Operation in Somalia (UNOSOM II) established pursuant to resolution 814 (1993)	March 1995
United Nations Observer Mission in El Salvador (ONUSAL) established pursuant to resolution 693 (1991)	April 1995

* For details of the completion of mandate / termination, see the relevant case studies in Part I.

United Nations Protection Force (UNPROFOR) established pursuant to resolution 743 (1992)	December 1995
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<i>Security Council Committees</i>	<i>Completion of mandate / Termination*</i>
Security Council Committee established pursuant to resolution 421 (1977) concerning the question of South Africa	May 1994
Security Council Committee established pursuant to resolution 841 (1993) concerning Haiti	September 1994

<i>Ad hoc commission</i>	<i>Completion of mandate / Termination*</i>
United Nations Iraq-Kuwait Boundary Demarcation Commission established pursuant to resolution 687 (1991)	Final report submitted in May 1993

Part III

SUBSIDIARY ORGANS OF THE SECURITY COUNCIL PROPOSED BUT NOT ESTABLISHED

During the period under review, there was no instance in which a subsidiary organ was formally proposed, via a draft resolution, but not created.