

12. CENTRAL AMERICA: EFFORTS TOWARDS PEACE

A. The situation in El Salvador

Decision of 9 February 1993 (3172nd meeting): statement by the President

On 23 December 1992, the Secretary-General submitted to the Security Council a report¹ on the United Nations Observer Mission in El Salvador (ONUSAL), in which he informed the Council that the armed conflict between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN) had formally been brought to an end on 15 December 1992, in accordance with the adjustment in the timetable for implementing the Peace Accords for El Salvador² which the two sides had agreed to on the basis of his proposal of 23 October 1992. That had been preceded by the legalization of the FMLN as a political party. The Secretary-General stated that, during the preceding weeks, the parties had, in general, complied with their commitments, as reported informally to the members of the Security Council. He stressed, however, that much remained to be done to implement, under ONUSAL's supervision, a number of provisions of the Peace Accords, especially the programmes for effective land transfers and for the reintegration into civilian life of ex-combatants, the establishment and international supervision of the National Public Security Academy, the establishment and deployment of the National Civil Police with the corresponding phasing out of the existing National Police, the completion of the reduction of the Armed Forces and the concentration in the Forum for Economic and Social Consultation of long-term plans for the development of El Salvador. It was important that both parties, and the international community, persevere in their efforts to ensure punctual implementation of the remaining provisions of the Peace Accords. The National Commission for the Consolidation of Peace (COPAZ) played a central role in that regard and had to be supported and strengthened by both parties. The Government of El Salvador and the FMLN would also have a continuing responsibility to foster political stability and the climate of détente and

¹ S/25006.

² Signed at Mexico City on 16 January 1992; see S/23501, annex.

reconciliation referred to in the Accords, particularly in the former zones of conflict. In the Secretary-General's view, the presidential, legislative and municipal elections, due to be held in March 1994, would be the logical culmination of the peace process.

At its 3172nd meeting, on 9 February 1993, the Security Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the President (Morocco) drew the attention of the members of the Council to several letters from the Secretary-General to the President of the Council. By a letter³ dated 7 January 1993, the Secretary-General informed the Council of the measures taken by the Government of El Salvador to implement the recommendations of the Ad Hoc Commission on the Purification of the Armed Forces relating to the status of 102 officers. He noted that the measures adopted in relation to 15 of those officers did not comply with the recommendations and were thus not in conformity with the Peace Accords. He had therefore asked the President of El Salvador to regularize the position of those 15 officers. By a letter⁴ dated 26 January 1993, the Secretary-General informed the Council that the Government of El Salvador had requested the United Nations to verify the forthcoming general elections in El Salvador and recommended the acceptance of that request. By a letter⁵ dated 29 January 1993, the Secretary-General reported to the Council, that despite prior assurances, the FMLN had not completed the destruction of its weapons by the agreed deadline and that it was therefore not yet in compliance with the Peace Accords.⁶

The President then made the following statement⁷ on behalf of the Council:

³ S/25078.

⁴ S/25241.

⁵ S/25200.

⁶ In his report of 23 December 1992, (see *supra*, S/25006) the Secretary-General reported that the FMLN arms inventory had been presented and the FMLN's arms concentrated in designated zones on time by 30 November 1992. After analysis by ONUSAL, the inventory was accepted as satisfactory. It included details of sophisticated weapons and of armament located outside El Salvador. For technical reasons, however, the destruction of the arms by FMLN could not be completed by 15 December as planned, by which time only 50 percent of the inventory had been destroyed. The process continued under ONUSAL's supervision and should finish by the end of December. The destruction of weapons located outside El Salvador was to be completed in early January 1993.

⁷ S/25257.

“The Security Council welcomes with satisfaction the important progress made thus far towards the full implementation of the peace accords for El Salvador and the cooperation shown by the parties to this end. The Council takes note of the report of the Secretary-General of 23 November 1992, in which he indicates that the armed conflict between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN) was formally brought to an end on 15 December 1992. The Council emphasizes this event, which puts an end to more than 10 years of armed conflict.

“However, the Council expresses concern at the observations made by the Secretary-General in his letter dated 7 January 1993 to the President of the Security Council, by which he reported on the situation with regard to the implementation of the recommendations of the Ad Hoc Commission concerning the purification of the armed forces of El Salvador and, basically, at the fact that those recommendations have yet to be fully complied with despite prior assurances by the Government of El Salvador. The Security Council also expresses concern at the indication in the letter dated 29 January 1993 from the Secretary-General to the President of the Security Council that the FMLN, despite prior assurances, did not complete the destruction of its weapons by the agreed deadline and that it is therefore not yet in full compliance with its undertakings under the peace accords.

“In this connection, the Council emphasizes the solemn nature of the undertakings made by each of the parties when they signed the peace accords and reaffirms the obligation of the parties to comply fully and in a timely fashion with those undertakings.

“The Council welcomes with satisfaction the decision of the Government of El Salvador to request the United Nations to verify the forthcoming general elections and the intention of the Secretary-General, communicated in his letter dated 26 January 1993 to the President of the Security Council, to recommend to the Council that it accede to this request.

“The Council strongly urges the parties to persist in their determination to complete the process of bringing peace and national reconciliation to El Salvador and to continue cooperating with the Secretary-General in the efforts that he is making to ensure that the peace accords are implemented fully. To that end, the Council will follow closely the progress and results of those efforts.”

Decision of 18 March 1993 (3185th meeting): statement by the President

At its 3185th meeting, on 18 March 1993, the Security Council included in its agenda the item entitled “Central America: efforts towards peace”. After the adoption of

the agenda, the President (New Zealand) made the following statement⁸ on behalf of the Council:

“The Security Council welcomes the recent efforts to apply fully the peace process in El Salvador and acknowledges the sense of responsibility and cooperation demonstrated by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to reach this objective.

“In this context, the Council welcomes the submission of the report of the Commission on the Truth and of its recommendations intended to prevent the repetition of the acts of violence committed during the twelve years of armed confrontation, as well as to create confidence in the positive changes caused by the peace process and stimulate national reconciliation.

“The Council underlines the need for the parties, in accordance with the peace accords, to comply with the recommendations contained in the report of the Commission on the Truth, as well as all other obligations which remain to be implemented. In addition, it calls upon Salvadorean society to continue acting with the responsibility which it has demonstrated throughout this process, in order to contribute to the consolidation of internal peace and the maintenance of a genuine and lasting atmosphere of national harmony.

“The Council invites the Secretary-General to keep it informed regarding the implementation of the parties’ pending commitments. It reiterates that it will continue to follow closely the evolution of the peace process in El Salvador and that it stands ready to assist the parties as appropriate to achieve the successful completion of that process”.

Decision of 27 May 1993 (3223rd meeting): resolution 832 (1993)

On 21 May 1993, pursuant to resolution 791 (1992) of 30 November 1992, the Secretary-General submitted to the Security Council a report⁹ on all aspects of ONUSAL’s operations. The report also described the status of implementation of the Peace Accords by the Government of El Salvador and by FMLN.

⁸ S/25427.

⁹ S/25812 and Add.1-3.

The Secretary-General confirmed that the long delayed implementation of the recommendations of the Ad Hoc Commission on the Purification of the Armed Forces was on its way to completion as reported in his letter¹⁰ of 2 April 1993. He also reported that the release, on 15 March 1993, of the report of the Commission on the Truth, which was entrusted with the task of investigating serious acts of violence that had occurred since 1980, had led to the adoption of extreme positions and rising tension as the High Command of the armed forces, the President of the Supreme Court, highly placed Government officials and some political leaders, as well as segments of the media, rejected the findings and recommendations of the Commission. There was strident criticism of the United Nations and renewed publication of anonymous threats against ONUSAL. The President of El Salvador had stated his willingness to comply strictly with those recommendations of the Commission which fell within his competence, were consistent with the Constitution and in harmony with the Peace Accords, and contributed to national reconciliation. Meanwhile, spokesmen of the Government had accused the Commission of having exceeded its mandate. The FMLN, on its part, had stated that, notwithstanding a number of reservations about the report, it accepted the recommendations in their entirety. In the light of that reaction, the Secretary-General had instructed that a detailed analysis be made of the Commission's recommendations and the actions required to carry them out. He was communicating it to the Government and FMLN as well as to COPAZ.¹¹ It was critical to the process that both parties exercised leadership in that regard.

The Secretary-General stated that, 16 months after the cease-fire had taken effect, the peace process in El Salvador had advanced significantly and was on course. Among its achievements were full respect by both parties for a prolonged cease-fire, the celebration of the formal end of the armed conflict on 15 December 1992, and the conversion of the FMLN from an armed movement into a political party. That success had been accompanied by significant progress towards other principal objectives, including the establishment of civilian control over the military, the beginnings of the

¹⁰ S/25516.

¹¹ S/25812, Add.3

establishment of a civilian police force, the reunification of Salvadorean society and the democratization of national institutions, with full respect for human rights.

The path to national reconciliation had not been without difficulties, but the predominant characteristic of the Salvadorean peace process had thus been its irreversibility. However, intensified efforts were still required on both sides to accelerate the lands transfer programme, which was proceeding at a slow pace and with serious financial difficulties, the re-integration into civilian life of ex-combatants, the establishment of the National Civil Police with the corresponding phasing out of the present National Police, and the recovery of assault weapons, of which large numbers remained in unauthorized hands.

The Secretary-General emphasized that the successful conclusion of the peace process could be achieved only if the necessary financing was forthcoming. He noted that the programmes relating to land and the new police, which were central to the Peace Accords, lacked financial support and required an urgent response from both the international community and the Government.

In his view, the elections in 1994 were likely to be the culminating point of the entire peace process. It was only through free and fair elections that peace would be consolidated in El Salvador. Following a request made by the Government of El Salvador for observation of the elections by the United Nations and in the expectation that the Council would accede to that request, the Secretary-General had sent a mission to El Salvador in April to assess requirements. On the basis of the mission's findings, he recommended that the Council enlarge the mandate of ONUSAL to include the observation of the electoral process and authorize the addition to the Mission of an Electoral Division.¹² He also recommended that the Council renew the mandate of ONUSAL until 30 November 1993. It would be his intention to recommend, by that date, a further renewal of the Mission's mandate to enable it to complete its verification of the

¹² See also S/25812/Add.1.

elections and to remain in El Salvador for a short transition period immediately thereafter.

At its 3223rd meeting, on 27 May 1993, the Security Council included the report of the Secretary-General in its agenda. After the adoption of the agenda, the President (Russian Federation) drew the attention of the members of the Council to the text of a draft resolution¹³ prepared in the course of the Council' consultations.

Speaking before the vote, the representative of Spain supported the recommendations of the Secretary-General, particularly the addition to ONUSAL of an Electoral Division, so that the United Nations could closely follow and assist the entire electoral process until after the elections of March 1994. What was being carried out in El Salvador was what the Secretary-General in his Agenda for Peace had called “post-conflict peace-building”, which involved the strengthening of governmental institutions and national reconstruction. That required not only commitment by the parties concerned, but also the active and continuing assistance of the international community. For its part, Spain would continue to support the peace process, both individually and collectively, with the other Friends of the Secretary-General.¹⁴

The draft resolution was then put to the vote and adopted unanimously as resolution 832 (1993), which reads as follows:

The Security Council,

Recalling its resolution 637 (1989) of 27 July 1989,

Recalling also its resolutions 693 (1991) of 20 May 1991, 714 (1991) of 30 September (1991), 729 (1992) of 14 January 1992, 784 (1992) of 30 October 1992 and 791 (1992) of 30 November 1992,

Having studied the report of the Secretary-General of 21, 24 and 25 May 1993,

Noting with appreciation the continuing efforts of the Secretary-General to support the full implementation of the agreements signed by the Government of El Salvador and the Frente

¹³ S/25851, adopted without change as resolution 832 (1993).

¹⁴ S/PV. 3223; pp. 2-7

Farabundo Martí para la Liberación Nacional to re-establish peace and promote reconciliation in El Salvador,

Welcoming the observation by the Secretary-General that sixteen months after the cease-fire, the peace process in El Salvador has advanced significantly and is on course, and that significant progress has also been made towards other principal objectives of the peace accords,

Emphasizing that determined efforts are required of both parties to ensure that the remaining problems do not become obstacles to the continuing fulfilment of their undertakings,

Noting that the Government of El Salvador has requested the United Nations to verify the next general elections, scheduled to be held in March 1994, and that the Secretary-General has recommended that this request be accepted,

Stressing the necessity, in this as in other peace-keeping operations, to continue to monitor expenditures carefully during this period of increasing demands on peace-keeping resources,

1. *Approves* the report of the Secretary-General;
2. *Welcomes* the continuing adaptation by the Secretary-General of the activities and strength of the United Nations Observer Mission in El Salvador, taking into account progress made in implementing the peace process;
3. *Decides*, on the basis of the report of the Secretary-General and in accordance with the provisions of resolution 693 (1991), to enlarge the mandate of the Observer Mission to include the observation of the electoral process due to conclude with the general elections in El Salvador in March 1994, and requests the Secretary-General to take the necessary measures to this effect;
4. *Also decides* that the mandate of the Observer Mission, enlarged in accordance with the present resolution, will be extended until 30 November 1993 and that it will be reviewed at that time on the basis of recommendations to be presented by the Secretary-General;
5. *Endorses* the view of the Secretary-General, contained in his letter dated 26 January 1993 to the President of the Security Council, that the general elections of March 1994 should constitute the logical culmination of the entire peace process in El Salvador;
6. *Urges* the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to respect and implement fully all the commitments they assumed under the peace accords, including, *inter alia*, those related to the transfer of lands, the reinsertion into civilian society of ex-combatants and war wounded, the deployment of the National Civil Police and the phasing out of the National Police, and the recommendations of the Ad Hoc Commission on the purification of the armed forces and the Commission on the Truth;

7. *Reaffirms its support* for the Secretary-General's use of his good offices in the El Salvador peace process;
8. *Calls upon* both parties to cooperate fully with the Secretary-General's Special Representative and the Observer Mission in their task of assisting and verifying the parties' implementation of their commitments, and requests the parties to continue to exercise utmost moderation and restraint, especially in the former zones of conflict, in order to promote the process of national reconciliation;
9. *Urges* all States, as well as the international institutions in the fields of development and finance, to contribute generously in support of the execution of the peace accords and the consolidation of peace in El Salvador;
10. *Requests* the Secretary-General to keep the Security Council fully informed of further developments in the El Salvador peace process and to report on the operations of the Observer Mission, at the latest before the expiry of the new mandate period;
11. *Decides* to remain seized of the matter.

Speaking after the vote, the representative of the United States, stressing that the growth of democracy enhanced the security of all, strongly supported the resolution which extended ONUSAL's mandate and expanded it to include supervision of the upcoming elections in El Salvador. She urged both sides to implement fully their respective obligations under the Accords and noted in this regard the importance of full compliance with those provisions regarding the proper disposition of weapons. In conclusion she reaffirmed her country's commitment to help the people of El Salvador to consolidate the peace they had created and called upon others to also pledge assistance.¹⁵

Noting that the elections would probably represent the culmination of the whole peace process, the representative of France called on the parties to continue to cooperate in order to ensure that the Peace Agreement lead to total success, that is, the restoration of democracy. In this regard it was essential that a number of measures be carried out in full and as quickly as possible such as the land transfer programme, the reinsertion of former combatants into civilian life, the replacement of the national police force by the

¹⁵ *Ibid.*, pp. 7-8.

new police, the destruction of weapons and the implementation of the recommendations of the Ad Hoc Commission and the Commission on the Truth.¹⁶

As a member of the Group of Friends of the Secretary-General, the representative of Venezuela welcomed the extension of United Nations cooperation until completion of the electoral process in March 1994. He stressed that national reconciliation would require the full cooperation of the parties and their compliance with the political, economic, social and legal aspects of the commitments assumed under the Peace Accords, which were clearly set forth in operative paragraph 6 of resolution 832 (1993). Peace would also require the generous support of friendly countries and international organizations to the economic reconstruction of the country.¹⁷

Decision of 11 June 1993 (3236th meeting): statement by the President

By a letter¹⁸ dated 8 June 1993, addressed to the President of the Security Council, the Secretary-General informed the Council about developments relating to the discovery of a weapons cache in Managua, Nicaragua on 23 May. At the invitation of the Nicaraguan Government, the Secretary-General's Special Representative in El Salvador and members of ONUSAL had travelled to Managua to assist in the disposal of the arms and in the investigation launched by the Nicaraguan authorities. The Secretary-General stated that evidence collected so far, together with the explicit acknowledgement by the leadership of the responsible FMLN group, had confirmed that the arms were the property of that group and that some of its members were involved in their maintenance. Leaders of the same FMLN group had also provided information about the existence in Nicaragua of other clandestine deposits containing considerable amounts of weapons. Specialists from ONUSAL were working with a Nicaraguan team to itemize the war *matériel* found in those deposits and dispose of it.

¹⁶ *Ibid.*, pp. 8-10.

¹⁷ *Ibid.*, pp. 11- 12.

¹⁸ S/25901.

The Secretary-General emphasized that the maintenance of clandestine arms deposits, for whatever reason, was a cause of serious concern and that the non-inclusion of those arms in the final inventory presented by the FMLN to ONUSAL raised serious questions of confidence and trust. He noted, however, that the FMLN was cooperating with ONUSAL to locate and eliminate possible remaining arms caches in El Salvador and had agreed to the destruction of the last remaining sophisticated weapons on its inventory on 4 June, scheduled to coincide with full compliance by the Government with the recommendations of the Ad Hoc Commission, at the end of June.

At its 3236th meeting, on 11 June 1993, the Security Council included the letter in its agenda. Following the adoption of the agenda, the President (Spain) made the following statement¹⁹ on behalf of the Council:

“The Security Council takes note with concern of the letter of the Secretary-General dated 8 June 1993 regarding the existence in Nicaragua of a weapons cache belonging to the Frente Farabundo Martí para la Liberación Nacional (FMLN), discovered on 23 May 1993.

“The Council considers that the maintenance of clandestine arms deposits is the most serious violation to date of the commitments assumed under the peace accords signed at Mexico City on 16 January 1992 and agrees with the Secretary-General that this is a cause for serious concern.

“The Council reiterates its demand that the peace accords be complied with fully and promptly. In this context, the Council again urges the FMLN to comply with its obligation to provide a complete inventory of its arms and munitions both inside and outside El Salvador and surrender them in accordance with the provisions of the peace accords, and to continue to cooperate in this regard with the United Nations Observer Mission in El Salvador .

“The Council notes with satisfaction the cooperation of the Government of Nicaragua in itemizing and disposing of the war *matériel* found.

“The Council expects that the parties to the peace accords will continue their efforts to complete the peace process and achieve national reconciliation in El Salvador”.

Decision of 12 July 1993: letter from the President to the Secretary-General

¹⁹ S/25929.

On 29 June 1993, the Secretary-General submitted to the Security Council a further report²⁰ on ONUSAL, regarding the discovery, at locations inside and outside El Salvador, of illegal arms deposits belonging to FMLN. The Secretary-General stated that ever since the discovery of the first illegal arms cache in Managua on 23 May, he had made continuous efforts, directly and through ONUSAL to establish the facts, to ensure that all remaining clandestine caches were declared to it and their contents destroyed, and to limit the repercussions on the peace process of that very serious violation of the Peace Accords. On 12 June 1993, in a letter addressed to FMLN, he had expressed his distress at learning that the final inventory of weapons presented to ONUSAL by FMLN had been grossly inaccurate and had urged FMLN to take action to ensure that all arms caches inside and outside El Salvador were located and their contents destroyed, and that any weapons still in possession of FMLN militants were similarly handed over to ONUSAL for destruction. In reply, the FMLN had informed him that it would cooperate with ONUSAL in locating and destroying all its remaining weapons within a period of 45 days beginning on 21 June 1993, that is by 4 August.²¹

The Secretary-General also informed the Council that on 11 June 1993, he had received a letter from the President of El Salvador in which he stated, *inter alia*, that the conduct of FMLN had violated not only the commitments it had assumed, but also the constitutional provision prohibiting the existence of armed groups, which might be a reason to disband FMLN as a political party. The President had also expressed the view that the gravity of the breach by FMLN of its commitments warranted a resolution by the Security Council.

The Secretary-General further stated that the seriousness of the situation could not be over-emphasized. It had raised questions of confidence and trust and could seriously undermine the peace process. In his view, however, the cancellation or suspension of FMLN's status as a political party could itself deal a severe blow to the peace process.

²⁰ S/26005.

²¹ See the report of the Secretary-General of 30 August 1993 informing the Council that the process of verification had been completed on 18 August 1993 (S/26052).

The transformation of FMLN into a political party and the full reintegration of its members into the civil, political and institutional life of the country were at the very core of the Peace Accords. It was, likewise, imperative to avoid a disruption of the electoral process, in which it was essential that FMLN had every opportunity to participate. While welcoming FMLN's acceptance of its responsibility in the events and its full cooperation in the ensuing investigation, the Secretary-General noted that FMLN would have to demonstrate anew its commitment to the peace process and that confidence would only be fully restored upon the complete disclosure by FMLN of all its holdings in arms and munitions and their subsequent destruction by the date indicated. The Secretary-General concluded by saying that it was an indication of the strength and irreversibility of the peace process and a credit to both parties that a serious incident of that nature had not been allowed to derail the implementation of the Peace Accords.

By a letter²² dated 12 July 1993, the President of the Security Council informed the Secretary-General as follows:

“I have the honour to inform you that the members of the Security Council have taken note with appreciation of your report of 29 June 1993 regarding the recent discovery, at locations inside and outside El Salvador, of illegal arms deposits belonging to the Frente Farabundo Martí para la Liberación Nacional (FMLN).

“The members of the Council express their continuing concern regarding this grave violation of the peace accords and agree with your opinion that the maintenance of clandestine arms deposits by the FMLN has raised questions of confidence and trust and that the seriousness of this situation cannot be over-emphasized.

“The members of the Council reiterate their view that both parties should comply fully with their respective obligations under the peace accords, and especially that the FMLN should provide a complete inventory of all its arms and munitions both inside and outside El Salvador and deliver them to the United Nations Observer Mission in El Salvador for their destruction in accordance with the provisions of the peace accords.

“The members of the Council note the FMLN's promise to disclose all its holdings of arms and munitions and subsequently to destroy them by 4 August 1993. They stress that the

²² S/26071.

complete disarmament of the FMLN and the reintegration of its members into the civil, political and institutional life of the country form an essential part of the peace process.

“The members of the Council share your assessment that it is an indication of the strength and irreversibility of the peace process that a serious incident of this nature has not been allowed to derail the implementation of the peace accords. They also agree with your view that the cancellation or suspension of the FMLN’s status as a political party could deal a severe blow to the peace process.

“The members of the Council welcome the letter²³ dated 22 June 1993 from the Minister for Foreign Affairs of the Republic of Nicaragua addressed to you and expect that the Government of Nicaragua will comply with its international obligations to prevent the use of its territory for the illegal storage or transshipment of arms and other war matériel and to investigate fully all the illegal arms deposits discovered in Nicaragua, including possible links to international terrorism.

“The members of the Council welcome your intention to keep the Council informed of further developments, especially the actions the FMLN has promised to complete by 4 August 1993”.

Decision of 13 July 1993: letter from the President to the Secretary-General

By a letter²⁴ dated 7 July 1993, addressed to the President of the Security Council, the Secretary-General referred to his letter²⁵ of 2 April 1993, by which he had informed the Council about recent developments in the implementation of the provisions of the Peace Accords relating to the purification of the armed forces. In that letter, he had informed the Council that the President of El Salvador had agreed to a plan to regularize the situation of the last 15 high-ranking officers in respect of whom the recommendations of the Ad Hoc Commission on the Purification of the Armed Forces had not yet been implemented. The arrangement would, when implemented, bring the Government of El

²³ S/26008. In that letter, the Minister for Foreign Affairs of Nicaragua stated, *inter alia*, that “ by adopting domestic or international legislation; by inviting international bodies to verify the itemizing and disposal of war *matériel*; and by instituting criminal proceedings against those accused, the Government of the Republic of Nicaragua is demonstrating its indisputable devotion to peace and its attachment to international law, as a contribution to the peace process in the Central American region ”.

²⁴ S/26052.

²⁵ S/25516.

Salvador into broad compliance with the Ad Hoc Commission's recommendations. Following verification by ONUSAL, the Secretary-General was in a position to confirm that the Government of El Salvador had taken the steps that it had promised to comply with those recommendations.

By a letter²⁶ dated 13 July 1993, the President informed the Secretary-General that his letter dated 7 July 1993 had been brought to the attention of the members of the Security Council who had welcomed his confirmation that the Government of El Salvador had complied with the Ad Hoc Commission's recommendations. They believed that the actions taken by the Government of El Salvador represented a significant achievement in the consolidation of the peace process in El Salvador.

Decision of 5 November 1993 (3306th meeting): statement by the President

By a letter²⁷ dated 3 November 1993, addressed to the President of the Security Council, the Secretary-General informed the Council of the assassination of two leaders of the FMLN on 25 and 30 October, respectively. The killings substantiated the concerns referred to in the last report²⁸ of the Division of Human Rights of ONUSAL, dated 15 September 1993, which had noted, in particular, that politically motivated human right violations had become more open, as well as in his report²⁹ of 14 October 1993 on the implementation of the recommendations of the Commission on the Truth. They also confirmed the need for immediate implementation of the recommendation of the Commission that a thorough investigation of private armed groups be undertaken immediately. Consequently, the Secretary-General had instructed the Director of the Division of Human Rights of ONUSAL, with supplementary expert assistance to work with those concerned in order to assist the Government in the implementation of the recommendation. While responsibility for the investigation lay with the Government, it was the Secretary-General's view that the National Counsel for the Defence of Human

²⁶ S/26077.

²⁷ S/26689.

²⁸ See S/26416, annex, and Add.1.

²⁹ S/26581.

Rights could also play an important role. The implementation of other recommendations of the Commission on the Truth also needed to be accelerated.

In addition, the Secretary-General recalled the difficulties relating to the formation and deployment of the National Civil Police described in his report of 14 October 1993. He stressed, in particular, that it was essential that the provisions of the Peace Accords regarding the National Academy for Public Security and the National Civil Police be scrupulously fulfilled and that ONUSAL be allowed to carry out its verification mandate unimpeded. He also recalled the delays and difficulties in the electoral process, described in his report³⁰ of 20 October 1993, and expressed the hope that the Government and the institutions involved would make every effort, with the assistance of ONUSAL, to overcome existing deficiencies and to ensure that the registration of voters was as comprehensive as possible. In the Secretary-General's view, the recent murders had brought into sharper focus the need to step up the implementation of the Peace Accords in order to set the stage for a genuinely free and fair electoral process, as had been recognized by the Government and the FMLN at their high-level meeting of 8 September.

At its 3306th meeting, on 5 November 1993, the Security Council included the letter in its agenda. Following the adoption of the agenda, the President (Cape Verde) made the following statement³¹ on behalf of the Council:

“The Security Council has learned with shock and concern of the violent deaths in recent days in El Salvador of two leaders and other members of the Frente Farabundo Martí para la Liberación Nacional (FMLN), as well as one member of the Alianza Republicana Nacionalista party. It notes, in this respect, that the Director of the Human Rights Division of the United Nations Observer Mission in El Salvador (ONUSAL) has referred in his last two reports to what appears to be a pattern of politically motivated murders, a development all the more serious in light of the upcoming electoral process. The Council insists that this violence has to stop.

³⁰ See S/26606.

³¹ S/26695.

“The Council deems it essential that the authorities in El Salvador take all necessary measures so that those responsible for the killings be promptly brought to justice, with a view to preventing such events from occurring in the future. It welcomes the technical cooperation that Member States are extending to the competent Salvadorean authorities, at their request, in order to assist them in the investigation of these criminal acts.

“The Council notes with particular concern that the Secretary-General, in his report of 14 October 1993 on the implementation of the recommendations of the Commission on the Truth, underscored the significance of cases of killings over the past few months that seemed to follow patterns that could indicate a resurgence of illegal armed groups, whose activities had diminished following the signature of the peace accords in January 1992.

“In this regard, the Council takes note with approval of the Secretary-General’s decision, as reported in his letter dated 3 November 1993 to the President of the Security Council, to direct the Human Rights Division of ONUSAL to work with the El Salvador Human Rights Prosecutor in order to assist the Government of El Salvador in implementing the recommendation of the Commission on the Truth that a thorough investigation of illegal armed groups be undertaken immediately.

“The Council further underlines the importance of full and timely implementation of all the provisions of the peace accords. It remains concerned about delays occurring in several instances, namely, the phasing out of the National Police and full deployment of the National Civil Police, the implementation of the recommendations of the Commission on the Truth and the transfer of lands and other reintegration programmes, which are essential for the development of a solid framework and a new climate for the respect of human rights in El Salvador.

“The Council also calls upon all parties to continue their efforts to make the March 1994 elections representative and successful. It recognizes the progress that has been made in registering thousands of voters, but, taking into account the delays and problems reported by the Secretary-General in his report of 20 October 1993, it calls upon the Government and all concerned to ensure that all qualified voters who have applied will receive the necessary documents in time to vote. It welcomes the steps taken by the Secretary-General to assist in this process through the Electoral Division of ONUSAL.

“The Council welcomes the agreement reached between the Government and the FMLN on the need to speed up the implementation of the provisions of the peace accords and, accordingly, urges all parties concerned to accelerate the fulfilment of their commitments under those accords before the electoral campaign gets under way. It expects ONUSAL to be allowed

fully to carry out its verification mandate unimpeded. The Council will continue to follow developments in El Salvador with close attention”.

Decision of 30 November 1993 (3321st meeting): resolution 888 (1993)

On 23 November 1993, pursuant to resolution 832 (1993) of 27 May 1993, the Secretary-General submitted to the Security Council a further report³² on ONUSAL’s activities during the period 22 May to 20 November 1993, and the status of implementation of the Peace Accords. He stated that while the implementation of the Peace Accords had, on the whole, progressed well, several key aspects, such as the land transfer and reintegration programmes, continued to suffer serious delays. Moreover difficulties affected the operations of the National Public Security Academy, the deployment of the National Civil Police (NCP) and the phasing-out of the National Police. The collection of weapons previously issued for the exclusive use of personnel of the Armed Forces of El Salvador and held by private individuals had also been very seriously delayed.

While acknowledging the complexity of establishing a completely new police force and transferring responsibility for public order to it in the aftermath of a long civil war and in the middle of a crime wave, the Secretary-General noted that ONUSAL’s reports created the impression that, at some levels in the Government, there might be a lack of commitment to the objective enshrined in the Peace Accords. That was reflected in the denial to the NCP of the necessary logistical and technical resources, the introduction into that force of military personnel, the prolongation of the existence of the National Police and the denial to ONUSAL of the information it required for verification purposes. The Secretary-General also warned that the severe delays in fulfilling the promises of land and other benefits that were made to ex-combatants of both sides had given rise to tension, which could become a dangerous source of instability.

³² S/26790.

Furthermore, he reported that a number of murders and assaults in recent weeks had raised fears about the possible resurgence of illegal armed groups with political objectives, including the so-called death squads. It was therefore essential that there should be, as soon as possible, an impartial, independent and credible investigation into illegal armed groups, as recommended by the Commission on the Truth.

The Secretary-General was concerned that the electoral campaign should have begun in the climate described above and at a time when very important elements of the Peace Accords remained only partially implemented. He recalled that the timetable that formed part of the Accords had been drafted on the basis that the vast majority of the provisions would have been implemented well before the elections. He informed the Council that he had asked his Special Representative to obtain the agreement of the Government and of the FMLN's to a new timetable that would set the firmest possible dates for completing the implementation of the most important outstanding points in the Peace Accords. Even so, however, it was clear that it would not be possible to complete implementation of all such points before the elections. It was important, therefore, that the new Government should maintain its predecessor's commitment to implement the Accords in their entirety.

The Secretary-General further stated that the elections and the transition to the administration of the newly elected President would be a critically important period throughout which it was clearly necessary for ONUSAL to continue to carry out its verification and good offices functions. He accordingly recommended that the Security Council extend ONUSAL's mandate for a further period of six months, until 31 May 1994. He noted that beyond that date, it would probably be desirable to keep the Mission in existence, at reduced strength, for a further period of a few months to verify the full implementation of any major points in the Peace Accords which remained outstanding at that time.

At its 3321st meeting, on 30 November 1993, the Security Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the

Council invited the representative of El Salvador, at his request, to participate in the discussion without the right to vote. The President (Cape Verde) then drew the attention of the members of the Council to the text of a draft resolution³³ prepared in the course of the Council' prior consultations.

Before the vote, the representative of Spain took note of the Secretary-General's view that a reduced ONUSAL presence would probably be necessary after the elections so as to allow it to fulfil its mandate.³⁴ Similarly the representative of Venezuela stated that ONUSAL could and should continue to cooperate in the El Salvador process of peace and national reconciliation, even beyond the term of its renewed mandate.³⁵

The draft resolution was then put to the vote and adopted unanimously as resolution 888 (1993), which reads as follows:

The Security Council,
Recalling its resolution 637 (1989) of 27 July 1989,
Recalling also its resolutions 693 (1991) of 20 May 1991, 714 (1991) of 30 September 1991, 729 (1992) of 14 January 1992, 784 (1992) of 30 October 1992, 791 (1992) of 30 November 1992 and 832 (1993) of 27 May 1993,
Recalling further the statements by the President of the Security Council of 18 March, 11 June and 5 November 1993,
Having studied the further report of the Secretary-General of 23 November 1993,
Noting with appreciation the continuing efforts of the Secretary-General to support the full and timely implementation of the agreements signed by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to maintain and consolidate peace and promote reconciliation in El Salvador,
Welcoming the Secretary-General's observation that the peace process in El Salvador has advanced and that significant progress has been made towards other objectives of the peace accords,

³³ S/26820, adopted without change as resolution 888(1993).

³⁴ S/PV.3321, pp. 4-7.

³⁵ *Ibid.*, pp. 7- 10.

Concerned at the continuing problems and delays in implementing several important components of the peace accords, including, *inter alia*, those related to the transfer of lands, the reintegration into civilian society of ex-combatants and war disabled, the deployment of the National Civil Police and the phasing out of the National Police, and the recommendations of the Commission on the Truth,

Noting with concern the recent acts of violence in El Salvador, which may indicate renewed activity by illegal armed groups and which could, if unchecked, negatively affect the peace process in El Salvador, including the elections scheduled for March 1994,

Welcoming in this regard the efforts of the Secretary-General in cooperation with the Government of El Salvador towards the establishment of a mechanism to investigate illegal armed groups and their possible connection with renewed political violence,

Also noting with concern the seemingly politically motivated murders of members of the different political parties, including the Frente Farabundo Martí para la Liberación Nacional and the Alianza Republicana Nacionalista,

Noting that El Salvador has entered a critical phase in the peace process and that political parties have just begun a campaign for the March 1994 elections, which should take place in a peaceful environment,

Stressing the importance of free and fair elections as an essential element of the entire peace process in El Salvador,

Noting recent progress in voter registration, and stressing the importance of all registered voters being issued relevant credentials so as to enable broad participation in the elections,

Welcoming the commitment of the presidential candidates to peace and stability in El Salvador, of 5 November 1993, as referred to in paragraph 92 of the further report of the Secretary-General,

Welcoming also the recent announcement by the Government of El Salvador to expedite the implementation of the land transfer programme,

Welcoming further the work of the United Nations Observer Mission in El Salvador and noting its vital importance to the entire peace and reconciliation process in El Salvador,

Reiterating the need, in this as in all peace-keeping operations, to continue to monitor expenditures carefully during this period of increasing demands on peace-keeping resources,

1. *Welcomes* the further report of the Secretary-General of 23 November 1993;
2. *Condemns* recent acts of violence in El Salvador;
3. *Expresses concern* that important elements of the peace accords remain only partially implemented;

4. *Urges* the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to make determined efforts to prevent political violence and accelerate compliance with their commitments under the peace accords;

5. *Reaffirms its support* for the Secretary-General's use of his good offices in the El Salvador peace process;

6. *Also reaffirms its support*, in this context, for the efforts of the Secretary-General, in cooperation with the Government of El Salvador, aimed at the immediate launching of an impartial, independent and credible investigation into illegal armed groups, and urges all sectors of society in El Salvador to cooperate in such an investigation;

7. *Calls upon* all parties concerned to cooperate fully with the Secretary-General's Special Representative and the United Nations Observer Mission in El Salvador in their task of verifying the parties' implementation of their commitments, and urges them to complete such implementation within the framework of the agreed calendar and the new timetable proposed by the Observer Mission;

8. *Stresses* the need to ensure that the police and public security provisions of the peace accords are scrupulously observed, with full Observer Mission verification, and that necessary steps are taken to complete the recovery of all weapons held by private individuals in contravention of the peace accords;

9. *Urges* the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to remove all obstacles facing implementation of the land transfer programme, and stresses the need to accelerate reintegration programmes for ex-combatants of both sides in conformity with the peace accords;

10. *Reaffirms* the need for full and timely implementation of the recommendations of the Commission on the Truth;

11. *Calls upon* the relevant authorities in El Salvador to take all necessary measures to ensure that the elections to be held in March 1994 be free and fair and requests the Secretary-General to continue to provide assistance in this regard;

12. *Urges* all States, as well as the international institutions engaged in the fields of development and finance, to contribute promptly and generously in support of the implementation of all aspects of the peace accords;

13. *Decides* to extend the mandate of the Observer Mission to 31 May 1994;

14. *Requests* the Secretary-General to keep the Security Council fully informed of further developments in the El Salvador peace process;

15. *Requests* the Secretary-General to report by 1 May 1994 on the operations of the Observer Mission so that the Council may review the Mission's size and scope for the period after 31 May 1994, taking into account the Secretary-General's relevant recommendations for the fulfilment and completion of its mandate;

16. *Decides* to remain seized of the matter.

Speaking after the vote, the representative of France deemed it too early to say what should be the role of the United Nations in El Salvador after the elections and the installation of the new Government but stressed that it would be especially useful to continue to provide assistance in the area of human rights, so as to ensure the necessary transition, along the lines of what was done in Cambodia. In France's view the Centre for Human Rights should be entrusted with that mission. The establishment of an integrated United Nations Office could also be considered.³⁶

All speakers called for the full and speedy implementation of the Peace Accords. They expressed concern at the human rights situation and called for a thorough investigation of illegal armed groups.³⁷

Decision of 10 December 1993: letter from the President to the Secretary-General

In a letter³⁸ dated 7 December 1993, addressed to the President of the Security Council, the Secretary-General referred to his letter³⁹ of 3 November 1993, in which he had expressed concern over recent cases of arbitrary execution in El Salvador and the need for the immediate implementation of the recommendation of the Commission on the Truth regarding the investigation of illegal armed groups, as well as to his decision to instruct the Director of the Human Rights Division of ONUSAL to work with those concerned in order to assist the Government in implementing that recommendation. Recalling the statement by the President of 5 November 1993, the Secretary-General

³⁶ *Ibid.*, pp. 11-12.

³⁷ *Ibid.*, United States, pp. 10-11; France, pp. 11-12; Brazil, pp. 13-15; Japan, pp. 15-16; Russian Federation, pp. 16-18.

³⁸ S/26865.

³⁹ See *supra*, S/26689.

reported that in November he had dispatched a mission to El Salvador which had held extensive consultations with all concerned. Considerable progress had been made towards an agreement on the principles⁴⁰ for the establishment of a Joint Group for the investigation of politically motivated illegal armed groups. The Secretary-General further indicated that it had been later agreed that the members of the Joint Group would be two independent representatives of the Government of El Salvador nominated by the President of the Republic, the National Counsel for the Defence of Human Rights and the Director of the Human Rights Division of ONUSAL. The President of El Salvador had nominated the two representatives with the approval of the National Counsel, and the Special Representative of the Secretary-General was satisfied that they were well qualified for the task. The mechanism for the investigation of illegal armed groups had thus been duly conformed and might commence its work immediately. The text of the Principles for the establishment of the Joint Group was attached to his letter.

By a letter⁴¹ dated 10 December 1993, the President informed the Secretary-General as follows:

“The members of the Security Council welcome your letter of 7 December 1993 concerning the establishment of a Joint Group for the investigation of politically motivated illegal armed groups, composed of two independent representatives of the Government of El Salvador nominated by the President of the Republic, the National Counsel for the Defence of Human Rights and the Director of the Division of Human Rights of the United Nations Observer Mission in El Salvador (ONUSAL).

“The members of the Council support the ‘Principles’, attached to your letter, which will give the Group an independent, impartial and non-political character. The members of the Council also support your role in ensuring the effectiveness and credibility of the investigation.

“The members of the Council consider it of the utmost importance that all necessary measures are taken to facilitate the task of the Joint Group so that the recommendation of the Commission on the Truth regarding the full investigation of the illegal armed groups is promptly implemented. They call upon all parties in El Salvador to cooperate fully in this respect.

⁴⁰ S/26865, annex.

⁴¹ S/26866.

“The members of the Council will continue to follow closely the situation in El Salvador and request you to keep them informed on developments in this matter”.

Decision of 7 April 1994 (3360th meeting): statement by the President

By a letter⁴² dated 28 March 1994, addressed to the President of the Security Council, the Secretary-General raised with the members of the Council continuing concerns regarding the implementation of certain aspects of the Peace Accords. These concerns which he had already conveyed to the Council in his report of 23 November 1993, related to public security, including the deployment of the National Civil Police and the phasing out of the National Police; the reintegration into society, through transfers of land and other programmes, of estranged groups including former combatants; and the constitutional reforms recommended by the Commission on the Truth. The Secretary-General stressed that four months later, little progress had been achieved in those areas. He believed it essential to have an updated agreement between the parties on a timetable for the implementation of pending matters so that the process should suffer no further delays during the transition to the new Government. He expressed the hope that the Council could support his efforts in those areas on which action was urgently required.

On 31 March 1994, the Secretary-General submitted to the Council a report⁴³ on the activities of the Electoral Division of ONUSAL, providing a general assessment of Election Day on 20 March 1994.

The Secretary-General stated that the general conduct of the electoral process and the campaign had many positive aspects: massive expansion of the electoral rolls; participation by the political parties throughout the process and at all levels of the electoral authorities; peaceful exercise of the right to organize, of the right to freedom of expression and of the right of assembly; publicity by the parties in all the media; conduct

⁴² S/1994/361.

⁴³ S/1994/375.

of campaign activities without violent incident; and proper functioning on the part of the security forces and the armed forces. There were serious difficulties, however, in organizing the voting and preparing the electoral roll. The training provided to polling stations teams and to party monitors had also been inadequate. Since there was going to be a second round of voting for the presidential election, the anomalies recorded should be eliminated. In that regard he introduced a series of practical recommendations based on the views expressed by ONUSAL in a letter dated 24 March addressed to the Supreme Electoral Tribunal.

Although the high visibility and frequency of the problems observed on Election Day may have helped to leave a negative impression of the overall process, the Secretary-General stressed that the irregularities noted should not be mistaken for significant manipulation of the election. In fact where the presidential election was concerned, no party had rejected the results and the ONUSAL observers had not recorded any fraudulent acts that could have had a significant impact on the outcome. With respect to assembly and municipal elections, local challenges should not affect the overall validity of the electoral process. According to a statement made by the Special Representative of the Secretary-General on 21 March, the elections had taken place under appropriate conditions in terms of freedom, competitiveness and security and could be considered acceptable, despite serious flaws regarding organization and transparency.

At its 3360th meeting, on 7 April 1994, the Security Council included in its agenda the report of the Secretary-General and the letter from the Secretary-General to the President of the Council. The President (New Zealand) made the following statement⁴⁴ on behalf of the Council:

“The Security Council has received the report of the Secretary-General of 31 March 1994 on the observation of the elections in El Salvador on 20 March 1994 by the United Nations Observer Mission in El Salvador. It has also received the letter from the Secretary-General dated 28 March 1994 in which he draws to the attention of the Council his continuing concerns regarding problems in the implementation of the peace accords in El Salvador.

⁴⁴ S/PRST/1994/15.

“The Council congratulates the people of El Salvador on the peaceful and historic elections held on 20 March 1994. It notes that the Special Representative of the Secretary-General stated on 21 March 1994 that in general the elections on 20 March 1994 had taken place under appropriate conditions in terms of freedom, competitiveness and security and that, despite serious flaws regarding organization and transparency, the elections could be considered acceptable. The Council calls upon those concerned to take the necessary measures, as recommended by the Secretary-General, to correct those shortcomings which appeared in the first round and thus to guarantee a genuine and indisputable expression of the will of the people in the second round of the presidential elections to be held on 24 April 1994.

“The Council calls for the full implementation of the peace accords. It shares the concerns expressed by the Secretary-General that progress is still required regarding the implementation of the points highlighted in his letter of 28 March 1994, particularly in relation to public security, including the deployment of the new National Civil Police and the phasing out of the National Police; the reintegration into society through transfers of land and other programmes of estranged groups, including former combatants; and the constitutional reforms recommended by the Commission on the Truth, especially as they relate to the reform of the judiciary. The Council urges those concerned to make every effort to ensure that further delays in those areas are avoided and distortions corrected, so that the process can gain momentum, the provisions of the peace accords be duly implemented and the goals of the peace process fully achieved”.

Decision of 26 May 1994 (3381st meeting): resolution 920 (1994)

On 11 May 1994, pursuant to resolution 888 (1993) of 30 November 1993, the Secretary-General submitted to the Security Council a further report⁴⁵ on ONUSAL’s activities covering the period 21 November 1993 to 30 April 1994. The report also gave an account of the implementation of the Peace Accords.

The Secretary-General recalled that intensive consultations with the parties concerned had culminated in the establishment on 8 December 1993 of a Joint Group for the Investigation of Politically Motivated Illegal Armed Groups. The Joint Group was to present a report with its findings and recommendations at the end of May 1994. The Secretary-General noted that, according to the most recent report of the Division of

⁴⁵ S/1994/561.

Human Rights, murders analogous to those committed during the final months of 1993 had not recurred. He added, however, that notwithstanding the relative improvement in the human rights situation, violations of the right to life, due process and other fundamental rights had continued. He also recalled that the first post-conflict elections had been held on 20 March 1994 under generally acceptable conditions, without major acts of violence, although serious flaws regarding organization and transparency had been detected. Those flaws, however, had not had an effect on the final outcome. A second round had been held on 24 April 1994 and had resulted in the election of Mr. Armando Calderón Sol, who would take office on 1 June 1994.

While acknowledging that there had been notable advances, above all in the integration of FLMN into the political life of El Salvador and in the completion of the elections, the Secretary-General stated that there were serious shortcomings in the implementation of the Peace Accords because of delays in the agreed timetable. He recalled that the timetable that formed part of the Peace Accords provided that almost all aspects of the Accords would have been implemented before the new Government assumed office. The main exceptions were deployment of the National Civil Police and demobilization of the National Police to be completed on 28 July and 31 October 1994, respectively and the land transfer programme which would have to be extended into 1995. That would have required at least a vestigial presence of ONUSAL after 1 June 1994.

The unresolved issues were of such importance, however, as to make it even more necessary for ONUSAL to remain in existence for a further period with sufficient capacity to verify implementation of the outstanding provisions of the Accords and to make its good offices available to help resolve difficulties that might arise in that regard. In that connection, the Secretary-General recalled that when the Government of El Salvador and FMLN had asked the Secretary-General, in early 1990, to assist them in their efforts to achieve a negotiated solution to their conflict, they had set as goals not only the cessation of the armed confrontation but also the promotion of democracy, unrestricted respect for human rights and the reunification of Salvadorean society. He

also noted that ONUSAL had been established to verify and promote compliance with the agreements entered into by the parties, which included not only the Peace Accords taken as a whole, but also the recommendations of the Commission on the Truth. He believed therefore that the mandate of ONUSAL should be extended for a further six months until 30 November 1994. During that period, the size of the Mission was to be reduced as rapidly as implementation of the outstanding agreements permitted.

Meanwhile, the Secretary-General appealed to the Government of El Salvador and to all those concerned to make the effort necessary to ensure that their remaining commitments were implemented with the least possible delay. In that regard, four areas required urgent attention: agreement on measures to enhance the civilian character of the National Civil Police and to increase its strength; accelerated demobilization of the National Police and its completion by the end of 1994; a solution to the problem of human settlements; and arrangements to ensure that those entitled to land under the land transfer programme had access to agricultural credit and technical assistance. Turning to the financial needs of post-conflict peace-building, the Secretary-General once again appealed to the international community for continued financial support for the peace-related programmes.

By a letter⁴⁶ dated 24 May 1994, addressed to the President of the Security Council, the Secretary-General informed the Council that on 19 May the two parties in the El Salvador peace process had reached agreement on a new “Timetable for the implementation of the most important outstanding agreements”.⁴⁷ He also informed the Council that the President-elect of El Salvador had reiterated his personal commitment to the terms of the Peace Accords and his desire to see them implemented without delay.

At its 3381st meeting, on 26 May 1994, the Security Council included in its agenda the report of the Secretary-General and the letter from the Secretary-General to the President of the Council. After the adoption of the agenda, the President (Nigeria)

⁴⁶ S/1994/612.

⁴⁷ *Ibid.*, annex.

drew the attention of the members of the Council to the text of a draft resolution⁴⁸ prepared in the course of the Council's prior consultations.

Speaking before the vote, the representative of the United States stated that the step taken by the Council in renewing the mandate of ONUSAL signified not only the continued success of that operation for the international community but, moreover, a triumph for the people of El Salvador. Welcoming the commitment made by the President-elect of El Salvador to the Peace Accords, he stressed that much remained to be done in implementing important elements of those Accords. It was his delegation's belief that ONUSAL could and would continue to provide important assistance and advice during the final stage of implementation of that process. Welcoming also the intent of the Secretary-General to continue reducing ONUSAL as it met its objectives, the speaker stressed the importance of continued monitoring of the Mission's expenses, a key element in the sound management of any peace-keeping operation.⁴⁹

According to the representative of China, the United Nations' experience in El Salvador proved that the success of a peace-keeping operation depends, first and foremost, on the parties' sincerity and political will to resolve the conflict and achieve reconciliation. In the final analysis, the role of peace-keeping operations was one of complementing and promoting the process".⁵⁰

The representatives of Brazil, Spain and Argentina supported the renewal, with the necessary adjustments, of the verification and good offices activities of ONUSAL, at that crucial moment in the consolidation of peace in El Salvador. They called on the parties to fully comply with the new timetable they had agreed upon.⁵¹

The representative of the Russian Federation believed that, with the holding of elections, ONUSAL had in principle carried out its major task. At the same time, the draft

⁴⁸ S/1994/613, adopted without change as resolution 920 (1994).

⁴⁹ S/PV.3381, p. 2.

⁵⁰ *Ibid.*, pp. 2-3.

⁵¹ *Ibid.*, Brazil, p.3; Spain, pp. 3-5; Argentina, p. 5

resolution was needed because unresolved problems remained after the election. He attached great importance, *inter alia*, to the submission by the Secretary-General, by 1 November 1994, of a report on the fulfillment and the completion of ONUSAL's mandate, on the modalities for its progressive withdrawal and on the preparation by the Secretary-General, in consultation with competent specialized agencies, of modalities for assistance to El Salvador, within the framework of the Peace Accords, for the post-ONUSAL period. That would allow for a smooth transition from a peace-keeping operation to the normal activity of the United Nations specialized agencies to render assistance to that country.⁵²

The draft resolution was then put to the vote and adopted unanimously as resolution 920 (1994), which reads as follows:

The Security Council,
Recalling its resolution 637 (1989) of 27 July 1989,
Recalling also its resolutions 693 (1991) of 20 May 1991, 714 (1991) of 30 September 1991, 729 (1992) of 14 January 1992, 784 (1992) of 30 October 1992, 791 (1992) of 30 November 1992, 832 (1993) of 27 May 1993 and 888 (1993) of 30 November 1993,
Recalling further its presidential statements of 18 March 1993, 11 June 1993, 5 November 1993 and 7 April 1994,
Having considered the report of the Secretary-General of 11 May 1994,
Having considered also the reports of the Secretary-General of 31 March 1994 and 4 May 1994 on the observation of the electoral process,
Noting with satisfaction the successful completion of the electoral process in El Salvador, despite irregularities that had no impact on the election results as a whole,
Noting with appreciation the continuing efforts of the Secretary-General to support the full and early implementation of the agreements signed by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to maintain and consolidate peace and promote reconciliation in El Salvador,

⁵² *Ibid.*, pp. 5-6.

Welcoming the Secretary-General's observation that there have been notable advances in the process of national reconciliation, particularly the integration of the Frente Farabundo Martí para la Liberación Nacional into the political life of El Salvador,

Concerned at the continuing delays in fully implementing several important components of the peace accords, including, *inter alia*, the deployment of the National Civil Police and the phasing out of the National Police, the questions related to the transfer of lands, the reintegration into civilian society of ex-combatants and war disabled and several recommendations of the Commission on the Truth,

Noting with satisfaction, in this context, the conclusion on 19 May 1994 of an agreement between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional on a timetable for the implementation of the most important outstanding agreements,

Welcoming the commitment of the President-elect of El Salvador, reiterated before the Secretary-General, to comply fully with all peace accords and to consolidate national reconciliation, as reported in the letter from the Secretary-General dated 24 May 1994,

Welcoming also the work of the United Nations Observer Mission in El Salvador, and noting its vital importance to the peace and reconciliation process in El Salvador,

Reiterating the necessity, in this as in all peace-keeping operations, to continue to monitor expenditures carefully during this period of increasing demands on peace-keeping resources,

1. *Welcomes* the reports of the Secretary-General of 31 March, 4 May and 11 May 1994;
2. *Welcomes* the fact that both the first and the second round of the elections took place under appropriate conditions in terms of freedom, competitiveness and security;
3. *Expresses concern* that important elements of the peace accords remain only partially implemented;
4. *Reaffirms its support* for the Secretary-General's use of his good offices towards the early completion of the El Salvador peace process;
5. *Calls upon* all concerned to cooperate fully with the Special Representative of the Secretary-General and the United Nations Observer Mission in El Salvador in their task of verifying implementation by the parties of their commitments;
6. *Urges* the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional strictly to comply with the agreement on a timetable for the implementation of the most important outstanding agreements;

7. *Requests* the Secretary-General, in this context, to keep the Security Council informed, as appropriate, on progress made in the implementation of the agreement mentioned in paragraph 6 above, and to report no later than 31 August 1994 on compliance with the timetable and on other relevant issues, including measures taken to contain the costs of the Mission;

8. *Stresses* the need to ensure that, under appropriate verification by the United Nations, the police and public security provisions of the peace accords are scrupulously observed, in particular the completion of the demobilization of the National Police, as well as the enhancement of the civilian character of the National Civil Police, in accordance with the timetable agreed by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional;

9. *Urges* all concerned to remove all obstacles facing implementation of all aspects of the land transfer programmes, so that they are completed within the timetable agreed by the parties;

10. *Stresses* the need to accelerate reintegration programmes for ex-combatants of both sides in conformity with the timetable agreed by the parties;

11. *Reaffirms* the need for full and timely implementation of the recommendations of the Commission on the Truth;

12. *Urges* all States, as well as the international institutions engaged in the fields of development and finance, to contribute promptly and generously in support of the implementation of all aspects of the peace accords;

13. *Decides* to extend the mandate of the Mission until 30 November 1994 in the terms recommended by the Secretary-General in his report of 11 May 1994;

14. *Requests* the Secretary-General to report by 1 November 1994 on the Mission, including on the fulfilment and completion of its mandate and on modalities for its progressive withdrawal, and invites the Secretary-General, in consultation with competent specialized agencies, to prepare modalities for assistance to El Salvador, within the framework of the peace accords, for the post-Mission period;

15. *Decides* to remain seized of the matter.

Speaking after the vote, the representative of France stated that ONUSAL enjoyed the full confidence of the parties to continue to supervise certain aspects of the Peace Accords, especially in the field of public security. On the other hand, he believed that the economic and social aspects of the Accords, some of which might be concluded after 1995, could be dealt with by specialized agencies of the United Nations. France therefore

urged the Secretariat to approach those institutions, particularly the United Nations Development Programme, in order to take measures which would allow for a takeover from ONUSAL in El Salvador during the stage of consolidating peace. He noted that the United Nations was in demand throughout the globe. Its resources were scarce and valuable and should be preserved for those situations which were truly relevant to peace-keeping. Therefore, the Security Council needed to know how to put an end to an operation when circumstances no longer justified its continuation.⁵³

The representative of the United Kingdom stated that, while the international community could and should continue to assist El Salvador in the implementation of the Peace Accords, it could not and should not become a substitute for action by the people of El Salvador themselves. ONUSAL had important tasks to perform in the coming months but it was working itself out of a job, and the process of winding down had to also move ahead. The United Nations future role in El Salvador would not be in peace-keeping but in the fields of development and human rights. His Government would back international efforts to establish a coordinated framework for continued United Nations assistance to El Salvador once ONUSAL had withdrawn.⁵⁴

The President, speaking in his capacity as representative of Nigeria, stated that the issue was not whether to terminate a mission whose task was completed but how to wind up a successful operation, or what appeared to be a successful operation, in such a way and at such a time that the actions taken by the Security Council would not be self-defeating.⁵⁵

⁵³ *Ibid.*, pp. 6-7.

⁵⁴ *Ibid.*, p.7

⁵⁵ *Ibid.*, pp.7-8.

Decision of 16 September 1994 (3425th meeting): statement by the President

On 26 August 1994, pursuant to resolution 920 (1994) of 26 May 1994, the Secretary-General submitted to the Security Council a further report⁵⁶ on ONUSAL. The report contained an account of the status of implementation of outstanding commitments under the Peace Accords as well as the steps taken to reduce the size of ONUSAL and contain its costs.

As regards the implementation of the Peace Accords, the Secretary-General stated that since his inauguration on 1 June 1994, the President of El Salvador had taken steps to ensure compliance with the outstanding provisions of the accords. A turning point appeared to have been reached in the area of public security. After recent events had revealed the involvement in criminal activities of individuals or groups within the public security apparatus, the Government had promptly denounced the existence of organized crime and expressed its determination to take decisive action against all those involved. In addition, the appointment of a new Vice-Minister for Public Security and a new Director-General of the National Civil Police should help strengthen that institution and improve its performance. The President of El Salvador had also decided to accelerate the demobilization of the National Police. After a two-month extension of its mandate, the Joint Group established to investigate politically motivated illegal armed groups had completed its work and submitted its report. Despite a four-week delay, the election by consensus of the new Supreme Court was a laudable achievement and paved the way for the much-needed reform of the judicial system. The Secretary-General further stated that since 1 May 1994, the Legislative Assembly had functioned with the participation of FLMN as the country's second political force and that of other political parties. He noted that the establishment of FMLN as a fully legal party in the political and civil life of the country provided striking evidence of El Salvador's transformation from a country riveted by conflict into a nation on the path to reconciliation.

⁵⁶ S/1994/1000.

The Secretary-General also reported that while the new Government' attitude was an encouraging indication of its commitment to the peace process, several difficult issues remained to be resolved in order to ensure compliance with pending obligations under the Peace Accords. The justice and police sectors would continue to require careful attention, as well as the armed forces had to abide fully by their new mandate under the constitution. Moreover, the virtual paralysis of the land-transfer programme, delays and distortions in other reintegration programmes and the unresolved problem of the human settlements were a source of increasing concern.

Concerning the measures taken to contain the costs of ONUSAL, the Secretary-General reported on the phasing-out of military and police personnel and announced his intention to start reducing the substantive civilian staff in the light of developments over the coming months. Air transport expenses had also been drastically reduced and a substantial reduction of the vehicle fleet was underway. He stated that the phasing out of personnel and equipment was being closely correlated with the needs of existing missions, as well as with the planning for new missions.

He concluded by observing that the conditions necessary to ensure the full and final implementation of the Peace Accords for El Salvador seemed to be in place, although difficulties in carrying out outstanding obligations should not be underestimated. The Security Council should be in a position to evaluate progress in that regard on the basis of the report that he would present to it at the end of October 1994.

At its 3425th meeting, on 16 September 1994, the Security Council included the report of the Secretary-General in its agenda. After the adoption of the agenda, the Council invited the representative of El Salvador, at his request, to participate in the discussion without the right to vote.

The President (Spain) then made the following statement⁵⁷ on behalf of the Council:

⁵⁷ S/PRST/1994/54.

“The Security Council has received the report of the Secretary-General of 26 August 1994 on the United Nations Observer Mission in El Salvador, submitted pursuant to resolution 920 (1994) of 26 May 1994. The Council is encouraged by the Secretary-General’s observation regarding El Salvador’s transformation from a country riven by conflict into a nation on the path to reconciliation.

“The Council welcomes the steps taken by the President of El Salvador, since his inauguration on 1 June 1994, to ensure compliance with the outstanding provisions of the peace accords. It notes that, while some delays and difficulties still persist, progress has been achieved in areas of the agreement on a timetable for the implementation of the most important outstanding agreements, of 19 May 1994, relevant to the strengthening and modernization of the democratic institutions of El Salvador.

“The Council reaffirms the need to ensure that, under appropriate verification by the Mission, the police and public security provisions of the peace accords are scrupulously observed. In particular, the Council expects that the Government of El Salvador will accelerate the demobilization of the National Police, as foreseen in the peace accords and as announced by the President of El Salvador.

“The Council also shares the Secretary-General’s concern at the limited progress of the land-transfer programme, delays and distortions in other reintegration programmes and the unresolved problem of the human settlements, which was originated in the course of the conflict. The Council calls for the removal of remaining obstacles and the prompt fulfilment of the programmes, in conformity with the timetable agreed by the parties. It calls upon States, as well as international institutions, to contribute promptly and generously in support of those programmes.

“The Council reiterates the need for full implementation of the recommendations of the Commission on the Truth. In this regard, it welcomes the unanimous election of an independent Supreme Court of Justice as an important step in the process of reform of the judicial system.

“The Council welcomes the steps taken by the Secretary-General to reduce the size of the Mission to the lowest possible level of personnel and to contain its costs, consistent with the effective performance of its duties. The Council reaffirms the commitment undertaken by the United Nations to verify the implementation of the peace accords and, in this context, expresses the hope that significant further progress will be made in implementing the accords”.

Decision of 23 November 1994 (3465th meeting): resolution 961 (1994)

On 31 October 1994, pursuant to resolution 920 (1994) of 26 May 1994, the Secretary-General submitted to the Security Council a further report⁵⁸ on ONUSAL, in which he provided an overall assessment of the peace process in its political, institutional and socio-economic dimensions and evaluated the effort required to ensure, as far as possible, its irreversibility. He stated that, despite real progress towards democracy and development, certain issues remained to be resolved before all pending commitments under the Peace Accords were met. Those issues related to the full deployment of the National Civil Police; the completion of the demobilization of the National Police; the reform of the judicial and electoral systems; the transfer of land to former combatants and the conclusion of some important economic reintegration programmes for their benefit; the implementation of the recommendations of the Commission on the Truth; and the completion of the ongoing process to extend all public services to the former zones of conflict. The Government, as well as the leadership and a large majority of the Armed Forces, had expressed their commitment to comply with the outstanding elements of the Peace Accords. That evidence of sustained political will was encouraging, but had to be matched by concrete action and the capacity to activate still recalcitrant sectors within the administration. The joint declaration made on 4 October 1994 by the Government and FMLN, which reconfirmed the commitment of both signatories to complete implementation of the Peace Accords, bore witness to that political will. The parties intended to work out promptly specific agreements on outstanding issues and to send a joint mission to donor countries to seek the funds required to finance the programmes.

He further stated that the United Nations undertaking in El Salvador had been innovative in a variety of ways. The Organization had played a central role in the negotiation of the Peace Accords and overseen a multidimensional peace-keeping and peace-building operation in the design of which it had played a key part. It remained engaged in the transition from peace-keeping to post-conflict peace-building. That involved not only security-related aspects, such as the replacement of the old police by a

⁵⁸ S/1994/1212 and Add.1.

new national civil police following reform of the Armed Forces, but also key institutional reforms designed to entrench the rule of law and provide a solid framework to guarantee respect for human rights. The United Nations also supported a complex set of reintegration programmes. In endorsing the Secretary-General's negotiating efforts and subsequently the Peace Accords themselves, the Security Council had accepted the request of the parties that the United Nations verify compliance with all the agreements reached therein. The Council had confirmed that acceptance and had done so again recently in the presidential statement of 16 September 1994. It was thus essential to retain ONUSAL for one further mandate period, albeit at a much reduced strength, to ensure that the incomplete undertakings were fully implemented, particularly until the National Police was completely disbanded and the National Civil Police fully deployed and operational. Those goals should be accomplished in about five months. At that time, it would be possible to consider how best to approach the remaining verification duties incumbent upon the Organization which, although not involving United Nations military or police personnel, would nevertheless concern critical and sensitive components of the Peace Accords. The Secretary-General therefore recommended to the Council the extension of ONUSAL until 30 April 1995, at which date that part of its functions which required military and police personnel would have been completed. Before the Mission's termination, he would present to the Council his thoughts on possible mechanisms to maintain United Nations verification thereafter, as well as information on technical assistance programmes in various fields that would contribute to the long-term political and social stability in the country. This approach responded to a widely held view that the termination of ONUSAL should not mark the end of United Nations efforts to consolidate peace in El Salvador.

At its 3465th meeting, on 23 November 1994, the Security Council included the report of the Secretary-General in its agenda. After the adoption of the agenda, the Council invited the representative of El Salvador, at his request, to participate in the discussion without the right to vote. The President (United States) then drew the attention of the members of the Council to the text of a draft resolution⁵⁹ submitted by Colombia,

⁵⁹ S/1994/1332, adopted without change as resolution 961(1994).

Mexico, Spain, the United States of America and Venezuela. She also drew their attention to two letters⁶⁰ from the Secretary-General addressed to the President of the Council dated 11 August and 6 October 1994, transmitting, respectively, the report by the Joint Group for the Investigation of Politically Motivated Illegal Armed Groups and the Joint Declaration signed on 4 October by the Government of El Salvador and the FMLN in which they had agreed to cooperate to ensure compliance with all the Peace Accords by 30 April 1995 at the latest, and to reiterate their request that ONUSAL be extended until that date.

The representative of El Salvador gave a historical account of the Central American and Salvadorean crisis, of the peace process in Central America and of the United Nations' involvement therein. He noted that the United Nations had entered into an historic phase in Central America by becoming involved and participating in the solution of internal conflicts in sovereign States. He further noted that, at the time of the adoption of the Geneva Agreement on 4 April 1990, the peace process in El Salvador had entered a new stage, in which the United Nations would not only be an observer but also a major player as the Secretary-General was asked to exercise his good offices. After the conclusion of the Peace Accords, pursuant to a sovereign decision of the Government of El Salvador and the political will of the FMLN, the participation of the United Nations included the delicate function of international verification on the ground that the commitments entered into by the parties following the end of the armed conflict were being complied with. Under Security Council resolution 693 (1991) of 20 May 1991, ONUSAL was established with a mandate initially limited to verification of compliance with the San José agreement on human rights, and later expanded, under resolution 729 (1992) of 14 January 1992, to include verification of the cessation of the armed conflict and cooperation in the field of law and order. The representative of El Salvador stated that ONUSAL had performed an extraordinary and praiseworthy role and was generally considered as one of the most successful peace-keeping operations ever developed by the United Nations. He concluded by pointing out that the peace process had not yet been completed and expressed his country's confidence that it would continue to enjoy the

⁶⁰ See S/1994/989 and S/1994/1144.

cooperation and solidarity of the international community, which were essential to the transition from peace-keeping to post-conflict peace-building.⁶¹

Speaking before the vote, the representative of Spain proposed that the Council should maintain ONUSAL until 30 April 1995, albeit with a considerable reduction of its strength, which should not, however, impede the effective fulfilment of its responsibilities. He hoped that, by that date, the National Civil Police would have been fully deployed and the former National Police demobilized. The implementation of other components of the Peace Accords might require a longer period of time. The speaker shared the view of the Secretary-General that it was essential that the United Nations fulfill its commitment to the people of El Salvador to verify full compliance with the Peace Accords. The coming end of ONUSAL should thus in no way signify the end of the efforts by the United Nations in El Salvador nor its turning its back on those commitments. The next report of the Secretary-General should, *inter alia*, contain his analysis of the ways and means by which the United Nations would continue its verification activities.⁶²

The draft resolution was then put to the vote and adopted unanimously as resolution 961 (1994), which reads as follows:

The Security Council,
Recalling its resolution 637 (1989) of 27 July 1989,
Recalling also its resolutions 693 (1991) of 20 May 1991, 714 (1991) of 30 September 1991, 729 (1992) of 14 January 1992, 784 (1992) of 30 October 1992, 791 (1992) of 30 November 1992, 832 (1993) of 27 May 1993, 888 (1993) of 30 November 1993 and 920 (1994) of 26 May 1994, and recalling also the statement by its President of 16 September 1994,
Having considered the report of the Secretary-General of 31 October 1994,
Having considered also the report of the Joint Group for the Investigation of Politically Motivated Illegal Armed Groups of 28 July 1994, as contained in the annex to the letter from the Secretary-General dated 22 October 1994,

⁶¹ S/PV. 3465, pp. 2-7.

⁶² *Ibid.*, pp. 8-9.

Noting the request of the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional for a further extension of the United Nations Observer Mission in El Salvador in the joint declaration dated 4 October 1994, as contained in the annex to the letter from the Secretary-General dated 10 October 1994,

Concerned by delays in implementing several important elements of the peace accords, particularly those regarding the National Civil Police and the completion of demobilization of the National Police, as well as those related to the transfer of lands, the implementation of programmes to facilitate the reintegration into civilian society of ex-combatants and war disabled, the problems of human settlements, the reform of the judicial and electoral systems, and several recommendations of the Commission on the Truth,

Noting with appreciation the accomplishments of the Mission to date and the continuing efforts of the Secretary-General, his Special Representative and the Mission to support the full implementation of the agreements signed by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to maintain and consolidate peace and promote reconciliation in El Salvador,

Welcoming the ongoing efforts of the Secretary-General to contain the costs of the Mission,

Welcoming also the continuing commitment by all concerned directed towards reconciliation, stability and development in political life in El Salvador, as noted by the Secretary-General in his report of 31 October 1994,

1. *Welcomes* the report of the Secretary-General of 31 October 1994;
2. *Reaffirms* the importance of full and timely implementation of all aspects of the peace accords, including the recommendations of the Commission on the Truth, and appropriate follow-up to the findings of the Joint Group for the Investigation of Politically Motivated Illegal Armed Groups;
3. *Expresses concern* that important elements of the peace accords remain only partially implemented;
4. *Calls upon* all concerned to cooperate fully with the Special Representative of the Secretary-General and the United Nations Observer Mission in El Salvador in their task of verifying implementation by the parties of their commitments;
5. *Urges* the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to redouble their efforts to comply with the agreement on a timetable for the implementation of the most important outstanding agreements so as to complete implementation of all aspects of the peace accords within the period of the timetable, and requests the Secretary-

General to keep the Security Council informed on a regular basis of the status of implementation of outstanding commitments and Mission operations;

6. *Urges* all States and the international institutions engaged in the fields of development and finance to contribute promptly and generously in support of the implementation of all aspects of the peace accords, as requested jointly by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional;

7. *Approves* the recommendations by the Secretary-General in his report of 31 October 1994 regarding the implementation by the Mission of its mandate;

8. *Decides* to extend the mandate of the Mission for one final period until 30 April 1995;

9. *Requests* the Secretary-General to report by 31 March 1995 on the Mission, including on the fulfilment and completion of its mandate and on modalities for its withdrawal, to be completed by 30 April 1995, in a manner consistent with the effective performance of its duties;

10. *Reaffirms* the commitment undertaken by the United Nations to verify full implementation of the peace accords, welcomes the intention of the Secretary-General to consider ways for the United Nations to discharge its remaining verification duties, and invites the Secretary-General, in consultation with competent specialized agencies, regional organizations and Member States, to prepare modalities for further assistance to El Salvador, within the framework of the peace accords, for the period after 30 April 1995;

11. *Decides* to remain seized of the matter.

After the vote, the representative of Argentina stated that the fact that the peace process had attained the degree of maturity needed to obviate the need for the direct attention of the Security Council was, from any standpoint, a healthy sign. The commitment of the United Nations to that process stood, however, irrespective of the Council's direct involvement. Resolution 961 (1994) provided for mechanisms to address the future of cooperation and assistance by the Organization prior to the end of ONUSAL's mandate.⁶³

⁶³ *Ibid.*, pp.8-9.

The representative of Brazil also underlined that United Nations assistance would be required after the completion of ONUSAL's mandate.⁶⁴

The representative of China pointed out that the land transfer and reintegration programmes were essential to the consolidation of the peace process. He called on the parties to enter immediately into negotiations for concrete solutions. The international community and the United Nations agencies should fulfill their commitments, so as to ensure the successful completion of the peace process.⁶⁵

The representative of France stated that the end of ONUSAL's mandate did not mean that the United Nations would no longer take an interest in El Salvador. Rather, during the new phase of consolidating peace, it would be up to the United Nations specialized agencies to assist in the recovery of the country and particularly in the strengthening of its institutions.⁶⁶

The President, speaking in her capacity as representative of the United States, urged all parties to act on the Council's call to redouble efforts to see all aspects of the Peace Accords implemented before the end of March 1995. She stated that the end of the United Nations peace-keeping operation did not mean that the international community was abandoning its responsibilities to ensure full implementation of the Peace Accords. The Council was simply acknowledging that in El Salvador a new phase had been reached. The resolution made it clear that that final extension would be sufficient to complete the peace-keeping mandate in El Salvador, that the personnel staffing ONUSAL would be withdrawn by the end of the five-month period and that such assistance as may be appropriate after the Mission ended on 30 April 1995 would be developed through consultations among the appropriate technical agencies and the Member States. Noting that it was time to consider what would come after peace keeping, the speaker welcomed the intent of the Secretary-General to consider the proper mechanism by which the

⁶⁴ *Ibid.*, pp. 9-10.

⁶⁵ *Ibid.*, p. 10.

⁶⁶ *Ibid.*, pp.10-11.

United Nations would comply with its obligation to verify full implementation of the Peace Accords.⁶⁷

Decision of 17 February 1995: letter by the President

By a letter⁶⁸ dated 6 February 1995, addressed to the President of the Security Council, the Secretary-General stated his conviction that, in view of lingering discontent at the failure to implement some parts of the peace agreements, it was essential to put in place, following the disbandment of ONUSAL *per se*, a mechanism to continue the verification responsibilities and the good offices function that ONUSAL had carried out to date. He proposed to arrange for the establishment of a small team, which would have the capability to provide good offices, to verify implementation of the outstanding points on the peace agreements and to provide a continuing flow of accurate and reliable information in order to keep the Security Council informed as necessary. He would ensure that close cooperation with the Resident Representative of the United Nations Development Programme (UNDP) in El Salvador continued so as to maintain a truly integrated approach in the post-conflict peace-building phase. He noted, however, that the team would have to maintain a separate identity, given its inherently political tasks and responsibilities and the fact that verification and good offices required an independence and impartiality that could prove difficult to reconcile with UNDP's role as a partner of the Government.

By a letter⁶⁹ dated 17 February 1995, the President of the Security Council informed the Secretary-General that his letter dated 6 February 1995 concerning the arrangement that he proposed to put in place following the termination of ONUSAL had been brought to the attention of the members of the Security Council. They had welcomed his proposal that verification responsibilities and the good offices function be carried out under his authority, in the manner proposed by him.

⁶⁷ *Ibid.*, p. 11.

⁶⁸ S/1995/143.

⁶⁹ S/1995/144.

Decision of 28 April 1995 (3528th meeting): resolution 991 (1995)

On 24 March 1995, pursuant to resolution 961 (1994) of 23 November 1994, the Secretary-General submitted to the Security Council a report⁷⁰ on the fulfillment and completion of ONUSAL's mandate and modalities for its withdrawal, and on ways for the United Nations to discharge its remaining verification duties. He described ONUSAL's activities during the period 1 November 1994 to 20 March 1995, and assessed the status of implementation of various aspects of the Peace Accords. The Secretary-General stated that preparations to dismantle ONUSAL were well under way. The United Nations would shortly be closing down a paradigmatic, multifunctional peace-keeping operation 45 months after the opening of the pioneering human rights-monitoring mission that had been its initial stage, and 39 months after the formal cease-fire that had accompanied full deployment. While much had been achieved, a number of commitments remained to be honoured. They pertained to such important aspects of the Peace Accords that they could call into question the irreversibility of the peace process as a whole as long as they were unfulfilled. In that regard, the Secretary-General referred, in particular, to the completion of agreements regarding land transfer and other reintegration programmes, the approval of legislative measures recommended by the Commission on the Truth and the strengthening of the National Civil Police, the National Counsel for the Defence of Human Rights, the judiciary and the electoral system.

On that basis, the Secretary-General stated that a strong case could have been made for maintaining ONUSAL after the date of final expiry of its mandate. He had refrained, however, from making such a recommendation in the light of clear indications from members of the Council that the time had come to bring ONUSAL to a close. It was against that background that he had submitted to the Council on 6 February 1995 his proposal to put in place in El Salvador a small team that would conduct the remaining

⁷⁰ S/1995/220.

verification and good offices responsibilities following the withdrawal of ONUSAL.⁷¹ He stressed that the need to put that mechanism in place and to make sure that it was able to carry out its difficult task was critical to the consolidation of peace. At the time he had put his intention to the Council, assurances had been given that substantial progress would take place before 30 April 1995. Subsequent delays and new difficulties might warrant a somewhat larger team.

At its 3528th meeting, on 28 April 1995, the Security Council included the report of the Secretary-General in its agenda. The Council invited the representatives of Brazil, Colombia, El Salvador, Mexico, Spain, and Venezuela, at their request, to participate in the discussion, without the right to vote. The President (Czech Republic) then drew the attention of the members of the Council to the text of a draft resolution⁷² prepared in the course of the Council's prior consultations.

The representative of El Salvador stated that ONUSAL constituted a successful management operation by the United Nations and a historic landmark for his country and the Organization. He recalled that in 1990 the Salvadorean war was at a crucial point. It was the will of both parties and the active mediation of the United Nations that had made it possible to reach the necessary political solution. He commended the Secretary-General's effort and initiative to maintain a significant high-level presence in El Salvador and noted that the implementation of the few aspects of the Peace Accords still pending was closely linked to institutional development, in particular, the judicial and electoral reforms. From then onwards, it was a matter of bringing to a proper conclusion, through the Peace Accords, the specific issues still pending, such as the granting of land to ex-combatants and landholders, and of fulfilling with a lesser sense of urgency the timetable set for the more institutional aspects.⁷³

During the debate, other speakers praised ONUSAL's contribution to the peace process but expressed concerns about the fact that a number of commitments under the

⁷¹ See *supra*, S/1995/143.

⁷² S/1995/335, adopted without change as resolution 991(1995).

⁷³ *Ibid.*, pp. 6-8.

Peace Accords remained still to be fulfilled. They stressed the importance for the United Nations and the international community of continuing to assist the peace process, and supported the Secretary-General's proposal to maintain a small team to carry out the remaining verification of the implementation of the Peace Accords, as well as to provide good offices, after the termination of ONUSAL's mandate.⁷⁴

Before the vote, the representative of the Russian Federation stated that his country attached great importance to the fact that, within the context of the continuing United Nations presence in El Salvador after the end of the peace-keeping operation, provision had been made for a combined approach to the tasks that needed to be done during the post-conflict peace-building stage. In that effort, close cooperation would be needed between El Salvador and the UNDP, and also with the other specialized agencies of the United Nations and the international financial institutions.⁷⁵

The draft resolution was then put to the vote and adopted unanimously as resolution 991 (1995), which reads as follows:

The Security Council,
Recalling all its relevant resolutions and the statements by its President on the question of El Salvador,
Having considered the report of the Secretary-General of 24 March 1995,
Having considered also the report of the Director of the Human Rights Division of the United Nations Observer Mission in El Salvador of 18 April 1995,
Recognizing with satisfaction that El Salvador has evolved from a country riven by conflict into a democratic and peaceful nation,
Paying tribute to those Member States which contributed personnel to the Mission,
Recalling the letters from the Secretary-General dated 6 February 1995 and the President of the Security Council dated 17 February 1995,

⁷⁴ *Ibid.*, Mexico, p. 2; Colombia, p.3; Spain, pp.3-5; Venezuela, p.5; Brazil, p.6; Germany, p.8; China, pp. 8-9; Indonesia, pp.9-10; Botswana, p.10; Nigeria, pp. 10-11; Honduras, pp. 11-12; Argentina, pp.13-14; France; pp.14-15; Italy, pp.15-16.

⁷⁵ *Ibid.*, pp. 12-14.

1. *Pays tribute* to the accomplishments of the United Nations Observer Mission in El Salvador, under the authority of the Secretary-General and his Special Representatives;
2. *Welcomes* the continued commitment of the Government and people of El Salvador to reconciliation, stabilization and the development of political life in El Salvador;
3. *Urges* the Government of El Salvador, the Frente Farabundo Martí para la Liberación Nacional and all concerned in El Salvador to accelerate the pace of implementation of the peace accords and to work together to achieve fulfilment of outstanding commitments in order to ensure the irreversibility of the peace process;
4. *Reiterates its call* that States and international institutions continue to provide assistance to the Government and people of El Salvador as they consolidate the gains made in the peace process;
5. *Affirms*, in accordance with paragraph 8 of resolution 961 (1994), that the mandate of the United Nations Observer Mission in El Salvador will terminate as of 30 April 1995”.

After the vote, the representative of the United States stated that the end of ONUSAL’s exceptional work in El Salvador was not a sign of flagging international interest but a vote of confidence that the Salvadorean people could complete the implementation of the Peace Accords without direct international supervision. Resolution 991 urged both former combating sides to accelerate their efforts to implement fully the remaining chapters of the Peace Accords. They had a solemn responsibility to do so. The international community would continue to assist with those efforts.⁷⁶

Welcoming the Secretary-General’s proposal to set up a small political team, the representative of the United Kingdom made it clear that that did not represent a continuation of the peace-keeping mission but was part of a wider effort by the United Nations and the international community to consolidate ONUSAL’s achievements, to help with the rebuilding of El Salvador’s institutions and to address El Salvador’s development needs.⁷⁷

⁷⁶ *Ibid.*, pp. 13-15.

⁷⁷ *Ibid.*, p. 15.

B. The situation in Guatemala

Decision of 31 January 1994: letter from the President to the Secretary-General

By a letter⁷⁸ dated 17 January 1994, addressed to the President of the Security Council, the Secretary-General transmitted the text of the “Framework Agreement for the Resumption of the Negotiating Process between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG)”⁷⁹ signed in Mexico City on 10 January 1994, in the presence of the United Nations observer to the peace process. Among the changes introduced by that new agreement, was the parties’ request that the Secretary-General appoint a representative to serve as Moderator of the bilateral talks, a request which he intended to accept. The parties had also concurred that the United Nations should be requested to verify the implementation of all agreements reached by them. It had been made clear to them at the meeting in Mexico City that the latter request would in due course require decisions by the relevant intergovernmental bodies of the United Nations. Should the forthcoming negotiations succeed in producing an agreed settlement of the conflict in Guatemala, the Secretary-General would recommend that the United Nations agree to verify implementation of the relevant agreements.

By a letter⁸⁰ dated 31 January 1994, the President of the Council informed the Secretary-General of the following:

“The members of the Security Council take note with appreciation of your letter dated 17 January 1994 and the annex thereto, concerning the Framework Agreement for the Resumption of the Negotiating Process between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca .

“The members of the Council welcome the agreement reached by the parties and express the hope that an early and fair settlement of the conflict in Guatemala can be attained.

⁷⁸ S/1994/53.

⁷⁹ *Ibid.*, annex.

⁸⁰ S/1994/104.

“The members of the Council will welcome any further communications on developments regarding the matter”.