

41. Maintenance of peace and security and post-conflict peacebuilding

Initial proceedings

Decision of 29 December 1998 (3961st meeting): statement by the President

At its 3954th meeting, held on 16 December 1998 in accordance with the understanding reached in its prior consultations, the Council included the item entitled "Maintenance of peace and security and post-conflict peacebuilding" in its agenda. After the adoption of the agenda, the President (Bahrain) invited the representatives of Algeria, Argentina, Australia, Austria, Bangladesh, Bosnia and Herzegovina, Canada, Croatia, Egypt, India, Indonesia, Jamaica, Malaysia, Mongolia, Mozambique, Nigeria, Norway, Pakistan, the Republic of Korea, Slovakia, the Sudan, Tunisia and Ukraine, at their request, to participate in the discussion without the right to vote.

The representative of China maintained that in the peace consolidation process in post-conflict regions, international efforts should be attuned to the will of the country concerned and the way of development chosen by the people of the country concerned should be respected.¹

The representative of the Russian Federation maintained that, for the most part, peacebuilding fell within the sphere of competence of the Economic and Social Council and the specialized agencies of the United Nations system, and called for the "reactivation" of Article 65 of the Charter with regard to the provision of information and assistance to the Security Council by the Economic and Social Council.²

The representative of the United States argued that peacekeeping mandates should include some short-term activities that would enhance the activities of peacekeepers, including demobilization, disarmament and reintegration of former combatants and demining. He stated that long-term activities like the restructuring of security institutions, such as police, prisons and the judiciary, fell beyond the scope of peacekeeping.³

The representative of Costa Rica maintained that peacebuilding, as an integral and integrating concept, required broad, multidisciplinary involvement by the international community.⁴

The representative of Gambia stated that in addition to short-term programmes, there should be a sustained effort to support medium- and long-term programmes as well, such as the strengthening of national institutions, monitoring elections, the protection of human rights and good governance.⁵

The representative of France called for assistance in organizing free and democratic elections and in the reconstruction and strengthening of State structures, in particular in such areas as justice and the police.⁶

The representative of Brazil stressed the need to develop approaches that would permit a gradual disengagement of the Council and a progressive engagement of other bodies with appropriate and substantive competence.⁷

The representative of Kenya held that peacebuilding was within the proper scope and mandate of the Council, and urged it to rise to the occasion and support such efforts to the extent possible.⁸ The representative of Sweden agreed that peacebuilding elements should be explicitly and clearly integrated into the mandates of peacekeeping operations.⁹ The representative of the United Kingdom acknowledged that peacebuilding did not start where peacekeeping stopped, and that peacekeeping would work best if it incorporated elements of post-conflict peacebuilding.¹⁰

A number of other speakers made statements sharing the view that peacekeeping operations should include peacebuilding aspects so as to prevent

¹ S/PV.3954, pp. 2-3.

² *Ibid.*, pp. 3-5.

³ *Ibid.*, pp. 5-6.

⁴ *Ibid.*, pp. 6-8.

⁵ *Ibid.*, pp. 12-13.

⁶ *Ibid.*, pp. 9-10.

⁷ *Ibid.*, pp. 14-16.

⁸ *Ibid.*, p. 19.

⁹ *Ibid.*, pp. 21-22.

¹⁰ *Ibid.*, pp. 22-24.

countries in the post-conflict phase from relapsing into chaos. Speakers underlined the need for the United Nations to help address the root causes of conflicts, and maintained that the Council should play its role in promoting post-conflict peacebuilding.¹¹

The President then suspended the meeting, and resumed it on 23 December 1998. At the resumed meeting, the representative of Canada maintained that the Council had a crucial role in ensuring that peacekeeping mandates anticipated, to the extent possible, the requirement of peacebuilding and reconstruction, adding that peacebuilding activities must address the security of individuals, including that of women and children.¹²

The representative of Norway considered it important to address the need for post-conflict peacebuilding measures in the very early stages of conflict resolution efforts, and to include such measures in the negotiations on peace accords.¹³

The representative of Egypt maintained that peacebuilding should be carried out in full respect for the purposes and principles of the Charter of the United Nations, in particular the principles of sovereign equality, political independence, and non-intervention in matters that were essentially within the domestic jurisdiction of any State.¹⁴

The representative of Austria made a statement on behalf of the European Union and associated and aligned countries, welcoming the Council's continued efforts in responding to the challenges of combining peacekeeping and peacebuilding, in particular with regard to the new peacekeeping operations.¹⁵

The representative of the Republic of Korea emphasized that one of the main focuses should be on exploring practical ways and means to cultivate local capacity to sustain peace in the fragile conditions of the post-conflict period.¹⁶

The representative of Mongolia stated that the reform of the United Nations system should address the question of the roles of appropriate United Nations bodies in more effectively addressing the questions of development, expressing the view that the emerging concept of human security provided the opportunity to address the question in a comprehensive manner.¹⁷

The representative of Slovakia stated that peacebuilding efforts should address various factors of conflict and contribute to the creation of conditions for reconciliation, reconstruction and recovery.¹⁸

The representative of Indonesia argued that for any peace efforts, the request for, or at least acquiescence in, action by regional or international organizations was a *conditio sine qua non* from the legal as well as the political perspective.¹⁹

The representative of India cautioned against the "creeping misuse" of the Council for purposes not part of its mandate, pointing out that the Council was a purely political body and its decisions reflected a balance of interests and power which was not constant.²⁰

Several other speakers made statements and acknowledged the increasing linkage between peacekeeping and peacebuilding activities. They underlined the need to enhance coordination between the Council and other relevant United Nations bodies in promoting peacebuilding activities.²¹

At its 3961st meeting, held on 29 December 1998 in accordance with the understanding reached in its prior consultations, the Council resumed its consideration of the item on the agenda.

At the same meeting, the President (Bahrain) made the following statement on behalf of the Council:²²

The Security Council recalls the open debate held at its 3954th meeting on 16 and 23 December 1998 on the

¹¹ Ibid., pp. 10-12 (Portugal); pp. 13-14 (Gabon); pp. 16-19 (Slovenia); pp. 20-21 (Japan); and pp. 24-25 (Bahrain).

¹² S/PV.3954 (Resumption), p. 2-3.

¹³ Ibid., pp. 3-4.

¹⁴ Ibid., pp. 4-5.

¹⁵ Ibid., pp. 6-8 (Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia; and Cyprus, Iceland and Liechtenstein).

¹⁶ Ibid., pp. 12-14.

¹⁷ Ibid., pp. 14-15.

¹⁸ Ibid., pp. 20-21.

¹⁹ Ibid., pp. 21-23.

²⁰ Ibid., pp. 24-26.

²¹ Ibid., pp. 8-9 (Pakistan); pp. 10-11 (Tunisia); pp. 11-12 (Argentina); pp. 15-16 (Croatia); pp. 16-17 (Nigeria); pp. 19-20 (Bangladesh); pp. 21-23 (Ukraine); and pp. 23-24 (Australia).

²² S/PRST/1998/38.

maintenance of peace and security and post-conflict peacebuilding. It recalls also the report of the Secretary-General of 13 April 1998 entitled "The causes of conflict and the promotion of durable peace and sustainable development in Africa", which was submitted to the General Assembly and to the Security Council, as well as the report of the Secretary-General of 27 August 1998 on the work of the Organization, submitted to the General Assembly at its fifty-third session. In this context, it welcomes the recommendations of the Secretary-General concerning the role of the Council in the aftermath of conflict, in particular in ensuring a smooth transition from peacekeeping to post-conflict peacebuilding. The Council recalls further the statement by its President of 30 April 1993 on the report of the Secretary-General entitled "An Agenda for Peace", including the subject of post-conflict peacebuilding.

The Council reaffirms its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security. It stresses the need to prevent the resurgence or escalation of conflict. The Council recognizes the importance of the post-conflict peacebuilding efforts of the United Nations to this end in all regions of the world and with due involvement of all United Nations bodies. In particular, it welcomes the role played by the Secretary-General in this field. It recognizes the timeliness of exploring further means to prevent and settle conflicts, which are based on the Charter and generally recognized principles of peacekeeping, and which would incorporate post-conflict peacebuilding as an important component.

The Council recalls the statement by its President of 24 September 1998, which affirmed that the quest for peace in Africa requires a comprehensive, concerted and determined approach, encompassing the eradication of poverty, the promotion of democracy, sustainable development and respect for human rights, as well as conflict prevention and resolution, including peacekeeping and humanitarian assistance. The Council underlines the fact that efforts to ensure lasting solutions to conflicts require sustained political will and a long-term approach in the decision-making of the United Nations, including by the Council itself. It affirms its commitment to the principles of the political independence, sovereignty and territorial integrity of all States in conducting peacebuilding activities, and the need for States to comply with their obligations under the Charter and the principles of international law.

The Council underlines the fact that economic rehabilitation and reconstruction often constitute the major tasks facing societies emerging from conflict and that significant international assistance becomes indispensable to promote sustainable development in such cases. In that context, it recalls that Article 65 of the Charter provides that the Economic and Social Council may furnish information to the Security Council and shall assist the Council upon its request.

The Council, conscious of the emphasis placed by the Secretary-General on the issue of post-conflict peacebuilding, in particular in the context of the reform of the United Nations,

encourages him to explore the possibility of establishing post-conflict peacebuilding structures as part of efforts by the United Nations system to achieve a lasting peaceful solution to conflicts, including in order to ensure a smooth transition from peacekeeping to peacebuilding and lasting peace.

The Council recognizes the value of including, as appropriate, peacebuilding elements in the mandates of peacekeeping operations. It agrees with the Secretary-General that relevant post-conflict peacebuilding elements should be explicitly and clearly identified and could be integrated into the mandates of peacekeeping operations. It notes that peacekeeping operations may include military, police, humanitarian and other civilian components. It requests the Secretary-General to make recommendations to the Council to this effect whenever appropriate.

The Council also requests the Secretary-General to make recommendations to the appropriate United Nations bodies concerning the period during the transition to the post-conflict peacebuilding phase when recommending the final drawdown of a peacekeeping operation.

The Council recognizes the need for close cooperation and dialogue between the bodies of the United Nations system, in particular those directly concerned in the field of post-conflict peacebuilding, in accordance with their respective responsibilities, and expresses its willingness to consider ways to improve such cooperation. It also emphasizes the need to improve the exchange of information between all relevant actors in the field of post-conflict peacebuilding, including United Nations agencies and bodies, international financial institutions, regional and subregional organizations, troop contributors and the donor community. In this context, it notes with appreciation the Secretary-General's plans for strategic frameworks to ensure increased coherence and effectiveness in the entire range of United Nations activities in States in and recovering from crisis.

The Council will remain seized of the matter.

Decision of 8 July 1999 (4021st meeting): statement by the President

At its 4020th meeting, held on 8 July 1999 in accordance with the understanding reached in its prior consultations, the Council included the item "Maintenance of peace and security and post-conflict peacebuilding: disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment" in its agenda. The President (Malaysia) invited the representatives of Australia, Bangladesh, Croatia, El Salvador, Finland, Guatemala, Indonesia, Japan, Mozambique, New Zealand, the Republic of Korea and South Africa, at their request, to participate in the discussion without the right to vote.

Opening the debate, the Deputy Secretary-General underlined the importance of the role that

disarmament, demobilization and reintegration played in United Nations peacekeeping. She maintained that success of those activities would be determined to no small extent by how well the international community prepared the following points: first, terms dealing with the disposal of arms and ammunition should be included within peace agreements when they were first negotiated, so that the issue did not become an obstacle to peace at a later stage; second, predictable financing was critical, and starting a programme without the funding to complete it might raise expectations on the part of ex-combatants that could not be fulfilled; third, the special needs of child soldiers, including girl soldiers, should be seen as a crucial element in a peacekeeping operation's mandate; fourth, the deployment of a follow-on political mission after the termination or withdrawal of a peacekeeping operation could be a useful means to avoid setbacks and relapses into insecurity; and fifth, a rigorous media and publicity campaign to educate and mobilize popular support for disarmament, demobilization and reintegration efforts must be built into the operation from the start.²³

The representative of the United Kingdom stressed that the Council and the General Assembly must ensure that a United Nations peacekeeping operation had an appropriate mandate and sufficient budgetary and human resources for the disarmament, demobilization and reintegration tasks assigned to it, adding that half measures did little to contribute to lasting peace.²⁴

The representative of the Russian Federation reaffirmed the relevance of disarmament, demobilization and reintegration of ex-combatants as an essential part of peacekeeping operations and post-conflict peacebuilding, and stated that, in many cases, the disarmament of ex-combatants and the collection and the destruction of their weapons were important conditions for normalizing regional crisis situations.²⁵

The representative of France held that the collection of weapons must go hand in hand with demobilization and the reintegration into civil life of those who bore arms.²⁶

The representative of the United States stated that, while disarmament and demobilization were generally viewed to be under the purview of the Council, reintegration of former combatants into their societies fell into a "grey area" between the two areas of international relief and development.²⁷

The representative of Malaysia was of the view that the Council must be able, from time to time, to discuss thematic issues or receive orientation briefings on cross-cutting issues, which could help it in making decisions that would ultimately bring about positive results.²⁸

Several other speakers reaffirmed the importance of disarmament, demobilization and reintegration, and stressed that it needed to be an integral part of peacekeeping operations. They also underlined the importance of coordination between the Council and other relevant United Nations bodies in promoting activities in this field.²⁹

The representative of China argued that United Nations activities in this field needed to always follow the principles of non-interference in internal affairs of Member States and respect for their sovereignty and territorial integrity.³⁰

The representative of Canada believed that the three elements of disarmament, demobilization and reintegration had to be in place at the beginning of a mission, continue throughout the peacekeeping mandate and remain even after the peacekeepers had left.³¹

The representative of South Africa called for strict control over the transfer of small arms and light weapons as well as their surplus stockpiles, and maintained that the mandates of future peacekeeping operations, as appropriate in specific post-conflict situations, should include weapons collection, disposal and destruction.³²

²³ S/PV.4020, pp. 2-4.

²⁴ Ibid., pp. 6-7.

²⁵ Ibid., pp. 7-8.

²⁶ Ibid., pp. 13-15.

²⁷ Ibid., pp. 15-16.

²⁸ Ibid., pp. 18-20.

²⁹ Ibid., pp. 4-6 (Bahrain); pp. 8-10 (Slovenia); pp. 10-11 (Argentina); pp. 11-12 (Brazil); pp. 12-13 (Gabon); pp. 16-17 (Gambia); and pp. 17-18 (Netherlands).

³⁰ S/PV.4020 (Resumption 1), pp. 3-4.

³¹ Ibid., pp. 4-5.

³² Ibid., pp. 9-10.

The representative of Namibia maintained that reintegration of ex-combatants could not be left to the countries involved alone, and called on the international community to assist them.³³

Several other speakers expressed appreciation that an open debate, which they considered timely and significant, had been conducted on the subject. They agreed on the importance of disarmament, demobilization and reintegration of ex-combatants, as it would be impossible to accomplish lasting peace without addressing their problems.³⁴

At its 4021st meeting, held on 8 July 1999 in accordance with the understanding reached in its prior consultations, the Council resumed its consideration of the item on the agenda.

At the same meeting, the President made the following statement on behalf of the Council:³⁵

The Security Council recalls its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security. The Council also recalls the statements made by its President in relation to activities of the United Nations in preventive diplomacy, peacemaking, peacekeeping and post-conflict peacebuilding.

The Council has considered the matter of disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment as part of its overall and continuing effort to contribute to enhancing the effectiveness of United Nations peacekeeping and peacebuilding activities in conflict situations around the world.

The Council is seriously concerned that in a number of conflicts, armed fighting among various parties or factions continues despite the conclusion of peace agreements by the warring parties and the presence of United Nations peacekeeping missions on the ground. It recognizes that a major contributory factor to such a situation has been the continued availability of large amounts of armaments, in particular small arms and light weapons, to conflicting parties. The Council emphasizes that in order to achieve settlement, parties to a conflict must work towards the successful disarmament, demobilization and reintegration of ex-combatants, including child soldiers whose special needs should be seriously addressed.

³³ Ibid., pp. 2-3.

³⁴ Ibid., pp. 6-8 (Finland); pp. 8-9 (Guatemala); pp. 10-12 (Bangladesh); pp. 12-13 (Republic of Korea); pp. 13-14 (Japan); pp. 14-16 (Mozambique); pp. 16-17 (Australia); pp. 17-18 (Indonesia); pp. 18-19 (New Zealand); pp. 20-21 (Croatia); and pp. 21-24 (El Salvador).

³⁵ S/PRST/1999/21.

The Council recognizes that disarmament, demobilization and reintegration cannot be seen in isolation, but rather as a continuous process which is rooted in and feeds into a broader search for peace, stability and development. Effective disarmament of ex-combatants represents an important indicator of progress towards post-conflict peacebuilding and normalization of the situation. The demobilization effort is only possible when there is some level of disarmament and its success can only be achieved when there is effective rehabilitation and reintegration into society of ex-combatants. Disarmament and demobilization must take place in a secure and safe environment, which will give ex-combatants the confidence to lay down their arms. Taking into account the fact that the process is closely linked to economic and social issues, the question must be addressed comprehensively so as to facilitate a smooth transition from peacekeeping to peacebuilding.

The Council emphasizes that for disarmament, demobilization and reintegration to be successful, there must be political will and a clear commitment by the parties concerned to achieve peace and stability. At the same time, it is vital that such commitment by the parties be reinforced by political will and consistent, effective and determined support from the international community to guarantee the achievement of sustainable peace, including through its contributions of long-term assistance for development and trade.

The Council affirms its commitment to the principles of the political independence, sovereignty and territorial integrity of all States in conducting peacebuilding activities, and the need for States to comply with their obligations under international law. Bearing this in mind, the Council stresses the need for the implementation, with the consent of the parties, of practical measures to promote the success of the process which, inter alia, may include the following:

(a) The inclusion, as appropriate, within specific peace agreements and, on a case-by-case basis, within United Nations peacekeeping mandates, of clear terms for disarmament, demobilization and reintegration of ex-combatants, including the safe and timely disposal of arms and ammunition;

(b) The establishment by Governments contributing to peacekeeping operations of databases of experts on disarmament, demobilization and reintegration of ex-combatants. In this context, training in disarmament and demobilization could be a useful component of national programmes for the preparation of peacekeeping troops;

(c) The prevention and reduction of the excessive and destabilizing flow, accumulation and illegitimate use of small arms and light weapons. In this context, the relevant Council resolutions and existing United Nations arms embargoes should be strictly implemented.

The Council is of the view that techniques for executing and coordinating programmes related to the process of disarmament, demobilization and reintegration of ex-combatants and the problems associated with it should be given in-depth consideration. It takes note with appreciation of the efforts by

the Secretary-General, United Nations bodies, Member States and international and regional organizations aimed at developing general principles and practical guidelines for disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment.

The Council underlines the need to address this issue on a regular basis and, in this regard, requests the Secretary-General to submit to the Council, within a period of six months, a report

containing his analysis, observations and recommendations, in particular those relating to principles and guidelines as well as practices, experiences and lessons learned to facilitate its further consideration of the matter. The report should pay special attention to the problems of disarmament and demobilization of child soldiers and their reintegration into society.

The Council will remain seized of the matter.

42. Items relating to promoting peace and security

A. Promoting peace and security: humanitarian activities relevant to the Security Council

Initial proceedings

Deliberations of 21 January 1999 (3968th meeting)

At its 3968th meeting, held on 21 January 1999 in accordance with the understanding reached in its prior consultations, the Security Council included the item "Promoting peace and security: humanitarian activities relevant to the Security Council" in its agenda. The President (Brazil), with the consent of the Council, then invited the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, under rule 39 of its provisional rules of procedure.

The Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator suggested that the Council might consider taking specific action in assisting humanitarian agencies, such as ensuring access to populations in need (in that connection, he recalled the responsibility of States to take care of victims of emergencies occurring on their own territories). He pointed out that, as experience had shown, peacekeeping operations and political action could be used to avert or contain humanitarian crises, strengthen national forces to separate the combatants from the victims and counter hate propaganda. He expressed the belief that the Council could also use well-targeted sanctions to encourage the upholding of international law, combat impunity and help avert or reduce humanitarian crises. On the issue of ensuring the security of humanitarian personnel, he expressed the view that ways of extending the Convention on the Safety of United Nations Personnel of 1994 and

ensuring compliance by non-State actors needed to be further explored.¹

All members of the Council made statements noting, *inter alia*, the importance of humanitarian activities in the context of the maintenance of international peace and security; appreciation for the work of humanitarian personnel and the importance of ensuring their security and safety. A number of speakers expressed the view that the Council should attach particular attention to such humanitarian issues as the protection of refugees and the impact of armed conflict on children. Several representatives highlighted the importance of ensuring compliance with international humanitarian law and stressed that all violators of those norms should be brought to justice. A number of speakers underscored the importance of preventive action and post-conflict peacebuilding in the context of meeting humanitarian needs. They observed that humanitarian activities in peacekeeping should be foreseen and, when necessary, "built into" the mandate of some peacekeeping operations. Several representatives also noted the need to ensure the impartiality and neutrality of humanitarian activities.²

The representative of the United States stressed that the Council should consider addressing situations where violations of international humanitarian law and human rights posed a threat to international peace and

¹ S/PV.3968, pp. 2-5.

² *Ibid.*, pp. 8-9 (Argentina); pp. 9-10 (Bahrain); pp. 11-13 (the Netherlands); pp. 13-14 (Canada); p. 14 (Namibia); pp. 15-16 (Slovenia); pp. 16-17 (United Kingdom); pp. 17-18 (Gambia); pp. 18-19 (Malaysia); pp. 19-21 (France); p. 21 (Gabon); and pp. 21-23 (Brazil).