The year 1994 marked another significant advance in efforts to consolidate peace and economic growth throughout Central America. In March and April, elections were held in El Salvador leading to the election of Armando Calderon Sol of the National Republican Alliance party as President, and the Frente Farabundo Martí para la Liberación Nacional being established as the second party in the country. The Security Council extended twice the mandate of the United Nations Observer Mission in El Salvador, to 30 November 1994 and 30 April 1995.

In Guatemala, a number of agreements were concluded designed to settle the longest civil war in Central American history. Efforts of the countries in the region to achieve peace, consolidation of democracy and development throughout Central America continued, supported by the United Nations.

Through the endeavours of the Security Council, the international community, the Special Envoy and the Friends of the Secretary-General for Haiti, in September legality was restored to the country to which President Jean-Bertrand Aristide finally returned on 15 October. By December, the Secretary-General confirmed that a secure and stable environment had been achieved, enabling the return of the United Nations Mission and the International Civilian Mission to Haiti.

In a resolution concerning the need to end the economic embargo imposed by the United States against Cuba, the General Assembly called for the repeal of laws which had extraterritorial effects on States’ sovereignty and freedom of trade and navigation.

In other action, the Assembly adopted resolutions on strengthening cooperation between the United Nations and the Organization of American States and between the United Nations and the Caribbean Community. It also urged the broadening of cooperation with the Latin American Economic System (see PART TWO, Chapter VI).

Central America situation

Report of the Secretary-General. According to an October report of the Secretary-General reviewing the situation in Central America, Central American countries demonstrated their commitment to strengthening democratic institutions, as evidenced by the election in four countries of the region, as a result of which Carlos Roberto Reina became President of Honduras on 27 January 1994, Jose Maria Figueres became President of Costa Rica on 8 May, Armando Calderon Sol became President of El Salvador on 1 June, and Ernesto Perez Balladares became President of Panama on 1 September. In addition, the increased assertiveness of civil society was generating a more diversified political process. A number of developments had strengthened the democratic process in Nicaragua (see below).

In 1994, the Governments of Central America broadened the scope of national economic, social and institutional development efforts. With a view to expanding and intensifying regional cooperation and integration, the Central American Presidents and the Prime Minister of Belize as an observer held their fifteenth summit meeting (Guácimo, Costa Rica, 20 August). In the Declaration of Guácimo, they returned to the path laid out at the 1991 Tegucigalpa summit, leading to the human development of Central America to meet the basic needs of the population and overcome poverty. Thus, Central American integration efforts were given a new social vision based on a strategy of sustainable development.

These leaders, at the Central American environment summit meeting (Managua, Nicaragua, 12 and 13 October), further adopted the Alliance for Sustainable Development of Central America and Commitments on the Environment and Natural Resources, and at the International Conference on Peace and Development in Central America (Tegucigalpa, Honduras, 24 and 25 October), the Tegucigalpa International Declaration on Peace and Development in Central America and the Tegucigalpa Commitments on Peace and Development.

The institutions for Central American integration continued to develop. The General Secretariat of the Central American Integration System coordinated a series of technical meetings that were instrumental in strengthening the social and economic subsystems. The Central American Bank for Economic Integration was further strengthened and the Central American Court of Justice was beginning to perform its functions while institutional development was proceeding apace in the Central American Parliament, now in its third year of operation.
The Central American countries continued to underscore the role of the international community in promoting commitment to the goals of peace, freedom, democracy and development, enlisting its cooperation in many ways within the mandates entrusted to the Secretary-General and United Nations programmes and agencies.

United Nations support to Central America through operational activities remained comprehensive and diversified. In addition to continuing its support of regional processes, at the national level and at the request of the Governments concerned, the United Nations operational system concentrated its efforts in the following areas: poverty alleviation; economic reform and public sector policies and management; emergency and development assistance; strengthening of democratic institutions; environmental protection and promotion of sustainable development; population-related programmes; and natural disaster prevention and rehabilitation.

The Secretary-General observed that since the end of 1993 Central America had demonstrated interest in strengthening and consolidating political institutions by peaceful and democratic means with the active support of the international community, including the United Nations, as shown in the elections held in five countries in the region. In El Salvador, the 1992 Peace Accords were being successfully fulfilled, and in Nicaragua, the Support Group had helped strengthen the international community's dialogue with the country's institutions. In Guatemala, an encouraging peace process had begun.

The Secretary-General considered it important for the international community to maintain and strengthen its support to Central America. For his part, he was ready to continue to play the active role entrusted to him by the General Assembly.

**GENERAL ASSEMBLY ACTION**

On 19 December, the General Assembly adopted without vote resolution 49/137.

**The situation in Central America: procedures for the establishment of a firm and lasting peace and progress in fashioning a region of peace, freedom, democracy and development**

The General Assembly,

Recalling the relevant resolutions of the Security Council and its own resolutions, particularly resolutions 47/118 of 18 December 1992 and 48/161 of 20 December 1993, in which it recognized that there remained in Central America major obstacles to the full exercise of peace, freedom, democracy and development and the need for a global frame of reference that would enable the international community to channel support to the efforts of the Central American Governments, as well as the desirability of increasing support by providing resources for the consolidation of the objectives set, in order to prevent the region's material limitations from diminishing or reversing the progress made,

Recognizing the importance and validity of the commitments assumed by the Central American Presidents at the Esquipulas II summit meeting on 7 August 1987 and at their subsequent summit meetings, especially the fourteenth summit meeting, held at Guatemala City from 27 to 29 October 1993, the fifteenth summit meeting, held at Guacimo, Costa Rica, from 18 to 20 August 1994, the Central American Environment Summit for Sustainable Development, held at Managua on 12 and 13 October 1994, and the International Conference on Peace and Development in Central America, held at Tegucigalpa on 24 and 25 October 1994, at which a framework of priorities for the formulation and implementation of an integrated strategy for sustainable development covering political, moral, economic, social and ecological matters was established,

Aware of the importance of supporting the efforts of the Central American peoples and Governments for the consolidation of a firm and lasting peace in Central America, and bearing in mind that the Central American Integration System constitutes the institutional framework for subregional integration through which integrated development can be promoted in an effective, orderly and coherent manner,

Convinced of the hopes that inspire the peoples of Central America to achieve peace, reconciliation, development and social justice, as well as the commitment to settle their differences by means of dialogue, negotiation and respect for the legitimate interests of all States, in accordance with their own decision and their own historical experience, while fully respecting the principles of self-determination and non-intervention,

Recognizing the importance of the peace-decision operations that have been carried out in Central America pursuant to the decisions of the Security Council and with the support of the Secretary-General,

Recognizing also the need to preserve and enhance the results obtained by means of new and innovative initiatives that take into account the new circumstances prevailing in the region, which necessitate a new course based on an integrated strategy for sustainable development in the region,

Reaffirming that there can be no peace in Central America without sustainable development or democracy, which are essential for transforming the region and realizing the hope of the Central American peoples and Governments that Central America may become a region of peace, freedom, democracy and sustainable development,

Emphasizing the important role of international cooperation in supporting the integrated proposal for sustainable development agreed on at the most recent meetings of Central American Presidents, in particular the Central American Environment Summit for Sustainable Development and the International Conference on Peace and Development in Central America,

Stressing the importance of honouring the commitments to accelerate the establishment of a new model of regional security in Central America, as established in the Tegucigalpa Protocol of 13 December 1991 and the Agenda and Programme of Specific Action for Sustainable Development adopted at the fifteenth meeting of Central American Presidents, at Guácimo,
Noting with satisfaction the progress made in the peace negotiations between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca, with the assistance of the Secretary-General and the support of the Group of Friends of the Guatemalan peace process (Colombia, Mexico, Norway, Spain, United States of America and Venezuela), and the contribution by the Assembly of Civil Society and other Guatemalans, within the constitutional framework and the peace agreements,

Recalling its resolution 48/267 of 19 September 1994, in which it decided to establish the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala, in accordance with the recommendations of the Secretary-General,

Stressing the great importance it attaches to the conclusion of the negotiations, the speedy termination of the internal armed conflict and the full compliance by both parties with the undertakings agreed to, all of which will help the people of Guatemala to overcome successfully the social and economic problems facing the country,

Taking into account the commitment expressed by both parties, the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca, to achieve the full exercise of human rights and to seek peace through dialogue and negotiation,

Noting with satisfaction the holding of free and democratic elections in El Salvador, the progress made towards fulfilment of the outstanding commitments assumed under the Peace Agreement, the political will consistently expressed by the signatories thereto and the support of the various Salvadorian political forces for accelerating the resolution of crucial outstanding issues, which is essential to promote reconciliation and maintain and consolidate peace in El Salvador,

Also taking into account the efforts made by the Government of Nicaragua to promote broad national agreement as the best way of consolidating peace, national reconciliation, democracy and sustainable development with social justice,

Welcoming with satisfaction the adoption of resolution 49/16 of 17 November 1994, entitled "International assistance for the rehabilitation and reconstruction of Nicaragua: aftermath of the war and natural disasters", in which the exceptional circumstances prevailing in the case of Nicaragua are recognized,

Recognizing that the consolidation of peace in Nicaragua is a key factor in the Central American peace process, as well as the need for the international community and the United Nations system to continue providing Nicaragua with the support it needs to continue promoting its economic and social rehabilitation and reconstruction in order to strengthen democracy and overcome the aftermath of war and recent natural disasters,

Also recognizing the valuable and effective contribution of the United Nations and of various governmental and non-governmental mechanisms to the process of democratization, pacification and development in Central America, and the importance for the gradual transformation of Central America into a region of peace, freedom, democracy and development of both the political dialogue and the economic cooperation set in motion by the ministerial conference between the European Union and the Central American countries and the joint initiative of the industrialized countries (Group of Twenty-four) and the group of cooperating countries (Group of Three) through the Partnership for Democracy and Development in Central America,

Bearing in mind that the process established by the International Conference on Central American Refugees was completed in May 1994, that the United Nations Development Programme has assumed the role of lead agency which was formerly performed by the Office of the United Nations High Commissioner for Refugees and that the mandate of the Special Plan of Economic Cooperation for Central America, through which both the United Nations system and the international community, and especially the cooperating countries, have supported activities supplementing the Central American peace process, has come to an end,

Considering the Declaration of Commitments in favour of the populations affected both by uprootedness and by conflicts and extreme poverty in the framework of the consolidation of peace in Central America, adopted at Mexico City on 29 June 1994 at the final international meeting of the Follow-up Committee of the International Conference on Central American Refugees, in which the Governments of the convening States emphasized the need to give continuity to the treatment of uprooted populations by changing the emphasis from emergency programmes to sustainable human development strategies in areas or populations given priority by the countries concerned for the consolidation of peace and the eradication of extreme poverty,

Aware that the Central American countries have concluded the Alliance for the Sustainable Development of Central America, an initiative that inaugurates a promising phase involving the reordering of regional priorities, the effective implementation of which calls for maximum effort on the part of the Governments and the various sectors of the Central American countries, as well as the support of the international community, in order to overcome the underlying structural causes of the crisis in the region,

Taking note of the report of the Secretary-General of 7 October 1994 on the situation in Central America,

Welcoming with deep satisfaction the Tequicugalpa Commitments on Peace and Development adopted at the International Conference on Peace and Development in Central America,

1. Commends the efforts of the Central American peoples and Governments to consolidate peace by implementing the agreements adopted at recent meetings of the Central American Presidents, especially their fifteenth meeting, held at Guacimo, Costa Rica, the Central American Environment Summit for Sustainable Development, held at Managua, and the International Conference on Peace and Development in Central America, held at Tegucigalpa, and requests the Secretary-General to continue to give the fullest possible support to the initiatives and activities of the Central American Governments;

2. Supports the decision of the Central American Presidents to declare Central America a region of peace, freedom, democracy and development, as set out in the Tegucigalpa Protocol, and encourages all countries in the Central American countries, in the framework of the integrated strategy for sustainable development and
based on the latest Central American meetings, to con-
solidate Governments which base their development on
democracy, peace, cooperation and full respect for
human rights;

3. Emphasizes the decision of the Central American
Presidents included in the Declaration of Guacimo and
adopted at the Managua Environment Summit, in
which the national and regional strategy known as the
Alliance for Sustainable Development—a comprehen-
sive Central American initiative in the political, moral,
economic, social and environmental fields—was concre-
tized, translating that strategy into a programme of im-
mediate action through which the Central American
countries hope to become, with the support of the in-
ternational community, an example of sustainable de-
velopment for other regions;

4. Welcomes the efforts of the Central American coun-
tries to promote economic growth within a context of
human development, as well as the progress achieved
in strengthening democracy and consolidating peace in
the region, as amply demonstrated by the successful
holding of fair and transparent electoral processes in
Costa Rica, El Salvador, Honduras and Panama;

5. Also emphasizes the functioning of the Central
American Integration System since 1 February 1993 and
the registry of the Tegucigalpa Protocol with the United
Nations Secretariat, expresses its full support for the ef-
forts made by Central Americans, under the political
leadership of their Presidents, to stimulate and broaden
the integration process in the context of the Central
American Integration System, and calls on Member
States and international organizations to provide effec-
tive cooperation to Central America so that it can stead-
ily promote and strengthen subregional integration in
order to make it an effective mechanism for achieving
sustainable development;

6. Reaffirms the importance of creating a new model
of regional security based on a reasonable balance of
forces, the pre-eminence of civil authority, the elimina-
tion of extreme poverty, the promotion of sustainable
development, the protection of the environment and the
eradication of violence, corruption, terrorism and
trafficking in drugs and arms, a commitment made at
the fifteenth meeting of Central American Presidents;

7. Calls upon the international community and the
United Nations system to expand their technical and
financial support for the professionalization of the po-
lice forces of the Central American countries in order
to safeguard democratic institutions;

8. Notes with satisfaction the signing of the Framework
Agreement for the Resumption of the Negotiating Pro-
cess between the Government of Guatemala and the
Unidad Revolucionaria Nacional Guerrillera, the
Comprehensive Agreement on Human Rights and the
Agreement on a Timetable for the Negotiation of a Firm
and Lasting Peace in Guatemala, the Agreement on
Resettlement of the Population Groups Uprooted by the
Armed Conflict and the Agreement on the Establish-
ment of the Commission to Clarify Past Human Rights
Violations and Acts of Violence That Have Caused the
Guatemalan Population to Suffer;

9. Recognizes the importance of the decision of the
Government of Guatemala and the Unidad Revolu-
cionaria Nacional Guerrillera to negotiate seriously
and resolutely with a view to reaching peace agreements
with no further delay;

10. Calls upon those concerned to advance speedily
in the Guatemalan peace process in order to achieve,
as close as possible to the 31 December deadline, agree-
ment on a firm and lasting peace in keeping with the
commitments made in the Framework Agreement;

11. Reiterates its appreciation to the Secretary-General
and the Group of Friends for their efforts in support of
the Guatemalan peace process, as well as its appreci-
ation for the contribution of the Assembly of Civil So-
ciety and other Guatemalans, within the constitutional
framework and the peace agreements, for their efforts
in support of that process;

12. Notes with satisfaction the establishment of the
United Nations Mission for the Verification of Human
Rights and of Compliance with the Commitments of
the Comprehensive Agreement on Human Rights in
Guatemala, and, in the context of human rights, urges
those concerned fully to comply with their commitments
under the agreements already signed, including the
agreement relating to the Mission;

13. Also notes with satisfaction the efforts of the
Secretary-General, the agencies of the United Nations
system and the international community as a whole to
coordinate their support for the peace process and, in
particular, for the implementation of the agreements,
and encourages them to continue their assistance in
favour of peace, national reconciliation, democracy and
development in Guatemala;

14. Requests the Secretary-General to continue his
support for the Guatemalan peace process, through his
representative, and his assistance in implementing the
agreements;

15. Calls upon the Government of El Salvador and
all the political forces involved in the peace process
to make all possible efforts to fulfil their vital outstanding
commitments in accordance with the "Timetable for
the implementation of the most important outstanding
agreements" and fully to implement all aspects of the
agreements, and requests the Secretary-General, in con-
sultation with the Government of El Salvador, the Mem-
ber States and the specialized agencies, to devise proce-
dures for providing El Salvador, in the context of the
Peace Agreement, with the necessary cooperation and
assistance in the period after the United Nations Ob-
server Mission in El Salvador, in order to safeguard
peace and the strengthening and consolidation of na-
tional reconciliation, democracy and sustainable de-
velopment;

16. Requests all States and invites the international
development and financing institutions to react quickly
and generously to the joint appeal of the Government
of El Salvador and the Frente Farabundo Martí para
la Liberación Nacional to provide the additional
resources required for the full implementation of the
Peace Agreement;

17. Reiterates its recognition of the effective and timely
participation of the Secretary-General and his represen-
tatives and encourages them to continue to take all neces-
sary steps to ensure the successful implementation of
all the commitments made by the parties to the El Sal-
vador Peace Agreement, including efforts to mobilize
the necessary resources for the reconstruction and de-
development of the country, which are essential for the con-
solidation of peace and democracy in El Salvador;

18. Recognizes the achievements made by the people
and Government of Nicaragua in their efforts to con-
solidate peace, democracy and reconciliation among Nicaraguans, as well as the political dialogue and process of economic and social consultation among all sectors of the country, in order to strengthen the bases for the country's reconstruction;

19. Supports the treatment accorded to Nicaragua in the light of its continuing exceptional circumstances, so that the international community and financial institutions can incorporate that treatment into programmes to support the country's economic recovery and social reconstruction;

20. Expresses its approval of the establishment of a support group for Nicaragua, which, under the coordination of the Secretary-General, is playing an active role in supporting the country's efforts towards economic recovery and social development, particularly with regard to solving the external debt problem and securing investments and new resources that will allow the country's economic and social reconstruction programmes to continue, and requests the Secretary-General to continue to support those efforts;

21. Emphasizes the importance that the political dialogue and economic cooperation under way within the ministerial conference between the European Union and its member States and the Central American countries, with the participation of the Group of Three as cooperating countries, have for the Central American countries' efforts to achieve peace, consolidate democracy and ensure sustainable development;

22. Requests the Secretary-General to give the Central American countries every possible assistance for the consolidation of peace and the strategy of sustainable development in the region;

23. Recognizes the importance of implemented, updated and pending programmes, and, in view of the fact that the resources assigned to the Special Plan of Economic Cooperation for Central America have been used up, requests the agencies of the United Nations system, in particular the United Nations Development Programme, and international institutions to mobilize the necessary resources to set in motion new national and regional programmes in support of the content of the Declaration of Guacimo, the Alliance for the Sustainable Development of Central America concluded at the Managua Summit, and the Tegucigalpa Commitments on Peace and Development adopted at the International Conference on Peace and Development in Central America, in order to prevent the progress made in Central America from being reversed and to ensure that peace is consolidated in the region by means of integrated, sustainable development;

24. Reiterates its appreciation to the United Nations High Commissioner for Refugees and the United Nations Development Programme for carrying out their mandate under the International Conference on Central American Refugees, and requests the international community to continue supporting the region in the efforts needed to comply with the Declaration of Commitments adopted at Mexico City on 29 June 1994, as part of the new strategies for sustainable human development to eradicate extreme poverty and consolidate peace in the new Central American context;

25. Emphasizes the commitments on sustainable development adopted at the fifteenth meeting of Central American Presidents, the Central American Environment Summit for Sustainable Development and the International Conference on Peace and Development in Central America, and urges States Members and organs of the United Nations system to give them every support;

26. Reiterates its full appreciation to and thanks the Secretary-General for his efforts in favour of the pacification process in Central America, particularly in those countries where it is necessary to achieve and consolidate peace, national reconciliation, democracy and sustainable development, and to the groups of friendly countries which have made a direct contribution to attaining those ends;

27. Decides to include in the provisional agenda of its fiftieth session the item entitled "The situation in Central America: procedures for the establishment of a firm and lasting peace and progress in fashioning a region of peace, freedom, democracy and development";

28. Requests the Secretary-General to report to it at its fiftieth session on the implementation of the present resolution.

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El Salvador situation

The General Assembly, in resolution 49/137, called on the Government and the political forces involved in the peace process to make all possible efforts to fulfil their outstanding commitments and fully implement all aspects of the Agreement. It requested States and invited international development and financing institutions to provide the additional resources required for its full implementation. It encouraged the Secretary-General and his representatives to ensure the successful implementation of all commitments made under the Agreement, including efforts to mobilize resources for the country's reconstruction and development.

The most significant event during the year was the holding of elections in March and April which brought Armando Calderon Sol, of the National Republican Alliance party (ARENA), to the presidency. FMLN established itself as the second party in the country, winning 21 out of the 84 seats in the Legislative Assembly.

Elections
Reports and communications of the Secretary-General (February/March). In his second report on the activities of the Electoral Divi-
sion of the United Nations Observer Mission in El Salvador (ONUSAL), established in 1993 following an expansion of ONUSAL’s mandate by the Security Council to include electoral monitoring, the Secretary-General stated that between November 1993 and January 1994 the Electoral Division had focused on observing voter registration, monitoring the election campaign and assisting in the drawing up of an electoral roll. It held regular meetings with the Supreme Electoral Tribunal and the Board of Vigilance composed of representatives of all political parties. A system was set up to process allegations of violations of the Electoral Code for transmission to the Supreme Electoral Tribunal for action. The Electoral Division also prepared a plan for the reception and deployment of international observers to monitor the 20 March election, bringing the total Mission staff to 900.

The Secretary-General reported that the deadline for voter registration was extended from 20 November 1993 to 19 January 1994, and for the registration of candidates for the office of Deputy and for the municipal councils from 19 to 31 January. Action had also been taken to prohibit publication of the results of surveys or projections of possible voting outcome from 15 days prior to the election until the final results were made public, and for all parties registering candidates to be represented on the departmental and municipal election boards.

Although the Supreme Electoral Tribunal had improved its organization and management capacity and had been able to achieve the registration of voters and the issuance of registration documents, problems still remained with respect to the procedures for issuing registration cards.

In January, ONUSAL received requests for assistance for the departmental election boards, set up to monitor the elections, report violations, deliver electoral material to electoral boards and collect ballots. The work of the Tribunal was also supported by the Board of Vigilance. With the appointment of an Electoral Counsel in January, the only measure left to be taken to complete the institutional structure of the electoral authority was the appointment of an auditor-general.

Voter registration was successfully completed on 19 January. As of that date, total actual registrations stood at 2,653,871. Registration cards had been issued to some 80 per cent of the estimated population of voting age. The final electoral role was to be made available on 19 February.

The electoral campaign opened officially on 20 November 1993 for the presidential election, on 20 January 1994 for the election of the Legislative Assembly and on 20 February for the municipal elections. Campaign activities were proceeding without major incident, although there was room for improvement with regard to compliance with electoral norms. There also had been a resurgence of violence and intimidation against political persons, which, however, occurred outside the framework of the electoral campaign proper and of the dialogue between the contending parties. The Secretary-General noted that the Joint Group for Investigating Politically Motivated Illegal Armed Groups, established on the initiative of the United Nations, was discharging its mandate.

In a report of 16 March, the Secretary-General said that, following discussions promoted by ONUSAL, codes of conduct were signed by all contending political parties in each of the 14 departments of El Salvador, as well as in a number of municipalities. On 10 March, all presidential candidates signed a declaration rejecting violence and committing themselves to respect the election results and to comply with the Peace Accords.

The 900 ONUSAL electoral observers had been mobilized in all of the country’s 262 municipalities and would form part of the observer teams at each of the 355 polling-stations.

The Secretary-General reported that some flaws still remained with respect to the voter register, including the registration of those whose applications could not be validated by a birth certificate; the possibility of multiple voting; and the failure of some registered voters to obtain their voter cards because of their unavailability even after all cards had been sent to the field.

In terms of the electoral campaign, he said that apart from a few serious incidents, freedom of movement, demonstration and expression were respected in campaign activities that were monitored by ONUSAL. He noted some irregularities with respect to electoral publicity and the massive civic education programmes undertaken by the Supreme Electoral Tribunal and NGOs. The only contentious problem remaining was the issue of relocation of polling-stations in former areas of conflict.

The Secretary-General stated that despite the remaining difficulties, the conditions for holding free and fair elections were adequate. There was good reason to expect that the elections would be a crucial stepping-stone in the consolidation of peace and national reconciliation.

In a letter of 28 March to the President of the Security Council, the Secretary-General raised concerns regarding the lack of progress in implementing certain aspects of the original Peace Accords considered necessary before the elections. There were disquieting signs of reluctance to comply with the objective to establish the civilian character of the police function, as the new National Civil Police (PNC) continued to be denied resources. There was no clear accounting of the
transfer to it of military personnel and a lack of desire to de-link the deployment of PNC from the phasing out of the old National Police. Concerns also remained about activities of the military intelligence bodies.

Although there were positive developments regarding reintegration of FMLN into civil, institutional and political life, much remained to be done in other areas of reintegration, mainly with regard to land transfer.

Urgent legislative action was needed before expiry of the current legislature on 30 April to ratify constitutional amendments recommended by the Commission on the Truth, particularly with regard to the decentralization of powers and competence of the Supreme Court.

The Secretary-General said that he had taken up those matters with President Cristiani. He believed that agreement on a timetable for implementing the pending matters was essential to avoid further delays during the transition to the new Government.

Reporting on the conduct of the elections on 20 March, the Secretary-General said that an estimated 1.5 million, or 55 per cent, of the 2.7 million registered voters participated, 400,000 more than in the 1991 and 1989 elections. However, the turnout fell below expectations due to structural problems of the electoral system. Based on a computation of 82 per cent of the votes, the Electoral Tribunal published the preliminary election results; the President of the Tribunal declared on 23 March that since no candidate had obtained more than 50 per cent of the votes, there would be a second round. The final count of the presidential votes continued until 28 March. Concerning the legislative and municipal elections, available data at that time seemed to indicate that the Alianza Republicana Nacionalista (ARENA) would have a relative majority in the Assembly and had won most of the mayoral districts.

No party had so far challenged the results of the presidential elections, while those of the municipal elections had been challenged in more than 40 mayoral districts.

The Secretary-General further reported no serious incidents affecting law and order on election day, and no ballot-rigging. The massive presence of monitors and the ease with which they were able to convey their concerns made it difficult for serious irregularities to occur. For the most part, polling-stations operated normally and there were no serious difficulties either in organizing the voting or in preparing the electoral roll.

In the light of the necessity for a second round of balloting for the presidential elections, the Supreme Electoral Tribunal on 24 March suggested measures for eliminating anomalies recorded in the first round. These included issuance of voter cards between the first and second rounds of voting; increasing the number of polling centres; strengthening the training of electoral personnel; providing adequate shelter at polling-stations; improving public transport; and reviewing the electoral rolls to ensure that the names of all citizens with voter cards appeared on the electoral lists and that all lists corresponded. In addition, the Supreme Tribunal should ensure that electoral publicity conformed with electoral publicity rules and with the spirit of reconciliation of the peace agreements; conduct a massive information campaign; and give the Monitoring Board and political parties greater access to information on the operation of the computation centre, the register and the electoral project unit.

The Secretary-General suggested that in addition to those measures, the fundamental flaws in the methods used needed to be reconsidered, including the functioning of the Supreme Tribunal, organization of the electoral register and rolls, organizational methods at polling locations and their geographical distribution. The Legislative Assembly should consider a complete reorganization of the current system, including the creation of a single civil identity and voter document and a civil register to facilitate automatic preparation of the electoral roll. Concluding, the Secretary-General quoted his Special Representative as saying that, in general, the elections took place under appropriate conditions in terms of freedom, competitiveness and security, and could be considered acceptable despite serious flaws regarding organization and transparency.

SECURITY COUNCIL ACTION

On 7 April, in connection with the Council's consideration of the item entitled "Central America: efforts towards peace", the President of the Council made the following statement on its behalf:

The Security Council has received the Secretary-General's report on the observation by ONUSAL of the elections in El Salvador on 20 March 1994. It has also received the Secretary-General's letter of 28 March 1994 drawing to the attention of the Security Council his continuing concerns regarding problems in the implementation of the Peace Accords in El Salvador.

The Security 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 took place under appropriate conditions in terms of freedom, competitiveness and security and that, despite serious flaws regarding organization and transparency, the elections can be considered acceptable.

The Security 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 on 24 April 1994.

The Security 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 (PNC) and the phasing out of the National Police (PN); 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 Security 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 be fully achieved.

Meeting number. SC 3360.

Reports of the Secretary-General (April-August). On 21 April, the Secretary-General transmitted to the President of the Security Council a progress report on the situation in El Salvador prior to the 24 April second round of voting in the presidential elections. He said that the irregularities identified during the first round, while they might not have an impact on the presidential election, could influence the results of the elections for the Assembly and the municipal councils. However, following meetings between the candidates of the contending parties (ARENA and the Convergencia Democrática (CD)/FMLN/Movimiento Nacional Revolucionaria (MNR) coalition) and the Supreme Electoral Tribunal, a consensus was reached on those areas of concern. As a result, ONUSAL assigned observers to the five areas of work considered most important, namely, the electoral roll, computation, printing, the electoral project and training. Polling centres were increased to 35 to relieve congestion, but were not considered sufficient to solve the problem of access experienced on 20 March. Concerns remained regarding the training programme for members of polling-stations and polling centres, including the grooming of officers to guide voters to those centres. Arrangements were being finalized to provide free transportation in the rural areas and for urban bus companies to guarantee the functioning of all lines in the city. Some 30,000 additional persons had been listed in the electoral roll, and each polling-station was to be provided two identical copies of it. However, there continued to be problems affecting the transparency of the roll and the exercise of the right to vote. ONUSAL had offered the Supreme Electoral Tribunal its technical services in designing a system of information collection and phased counting of votes, to avoid recurrence of the information vacuum experienced on 20 March between the provisional count and the transmission of the results.

On 18 April, the two presidential candidates signed a declaration expressing their faith in the country's governability and pledging to conduct a dignified campaign and work during the next two years towards a comprehensive reform of the electoral system. Prior to the signing of the declaration, their campaign managers sent a joint letter to all national media asking them not to accept electoral publicity from organizations and individuals not affiliated with the parties of the candidates.

ONUSAL noted that, while the agreement between the candidates had elevated the tone of the campaign, it had received complaints of acts of intimidation and attempts to buy votes. There had also been a few isolated acts of violence during the electoral campaign.

In a 4 May report, the Secretary-General noted that after two weeks of campaigning, marked by relative calm, election day proceeded generally without serious incidents, and there was a distinct improvement in the organization of the elections. ONUSAL's 900 observers covered all polling centres and observed the official vote-counting. They noted several irregularities and received complaints from both parties about violations of the Electoral Code by party members campaigning at polling centres and about armed civilians. ONUSAL confirmed that a considerable number of citizens were unable to exercise their right to vote despite having voter cards.

The results of the second round of the presidential elections were as follows: ARENA, 818,264 votes or 68.35 per cent; CD/FMLN/MNR coalition, 378,980 votes or 31.65 per cent. The total number of votes cast was 1,246,220.

The Secretary-General concluded that there was evident need for a thorough reform of the electoral system, not only to resolve outstanding organizational problems, but to establish a new system offering better safeguards. To that end, he pledged United Nations technical support for such reforms which, he said, should include a single identity document, provision for voting in the voter's area of residence, standardization of the formula for representation in the Assembly and municipalities, and depoliticization of the Supreme Electoral Tribunal.

In a report of 26 August on ONUSAL, the Secretary-General said the election of the new Supreme Electoral Tribunal on 30 July would provide an opportunity for the much-needed reform of the Tribunal's internal organization and per-
sonnel structure in a way that should strengthen professional and technical merit. Other reforms to be tackled in the electoral system included the establishment of a new electoral roll and the possible issuance of a single personal identity and voting card; proportional representation in municipal councils; and provision for voting in the area of a citizen’s residence. All those reforms should be well in advance of the next legislative elections, to be held in 1997, and should therefore be agreed on before the end of 1994.

Illegal armed groups

**Report of the Joint Group.** On 11 August, the Secretary-General submitted to the Security Council a report of the Joint Group for the Investigation of Politically Motivated Illegal Armed Groups, which was presented to the Special Representative and Chief of Mission of ONUSAL on 28 July. The Group, comprising the National Counsel for the Defence of Human Rights, the Director of the Division of Human Rights of ONUSAL and two government representatives, was established in December 1993, following the assassination of several political leaders. The Joint Group conducted investigations throughout the first half of 1994. Its report contained its findings regarding politically motivated violence and recommendations for strengthening the investigative structures of the National Civil Police and for appropriate reforms within the judicial system. In addition, the Group made available to the Salvadorian authorities, the National Counsel for the Defence of Human Rights and ONUSAL a restricted annex of evidence requiring further investigation.

The Security Council considered the report in November, and in **resolution 961(1994)** reaffirmed the importance of full and timely implementation of all aspects of the Peace Accords, including the recommendations of the Commission on the Truth, established to investigate the serious acts of violence perpetrated during the 12-year armed conflict in the country, and appropriate follow-up to the recommendations of the Joint Group.

**UN Observer Mission in El Salvador**

The mandate of the United Nations Observer Mission in El Salvador was extended twice in 1994: in May (resolution 920(1994)) and in November (resolution 961(1994)). The extensions for the periods ending, respectively, on 30 November 1994 and on 30 April 1995 were based on the Secretary-General’s reports on all operational aspects of ONUSAL before the expiry of each mandate period. Established by the Security Council in May 1991 to monitor all agreements between the Government of El Salvador and FMLN, ONUSAL, in its final phase as an integrated peace-keeping operation, was mandated to verify compliance with the 1990 San Jose Agreement on Human Rights. Its mandate was enlarged in 1992 to include verification and monitoring of the implementation of the 1992 Peace Agreement and in 1993 to include observance of the electoral process (see above).

**Report of the Secretary-General (May).** In a report of 11 May 1994, the Secretary-General described ONUSAL’s operations from 21 November 1993 to 30 April 1994, including military and security matters, the Commission on the Truth, economic and social issues, and the financial needs of post-conflict peace-building.

Recovery of weapons. The Secretary-General reported that since the entry into force on 11 January of the Law for the Control of Weapons, Munitions, Explosives and Related Artifacts, ONUSAL had been verifying the replacement by the armed forces of registered military weapons in the hands of the authorities or institutions with other authorized arms. Weapons in the possession of penitentiaries and a small number still in the hands of Salvadoran personalities were to be replaced, while the Government had undertaken to recover unregistered military weapons held by private individuals. However, the process had been extremely slow, making arms proliferation a serious concern, particularly in the light of the current crime wave. The demining process begun in March 1993 concluded in January 1994, with the clearing of some 425 minefields and the disposal of over 9,500 mines. ONUSAL military and police observers were taking part in a follow-up programme for the destruction of explosive artifacts.

As a result of an agreement signed in December 1993 between the Government and the Association of Disabled Personnel of the Armed Forces, compensation equivalent to one year’s pay, as stipulated in the Peace Accords, had been made to 6,000 of the 18,000 demobilized members of the armed forces. Agreement was reached on 28 January 1994 to continue with the indemnities and to conclude payments on 30 June. The two parties also agreed to accept 31 December 1993 as the final demobilization date; to include certain administrative personnel of the armed forces as beneficiaries; and to establish a mechanism for investigating complaints.

Public security matters. The Police Division of ONUSAL continued to monitor and assist the National Police pending its complete replacement by the National Civil Police. In addition to the 900 agents demobilized between October and December 1993, a further 900 were demobilized between January and March 1994, leaving another 5,900 agents and 1,000 administrative personnel to be discharged by the 31 October deadline established
by the Peace Accords. Thus far, only 10 per cent of the reported 1,800 demobilized agents had registered in reintegration programmes. The Government had not yet announced its plan for demobilizing the 1,211-strong Customs Police.

The National Public Security Academy, responsible for training recruits to the National Civil Police, had produced a total of 3,923 basic-level and 102 executive and senior-level police graduates. It expected to graduate a total of 5,700 agents by 20 September 1994. In May, the Academy was to conduct its first annual evaluation of the new police force, with a view to revising study plans and assessing its teaching staff. ONUSAL had identified at the Academy certain deficiencies in legal training and use of force and imbalance in favour of former members of the National Police. At the request of the Government, it asked countries providing technical cooperation to extend their support until December. The Secretary-General observed that after the expiration of the transition period on 31 October the Government would have to take important decisions regarding monthly intakes and graduations, the duration of training courses and the need to give greater importance to specialized training and retraining of agents with only basic academic preparation.

The National Civil Police, which began operating in March 1993, was currently deployed in seven departments, in the urban areas of two more and in large sections of San Salvador. Deployment in the remaining four departments and in other rural areas was to take place by the end of September 1994. However, the Government indicated that the National Police would not be phased out until March 1995 because of the current crime wave. The National Civil Police Divisions of Public Security, Antinarcotics, Criminal Investigations and Protection of Eminent Persons were now operational. However, the divisions for traffic control and finance were far from being fully operational and the slow rate in establishing the latter was affecting the demobilization of the Customs Police. The training of members of the Border Division was behind schedule and that of the Arms and Explosives Division was yet to be initiated. ONUSAL and the Government had set up a Select Review Committee to correct irregularities in the transfer to the National Civil Police of personnel with military background. Appointments in the National Civil Police appeared to be in favour of former members of previous security bodies, thereby affecting the delicate balance in its command structure; three of the Commissioners appointed had been with the Special Antinarcotics Unit and the Criminal Investigation Commission, while no Academy graduate had been granted the rank of Commissioner. Some 30 subcommissioners in the new police force belonged to the old public security system, while only 7 were from FMLN and 17 were civilians. Similar imbalances were to be found at the basic level of the new police. The Secretary-General considered it essential for the Government to provide ONUSAL with information on members of former and current security bodies so that it could verify all entrants to the Academy. To complete the organizational structure of the police force, the Government indicated that the Inspector-General of the National Civil Police would be appointed by the new Minister of the Interior and Public Security.

ONUSAL offered to resume technical assistance to the police to correct weaknesses in its functioning and to provide assistance for the legal training of its personnel. ONUSAL and the National Civil Police established a coordinating mechanism for processing complaints of human rights violations and for facilitating the Mission's verification duties.

Some progress had been achieved towards compliance with the recommendations of the Commission on the Truth. The Legislative Assembly, before the expiry of its term on 30 April, had approved several constitutional reforms regarding the judiciary, including the deconcentration of some of the functions held by the Supreme Court and the protection of individual rights. Significant progress had also been achieved in the National Commission for the Consolidation of Peace (COPAZ).

The Legislative Assembly adopted the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; however, several other human rights instruments remained to be ratified. Other recommendations of the Commission on the Truth and the Division of Human Rights of ONUSAL yet to be implemented included the endowment of the National Counsel for the Protection of Human Rights with budgetary autonomy and the creation of a fund to compensate victims of human rights violations.

Under the 1993 Acceleration Plan to speed up land transfers to former FMLN combatants, 11,585 transfers had been made by the end of April 1994. However, new problems arose, including FMLN objection to new verification rules in the operative guidelines imposed by the Government, which had resulted in potential beneficiaries losing their rights, and to the provision for the eviction of those occupying properties that had not been applied for by the 25,000 beneficiaries envisaged. At the same time, the Government accepted all 2,900 "non-verified" landholders on properties that were transferred during the first phase of the Acceleration Plan.

Although the first phase of the Plan was not yet fully implemented, the Government presented a
second phase, raising a number of problems. The
transfer of properties held by non-verified landholders
again brought the programme to a standstill, but
by May financing had become available to cover
the transfer of land to all beneficiaries, including
non-verified landholders. The issue by the Land
Bank of credit certificates, with which potential
beneficiaries could negotiate terms of purchase
directly with the landowners, raised objection by
FMLN as to the 30 April 1995 expiry date and the
30,000 colones ceiling of the certificates, which could
be rendered useless by any future devaluation.
Understanding was reached that the certificates would
be renewed upon expiry. Human settlements in
which former FMLN members lived had also be-
come a pressing issue, as FMLN insisted that they
be transferred with their infrastructure and en bloc.
The Government had agreed to present a plan after
FMLN submitted information from the respective
communities concerning the number of people and
properties they wanted included in the land pro-
gramme.

The Secretary-General reiterated the continuing
responsibility of the United Nations to verify
compliance with the Peace Accords. He indicated
that he would further reduce the size of ONUSAL
as rapidly as implementation of the outstanding
agreements permitted. He had already disbanded
the electoral component and was reducing the mili-
tary component to 12 observers by the end of May.
The main burden of the Mission would fall on the
core civilian staff responsible for land transfer and
reintegration, as well as on a reduced Police Divi-
sion and the Division of Human Rights. Mean-
while, he appealed to the Government to give ur-
gent attention to measures to enhance the civilian
character and strengthen the National Civil Police,
accelerate demobilization of the National Police by
the end of 1994, find a solution to the problem of
human settlements, and ensure that land title holders
had access to agricultural credit and technical as-
 assistance. He also appealed to the international
community for financial support for the peace-related
programmes.

In a later addendum, the Secretary-General
estimated the cost of extending ONUSAL from 1
June to 30 November at approximately $14 million.

By a letter of 24 May, the Secretary-General
informed the Security Council President that, on
19 May, the Government and FMLN had approved
a new timetable for implementing the most important
outstanding agreements.

SECURITY COUNCIL ACTION (May)

On 26 May, the Security Council unanimously
adopted resolution 920(1994).

The Security Council,
Recalling its resolution 637(1989) of 27 July 1989,
Recalling also its resolutions 693(1991) of 20 May 1991,
of 30 November 1993,
Recalling also 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 implemen-
tation of the agreements signed by the Government of
El Salvador and the Frente Farabundo Martí para la
Liberación Nacional (FMLN) to maintain and consoli-
date peace and promote reconciliation in El Salvador,
Welcoming the Secretary-General’s observation that there
have been notable advances in the process of national
reconciliation, particularly the integration of FMLN into
the political life of El Salvador,
Concerned at the continuing delays in fully implement-
ing 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 reinte-
gration into civilian society of ex-combatants and war dis-
abled and several recommendations of the Commission
on the Truth,
Noting with satisfaction, in this context, the conclusion,
on 19 May 1994, of an “Agreement on a timetable for the
implementation of the most important agreements
pending” between the Government of El Salvador and
FMLN,
Welcoming the commitment of the President-elect of El
Salvador, reiterated before the Secretary-General, to com-
ply fully with all Peace Accords and to consolidate na-
tional reconciliation as reported in the Secretary-General’s
letter of 24 May 1994,
Welcoming also the work of the United Nations Observer
Mission in El Salvador (ONUSAL) 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 care-
fully during this period of increasing demands on peace-
keeping resources,
1. Welcomes the reports of the Secretary-General of
31 March 1994, 4 May 1994 and 11 May 1994;
2. Welcomes the fact that both the first and the sec-
ond round of the elections took place under appropri-
ate 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
Secretary-General’s Special Representative and ONUSAL
in their task of verifying implementation by the parties of
their commitments;
6. Urges the Government of El Salvador and FMLN strictly to comply with the "Agreement on a timetable for the implementation of the most important agreements pending";

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

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 FMLN;

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 ONUSAL 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 ONUSAL, 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-ONUSAL period;

15. Decides to remain seized of the matter.


Report of the Secretary-General (August). On 26 August,24 the Secretary-General, in response to the Security Council's resolution of 26 May, reported on compliance with the 19 May timetable for implementing the most important outstanding agreements of the Peace Accords and other relevant issues. He said that since his inauguration on 1 June, President Calderon Sol had taken steps to ensure compliance with the outstanding provisions of the Accords. The high-level governmental team responsible for follow-up activities at the political level had been maintained, the fortnightly meetings envisaged by the 19 May agreement were held regularly, and joint working groups on various outstanding issues continued to function. Following revelations of involvement by personnel within the public security apparatus in criminal activities, the Government expressed its determination to take decisive action against organized crime. The Group established in 1993 to investigate politically motivated illegal armed groups submitted its report(15) to President Calderon Sol and the Secretary-General on 28 July (see above). Since 1 May, the Legislative Assembly was functioning with full participation of all parties, and the new Supreme Court of Justice was elected by consensus. Talks were also being conducted on transforming COPAZ into a peace foundation.

With respect to the implementation of the 19 May timetable regarding the armed forces, public security, the land-transfer programme, reintegration programmes and recommendations of the Commission on the Truth, the Secretary-General reported that for security reasons, the Government had proposed temporarily suspending the collection of weapons in the possession of penitentiaries, but had agreed to review that situation as well as action relating to other registered military weapons on 28 August. The deadline for voluntary surrender of unregistered weapons had been extended, and offices were to be opened in August for their collection. However, an effective publicity campaign to promote compliance with the law and measures for its implementation had yet to be announced. There were indications that certain members of the armed forces continued to carry out internal intelligence activities, contrary to their new mandate under the Constitution.

The National Civil Police had been deployed in all departments, except those of San Salvador and La Libertad, and all of its nine functional divisions were now technically operational. The Investigative Department of the National Police was replaced by a 750-member anti-crime unit, whose members were to form part of the group of up to 1,000 former National Police agents to enter the National Public Security Academy. The personnel of the former Customs Police would be absorbed by the Treasury Ministry as a fiscal control unit, and its armed police functions would be exercised by the Finance Division of the National Civil Police. The Office for the new Vice-Minister for Public Security had been established and Hugo Barrera appointed to the position. Consultations were continuing on the appointment of the Inspector-General of the National Civil Police. ONUSAL made a number of binding recommendations and suggestions to the Vice-Minister for Public Security concerning irregularities in the National Civil Police and the functioning of the National Public Security Academy, for implementation before 30 October. It had also made proposals for promoting additional recruitment to the National Civil Police.
Little progress had been made with regard to the transfer of land to former combatants of the armed forces and FMLN, as well as to landholders. The programme for financing the transfer to former members of the armed forces was under-financed and additional funding was needed to cover 8,000 of the 9,000 remaining potential beneficiaries. The situation had been aggravated by delays in the indemnization to demobilized members of the armed forces, the growing links between indemnization and land transfer, and the increasing threat by disgruntled former combatants claiming that demobilized paramilitary forces should be entitled to the same programmes.

Despite operational and administrative problems and the lack of financing, progress was made in implementing the medium-term programmes for former combatants of the armed forces and FMLN and its supporters who had become landholders in former zones of conflict and demobilized members of the National Police. The first technical assistance programme coordinated by UNDP and executed by NGOs was completed and a new programme for the 1994/95 agricultural cycle would be carried out through the National Centre for Agricultural Technology. However, implementation of the programme for the 600 medium-level commanders was suffering from delays, inadequate technical assistance and a shortage of funds for housing. No progress was achieved on the question of human urban settlements and the resumption of work by the Forum for Economic and Social Consultation.

The lack of financing for peace-related programmes remained critical. It was estimated that the deficit for financing those programmes stood at $80 million. Assessment of additional requirements would be made when estimates were provided for the transfer of human settlements, the Fund for the Protection of the Wounded and War-disabled as a Consequence of the Armed Conflict and housing needs of those not covered by existing programmes.

The Secretary-General indicated further reductions in the size of ONUSAL’s military component; during November medical personnel were to be reduced to three and the military observers phased out. The Police Division would be reduced to 145 by 1 October, and the progressive phasing out of civilian staff would begin in the light of further developments. Equipment was being similarly phased out.

The Secretary-General observed that the establishment of FMLN as a legal party in political and social life provided evidence of El Salvador’s transformation from a country riven by conflict into a nation on the path to reconciliation. The conditions necessary for full implementation of the Peace Accords seemed to be in place, although difficulties in carrying out outstanding obligations should not be underestimated.

ONUSAL increased its technical support to national institutions and other entities. Its Human Rights Division gave priority to cooperation with the National Counsel for the Defence of Human Rights. It also signed a cooperation agreement with the Vice-Minister for Public Security to provide assistance to the National Civil Police.

The work of the Human Rights Division of ONUSAL was the subject of separate reports. Those pertaining to the human rights situation in 1994 were issued as follows: one report (the tenth) covered the period 1 November 1993 to 28 February 1994; another (the eleventh) covered the period 1 March to 30 June; while a third (the twelfth) report covered the period 1 July to 30 September (see also PART THREE, Chapter X). In the twelfth report, it was noted that there was a visible change in the country’s political and social climate, an atmosphere of diminished tension and renewed calm within which the rights and freedoms of the individual could be exercised. The decline in the number of complaints declared admissible by ONUSAL was a useful indicator of the overall gradual improvement in the human rights situation.

SECURITY COUNCIL ACTION (September)

The Security Council met on 16 September to consider the agenda item entitled "Central America: efforts towards peace". At its request, the Council invited El Salvador to participate in the discussion without the right to vote, in accordance with rule 37 of the Council’s provisional rules of procedure. Following consultations among Council members, the President made the following statement on behalf of the Council:

“Rule 37 of the Council’s provisional rules of procedure states: “Any Member of the United Nations which is not a member of the Security Council may be invited, as the result of a decision of the Security Council, to participate, without vote, in the discussion of any question brought before the Security Council when the Security Council considers that the interests of that Member are specially affected, or when a Member brings a matter to the attention of the Security Council in accordance with Article 35 (1) of the Charter.”
tant agreements pending” of 19 May 1994 relevant
to the strengthening and modernization of the dem-
cratic institutions of El Salvador.

The Security Council reaffirms the need to ensure
that, under appropriate verification by ONUSAL, the
police and public security provisions of the Peace Ac-
cords are scrupulously observed. In particular, the
Council expects that the Government of El Salvador
will accelerate the demobilization of the National Po-
lice, as foreseen in the Peace Accords and as an-
nounced by the President of El Salvador.

The Security 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 prob-
lem 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 ful-
filment 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 pro-
grames.

The Security Council reiterates the need for full im-
plementation of the recommendations of the Com-
mision 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 re-
form of the judicial system.

The Security Council welcomes the steps taken by
the Secretary-General to reduce the size of ONUSAL
to the lowest possible level of personnel and to con-
tain its costs, consistent with the effective perform-
ance of its duties. The Council reaffirms the commit-
ment undertaken by the United Nations to verify the
implementation of the Peace Accords and, in this con-
text, expresses the hope that significant further pro-
gress will be made in implementing the Accords.

Communication and report of the Secretary-
General (October). On 6 October, the Secre-
tary-General informed the Security Coun-
icl President of ajoint declaration signed on 4 Oc-
tober by the Government and FMLN in which they
undertook to ensure full compliance with the Peace
Accords by 30 April, to establish to that end joint
mechanisms with the participation of ONUSAL, and
to determine specific measures for the rapid ful-
filment of their commitments. Once the pro-
gramme for speeding up implementation of the
Accords had been decided, the Government and
FMLN would seek from the international commu-
nity any necessary resources. They reiterated their
request that ONUSAL’s mandate be extended until
30 April 1995.

In a report of 31 October, the Secretary-
General provided an overall assessment of the pro-
cess of implementing the Peace Accords in its po-
litical, institutional and socio-economic dimen-
sions and evaluated the effort to ensure its
irreversibility. According to the report, political life
in El Salvador continued to adjust to democracy
as embodied in its Constitution. The legislative,
executive and judicial branches respected their at-
tributions and all major parties were adjusting to
the new parameters created by the transition to a
democratic system directed towards reconcilia-
tion, stability and development. Helped by the po-
itical stability, the Salvadorian economy, which
grew by over 5 per cent in 1993, showed even more
dynamic growth in the first half of 1994 and the in-
crease in the price of coffee was expected to in-
crease export revenue in 1995. However, certain
issues remained to be resolved. Some of the func-
tional divisions of the National Civil Police were
not yet fully operational. Increasing disciplinary
problems, deficiencies in training and gaps in the
legal framework governing its operation under-
lined the need to implement ONUSAL’s recom-
pendations for correcting irregularities and on the
functioning of the National Public Security
Academy to prevent a further erosion of public
confidence in the new force. There was still no plan
for phasing out the remaining personnel of the Na-
tional Police Force, to be completed by December,
and it was unclear whether the requirements
would be met for admitting additional National
Police candidates into the Academy. In addition,
the Customs Police would not be fully demobilized
until 31 March 1995.

Although legislation had been adopted enhanc-
ing the protection of human rights and for a more
independent and effective judicial system, serious
deficiencies still prevented the eradication of im-
punity. The reform of the judicial system and ade-
quate training of judges had to be promptly ad-
dressed by the new Supreme Court.

The Supreme Electoral Tribunal had begun dis-
cussing electoral reform and a commission of
members of various political parties was set up. The
Tribunal focused on the preparation of a single
identity and voting document, measures for vot-
ing in the areas of residence and representa-
tion in municipal councils for minority parties. A
thorny issue facing the Tribunal was the contin-
ued resistance by some of its members to modifi-
cation of the rule assigning quotas to the largest
political parties for the recruitment of the
Tribunal’s personnel.

Since mid-August, 1,006 beneficiaries had
received titles to land, bringing the number to
12,942, or 32 per cent of the 40,648 potential
beneficiaries. Given the delay in implementation
of that programme, the Secretary-General ap-
ppealed to President Calderon Sol to facilitate its
rapid completion and to FMLN and the armed
forces to refrain from revising and/or adding to
the list of potential beneficiaries. On 1 Sep-
tember, the Legislative Assembly extended land-
holders’ protection from eviction and, on 11 Oc-
tober, it adopted a decree to expedite procedures
for legalizing unregistered properties and to solve other problems affecting lands to be transferred. A new source of concern was the adoption on 22 September of a decree allowing only titled landowners to sell their coffee beans. Human settlements remained the most serious problem to be resolved. The Secretary-General's Special Representative urged the Government to adopt a flexible policy to ensure that those settlements could be quickly and easily transferred in order to avoid the socio-political consequences of breaking them up.

The reintegration programmes continued to suffer from delays. The agricultural credit programme for reactivating production in the zones of conflict was still paralysed, and the Government's decision to reduce credit to landholders from 10,000 to 4,000 colones caused concern. The agricultural technical assistance programme continued to cover only a small number of properties. Delays were also being experienced in the housing programmes, and lack of adequate resources was affecting the Fund for the Protection of the Wounded and War-disabled as a Consequence of the Armed Conflict. The National Reconstruction Secretariat announced the closure of reintegration programmes for the demobilized personnel of the armed forces owing to lack of financial resources, creating serious discontent. At the initiative of ONUSAL, agreement was reached on ways to remedy the situation.

Public administration in former conflict zones was virtually restored with regard to the return of mayors and judges, but education, health care and other basic services were still lacking.

In the light of the foregoing, the Secretary-General recommended that the Security Council extend ONUSAL's mandate until 30 April 1995, adding that before its termination he would present proposals for maintaining United Nations verification in El Salvador thereafter, as well as information on technical assistance programmes to contribute to the long-term political and social stability of the country.

In a later addendum, the Secretary-General estimated the cost of extending ONUSAL for the five-month period from 1 December 1994 to 30 April 1995 at some $5.5 million.

SECURITY COUNCIL ACTION (November)

The Security Council met on 23 November to take action on the Secretary-General's report. At its request, the Council invited El Salvador to participate in the discussion in accordance with rule 37 of the Council's provisional rules of procedure. The Council unanimously adopted resolution 961(1994).

The Security Council,

Recalling its resolution 637(1989) of 27 July 1989,
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 letter of the Secretary-General dated 22 October 1994,
Noting the request of the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN) for a further extension of the mandate of the United Nations Observer Mission in El Salvador (ONUSAL) in the joint declaration dated 4 October 1994, as contained in the letter of the Secretary-General of 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 ONUSAL to date and the continuing efforts of the Secretary-General, his Special Representative and ONUSAL to support the full implementation of the agreements signed by the Government of El Salvador and FMLN to maintain and consolidate peace and promote reconciliation in El Salvador,
Welcoming the ongoing efforts of the Secretary-General to contain the costs of ONUSAL,
Welcoming 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 Secretary-General's Special Representative and ONUSAL in their task of verifying implementation by the parties of their commitments;
5. Urges the Government of El Salvador and FMLN to redouble their efforts to comply with the "Agreement on a timetable for the implementation of the most important agreements pending" 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 ONUSAL operations;
6. Urges all States and the international institutions engaged in the fields of development and finance to con-
tribute 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 FMLN;

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

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

9. Requests also the Secretary-General to report by 31 March 1995 on ONUSAL, 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 devise procedures for providing 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.


Sponsors: Colombia, Mexico, Spain, United States, Venezuela.

GENERAL ASSEMBLY ACTION

The General Assembly, in resolution 49/137, requested the Secretary-General, in consultation with the Government, Member States and specialized agencies, to devise procedures for providing El Salvador, in the context of the 1992 Peace Agreement, with the necessary cooperation and assistance in the post-ONUSAL period, in order to safeguard peace and the strengthening and consolidation of national reconciliation, democracy and sustainable development.

Composition and size

In 1994, the Secretary-General appointed Enrique ter Horst as his Special Representative and ONUSAL’s Chief of Mission with effect from 31 March, succeeding Augusto Ramírez-Ocampo who served in that capacity until 31 March. That decision was conveyed to the Security Council President on 4 March and was endorsed by the Council five days later.

The size of ONUSAL was reduced as implementation of the outstanding agreements permitted. The Electoral Division was disbanded by May, and by August the Military Division had been reduced to 12 military observers and 7 medical personnel. The strength of the Police Division was reduced progressively, while the office of the Chief of Mission and the Division of Human Rights were to remain at the same strength (16 and 30 international staff). As at 1 December, the staff of ONUSAL consisted of 3 military observers, 46 civilian police monitors and instructors, 59 international staff and 86 locally recruited staff.

Financing

In January, the Secretary-General reported on the financing of ONUSAL from 1 June 1993 to 30 November 1994, and submitted cost estimates for the period from 1 December 1993 to 31 May 1994, inclusive of the cost for the monitoring and verification of the elections held in March 1994. Cost estimates were also provided for the liquidation of the Mission, scheduled for the period from 1 June to 15 December 1994.

Total outstanding assessments as at 30 November 1993 amounted to $23,287,238, i.e., $12,177,477 for the United Nations Observer Group in Central America (ONUCA) and $11,109,761 for ONUSAL. The General Assembly, in March 1993, had decided that the remaining unencumbered balance of ONUCA, whose mandate was terminated on 17 January 1992, should be credited to Member States against their assessed contributions for ONUSAL. In September of that year, it decided that their respective share in the unutilized balance held in the ONUSAL/ONUCA special account for the period from 1 June to 30 November 1993 should be set off against the apportionment among Member States. In January 1994, $2,453,097 from ONUCA’s unencumbered balance was credited to Member States against outstanding contributions for ONUCA and ONUSAL for the period 1 June to 30 November 1993, resulting in a reduction of the net operating deficit to $7,266,348.

The Assembly, in December 1993, had authorized the Secretary-General to enter into commitments up to an amount of $8,823,500 gross ($8 million net) for ONUSAL for the period from 1 December 1993 to 28 February 1994. On 1 March, during the Fifth (Administrative and Budgetary) Committee’s consideration of five peace-keeping operations, including ONUSAL, its Chairman suggested that in the absence of a proper review by the Advisory Committee on Administrative and Budgetary Questions (ACABQ), the Committee should provide commitment authority for one or two months’ duration, to ensure their continued functioning. The Committee might also allow the Secretariat to issue assessments, on a pro rata basis, for resources already authorized.

GENERAL ASSEMBLY ACTION

In March, the General Assembly adopted decision 48/468 B without vote.

At its 90th plenary meeting, on 9 March 1994, the General Assembly, on the recommendation of the Fifth
Committee, having recalled its decision 48/468 A of 23 December 1993 on the financing of the United Nations Observer Mission in El Salvador:

(a) Decided, on an exceptional basis, to authorize the Secretary-General to enter into commitments for the maintenance of the Observer Mission for the period from 1 to 31 March 1994 up to the amount of 2,941,200 United States dollars gross (2,666,700 dollars net), which is equivalent to the one-month pro rata share of the commitment authority provided for in its decision 48/468 A;
(b) Agreed to take a decision on the question of assessment for the Observer Mission in case a decision on the financing of the Observer Mission had not been made by 15 March 1994, subject to the availability of the report of the Advisory Committee on Administrative and Budgetary Questions;
(c) Expressed deep concern at the current level of arrears of contributions, and urged those Member States in arrears to pay their assessed contributions promptly and in full.

General Assembly decision 48/468 B

Approved by Fifth Committee (A/48/817/Add.1) without vote, 4 March (meeting 49); draft by Vice-Chairman (A/C.5/48/L.41); agenda item 134. Meeting numbers: GA 48th session: 5th Committee 48, 49, plenary 90.

Reports of the Secretary-General and ACABQ (March). In March,38 the Secretary-General presented revised cost estimates of $20,017,000 gross ($18,162,700 net) for ONUSAL from 1 December 1993 to 31 May 1994. ACABQ, also in March,39 recommended certain reductions, leading to an overall appropriation of $19,527,000 gross ($17,672,700 net) for that period.

With regard to the costs for a further extension and liquidation of the Mission, the ACABQ Chairman said in an oral report before the Fifth Committee that they would be considered once the Security Council had decided to extend the mandate beyond 31 May.

GENERAL ASSEMBLY ACTION

On 5 April, the General Assembly, on the recommendation of the Fifth Committee, adopted resolution 48/243 without vote.

Financing of the United Nations Observer Mission in El Salvador

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Observer Mission in El Salvador, and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Bearing in mind Security Council resolution 693(1991) of 20 May 1991, by which the Council established the Observer Mission, and Council resolution 729(1992) of 14 January 1992, by which the Council enlarged the mandate of the Mission, as well as the subsequent resolutions in which the Council extended the mandate of the Mission, the latest of which was resolution 888(1993) of 30 November 1993,


Reaffirming that the costs of the Observer Mission are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recalling its previous decisions regarding the fact that, in order to meet the expenditures caused by the Observer Mission, a different procedure is required from the one applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such an operation,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874(S-IV) of 27 June 1963, in the financing of such operations,

Noting with appreciation that voluntary contributions have been made to the Observer Mission by a Government, Mindful of the fact that it is essential to provide the Observer Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. Takes note of the status of contributions to the United Nations Observer Mission in El Salvador as at 22 March 1994, including the contributions outstanding in the amount of 24,040,049 United States dollars;
2. Expresses concern about the deteriorating financial situation with regard to peace-keeping activities because of overdue payments by Member States of their assessments, particularly Member States in arrears;
3. Reaffirms its resolution 48/227 of 23 December 1993, and stresses the need for the Secretariat to submit budget documents in time in order to allow for a proper and thorough review and approval by the General Assembly of the budgets before their implementation;
4. Notes with satisfaction an improvement in the compliance by the Secretariat with certain resolutions of the Assembly with regard to the form of budget documents concerning peace-keeping operations;
5. Reaffirms the importance of the role of the Advisory Committee on Administrative and Budgetary Questions as an advisory body to the Assembly in the budget process;
6. Endorses the observations and recommendations contained in the report of the Advisory Committee, subject to the provisions of the present resolution;
7. Requests the Secretary-General to take all necessary action to ensure that the Observer Mission is administered with a maximum of efficiency and economy and, in particular, to implement fully the economy, financial and efficiency measures to be approved during the resumed forty-eighth session but no later than 1 May 1994, and to report on the implementation of such measures in the context of the performance report relevant to that period;
8. Urges all Member States to make every possible effort to ensure payment of their assessed contributions to the combined Special Account for the United Nations Observer Mission in El Salvador and the United Nations Observer Group in Central America promptly and in full;
9. Affirms that the failure by Member States to pay assessed contributions promptly and in full and the fact that the Assembly has unfortunately been led to consider and approve peace-keeping budgets without adequate documentation have damaged and continue to damage the ability of peace-keeping operations to implement their activities effectively;

10. Decides to appropriate to the Special Account, in accordance with the recommendation contained in paragraph 18 of the report of the Advisory Committee, an amount of $19,527,000 dollars gross ($17,672,700 dollars net) for the operation of the Observer Mission for the period from 1 December 1993 to 31 May 1994;

11. Decides also, as an ad hoc arrangement, to apportion the additional amount of $14,144,700 dollars gross ($12,792,700 dollars net) for the period from 1 December 1993 to 31 May 1994, taking into account the amount of $5,382,300 dollars gross ($4,880,000 dollars net) already apportioned in accordance with decision 48/468 A, among Member States in accordance with the composition of groups set out in paragraphs 3 and 4 of Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolutions 44/192 B of 21 December 1989, 45/269 of 27 August 1991, 46/198 A of 20 December 1991 and 47/218 A of 23 December 1992 and its decision 48/472 A of 23 December 1993, and taking into account the scale of assessments for the years 1992, 1993 and 1994 as set out in Assembly resolutions 46/221 A of 20 December 1991 and 48/223 A of 23 December 1993 and Assembly decision 47/456 of 23 December 1992;

12. Decides further that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 11 above, their respective share in the Tax Equalization Fund of the estimated additional staff assessment income of $1,352,000 dollars approved for the Observer Mission for the period from 1 December 1993 to 31 May 1994;

13. Decides that the unencumbered balance of appropriations in the amount of $7,260,498 dollars gross ($6,511,398 dollars net) shall be retained in the Special Account in light of the outstanding assessed contributions;

14. Authorizes the Secretary-General to enter into commitments for the Observer Mission not to exceed $3,895,900 dollars gross ($3,612,300 dollars net), subject to the decision of the Security Council, for the period from 1 June to 15 September 1994, and subject also to obtaining the prior concurrence of the Advisory Committee for the actual level of commitments to be entered into;

15. Invites voluntary contributions to the Observer Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure established by the Assembly in its resolutions 43/230 of 21 December 1988, 44/192 A of 21 December 1989 and 45/258 of 3 May 1991;

16. Decides that the disposition of the property of the Observer Mission shall proceed on the basis of the principal that the equipment of the Mission should, wherever possible and cost-effective, be transferred to other missions, and, in that connection, endorses the recommendation of the Advisory Committee with regard to the disposition of equipment, and requests the Secretary-General to proceed with the disposition on that basis;

17. Decides also to include in the provisional agenda of its forty-ninth session the item entitled "Financing of the United Nations Observer Mission in El Salvador".

General Assembly resolution 48/243
5 April 1994 Meeting 92 Adopted without vote
Approved by Fifth Committee (A/48/817/Add.2) without vote, 28 March (meeting 56); draft by Chairman (A/C.5/48/L.53) based on informal consultations; agenda item 134.
Meeting numbers. GA 48th session: 5th Committee 51, 56; plenary 92.

Reports of the Secretary-General and ACABQ
(July-September). In July, the Secretary-General reported that outstanding assessed contributions for ONUCA/ONUSAL as at 30 June amounted to $33,483,093. To provide ONUSAL with the necessary cash flow requirements, $9 million had been borrowed from other peace-keeping operations which had not been repaid.

ONUSAL's mandate having been extended by the Security Council, the Secretary-General also submitted cost estimates for the period from 1 June to 30 November, amounting to $12,370,600 gross ($11,132,200 net). For an interim period from 1 June to 30 September, the concurrence of ACABQ was requested for commitments of $8,772,400 gross ($7,852,900 net), with commitment authority provided through a combination of $3,895,900 gross ($3,612,300 net) pursuant to the General Assembly resolutions of April 1994, on financing ONUSAL (see above), and of December 1993, on unforeseen and extraordinary expenses for 1994-1995.

The cost of the liquidation phase of the Mission, proposed for 1 December 1994 to 28 February 1995, was estimated at $2,698,000 gross ($2,535,300 net). The report also set out the manner in which the Mission's equipment was to be disposed and commented on some of ACABQ's previous recommendations.

The Advisory Committee, in September, recommended that the General Assembly appropriate and assess the amount of $6,330,941 gross for ONUSAL from 1 June to 31 August 1994 (of $8,772,400 gross committed up to that date with ACABQ's concurrence) and that appropriations for September to November be considered when dealing with the estimates for the liquidation of the Mission and on the basis of a further report.

As for the balance of the remaining commitment of $2,441,500, the Advisory Committee recommended that it be retained and that an additional commitment of $2,774,700 be authorized, bringing the total commitment authority for the period from September to November 1994 to $5,216,200.

GENERAL ASSEMBLY ACTION
In October, the General Assembly adopted decision 49/405 without vote.
Financing of the United Nations Observer Mission in El Salvador

At its 31st plenary meeting, on 14 October 1994, the General Assembly, on the recommendation of the Fifth Committee, having considered the report of the Secretary-General on the financing of the United Nations Observer Mission in El Salvador and the related report of the Advisory Committee on Administrative and Budgetary Questions, and expressing its concern about the lack of performance reporting for the operation since 1 December 1993:

(a) Authorized the Secretary-General to enter into commitments for the operation of the Observer Mission for the period ending on 30 November 1994, in the amount of 3,643,700 United States dollars gross (5,040,800 dollars net);

(b) Requested the Secretary-General to submit a performance report for the period from 1 December 1993 to 31 May 1994, as well as a response to the request made by the Advisory Committee in paragraph 13 of its report, before 10 November 1994, in order to allow it to consider fully the budget for the operation.

General Assembly decision 49/405

Adopted without vote

Approved by Fifth Committee (A/49/503) without vote, 11 October (meeting 4); draft by Chairman (A/C.5/49/L.3); agenda item 120. Meeting numbers. GA 49th session: 5th Committee 3, 4; plenary 31.

In October, the Secretary-General presented a final performance report for ONUSAL from 1 December 1993 to 31 May 1994, indicating total expenditure for that period of $18,986,800 gross ($17,138,100 net), leaving an unencumbered balance of $542,100 gross ($534,500 net).

On 23 December, by decision 49/462, the Assembly deferred consideration of the Secretary-General's report until its resumed forty-ninth session.

Guatemala situation

By a letter dated 17 January 1994, the Secretary-General informed the Presidents of the General Assembly and the Security Council that following consultations held from 6 to 9 January at Mexico City, the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG) signed on 10 January a Framework Agreement for the Resumption of the Negotiating Process between the Government of Guatemala and URNG. The parties agreed to maintain the negotiating agenda provided for the conclusion of the Agreement on Resettlement of the Population Groups Uprooted by the Armed Conflict. The parties requested the United Nations to establish a mission to verify implementation of the human rights agreement before concluding the Agreement for a Firm and Lasting Peace which was to close the negotiating process before the end of the year. Consequently, the Secretary-General decided to send a survey mission to Guatemala.

On 28 June, the Secretary-General informed the Presidents of the Assembly and the Council that in accordance with the agreed timetable, the parties had signed in Oslo, Norway, on 17 June, the Agreement on Resettlement of the Population Groups Uprooted by the Armed Conflict and, on 23 June, the Agreement on the Establishment of the Commission to Clarify Past Human Rights Violations and Acts of Violence That Have Caused the Guatemalan Population to Suffer. Those agreements would come into force upon the signing of a final peace agreement. The Secretary-General hoped that the momentum created would result in a successful and timely negotiation of the remaining items on the timetable.

In addition to the agreements signed, the negotiating agenda provided for the conclusion of others, namely, on identity and rights of indigenous peoples, socio-economic aspects and agrarian situation, strengthening of civilian power and role of the army in a democratic society, basis for the reintegration of URNG in the country's political life, definitive cease-fire, constitutional reforms and electoral regime, and schedule for implementation, enforcement and verification of the agreements. All those and the ones already signed were to be included in the final Agreement for a Firm and Lasting Peace. In accordance with the Framework Agreement, the Assembly of Civil So-
ciety was established in May under the chairmanship of Bishop Rodolfo Quezada Toruño.

The General Assembly, in resolution 49/137, noted with satisfaction the signing of all those agreements, as well as the efforts of the Secretary-General, United Nations agencies and the international community in their support, and encouraged them to continue their assistance in favour of peace, national reconciliation, democracy and development. It called for speedy advancement in the process to achieve agreement on a firm and lasting peace, as close as possible to the 31 December deadline.

Establishment of a human rights verification mission

Report of the Secretary-General. In an August report,(16) the Secretary-General stated that in order to assess the requirements for a human rights verification mission he had sent a preliminary mission to Guatemala and Mexico in April and May, which met with members of the Guatemala Government and Administration, URNG, representatives of various sectors of society and NGOs involved in the protection of human rights. The mission concluded that the human rights situation in Guatemala remained very troubling, and verification must be set in the context of wider efforts to end the armed conflict and promote the rule of law. While the deployment of a mission to verify implementation of the Comprehensive Agreement on Human Rights would make a decisive contribution to improving the situation, several complex issues required attention to ensure the success of a mission. These included establishment of guidelines and methods culturally appropriate in indigenous communities for the proper conduct of verification and institution-building, and suitable security arrangements, taking into account that deployment of the mission should take place prior to the signing of a final peace agreement. The preliminary mission recommended that the verification mission be headquartered in Guatemala City, and be adequately deployed throughout the country, with eight regional and five subregional offices. The mission would be headed by a Director and its office would be composed of branches for verification, institution-building, technical assistance and cooperation, an Office of Public Information and an Administration Division, all located in Guatemala City, and a coordinator in each of the regional offices. It was estimated that the mission would require 220 international staff, 60 civilian police and 10 military liaison officers.

The Secretary-General believed that the establishment of a United Nations mission would bolster the peace process and further strengthen confidence in the agreements reached. He was encouraged by the response of the international community to the recent advances in the peace process, in particular the undertaking of donors to facilitate the financing of the implementation of the agreements. He therefore recommended that the General Assembly authorize, for an initial period of six months, the establishment of a United Nations human rights verification mission in Guatemala (MINUGUA) and called on the international community to extend financial support on a voluntary basis for institution-building and cooperation projects in the area of human rights.

GENERAL ASSEMBLY ACTION

On 19 September, the General Assembly adopted resolution 48/267 without vote, establishing MINUGUA.

Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala

The General Assembly,
Recalling its resolutions 45/15 of 20 November 1990, 46/109 A of 17 December 1991, 47/118 of 18 December 1992 and, in particular, 48/161 of 20 December 1993, in which it requested the Secretary-General to continue to support the peace process in Guatemala,
Welcoming the resumption in January 1994, under the auspices of the Secretary-General, of the negotiations between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca, and the signing on 10 January 1994 of the Framework Agreement for the Resumption of the Negotiating Process between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca,
Noting that the parties decided in the Framework Agreement to request the United Nations to verify all agreements reached between them, and the support of the Secretary-General for that request,
Welcoming also the signing on 29 March 1994 of the Comprehensive Agreement on Human Rights and the Agreement on a Timetable for the Negotiation of a Firm and Lasting Peace in Guatemala,
Encouraged by the signing on 17 June 1994 of the Agreement on Resettlement of the Population Groups Uprooted by the Armed Conflict and, on 23 June 1994, of the Agreement on the Establishment of the Commission to Clarify Past Human Rights Violations and Acts of Violence That Have Caused the Guatemalan Population to Suffer,
Commending the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca for the flexibility demonstrated during the negotiation of the above-mentioned agreements,
Taking note of the request of the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca, contained in the Comprehensive Agreement on Human Rights, that the United Nations establish at the earliest possible date a mission to verify the implementation of that Agreement even before the signature of the agreement on a firm and lasting peace,
Recognizing the efforts made by the Secretary-General and the Group of Friends of the Guatemalan peace pro-
cess and their constant support and contribution to the achievement of a lasting peace in Guatemala.

Wishing to contribute to the efforts to ensure adequate protection of human rights in Guatemala,

Having considered the report of the Secretary-General of 18 August 1994 on the establishment of a human rights verification mission in Guatemala,

Underlining the great importance that it attaches to the early conclusion of the agreement on a firm and lasting peace as the culmination of the process of negotiated settlement of the armed confrontation in Guatemala,

1. Welcomes the report of the Secretary-General on the establishment of a human rights verification mission in Guatemala;
2. Decides to establish a Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala in accordance with the recommendations contained in the report of the Secretary-General, for an initial period of six months;
3. Emphasizes the importance of the undertaking by the parties, contained in the Comprehensive Agreement on Human Rights, to provide their broadest support to the Mission and whatever cooperation it may need to carry out its functions, particularly with respect to the security of the members of the Mission;
4. Calls upon the parties to comply fully with all their other undertakings under the Comprehensive Agreement;
5. Also calls upon the parties to pursue a vigorous process of negotiation, as agreed by them in the Framework Agreement for the Resumption of the Negotiating Process between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca and the Agreement on a Timetable for the Negotiation of a Firm and Lasting Peace in Guatemala, and to this end to cooperate fully with the Secretary-General and his representative in their efforts;
6. Invites the international community to support institution-building and cooperation projects in the area of human rights which could be implemented by the Mission and the relevant Guatemalan institutions and entities with the participation of United Nations organizations and programmes;
7. Requests the Secretary-General to conclude a status-of-mission agreement with the Government of Guatemala, to come into force no later than thirty days after the adoption of the present resolution;
8. Also requests the Secretary-General to keep the General Assembly fully informed of the implementation of the present resolution.

**General Assembly resolution 48/267**

19 September 1994 Meeting 106 Adopted without vote

The Assembly, in resolution 49/137, noted with satisfaction the establishment of MINUGUA and, in the context of human rights, urged those concerned to comply fully with their commitments under the agreements already signed.

**Communication of the Secretary-General.** According to a 28 December letter of the Secretary-General(5) to the Presidents of the General Assembly and the Security Council, the latter half of 1994 was marked by stagnation of the negotiating process, which did not resume until 20 October. The talks had not yet resulted in the expected agreement on identity and rights of the indigenous people, thereby making a revision of the time-frame for negotiating a firm and lasting peace necessary. This set-back, the Secretary-General warned, undermined confidence in the peace negotiations and compromised the effectiveness of MINUGUA. Under the circumstances, he had requested the President of Guatemala and the leadership of URNG to renew their commitment to the negotiating process and enable the peace negotiations to regain momentum so as to achieve agreement as close as possible to the 31 December deadline.

**Financing of MINUGUA**

Initial requirements of MINUGUA for the period from October 1994 to March 1995 were estimated at $16,291,800 net of staff assessment ($956,000), according to an 8 September statement of the Secretary-General to the Fifth Committee.(5) ACABQ(5) also in September, recommended that the Secretary-General be authorized to enter into commitments not exceeding $12.9 million and that the actual appropriation be determined on the basis of the performance report on the 1994-1995 budget.

On 19 September,(5) the Fifth Committee informed the General Assembly that should it decide to establish MINUGUA, the Secretary-General would be authorized to enter into commitments of an initial $7.5 million under the 1994-1995 programme budget, subject to later review. He should be requested to submit a revised budget no later than 30 November.

In December,(5) the Secretary-General submitted revised estimates totalling $12,725,100 net of staff assessment ($728,100) for MINUGUA for the initial six-month period, including $2,655,500 for payments to other missions for the transfer of surplus vehicles and equipment.

ACABQ also in December,(6) noted that an additional appropriation of $10,069,600 would be required under current budget procedure, and $12,725,100 if a new procedure to charge the value of transferred assets to receiving missions were adopted by the Assembly.

The Fifth Committee, on 20 December, approved an appropriation of $10,069,600, under sec-
tion 4 (on peace-keeping operations and special missions) of the 1994-1995 programme budget, which was adopted by the Assembly in resolution 49/220 A. The Assembly requested the Secretary-General to report no later than 31 March 1995 on the feasibility of procedures for valuation and transfer of costs for assets from one peace-keeping organization to another.

Nicaragua

In an October report(1) covering developments in Central America (see above), the Secretary-General said that on the initiative of the Government, a Support Group for Nicaragua composed of Canada, Mexico, the Netherlands, Spain and Sweden was established on 12 May 1994 to assess the progress made by the country and the problems it faced. The office of the United Nations Development Programme in Nicaragua was serving as its technical secretariat. At a meeting (Paris, 16 and 17 June) of the Consultative Group to assist the Government of Nicaragua, organized by the World Bank, the Support Group reported on progress made in the political field and the emphasis placed on improving guarantees of property rights, as well as the pledge by the international community to continue supporting the consolidation of the democratic process in the country through dialogue. A further development in the democratization efforts was the holding of the second International Conference of Newly Restored Democracies (Managua, 4-6 July).

In a November report(2) on international assistance for the rehabilitation and reconstruction of Nicaragua (see PART THREE, Chapter III), the Secretary-General noted that democratic practices had improved and the country enjoyed a level of political freedom greater than at any moment of its history. The progress in democratic practices was confirmed, the Secretary-General said, through events such as the resolution of the crisis in the National Assembly without the intervention of other branches of State; the holding of elections, accepted by all parties, in the former war zone of the Atlantic coast; the demobilization of the last politically motivated armed group, the Frente Norte 3-80; and the approval of a law transforming the Sandinista army into a national army and consolidating its submission to civil authority. However, he added that the country still had to overcome obstacles as it moved towards long-term democracy; in that context, it was important to complete the economic, social and cultural reintegration of the demobilized combatants and to build confidence in democratic institutions. In the macroeconomic field, the framework for a market economy had been established and stabilization had been achieved, with control of the hyperinflation of the last decade.

However, production and achievements in the socio-economic field lagged behind. International cooperation had to be adapted to the national situation and specific measures needed to be formulated and applied towards a reactivation of production as the only way to improve the lives of the majority of the population.

In resolution 49/16, the General Assembly requested the Secretary-General to support the consolidation of peace in Nicaragua, which, in resolution 49/137, it recognized as a key factor in the Central American peace process. It requested him to continue supporting the country’s efforts towards economic recovery and social development and expressed its approval of the establishment of the Support Group for Nicaragua which, under the Secretary-General’s coordination, was playing an active role in those efforts.

REFERENCES


The Caribbean

Cuba-United States

In 1994, relations between Cuba and the United States further deteriorated. On 15 August,(1) Cuba submitted to the Secretary-General a statement of 5 August by President Fidel Castro accusing the United States of inciting disturbances in Cuba with the aim of provoking illegal emigration. He referred to incidents on 11 and 26 July and between 1 and 4 August involving the hijacking of a Cuban ferry and boats, and warned that unless the United States took steps to prevent illegal emigration from Cuba and to bar its vessels from coming to Cuba, the latter would have no alternative but to stop blocking the departure of those who wished to leave. On 11 August, the
Cuban President drew attention to an 8 August incident which allegedly involved the hijacking of a Cuban boat to the United States and the murder of a Cuban navy lieutenant. He charged the United States with creating conditions for inevitable mass migrations, adding that discussions of the issue involved ending the economic blockade.

Triggered by the dire economic situation, more than 30,000 Cuban refugees, on rafts and boats, fled the country; some 22,000 were detained at the United States naval base at Guantánamo Bay, Cuba. In a statement of 19 August, Cuba protested what it considered the illegal use by the United States of part of Cuban national territory at Guantánamo Bay.

United States embargo against Cuba

On 3 June, the twentieth Council of the Latin American Economic System (SELA) (Mexico City) adopted a decision urging the lifting of the economic, commercial and financial embargo against Cuba.

As requested by the Assembly in 1993, the Secretary-General submitted on 20 September 1994 a report with later addendum containing information from 39 States on steps taken or envisaged to repeal or invalidate any unilateral measures against Cuba. The report also reproduced information provided by 13 United Nations agencies and organs on the implementation of the 1993 Assembly resolution on the necessity of ending the United States embargo against Cuba.

During the Assembly’s consideration of the matter on 26 October, Cuba drew attention to new regulations announced by the United States on 20 August designed to strengthen the economic embargo against it, including the prohibition of remittances of money to Cuba by Cuban-American citizens; limiting the sending to Cuba of parcels and air cargo, consisting mainly of foodstuffs, medicines and essential products; and a severe decrease in travel and exchanges between the two countries, including a drastic reduction in family visits.

The United States, in response, said the question of the embargo was a bilateral issue and it had the right to determine its bilateral relationships, including trading partners. Its goal was to promote a peaceful transition to democracy in Cuba. Review of the embargo would depend on whether the Cuban regime moved towards democracy and observed international norms regarding human rights.

GENERAL ASSEMBLY ACTION

On 26 October, the General Assembly adopted resolution 49/9 by recorded vote.

Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

The General Assembly,

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

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

Recalling the statements of the heads of State and Government at the third and fourth Ibero-American Summits, held respectively at Salvador, Brazil, on 15 and 16 July 1993 and Cartagena, Colombia, from 14 to 16 June 1994, concerning the need to eliminate the unilateral application of economic and trade measures by one State against another which affect the free flow of international trade,

Taking note of Decision 356 adopted on 3 June 1994 by the Twentieth Council of the Latin American Economic System, held at the ministerial level at Mexico City, which called for the lifting of the economic, commercial and financial embargo against Cuba,

Concerned about the continued promulgation and application by Member States of laws and regulations whose extraterritorial effects affect the sovereignty of other States and the legitimate interests of entities or persons under their jurisdiction, as well as the freedom of trade and navigation,

Recalling its resolutions 47/19 of 24 November 1992 and 48/16 of 3 November 1993,

Concerned that, since the adoption of its resolutions 47/19 and 48/16, further measures of that nature aimed at strengthening and extending the economic, commercial and financial embargo against Cuba continue to be promulgated and applied, and concerned also about the adverse effects of such measures on the Cuban people and on Cuban nationals living in other countries,

1. Takes note of the report of the Secretary-General of 20 September 1994 on the implementation of resolution 48/16;
2. Reiterates its call to all States to refrain from promulgating and applying laws and measures of the kind referred to in the preamble to the present resolution in conformity with their obligations under the Charter of the United Nations and international law which, inter alia, reaffirm the freedom of trade and navigation;
3. Once again urges States that have and continue to apply such laws and measures to take the necessary steps to repeal or invalidate them as soon as possible in accordance with their legal regime;
4. Requests the Secretary-General, in consultation with the appropriate organs and agencies of the United Nations system, to prepare a report on the implementation of the present resolution in the light of the purposes and principles of the Charter and international law, and to submit it to the General Assembly at its fiftieth session;
5. Decides to include in the provisional agenda of its fiftieth session the item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".
Haiti

In 1994, the international community continued its efforts to reinstate the democratically elected President Jean-Bertrand Aristide and to restore constitutional order to Haiti on the basis of the 1993 Governors Island Agreement(8) and the New York Pact. In early 1994, the Secretary-General and his Special Representative, supported by several United Nations Member States (Friends of the Secretary-General for Haiti), and in consultation with the OAS Secretary-General, continued to work intensively to break the impasse and promote agreement between the parties on measures which would make it possible to resume implementation of the Governors Island Agreement.

An important step forward was taken when President Aristide convened an International Conference on Haiti (Miami, Florida, United States, 14-16 January), at which consensus emerged on steps to break the deadlock. Further consultations among Haitian parliamentarians in February resulted in a plan for resolving the crisis, which was endorsed in March by the Chamber of Deputies. That plan provided for the appointment of a Prime Minister, the departure of the Commander-in-Chief of the armed forces of Haiti, a vote on the amnesty law, adoption after installation of the new Government of a law on the establishment of a police force, and the return of President Aristide to Haiti. However, during a meeting with the Secretary-General on 5 March, President Aristide expressed the position that before appointing a new Prime Minister, he wanted to bring about the departure of the leaders of the 1991 coup d'état, the adoption of laws provided for within the framework of the New York Pact, and the deployment of the United Nations Mission in Haiti. In the meantime, the military authorities in Haiti continued to defy the will of the international community. Accordingly, the Security Council by resolution 917(1994) of 6 May imposed a comprehensive set of sanctions against Haiti. In an act of further defiance, the military authorities supported the installation on 11 May of Supreme Court Judge Emile Jonassaint as "provisional President".

SECURITY COUNCIL ACTION (May)

On 11 May, following consultations, the Security Council President made the following statement to the media on behalf of the Council members in connection with the item on the question concerning Haiti:

The members of the Security Council strongly condemn the attempt to replace the legitimate President of Haiti, Jean-Bertrand Aristide.

The members of the Security Council reaffirm, as stated in paragraph 19 of resolution 917(1994), that they condemn any such illegal attempt to remove President Aristide. They stress that participants in illegal governments in Haiti are subject to the measures provided for in paragraphs 3 and 4 of resolution 917(1994), concerning travel restrictions and freezing of funds and financial resources.

The members of the Security Council reaffirm their determination to ensure full and effective compliance with measures contained in all relevant Security Council resolutions and reaffirm as well their commitment to the restoration of democracy in Haiti and the return of President Aristide, under the framework of the Governors Island Agreement.

The crisis reached a new peak in July when the international staff of the International Civilian Mission in Haiti to monitor human rights violations was expelled from the country (see below). The Security Council, by resolution 940(1994) of 31 July, in the light of a worsening situation, authorized Member States to form a multinational force to facilitate the departure from Haiti of the military leadership, the prompt return of the legitimately elected President and the restoration of the legitimate authorities of the Government of Haiti, and to establish and maintain a secure and stable environment that would permit implementation of the Governors Island Agreement.

A last initiative by the Secretary-General in August aimed at resolving the crisis failed when the military authorities refused to meet his envoy. The Secretary-General reported(9) that he would continue to seek peaceful ways to resolve the situation.

On 29 August, Haiti informed the Security Council President that on the evening of the previous day, Father Jean-Marie Vincent, a member of the Community of Priests at Montfortrain and
a close friend and colleague of President Aristide, was murdered at the entrance of the residence of the Congregation at Turgeau, Port-au-Prince. His summary execution, the note stated, was the most recent in a campaign carried out by the military and its allies. The assassination was strongly condemned by President Aristide.

SECURITY COUNCIL ACTION (August)

On 30 August, the Security Council President, after consultations, made the following statement to the media on behalf of the members of the Council:

The members of the Security Council deplore the rejection by the illegal de facto regime in Haiti of the initiative carried out under the instructions of the Secretary-General. Once again, the regime has discarded a possibility of peacefully implementing the Governors Island Agreement and the relevant resolutions of the Security Council, particularly resolutions 917(1994) and 940(1994).

Furthermore, the members of the Security Council reiterate their condemnation of the systematic repression, violence and violations of international humanitarian law carried out against the Haitian people. The recent assassination of Father Jean-Marie Vincent once again shows the climate of violence in Haiti which continues to deteriorate under the illegal de facto regime.

On 15 September, the President of the United States stated that diplomatic efforts had been exhausted and in accordance with resolution 940(1994) force might be used to remove the military leadership from Haiti and ensure the return of President Aristide. On 17 September, in a final diplomatic effort, the United States President sent a high-level mission to Haiti headed by former President Carter to bring an ultimatum to the regime of Lieutenant-General Raoul Cédras. Faced with imminent invasion and after two days of intensive talks, the Haitian military leaders agreed to resign after a general amnesty was voted into law by the Haitian Parliament, or by 15 October, whichever came earlier.

On 19 September, in the first phase of the military operation authorized by the Council, the lead elements of the 28-nation multinational force, spearheaded by the United States, landed in Haiti without opposition.

On 25 September, President Aristide said that major steps had been taken for the full restoration of constitutional order in Haiti; he announced that he had convened a special session of Parliament for 28 September to work out draft legislation on the amnesty.

On 27 September, the Security Council President informed the Secretary-General that the Council had noted his decision of 23 September to appoint Lakhdar Brahimi, former Foreign Minister of Algeria, to replace Dante Caputo as his Special Envoy to Haiti.

The Secretary-General, on 15 October, confirmed the information received from the United States that President Jean-Bertrand Aristide had returned to Haiti on the same day. On 25 October, the Security Council, by resolution 948(1994), lifted all measures imposed against Haiti, ending one of the most turbulent periods of that country’s history.

GENERAL ASSEMBLY ACTION

On 5 December, the General Assembly adopted resolution 49/27 A without vote.

The situation of democracy and human rights in Haiti

The General Assembly,

Having considered the item entitled "The situation of democracy and human rights in Haiti",


Recalling also the resolutions and decisions adopted on the question by the Security Council, the Economic and Social Council and the Commission on Human Rights,

Recalling further the relevant resolutions adopted on the question by the Organization of American States,

Recalling the terms of the Governors Island Agreement and of the New York Pact related thereto,

Bearing in mind the donor conference held in Paris on 22 August 1994,

Stressing the need for continued support from the international community for technical, economic and financial cooperation with Haiti,

Welcoming the significant progress made in implementing the Governors Island Agreement, the New York Pact and the objectives of the United Nations as set forth in its resolutions,

Welcoming also the return to Haiti on 15 October 1994 of President Jean-Bertrand Aristide and, with him, the return of democracy in a spirit of national reconciliation,

Welcoming further the improvement in the situation of human rights following the return of President Aristide,

Taking note of the report of the Secretary-General of 23 November 1994 on the situation of democracy and human rights in Haiti, in particular his recommendations with regard to the mandate of the International Civilian Mission to Haiti,

1. Expresses its appreciation to all States which have accompanied the Haitian people in their efforts to return to a constitutional order and democracy;
2. Expresses its satisfaction at the return of President Jean-Bertrand Aristide to his country, which is contributing to the establishment of a lasting peace, the advance of democracy, national reconciliation and the creation of the proper conditions for the implementation of the various programmes for the reconstruction and development of Haiti;
3. Pays tribute to the efforts of President Aristide, his Government, the Haitian leaders and the legitimate governmental bodies established to lead the country out of the crisis and return it to the community of nations;
4. Commends the progress in the negotiations for the return of as many parliamentary and municipal elections in accordance with the Constitution of Haiti, as a further stage in the strengthening of democracy in Haiti;

5. Warmly welcomes the appointment of the new Special Representative of the Secretary-General, and thanks the former Special Envoy of the Secretary-General of the United Nations and the Organization of American States for his work;

6. Commends the cooperation between the Secretaries-General of the United Nations and the Organization of American States, and requests the speedy return to Haiti of all members of the International Civilian Mission to Haiti with the task of verifying compliance by Haiti with its human rights obligations, namely, to promote respect for the rights of all Haitians and to contribute to the strengthening of democratic institutions;

7. Urges the international community and governmental and non-governmental organizations to increase their technical, economic and financial cooperation with Haiti in support of its economic and social development efforts and in order to strengthen Haitian institutions responsible for dispensing justice and guaranteeing democracy, respect for human rights, political stability and economic development;

8. Requests the Secretary-General to support the Government of Haiti as it works towards the national reconstruction and development of Haiti, in order to create a climate propitious to the establishment of a lasting democracy and full respect for human rights;

9. Also requests the Secretary-General to ensure the coordination of the efforts of the United Nations system towards an appropriate response capable of providing humanitarian aid and of meeting the development requirements of Haiti;

10. Further requests the Secretary-General to submit to the General Assembly a report on the implementation of the present resolution;

11. Decides to include in the provisional agenda of its fiftieth session the item entitled “The situation of democracy and human rights in Haiti”.

General Assembly resolution 49/27 A
5 December 1994 Meeting 75 Adopted without vote
17-nation draft (A/49/L.40 & Add.1); agenda item 34.
Sponsors: Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Peru, Portugal, Spain, Sweden, United Kingdom.
Meeting numbers. GA 49th session: plenary 68, 69, 75.

On 23 December, by decision 49/474, the Assembly retained the agenda item on the situation of democracy and human rights in Haiti for consideration during the forty-ninth session.

(For the report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Haiti, see PART THREE, Chapter X.)

International Civilian Mission in Haiti

Communication and report of the Secretary-General (February-April). In a letter dated 20 February to the Security Council President, the Secretary-General said that the situation in Haiti had seriously deteriorated in the last few months since obstacles arose to the implementation of the Governors Island Agreement. The people of Haiti were under severe strain despite efforts to maintain the flow of humanitarian assistance, and the human rights situation had suffered serious degradation. A small number of human rights observers had recently been able to return from the Dominican Republic, since the evacuation in October 1993 of the bulk of personnel of the joint United Nations/OAS International Civilian Mission to Haiti (MICIVIH). However, their activities were limited almost entirely to the capital, Port-au-Prince. Without progress towards a political settlement through implementation of the Governors Island Agreement, the Secretary-General said, it would be difficult to recommend that MICIVIH be maintained indefinitely.

To break the impasse, his Special Representative continued to work intensively with the Four Friends of the Secretary-General for Haiti (Canada, France, United States, Venezuela), in consultation with the OAS Secretary-General, to promote agreement between the parties leading to a resumption of the process of implementation of the Governors Island Agreement. An important step in that direction was the consensus reached at the International Conference on Haiti, convened by President Aristide (Miami, 14-16 January), on measures to break the impasse. The consensus was endorsed by President Aristide.

In the weeks that followed, a group of parliamentarians representing various political tendencies within both Houses established contact with the Four Friends of the Secretary-General, his Special Representative and the Special Envoy of the OAS Secretary-General. By a letter of 19 February, a delegation representing those parliamentarians presented to the Secretary-General a plan which provided for the appointment of a Prime Minister, the departure of the Commander-in-Chief of the armed forces, a vote on the amnesty law, as well as the adoption, after installation of the new Government, of a law on the establishment of a new police force, and the return of President Aristide. Under the plan, which was approved by the Chamber of Deputies on 2 March, the confirmation of the Prime Minister was not to take place until after the appointment of a new Commander-in-Chief and the vote on the amnesty law.

During a meeting with the Secretary-General, President Aristide expressed opposition to that initiative. Before appointing a new Prime Minister, he wished to bring about the departure of the leaders of the coup d'état, the adoption of the laws provided for within the framework of the New York Pact, and the deployment of the United Nations Mission in Haiti (UNMIH).
The Secretary-General informed President Aristide that the United Nations was prepared to witness and guarantee his decision on the date for his return to Haiti and that the international community would not accept any attempt to usurp the legitimate authority of the President.

In a report of 29 April, the Secretary-General noted that the human rights situation in the country, as observed by MICIVIH, was characterized by a resurgence of repression and violence. The humanitarian situation was equally deteriorating, in spite of the efforts of the United Nations and NGOs. Since negotiations so far had not brought about any significant progress, a more specifically Haitian solution to the crisis needed to be found, the Secretary-General stated. To that end, participants to the conflict should resume an effective role in the negotiating process and the international community should restore a unified approach. In the Secretary-General’s view, it was difficult to determine what additional efforts the United Nations could take to resolve the crisis. However, he believed that the Organization should maintain its presence through MICIVIH to ensure the continuity of humanitarian assistance. He proposed that the General Assembly approve the 21 April request of President Aristide for renewal of MICIVIH’s mandate, in accordance with the terms of reference and modalities negotiated with the Special Envoy, and authorize financing of the United Nations component of the Mission for an additional year.

**GENERAL ASSEMBLY ACTION**

On 8 July, the General Assembly adopted resolution 48/27 B without vote.

The General Assembly:

Having considered the item entitled "The situation of democracy and human rights in Haiti",

Recalling its resolutions 46/7 of 11 October 1991, 46/138 of 17 December 1991, 47/20 A and B of 24 November 1992 and 20 April 1993, respectively, 47/143 of 18 December 1992, 48/27 of 6 December 1993 and 48/151 of 20 December 1993, as well as the resolutions and decisions adopted on the question by the Economic and Social Council and the Commission on Human Rights,


Welcoming resolutions MRE/RES.1/91, MRE/RES.2/91, MRE/RES.3/92, MRE/RES.4/92 and MRE/RES.5/93, adopted on 3 and 8 October 1991, 17 May 1992, 13 December 1992 and 5 June 1993, respectively, by the Ministers for Foreign Affairs of the member countries of the Organization of American States, as well as resolutions CP/RES.575(885/92), CP/RES.594(923/92) and CP/RES.610(968/93), and declarations CP/DEC.8(927/93), CP/DEC.9(931/93), CP/DEC.10(934/93) and CP/DEC.15(967/93), adopted by the Permanent Council of the Organization of American States,

Reaffirming that the goal of the international community remains the early restoration of democracy in Haiti through the return of President Jean-Bertrand Aristide, within the framework of the Governors Island Agreement, signed on 3 July 1993, the full observance of human rights and fundamental freedoms and the promotion of social and economic development in Haiti,

Noting the continuing efforts of the Special Representative of the Secretary-General of the United Nations and Special Envoy of the Secretary-General of the Organization of American States to help resolve this crisis,

Welcoming the continued efforts by States to provide humanitarian assistance to the people of Haiti, despite the continuing political crisis,

Reaffirming the agreement which has made possible the deployment of the International Civilian Mission to Haiti by the United Nations and the Organization of American States, as described in the letter dated 8 January 1993 to the Secretary-General from President Aristide, which is contained in annex I of the report of the Secretary-General of 24 March 1993,

Convinced that the continued work of the Mission within its terms of reference can contribute greatly to the full observance of human rights and create a climate propitious to the restoration of the constitutional authority,

Taking note of the report of the Secretary-General of 29 April 1994 on the situation of democracy and human rights in Haiti and, in particular, its annex containing the letter dated 21 April 1994 from President Aristide to the Secretary-General requesting the extension of the mandate of the Mission created by the General Assembly in its resolution 47/20 B,

1. Approves the recommendation of the Secretary-General contained in his report to renew the mandate of the joint participation of the United Nations with the Organization of American States in the International Civilian Mission to Haiti, with the task of verifying compliance by Haiti with its international human rights obligations, with a view to making recommendations thereon, in order to assist in the establishment of a climate of freedom and tolerance propitious to the re-establishment of democracy in Haiti;
2. Decides to authorize the extension of the mandate of the United Nations component of the Mission for an additional year according to the terms of reference and modalities negotiated with President Aristide by the Special Representative of the Secretary-General;
3. Requests the Secretary-General to take the steps necessary to expedite and strengthen the presence of the Mission;
4. Expresses its full support for the Mission and stresses that all parties, particularly the military authorities in Haiti, including the police, must afford it timely, complete and effective cooperation;
5. Reiterates the need for a prompt return of President Aristide to resume his constitutional functions as President, as the means to restore the democratic process in Haiti without further delay;
6. Affirms that the Governors Island Agreement and the New York Pact continue to be the only valid framework for resolving the crisis in Haiti;
7. Reiterates that any entity resulting from actions of the de facto regime, including the installation of a provisional president on 11 May 1994, is illegitimate;
8. Expresses its profound concern for the fate of the Haitian people, and reasserts that the Haitian military authorities bear full responsibility for the suffering resulting directly from their failure to observe both the provisions of the Constitution of Haiti and their public commitment to the Governors Island Agreement;
9. Reaffirms once again the commitment of the international community to an increase in technical, economic and financial cooperation once constitutional order is restored in Haiti, in support of its economic and social development efforts and in order to strengthen those institutions responsible for dispensing justice and guaranteeing democracy, political stability and economic development;
10. Requests the Secretary-General to submit to the General Assembly regular reports on the work of the International Civilian Mission to Haiti;
11. Decides to keep open its consideration of this item.

General Assembly resolution 48/27 B
8 July 1994  Meeting 97  Adopted without vote
45-nation draft (A/48/L.57 and Add.1); agenda item 31. Sponsors: Antigua and Barbuda, Argentina, Austria, Bahamas, Barbados, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, Finland, France, Germany, Greece, Guyana, Honduras, Hungary, Ireland, Italy, Jamaica, Luxembourg, Mexico, Monaco, Netherlands, Nicaragua, Norway, Panama, Peru, Portugal, Romania, Saint Vincent and the Grenadines, Spain, Suriname, Sweden, Trinidad and Tobago, United Kingdom, United States.

MICIVIH report. As requested by the General Assembly in 1993, the Secretary-General presented the Mission's third periodic report on the work of MICIVIH, covering the period 31 January to 30 June 1994.

Since the return of the Mission to Haiti in January, its activities were affected by security-related, logistical and political difficulties, obliging it to open offices only in Port-au-Prince. Out of those offices, observers visited the districts and suburbs of the capital to investigate reported violations, as well as eight of Haiti's nine departments to re-establish contact with the various sectors of the society, obtain information and investigate serious incidents. Meanwhile, the military authorities and their political allies continued to dispute MICIVIH's legitimacy, asserting either that a new agreement was needed following the October 1993 evacuation or that its mandate had expired on 9 February 1994, the date of the exchange of notes between the de facto Prime Minister and the Special Envoy.

In the Port-au-Prince metropolitan area, the Mission noted an alarming increase in extrajudicial executions, suspect deaths, abductions, enforced disappearances and politically motivated rapes. The powerlessness of the legal authorities and the refusal of the police to cooperate made it difficult to conduct investigations. Since resuming its activities, MICIVIH had received information regarding a large number of clandestine centres where victims of enforced abductions were interrogated or imprisoned. The Mission was also unable to gain access to persons detained by the military.

The complete denial of the freedoms of expression and association resulted in a total absence of public meetings or demonstrations by segments of the population supporting President Aristide, while groups hostile to his return, such as the Front révolutionnaire pour l'avancement et le progrès haïtien (subsequently renamed the Front révolutionnaire armé) (FRAPH), enjoyed every freedom and organized meetings or street demonstrations against the embargo and the political strategy of the international community. Pressure on journalists also increased after the installation of the de facto Government of Mr. Jonassaint.

In the interior of the country, human rights also continued to be systematically violated, with extrajudicial executions and massive destruction of property reaching alarming levels. The army auxiliaries, especially the rural police chiefs and their deputies, were engaging in multiple extortions. The situation was aggravated by the emergence of FRAPH, which operated in conjunction with the Haitian armed forces. Under the pretext of fighting armed rebels, the army launched violent attacks on the civilian population. Those activities led to massive displacements of people fleeing repression and whose property had been destroyed.

The number of people reporting human rights violations since the return of the observers showed increasing confidence of the Haitians in MICIVIH. To respond to that situation, the Mission instituted two programmes providing medical assistance and legal aid to victims.

During the reporting period, certain military authorities at the national and regional levels refused any form of cooperation with MICIVIH,
while others made clear their hostility by denying it access to certain parts of the country. Members of the Mission were subjected to acts of aggression and intimidation by the Haitian armed forces, their auxiliaries or members of FRAPH who sought to impede their activities.

The report concluded that the repression was aimed at destroying the pro-democracy movement and the associated working-class and peasant sector. Those responsible for the massive human rights violations enjoyed protection from high-ranking military authorities, which had done nothing to put an end to the political violence and punish the perpetrators.

SECURITY COUNCIL ACTION

On 11 July, the de facto authorities in Haiti delivered to the Executive Director of MICIVIH in Port-au-Prince a decree of the "provisional President" declaring the international staff of MICIVIH undesirable and giving them 48 hours to leave Haitian territory.\(^{21}\)

On 12 July, the President of the Security Council issued the following statement on behalf of the Council:\(^{21}\)

The Security Council condemns the decision of the illegal de facto regime and the military leadership in Haiti to expel from the country the joint United Nations/Organization of American States International Civilian Mission (MICIVIH), whose work has the highest approbation of the Council and whose mandate was extended by the United Nations General Assembly on 8 July 1994.

The Security Council considers this action a serious escalation in the defiance of Haiti's illegal de facto regime towards the international community.

The Security Council condemns this attempt by the illegal de facto regime and the military authorities to avoid appropriate international scrutiny at a time of increasing indiscriminate violence against the civilian population in Haiti.

The Security Council rejects this attempt by the illegal de facto regime and the military authorities to defy the will of the international community. This provocative behaviour directly affects the peace and security of the region.

The Security Council continues to hold the military authorities and the illegal de facto regime individually and collectively responsible for the safety and security of the international presence in Haiti.

The Security Council stresses that this latest action by the Haitian military and the illegal de facto regime further reinforces the continued determination of the Security Council to bring about a rapid and definitive solution to this crisis.

The Security Council will remain actively seized of the matter.

By a letter of the same date,\(^{21}\) the Secretary-General informed the Presidents of the General Assembly and the Security Council that he had decided, in consultation with the Acting Secretary-General of OAS, to evacuate MICIVIH. Staff of both organizations would leave Haiti on 13 July. By a reply of 19 July,\(^{21}\) the Council President informed the Secretary-General that he had brought his decision to evacuate the staff of MICIVIH for security reasons to the attention of the Council.

Since the withdrawal of MICIVIH observers, reports indicated a continuation of human rights abuses.

Report of the Secretary-General (November).

As requested by the General Assembly on 8 July, the Secretary-General reported on 23 November on the work of MICIVIH.\(^{21}\) Following the reinstatement of President Aristide on 15 October, a core group of MICIVIH returned to Haiti on 22 October to join the Executive Director and staff of the Office of Human Rights to evaluate the conditions for a return of MICIVIH. The activities of the Mission resumed on 26 October with the reopening of an office in Port-au-Prince. The team visited the surrounding area and the departments of Ouest, Artibonite, Nord and Centre to evaluate the human rights situation, meet with the armed forces, the multinational force and international police monitors, and prepare for its redeployment in those departments. Reports indicated that the period between the team’s departure on 13 July and the arrival of the multinational force on 19 September was characterized by a reign of terror against supporters of President Aristide. Since then the human rights situation improved significantly. However, the situation was still disturbing in certain rural areas, where the section chiefs, attaches and members of the armed forces and FRAPH continued to repress the population. There were reports of mob violence and acts of intimidation against members of Parliament and political parties who were openly supportive of the military and had declared their opposition to President Aristide’s return. Tension also existed in areas where members of the armed forces who had committed human rights violations continued to perform their duties.

In the meantime, the question of a modification of MICIVIH’s mandate in the light of the changed circumstances was discussed by a United Nations/OAS working group established to look into the future of the Mission. At a 4 November meeting in Washington, DC, the working group decided that the Mission, while continuing to give priority to the monitoring and promotion of respect for human rights, including observing the forthcoming electoral campaigns, should contribute to building and strengthening democratic institutions.

By resolution 49/27 A, and again in resolution 49/201, the General Assembly requested the speedy
return of all members of MICIVIH to promote respect for human rights and contribute to the strengthening of democratic institutions.

Composition

When MICIVIH suspended operations in October 1993, 121 mission staff were evacuated to the Dominican Republic, leaving a core group of 22 administrative personnel in Port-au-Prince. Between 26 January and 13 April, 38 United Nations and OAS observers returned to the capital to restore limited human rights monitoring. Since 1 March, when the Mission moved from phase IV (maximum security) to phase III, further OAS observers returned. At the end of June, the Mission had 70 observers—60 from OAS and 10 from the United Nations—and 35 administrative staff; total international staff of the Mission amounted to 104.

On 13 July, members of MICIVIH were evacuated to the Dominican Republic, after the de facto authorities had declared their presence undesirable. Following the return of President Aristide to Haiti, 13 observers returned to Port-au-Prince on 22 October, followed by 7 more in early November to evaluate the conditions for a return of MICIVIH to Haiti. As at 31 December, the number of observers had risen to 26.

Financing

The General Assembly, in 1993, recommended an appropriation of $13,183,500 for MICIVIH. For the continuation of the Mission from 1 January to 31 March 1994, it approved $4 million under the 1994-1995 programme budget. For the extension of MICIVIH to 31 March 1995, the Secretary-General, in a June 1994 report, estimated requirements at $18,707,700 net of staff assessment.

Owing to the low level of operation of MICIVIH between 1 January and 31 March 1994, he estimated that $2,558,800 of the appropriation of $4 million for that period would be available to offset part of the additional requirements for extending its United Nations component. The Trust Fund for Haiti, set up to help meet United Nations costs, had received contributions and other income of $1,022,060, with an expenditure of $565,000, leaving a balance of $457,060 for activities in support of the Mission. That balance would be applied against the overall estimates. An additional appropriation of $15,692,000 would therefore be required under section 4 of the 1994-1995 programme budget.

ACABQ, in June, recommended that the Secretary-General be authorized to enter into commitments of up to $15.7 million; an additional appropriation as might be necessary would be considered by the Advisory Committee during the General Assembly's forty-ninth session.

The Fifth Committee, on 6 July, approved the recommended $15.7 million for MICIVIH under the 1994-1995 programme budget.

Sanctions

Enforcement of sanctions

Concerned at the continued failure of the Haitian military to comply with their obligations under the Governors Island Agreement, the Security Council in May 1994 tightened the sanctions imposed in 1993 against the country's illegal authorities. The sanctions were lifted in September, following the return of President Aristide to Haiti.

However, in order to provide for exemptions for essential humanitarian needs, the United Nations and OAS invited the Pan American Health Organization to manage a stock of petroleum for humanitarian activities. The programme started in January 1994 under the management of a steering committee comprising United Nations organizations, NGOs and members of the Government. The first shipment of diesel and gasoline supplied 277 institutions. A second shipment arrived on 22 February.

SECURITY COUNCIL ACTION (January)

The Security Council met on 10 January 1994 to consider the question concerning Haiti. The Council had before it a statement of conclusions adopted in December 1993 by the Friends of the Secretary-General for Haiti, declaring that the sanctions should be suspended only once the military had created the proper environment for the deployment of the United Nations police and military cooperation mission; and requesting the action called for in the Governors Island Agreement, including the changes in the leadership of the police and military, and the return of the democratically elected President and maintenance of constitutional order. If the military failed to comply with its obligations, the Council should consider additional measures, including making the embargo already applied by OAS universal and mandatory, applying further sanctions against the main supporters of the military, and banning non-commercial flights into and out of Haiti. Following consultations among Council members, the President made the following statement on their behalf:

The Security Council reiterates its deep concern for the plight of the Haitian people under the ongoing crisis and reaffirms its determination to minimize the impact of this crisis on the most vulnerable groups in Haiti.
In this context, the Security Council welcomes the imminent arrival in Haiti of a shipment of fuel approved by the Security Council Committee established by resolution 841(1993).

The Security Council also welcomes the role being played by the Pan American Health Organization (PAHO) in the management, delivery and distribution of fuel for humanitarian purposes.

The Security Council attaches great importance to humanitarian assistance in Haiti, including the unimpeded delivery and distribution of fuel used for humanitarian purposes. It will hold responsible any authorities and individuals in Haiti who might in any way interfere with the delivery and distribution of humanitarian assistance under the overall responsibility of PAHO or who fail in their responsibility to ensure that this delivery and distribution benefits the intended recipients: those in need of humanitarian assistance. The Security Council will also hold responsible any authorities or individuals in Haiti who endanger the personal security and safety of all personnel involved in such assistance.

The Security Council reaffirms once again its determination to ensure the return to constitutional legality in Haiti, on the basis of the implementation of its relevant resolutions. In this context, it shares the understanding of the "Friends of the Secretary-General on the question of Haiti" that the process as defined by the Governors Island Agreement, which provides, inter alia, for the return of President Aristide, constitutes the only viable framework for Haiti to emerge from the crisis and to lead to the establishment of a State under the rule of law.

Meeting number. SC 3328.

The Friends of the Secretary-General, by a statement of 2 February, agreed on the need for comprehensive trade sanctions aimed at the military authorities and their supporters in Haiti and to bring that issue to the Security Council.

SECURITY COUNCIL ACTION (May)

On 6 May, the Security Council met to consider the imposition of additional sanctions on Haiti. At their request, the Council invited Canada, Haiti and Venezuela to participate in the discussion without the right to vote, in accordance with the relevant resolutions of the Charter and rule 37 of the Council’s provisional rules of procedure. The Council adopted resolution 917(1994) unanimously.

The Security Council,


Noting resolutions MRE/RES.1/91, MRE/RES.2/91, MRE/RES.3/92, MRE/RES.4/92 and MRE/RES.5/93, adopted by the Foreign Ministers of the Organizations of American States, and resolutions CP/RES.575 (885/92) and CP/RES.594(923/92) and declarations CP/Dec.8(927/93), CP/Dec.9(931/93), CP/Dec.10(934/93) and CP/Dec.15(967/93), adopted by the Permanent Council of the Organization of American States,

Reaffirming its determination that, in these unique and exceptional circumstances, the situation created by the failure of the military authorities in Haiti to fulfill their obligations under the Governors Island Agreement and to comply with relevant Security Council resolutions constitutes a threat to peace and security in the region,

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

1. Calls upon the parties to the Governors Island Agreement and any other authorities in Haiti to cooperate fully with the Special Envoy of the Secretaries-General of the United Nations and Organization of American States to bring about the full implementation of the Governors Island Agreement and thus end the political crisis in Haiti;
2. Decides that all States shall without delay deny permission to any aircraft to take off from, land in or overfly their territory if it is destined to land in, or has taken off from, the territory of Haiti, with the exception of regularly scheduled commercial passenger flights, unless the particular flight has been approved, for humanitarian purposes or for other purposes consistent with the present resolution and other relevant resolutions, by the Committee established by resolution 841(1993);

3. Decides that all States shall without delay prevent the entry into their territories:
   (a) Of all officers of the Haitian military, including the police, and their immediate families;
   (b) Of the major participants in the coup d'état of 1991 and in the illegal governments since the coup d'état, and their immediate families;
   (c) Of those employed by or acting on behalf of the Haitian military, and their immediate families, unless their entry has been approved, for purposes consistent with the present resolution and other relevant resolutions, by the Committee established by resolution 841(1993), and requests the Committee to maintain an updated list, based on information provided by States and regional organizations, of the persons falling within this paragraph;

4. Strongly urges all States to freeze without delay the funds and financial resources of persons falling within paragraph 3 above, to ensure that neither these nor any other funds and financial resources are made available, by their nationals or by any persons within their territory, directly or indirectly, to or for the benefit of such persons or of the Haitian military, including the police;

5. Decides that the provisions set forth in paragraphs 6 to 10 below, which are consistent with the embargo recommended by the Organization of American States, shall, to the extent that these measures are not already in effect under its earlier relevant resolutions, take effect no later than 2359 hours Eastern Standard Time on 21 May 1994 and requests that the Secretary-General, having regard for the views of the Secretary-General of the Organization of American States, report to the Council not later than 19 May 1994 on steps the military has taken to comply with actions required of them by the Governors Island Accord as specified in paragraph 18 below;

6. Decides that all States shall prevent:
   (a) The import into their territories of all commodities and products originating in Haiti and exported therefrom after the aforementioned date;
   (b) Any activities by their nationals or in their territories which would promote the export or transshipment of any commodities or products originating in Haiti, and any dealings by their nationals or their flag vessels or aircraft or in their territories in any commodities or products originating in Haiti and exported therefrom after the aforementioned date;

7. Decides that all States shall prevent the sale or supply by their nationals or from their territories or using their flag vessels or aircraft of any commodities or products, whether or not originating in their territories, to any person or body in Haiti or to any person or body for the purpose of any business carried on in, or operated from, Haiti, and any activities by their nationals or in their territories which promote such sale or supply of such commodities or products, provided that the prohibitions contained in this paragraph shall not apply to:
   (a) Supplies intended strictly for medical purposes and foodstuffs;
   (b) With the approval of the Committee established pursuant to resolution 841(1993), under the no-objection procedure, other commodities and products for essential humanitarian needs;
   (c) Petroleum or petroleum products, including propane gas for cooking, authorized in accordance with paragraph 7 of resolution 841(1993);
   (d) Other commodities and products authorized in accordance with paragraph 3 of resolution 873(1993);

8. Decides that the prohibitions in paragraphs 6 and 7 above shall not apply to trade in informational materials, including books and other publications, needed for the free flow of information and further decides that journalists may bring in and take out their equipment subject to conditions and terms agreed by the Committee established by resolution 841(1993);

9. Decides to prohibit any and all traffic from entering or leaving the territory or territorial sea of Haiti carrying commodities or products the export of which from Haiti or the sale or supply of which to Haiti would be prohibited under paragraphs 6 and 7 above, excepting regularly scheduled maritime shipping lines calling in Haiti with goods permitted under paragraph 7 and which are also carrying other commodities or products in transit to other destinations, subject to formal monitoring arrangements established with States cooperating with the legitimate Government of Haiti as provided in paragraph 1 of resolution 875(1993) and paragraph 10 below;

10. Acting also under Chapter VIII of the Charter of the United Nations, calls upon Member States cooperating with the legitimate Government of Haiti, acting nationally or through regional agencies or arrangements, to use such measures commensurate with the specific circumstances as may be necessary under the authority of the Security Council to ensure strict implementation of the provisions of the present resolution and earlier relevant resolutions, and in particular to halt outward as well as inward maritime shipping as necessary in order to inspect and verify their cargoes and destinations and also to ensure that the Committee established pursuant to resolution 841(1993) is kept regularly informed;

11. Decides that all States, including the authorities in Haiti, shall take the necessary measures to ensure that no claim shall lie at the instance of the authorities in Haiti, or of any person or body in Haiti, or of any person claiming through or for the benefit of any such person or body, in connection with the performance of a bond, financial guarantee, indemnity or engagement, issued or granted in connection with or related to the performance of any contract or transaction, where the performance of that contract or transaction was affected by the measures imposed by or pursuant to this resolution or resolutions 841(1993), 873(1993) and 875(1993);

12. Calls upon all States, including States not members of the United Nations, and all international organizations, to act strictly in accordance with the provisions of the present resolution and the earlier relevant resolutions, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to the effective date of the measures in this resolution or earlier relevant resolutions;
13. Requests all States to report to the Secretary-General by 6 June 1994 on the measures they have instituted in implementation of the measures contained in the present resolution and earlier relevant resolutions;

14. Decides that the Committee established pursuant to resolution 841(1993) shall undertake the following tasks in addition to those set out in resolutions 841(1993) and 873(1993) and in paragraph 3 above:

(a) To examine reports submitted pursuant to paragraph 13 above;

(b) To seek from all States, in particular neighbouring States, further information regarding the action taken by them concerning the effective implementation of the measures contained in the present resolution and earlier relevant resolutions;

(c) To consider any information brought to its attention by States concerning violations of the measures contained in the present resolution and earlier relevant resolutions and, in that context, to make recommendations to the Council on ways to increase their effectiveness;

(d) To make recommendations in response to violations of the measures contained in the present resolution and earlier relevant resolutions and provide information on a regular basis to the Secretary-General for general distribution to Member States;

(e) To consider and to decide upon expeditiously any application by States for the approval of flights or entry in accordance with paragraphs 2 and 3 above;

(f) To amend the guidelines referred to in paragraph 10 of resolution 841(1993) to take into account the measures contained in the present resolution;

(g) To examine possible requests for assistance under the provisions of Article 50 of the Charter of the United Nations and to make recommendations to the President of the Security Council for appropriate action;

15. Reaffirms its request to the Secretary-General to provide all necessary assistance to the Committee and to make the necessary arrangements in the Secretariat for this purpose;

16. Decides that, until the return of the democratically elected President, it will keep under continuous review, at least on a monthly basis, all the measures in the present resolution and earlier relevant resolutions and requests the Secretary-General, having regard for the views of the Secretary-General of the Organization of American States, to report on the situation in Haiti, the implementation of the Governors Island Agreement, legislative actions including preparations for legislative elections, the full restoration of democracy in Haiti, the humanitarian situation in that country and the effectiveness of the implementation of sanctions, with the first report not later than 30 June 1994;

17. Expresses its readiness to consider progressive suspension of the measures contained in the present resolution and earlier relevant resolutions, based on progress in the implementation of the Governors Island Agreement and the restoration of democracy in Haiti;

18. Decides that, notwithstanding paragraph 16 above, measures in the present resolution and earlier relevant resolutions will not be completely lifted until:

(a) The retirement of the Commander-in-Chief of the Haitian Armed Forces, and the resignation or departure from Haiti of the Chief of the Metropolitan Zone of Port-au-Prince, commonly known as the Chief of Police of Port-au-Prince, and the Chief of Staff of the Haitian Armed Forces;

(b) Completion of the changes by retirement or departure from Haiti in the leadership of the police and military high command called for in the Governors Island Agreement;

(c) Adoption of the legislative actions called for in the Governors Island Agreement, as well as the creation of a proper environment in which free and fair legislative elections can be organized in the framework of the full restoration of democracy in Haiti;

(d) The creation by authorities of the proper environment for the deployment of the United Nations Mission in Haiti (UNMIH);

(e) The return in the shortest time possible of the democratically elected President and maintenance of constitutional order, these conditions being necessary for the full implementation of the Governors Island Agreement;

19. Condemns any attempt illegally to remove legal authority from the legitimately elected President, declares that it would consider illegitimate any purported government resulting from such an attempt, and decides, in such an event, to consider reimposing any measures suspended under paragraph 17 above;

20. Decides to remain actively seized of the matter.

Security Council resolution 917(1994)
6 May 1994 Meeting 3376 Adopted unanimously
5-nation draft (S/1994/541).
Sponsors: Argentina, Canada, France, United States, Venezuela.

Following the vote, China said it wished to place on record that in the absence of other effective measures, sanctions were an exceptional step taken under highly unique circumstances and should not constitute any precedent; its vote in favour did not presuppose any change in its position vis-a-vis the issue of sanctions in general.

Reports and communications (May/June). As requested by resolution 917(1994), the Secretary-General reported to the Council on 19 May, informing it that there had been no change in the attitude of the Haitian military and no progress had been made towards implementation of the Governors Island Agreement and actions specified in paragraph 18 of the Council resolution. Moreover, the Commander-in-Chief of the Haitian armed forces had supported the attempt to replace illegally the legitimate President of Haiti.

The Friends of the Secretary-General for Haiti, in a statement of conclusion adopted at their 3 June meeting in New York, expressed their commitment, in view of the military’s intransigence, to make fully effective and maintain firmly in place the current sanctions regime. They expressed readiness to assist the Dominican Republic, which had decided to seal its land border with Haiti, and agreed to pursue, with the maritime interdiction force enforcing the international embargo outside Haitian waters, ways it could work with the Dominican authorities. They also expressed readiness to consider, on a national basis, further measures such as the suspension of commercial flights and the banning of international
financial transactions. At the same time, they agreed to continue providing substantial humanitarian assistance to meet the needs of the poorest population.

In June, the Secretary-General reported that the international community had taken steps to enforce the sanctions mandated by the Security Council, while additional sanctions were being proposed. The OAS Ad Hoc Meeting of Ministers for Foreign Affairs (6 and 7 June) had reiterated the need for States of OAS and the United Nations to support and reinforce such measures as the suspension of commercial flights and international transactions, and the freezing of assets of the Haitian de facto regime and its supporters.

Further sanctions were considered or implemented by individual Member States. On 10 June, the United States banned all commercial flights effective 25 June, as well as financial transfers to and from Haiti. Canada and Panama also suspended commercial flights. To enforce the Security Council embargo, the United States deployed two additional naval vessels off Haiti, bringing to eight the number of United States ships working with one Canadian, one Argentine and one Dutch ship. A French vessel was expected to arrive shortly. Small United States boats were also deployed to patrol the coasts of Haiti. France announced on 12 July the suspension of commercial flights to and from Haiti as from 1 August.

Steps were also taken on land to enforce the sanctions. At the request of the Dominican Republic, the Secretary-General dispatched a team of technical experts to assess the situation on its border with Haiti and make recommendations. On 1 June, President Balaguer and Dante Caputo, Special Representative of the Secretary-General and Special Envoy of the OAS Secretary-General, indicated in a joint statement that technical assistance in enforcing the embargo would be provided to several countries under bilateral arrangements. Foreign experts would be dispatched to the border between the Dominican Republic and Haiti to ensure control of land and sea traffic. In accordance with paragraph 7 (a) of resolution 917(1994), President Balaguer allowed the border with Haiti, which had been totally sealed, to be reopened for the entry of foodstuffs and medical supplies. On 15 June, the Committee established under resolution 841(1993) adopted guidelines on the conduct of its work and a comprehensive list of persons falling under the provisions of paragraph 3 of resolution 917(1994) to whom sanctions would apply.

By a note of 30 June, with later addendum, the Secretary-General submitted replies received from 26 States on measures they had instituted to give effect to resolution 917(1994) and earlier relevant resolutions. Additional replies were received from six States: Belgium, Croatia, Dominican Republic, Japan, Mexico, Nicaragua and Panama.

SECURITY COUNCIL ACTION (July)

On 31 July, the Council, in resolution 940(1994), affirmed that it would review the sanctions, with a view to lifting them in their entirety, immediately following the return to Haiti of President Jean-Bertrand Aristide.

Reports of the Secretary-General (August/September). On 26 August, the Secretary-General reported that the situation in Haiti had further deteriorated, with the country being politically stymied and economically paralysed. On the night of 31 July, following the adoption by the Security Council of resolution 940(1994) authorizing Member States to form a multinational force for Haiti, the "provisional President" had decreed a state of siege, replacing the state of emergency proclaimed on 3 June. On 1 August, the Ministry of Justice had asked government commissioners to initiate prosecution of citizens who had called for revolt or foreign invasion. On 4 August, the Ministry announced that public action had been initiated against President Aristide and Fritz Longchamp, who were found guilty of the crime of high treason for having addressed to the United Nations letters which served as the basis for resolution 940(1994). In addition, the rights of expression and association were being severely repressed.

With respect to the enforcement of sanctions, a bilateral agreement was concluded between the Dominican Republic and the United States on 2 August, under which the latter would provide the Dominican authorities with the equipment required to monitor the border with Haiti. The multinational observer mission, composed of 88 civilian and military observers and a support group of some 50 people, should be deployed in the Dominican Republic before the end of August.

Since the adoption of resolution 940(1994), the Secretary-General said, the army had been setting up volunteer militias, drilling them in the handling of weapons against the prospect of a possible "foreign invasion". In his view, a last attempt had to be made to implement the resolution peacefully. Unfortunately, an exploratory mission to consider the possibility of sending to Haiti a high-level delegation for discussions with the military had not attained its objectives.

In his fourth report on implementation of resolution 917(1994), the Secretary-General noted that, on 18 September, the United States and the de facto authorities in Haiti had reached an agreement aimed at fostering peace, promoting freedom and democracy, and avoiding violence and bloodshed. The agreement also provided for the economic embargo and sanctions to be lifted without delay.

On 26 September, the United States suspended all unilateral sanctions against Haiti, except those affecting the military leaders and their supporters,
and encouraged other nations to take similar action. The Dominican Republic said on 27 September that it was reopening its border with Haiti.

SECURITY COUNCIL ACTION (September/October)

On 29 September, the Security Council, by resolution 944(1994), terminated the sanctions as set out in resolutions 841(1993), 873(1993) and 917(1994), at 0001 a.m. Eastern Standard Time (EST) on the day after the return to Haiti of President Aristide and to dissolve the Committee established under resolution 841(1993).

On 15 October, the Council, by resolution 948(1994), welcomed the lifting of sanctions now that President Aristide had returned.

Communications (October). The Bahamas, on 24 October, informed the Secretary-General that it had revoked the sanctions against Haiti.

On 4 October, the Dominican Republic informed the Secretary-General of economic losses amounting to approximately SRD 468.1 million ($US 37.4 million) it had sustained as a result of its compliance with Council resolutions 841(1993) and 917(1994) on sanctions against Haiti. In addition, foreign exchange losses resulting from the decline in trade were $US 63.4 million. The Dominican Republic requested consultations with the Council under Article 50 of the Charter for compensation for those unprecedented losses.

Refugee situation

On 9 February, Haiti transmitted to the Secretary-General a statement of President Aristide issued on 8 February concerning the fate of Haitian refugees fleeing the repression in that country and asking the United Nations to assist them in securing international protection.

Following a change in United States policy on 8 May with regard to intercepting and returning Haitians on the high seas without granting them access to United States asylum procedures, the Office of the United Nations High Commissioner for Refugees (UNHCR) agreed to assist it in seeking safe havens for Haitian asylum-seekers. UNHCR appointed a Special Envoy and deployed legal and administrative staff to the region.

By a statement of 13 July, Suriname said it had honoured the United States request for a temporary safe haven for 2,000 Haitian refugees in Surinamese territory. The costs for the accommodation and return of the refugees were to be borne by the United States and the operation would be conducted under the auspices of UNHCR.

On 23 July, the President of Honduras and the other Central American Presidents declared their determination as a region to join in the international effort to provide temporary asylum for Haitian refugees. Honduras decided to provide asylum for six months to 5,000 Haitians, under the coordination of UNHCR and with the backing of the United States.

Cuba, in a statement issued on 10 August, charged that some 16,000 Haitians were being housed at Guantánamo naval base in subhuman and overcrowded conditions and called on the United States to end the transfer of Haitian immigrants to the base.

After the United States and the de facto Haitian authorities reached agreement on 18 September and the multinational force landed in Haiti on 19 September, the United States Secretary of State reported to the Security Council on 29 September that one of the tasks of the force was to create conditions in which the refugees from Haiti could return. As of 26 September, hundreds of Haitians had voluntarily left Guantánamo Bay to return to Haiti.

UN Mission in Haiti

Reports of the Secretary-General (January and March). In a 19 January 1994 report on the United Nations Mission in Haiti (UNMIH), which was established by the Security Council in 1993, the Secretary-General observed that notwithstanding efforts of his Special Representative and the Friends of the Secretary-General, there had been no change in the attitude of the Haitian military towards implementing the Governors Island Agreement. The mandate of the Mission continued to be undermined and its deployment prevented by developments in the country.

On 18 March, the Secretary-General reported that the efforts towards a resumption of the process initiated by the signing of the Agreement continued unabated. Despite those efforts, there had been no change in the situation in Haiti that would have allowed a reactivation of UNMIH. However, the Secretary-General recommended that the Council authorize an extension of UNMIH’s mandate for a further three months, to allow for it to be reactivated with a minimum of delay, should the current impasse be breached.

SECURITY COUNCIL ACTION (March)


The Security Council,
Deeply disturbed by the continued obstruction to the dispatch of the United Nations Mission in Haiti (UNMIH), pursuant to resolution 867(1993), and the failure of the...
Armed Forces of Haiti to carry out their responsibilities to allow the mission to begin its work.

Having considered the reports of the Secretary-General of 26 November 1993, 19 January 1994 and 18 March 1994,

Stressing the continuing importance of the Governors Island Agreement of 3 July 1993 between the President of the Republic of Haiti and the Commander-in-Chief of the Armed Forces of Haiti towards promoting the return of peace and stability in Haiti, including the provisions of paragraph 5, under which the parties call for assistance for modernizing the Armed Forces of Haiti and establishing a new police force with the presence of United Nations personnel in these fields,

1. Takes note of the above-mentioned reports of the Secretary-General;

2. Decides to extend UNMIH’s mandate until 30 June 1994;

3. Requests the Secretary-General to report to the Council at such time as conditions may exist in Haiti for the deployment of UNMIH for purposes consistent with paragraph 5 of the Governors Island Agreement, and to make specific recommendations, taking into account circumstances at the time of the report, on the composition of UNMIH and the scope of its activities within the overall personnel levels established in resolution 867(1993);

4. Decides to remain actively seized of the matter.

Security Council resolution 905(1994)
23 March 1994 Meeting 3352 Adopted unanimously

Report of the Secretary-General (June). In a 28 June report,(19) the Secretary-General observed that the deterioration of the situation in Haiti had substantially changed the circumstances under which UNMIH had been planned. In the light of the recommendations adopted by the OAS Foreign Ministers during the twenty-fourth session of the OAS General Assembly (Belem, Brazil, 9 June), as well as the conclusions drawn by the Friends of the Secretary-General for Haiti at their meeting on 3 June,(20) he proposed that the Council consider modifying UNMIH’s mandate. Additional resources would be required for the Mission to accomplish its new tasks. In the meantime, UNMIH’s current mandate should be extended for one month to enable consultations to take place on its possible strengthening and its role in the attempts of the international community to find a solution to the Haitian crisis. The Friends of the Secretary-General had expressed their determination to promote full deployment of a reconfigured and strengthened UNMIH when conditions permitted. The Foreign Ministers of OAS had called for the strengthening of UNMIH to assist in the restoration of democracy, help maintain essential civil order and protect the personnel of international and other organizations involved in human rights and humanitarian efforts.

SECURITY COUNCIL ACTION (June)

On 30 June, the Security Council convened to consider the report on UNMIH. The Council invited Canada and Venezuela, at their request, to participate in the discussion without the right to vote, in accordance with rule 37 of the Council’s provisional rules of procedure. The Council adopted resolution 933(1994) unanimously.

The Security Council,


Deeply concerned by the continued obstruction to the dispatch of the United Nations Mission in Haiti (UNMIH), pursuant to resolution 867(1993), and the failure of the Armed Forces of Haiti to carry out their responsibilities to allow the mission to begin its work,

Having considered the reports of the Secretary-General of 20 June 1994 and 28 June 1994,

Noting resolution MRE/RES.6/94, adopted unanimously by the ad hoc meeting of Ministers for Foreign Affairs of the Organization of American States on 9 June 1994, which, inter alia, calls for a strengthening of the mandate of the United Nations Mission in Haiti (UNMIH),

Recalling the terms of the Governors Island Agreement and the related Pact of New York,

Recalling also the Statement of Conclusions of the Friends of the Secretary-General on Haiti of 3 June 1994,

Welcoming the measures taken by Member States at the national level aimed at further strengthening the impact of sanctions,

Noting the importance of the rapid dispatch of UNMIH as soon as conditions permit,

Condemning the recent escalation of violations of international humanitarian law and the naming of the so-called “de facto III government”,

Deeply concerned by the deteriorating humanitarian situation in Haiti, and stressing the need for increased assistance from the international community to meet the humanitarian needs of the Haitian people,

Noting with concern that the situation in Haiti continues to constitute a threat to peace and security in the region,

1. Decides to extend the present mandate of UNMIH until 31 July 1994;

2. Strongly deprecates the refusal of the military authorities to implement the Governors Island Agreement;

3. Requests the Secretary-General to report to the Council as soon as possible, but no later than 15 July 1994, with specific recommendations on the strength, composition, cost and duration of UNMIH, appropriate to its expansion and deployment, as recommended by the Secretary-General, after the departure of the senior Haitian military leadership as called for in resolution 917(1994); such recommendations should include, inter alia, means by which UNMIH could, in due course, assist the democratic Government of Haiti in fulfilling its responsibility to provide security for the international presence, senior Haitian government officials and key installations, and in assisting Haitian authorities to assure public order and in the holding of legislative elections to be called by the legitimate constitutional authorities;
4. Authorizes the Secretary-General to identify personnel, plan and make prior arrangements to enable the Security Council to authorize the rapid deployment of UNMIH, once the Secretary-General reports to the Council and the proper environment for such a deployment has been created;

5. Invites Member States to prepare to provide promptly any recommendations for a future UNMIH that the Secretary-General, as requested, may make concerning the deployment of UNMIH in the light of developments;

6. Decides to keep the situation in Haiti under constant review, and expresses its readiness to consider promptly any recommendations for a future UNMIH which would make its good offices available.

7. Decides to remain actively seized of the matter.

Security Council resolution 933(1994)
30 June 1994 Meeting 3397 Adopted unanimously

Report of the Secretary-General (July). As requested by the Security Council on 30 June, the Secretary-General in July(55) presented proposals for an expanded UNMIH. He presented three options. Under option one, a very large international force would be deployed for a period of unforeseeable duration, which, however, was beyond the Organization's capability. If the Council confirmed its decision in favour of such a force, it would have to seek the cooperation of another entity whose capacity and procedures would permit timely formation and deployment. For that purpose, the Council, under option two, might turn either to a group of like-minded Member States or to OAS which would be authorized to establish a multinational or inter-American force to help create a secure and stable environment and implement the Governors Island Agreement. Alternatively, under option three, the Council could divide the work between a multinational or inter-American force and UNMIH. As soon as the former had created a secure and stable environment, UNMIH could be deployed to carry out its original mandate.

In view of the situation in Haiti which, the Secretary-General observed, had deteriorated to an intolerable extent, he fully supported the Council's wish to plan urgently for effective action. He pointed out that the activities discussed in his report would form only part of the support Haiti would need from the international community as soon as the legitimate authorities were restored. A major effort would be necessary to provide urgently needed humanitarian assistance, facilitate the return and reintegration of refugees, rebuild institutions and infrastructure, promote respect for human rights, help in the rehabilitation of the economy damaged by sanctions, and foster economic and social development. Should the Council accept the proposals put forward, it would implicitly commit the international community to a long-term support programme.

In a later addendum,(56) the Secretary-General estimated that the cost of establishing an UNMIH advance team, comprising 40 military personnel and 20 international civilian and 10 local staff, would amount to $934,000 for the first month, including start-up costs of $187,000. Monthly costs thereafter would be approximately $747,000. As outlined in the Secretary-General's report, the advance team would verify the manner in which the proposed multinational or inter-American force carried out its mandate and would make its good offices available. The cost for an increase in the troop level of UNMIH to 6,000 and 567 civilian police, as well as some 350 international civilian and 500 local staff for a six-month period, was estimated at $215 million, not including electoral activities.

SECURITY COUNCIL ACTION

The Security Council, by resolution 940(1994) of 31 July authorizing Member States to form a multinational force for Haiti (see below), approved the establishment of an advance team of UNMIH of not more than 60 observers, to monitor the multinational force and prepare for the deployment of UNMIH. It decided to revise and extend UNMIH's mandate for a period of six months to assist the democratic Government of Haiti in fulfilling its responsibilities with regard to sustaining a secure and stable environment, including an environment conducive to the organization of free and fair elections; professionalizing the armed forces; and creating a separate police force.

Multinational force

Report of the Secretary-General and communications (July). In his July report on UNMIH,(57) the Secretary-General proposed three options for establishing an expanded force to help create a secure and stable environment for work to begin on fully implementing the Governors Island Agreement (see above). One alternative was, according to the Secretary-General, to divide the work between a multinational or inter-American force and UNMIH. As soon as the former had created what was agreed by the United Nations to be a secure and stable environment, the Security Council would deploy UNMIH to carry out the mandate originally envisaged for it.

By a letter of 29 July to the Secretary-General,(58) President Aristide, noting that a year had passed since the signing of the Governors Island Agreement, and that the High Command of the Armed Forces in control of the nation had undoubtedly no intention of either respecting the commitments under the Agreement or facilitating its implementation, said the time had come for the international community to take prompt and deci-
sive action, under the authority of the United Nations.

On 30 July, Haiti informed the Security Council President that the Government of President Aristide was in agreement with the draft resolution before the Council, considering it an appropriate framework for implementation of the Governors Island Agreement.

SECURITY COUNCIL ACTION (July)

The Security Council convened on 31 July to consider the question of authorizing a multinational force for Haiti. It invited Canada, Cuba, Haiti, Mexico, Uruguay and Venezuela, at their request, to participate without vote under rule 37 of the Council's provisional rules of procedure.

The Council adopted resolution 940(1994).

The Security Council,


Recalling the terms of the Governors Island Agreement and the related Pact of New York,

Condemning the continuing disregard of those agreements by the illegal de facto regime, and the regime's refusal to cooperate with efforts by the United Nations and the Organization of American States (OAS) to bring about their implementation,

Gravely concerned by the significant further deterioration of the humanitarian situation in Haiti, in particular the continuing escalation by the illegal de facto regime of systematic violations of civil liberties, the desperate plight of Haitian refugees and the recent exodus of the staff of the International Civilian Mission (MICIVIH), which was condemned in its Presidential statement of 12 July 1994,

Having considered the reports of the Secretary-General of 15 July 1994 and 26 July 1994,

Taking note of the letter dated 29 July 1994 from the legitimately elected President of Haiti and the letter dated 30 July 1994 from the Permanent Representative of Haiti to the United Nations,

Reiterating its commitment for the international community to assist and support the economic, social and institutional development of Haiti,

Reaffirming that the goal of the international community remains the restoration of democracy in Haiti and the prompt return of the legitimately elected President, Jean-Bertrand Aristide, within the framework of the Governors Island Agreement,

Recalling that in resolution 873(1993) the Council confirmed its readiness to consider the imposition of additional measures if the military authorities in Haiti continued to impede the activities of the United Nations Mission in Haiti (UNMIH) or failed to comply in full with its relevant resolutions and the provisions of the Governors Island Agreement,

Determining that the situation in Haiti continues to constitute a threat to peace and security in the region,
legislative elections to be called by those authorities and, when requested by them, monitored by the United Nations, in cooperation with the Organization of American States (OAS):

11. Decides to increase the troop level of UNMIH to 6,000 and establishes the objective of completing UNMIH’s mission, in cooperation with the constitutional Government of Haiti, not later than February 1996;

12. Invites all States, in particular those in the region, to provide appropriate support for the actions undertaken by the United Nations and by Member States pursuant to this and other relevant Security Council resolutions;

13. Requests the Member States acting in accordance with paragraph 4 above to report to the Council at regular intervals, the first such report to be made not later than seven days following the deployment of the multinational force;

14. Requests the Secretary-General to report on the implementation of this resolution at sixty-day intervals starting from the date of deployment of the multinational force;

15. Demands strict respect for the persons and premises of the United Nations, the Organization of American States, other international and humanitarian organizations and diplomatic missions in Haiti, and that no acts of intimidation or violence be directed against personnel engaged in humanitarian or peace-keeping work;

16. Emphasizes the necessity that, inter alia:
   (a) All appropriate steps be taken to ensure the security and safety of the operations and personnel engaged in such operations;
   (b) The security and safety arrangements undertaken extend to all persons engaged in the operations;

17. Affirms that the Council will review the measures imposed pursuant to resolutions 841(1993), 873(1993) and 917(1994), with a view to lifting them in their entirety, immediately following the return to Haiti of President Jean-Bertrand Aristide;

18. Decides to remain actively seized of the matter.

Security Council resolution 940(1994)

31 July 1994 Meeting 3413 12-0-2

4-nation draft (S/1994/904).
Sponsors: Argentina, Canada, France, United States.

Vote in Council as follows:

In favour: Argentina, Czech Republic, Djibouti, France, New Zealand, Nigeria, Oman, Pakistan, Russian Federation, Spain, United Kingdom, United States.
Against: None.
Abstaining: Brazil, China.

In China’s view, resolving such problems as that of Haiti through military means did not conform with the principles of the United Nations Charter and lacked sufficient grounds. The practice of the Council’s authorizing certain Member States to use force created a dangerous precedent. Similarly, Brazil said that the defence of democracy did not entail recourse to force, which was a worrisome departure from United Nations principles and customary practices.

Reports of the multinational force (September). In accordance with resolution 940(1994), the United States transmitted to the Security Coun-
Council adjourned and reconvened later the same day. At their request, the Council invited Canada and Venezuela to participate in the discussion under rule 37.


The Security Council,


Reaffirming the objectives of the urgent departure of the de facto authorities, the prompt return of the legitimately elected President Jean-Bertrand Aristide, and the restoration of the legitimate authorities of the Government of Haiti,

Recalling the terms of the Governors Island Agreement and the related Pact of New York,

Welcoming the fact that initial units of the multinational force were peacefully deployed in Haiti on 19 September 1994,

Looking forward to the completion of the mission of the multinational force and to the timely deployment of the United Nations Mission in Haiti (UNMIH) as foreseen in resolution 940(1994),

Noting the statement of President Jean-Bertrand Aristide dated 25 September 1994,

Having received the report of the multinational force in Haiti, dated 26 September 1994,

Recalling that, in paragraph 17 of resolution 940(1994), the Security Council affirmed its willingness to review the measures imposed pursuant to resolutions 841(1993), 873(1993) and 917(1994) with a view to lifting them in their entirety immediately following the return to Haiti of President Jean-Bertrand Aristide,

Noting that paragraph 11 of resolution 917(1994) remains in force,

1. Requests the Secretary-General to take steps to ensure the immediate completion of the deployment of the observers and other elements of the sixty-person UNMIH advance team established under resolution 940(1994);

2. Urges Member States to respond promptly and positively to the Secretary-General’s request for contributions to UNMIH;

3. Encourages the Secretary-General, in consultation with the Secretary-General of the Organization of American States, to continue his efforts to facilitate the immediate return to Haiti of the International Civilian Mission (MICIVIH);

4. Decides, acting under Chapter VII of the Charter of the United Nations, to terminate the measures regarding Haiti set out in resolutions 841(1993), 873(1993) and 917(1994), at 0001 a.m. EST on the day after the return to Haiti of President Jean-Bertrand Aristide;

5. Further decides to dissolve the Committee established under resolution 841(1993) with effect from 0001 a.m. EST on the day after the return to Haiti of President Jean-Bertrand Aristide;

6. Requests that the Secretary-General consult with the Secretary-General of the Organization of American States regarding the consideration of appropriate measures which might be taken by that organization consistent with this resolution and report to the Council on the results of those consultations;

7. Decides to remain actively seized of the matter.

Report (October). On 10 October, the United States reported that during the second and third weeks of the operation, progress was made in creating an environment free from fear. Although there were some incidents of violence among Haitians, the overall situation was relatively quiet, allowing the multinational force to reduce its strength from the peak of 21,000. Some 295 members of the Caribbean Community Battalion, the first non-United States troop contingent of the 28-nation force, arrived in Haiti. A 1,050-person Bangladeshi force was training in Puerto Rico to join the force. The number of international police monitors, at the moment at 286, was expected to reach 339 by 13 October.

The force continued to search for and seize weapons caches, protecting public safety and expanding its presence in the countryside. Its operations significantly weakened FRAPH and the attacks, as did the departure from Haiti on 5 October of Police Chief François. At Cap Haitien, the force was moving to establish an interim public security force. Reorganization of the armed forces had also begun. Most of the 60-person UNMIH advance team had arrived and started coordinating with the force; 16 military observers were deployed to work with the force.

The force conducted assessments for the repair of road networks, water and electricity power plants, hospitals and schools. The school year was scheduled to begin shortly, and various aid organizations were coordinating a school feeding programme. Operations continued for the voluntary repatriation of some 2,000 Haitians who had declared their desire to return to Haiti from Guantánamo Bay.

The report observed that substantial progress had been achieved in re-establishing democracy. The Parliament hall reopened and was functioning, and the Chamber of Deputies and the Senate passed an amnesty bill authorizing President Aristide to grant amnesty to the 1991 coup leaders. The Mayor of Port-au-Prince had returned to office and Radio/Television nationale was in legitimate hands. Life was returning to normal, with basic public services and full electric power being
restored and Port-au-Prince international airport reopened to civilian flights.

SECURITY COUNCIL ACTION

On 15 October, the Security Council met to consider the situation in Haiti. At their request, the Council invited Canada and Haiti to participate in the discussion in accordance with rule 37 of the Council’s provisional rules of procedure. The Council adopted resolution 948(1994).

The Security Council,


Recalling the terms of the Governors Island Agreement and the related Pact of New York,

Recalling also the different positions taken by its members when resolution 940(1994) was adopted,

Looking forward to the completion of the mission of the Multinational Force in Haiti (MNF) and to the deployment of the United Nations Mission in Haiti (UNMIH) as soon as a secure and stable environment is established, as foreseen in resolution 940(1994),

Having received the reports of MNF, dated 26 September 1994 and 10 October 1994,

Having also received the reports of the Secretary-General of 28 September 1994, submitted pursuant to paragraph 16 of resolution 917(1994),

Welcoming the letter from the Secretary-General, confirming that President Aristide has returned to Haiti,

1. Welcomes with great satisfaction the return to Haiti of President Jean-Bertrand Aristide on 15 October 1994 and expresses its confidence that the people of Haiti can now begin to rebuild their country with dignity and consolidate democracy in a spirit of national reconciliation;

2. Welcomes in particular that, with the convening of the Haitian Parliament and the departure of the military leadership, the process of implementing the Governors Island Agreement, the New York Pact, and the objectives of the United Nations as expressed in the resolutions of the Council is well under way;

3. Expresses full support for efforts by President Aristide, democratic leaders in Haiti, and the legitimate Haitian authorities, highlighted by the legitimate Haitian authorities, the departure of the military leadership, the stepping down of the de facto President and cabinet, and the return of President Aristide on 15 October.

4. Commends the efforts of all States, organizations and individuals who have contributed to this outcome;

5. Recognizes in particular the efforts of MNF, authorized under resolution 940(1994), and those of the Members of the United Nations participating in MNF on behalf of the international community in creating the conditions necessary for the return of democracy to the people of Haiti;

6. Expresses its support for the deployment of the advance team of the United Nations Mission in Haiti (UNMIH) and the continued efforts of the Secretary-General to complete the composition of UNMIH;

7. Notes that under the terms of resolution 940(1994) UNMIH will replace MNF when the Security Council determines that a secure and stable environment has been established;

8. Welcomes the appointment of the new Special Representative of the Secretary-General and thanks the former Special Envoy of the Secretaries-General of the United Nations and the Organization of American States for his efforts;

9. Urges that cooperation continue between the Secretaries-General of the United Nations and of the Organization of American States, especially regarding the rapid return to Haiti of the members of the International Civilian Mission (MICIVIH);

10. Welcomes the fact that, now that President Aristide has returned to Haiti, sanctions will be lifted in accordance with resolution 944(1994);

11. Reaffirms the willingness of the international community to provide assistance to the people of Haiti, with the expectation that they will do their utmost to rebuild their country;

12. Decides to remain actively seized of the matter.

Security Council resolution 948(1994)

15 October 1994 Meeting 3437 14-0-1

S-8 nation draft (S/1994/1163).

Sponsors: Argentina, Canada, Djibouti, France, Pakistan, Spain, United States, Venezuela.

Vote in Council as follows:

In favour: Argentina, China, Czech Republic, Djibouti, France, New Zealand, Nigeria, Oman, Pakistan, Russian Federation, Rwanda, Spain, United Kingdom, United States.

Against: None.

Abstaining: Brazil.

Reports (October-December). On 23 October, the United States reported to the Security Council the successful return to power of the legitimate Haitian authorities, highlighted by the departure of the military leadership, the stepping down of the de facto President and cabinet, and the return of President Aristide on 15 October.

The multinational force had since been reduced to approximately 16,750, from a total of 21,000 at the beginning of the operation. The 1,050 Bangladeshi replacement contingent and 134 troops from Guatemala had arrived by 21 October. There were also 602 police monitors from 11 countries.

The situation in Haiti was relatively calm. Multinational contingents were able to defuse tense situations on a number of occasions, allowing the country to achieve an acceptable level of security and stability. FRAPphinx no longer posed a serious threat and the attaches were mainly quiet, though still potentially dangerous. The weapons buy-back programme had netted 3,247 weapons, and another 8,863 had been confiscated. Other weapons, including V-150s, mortars and anti-aircraft weapons, had also been destroyed. The Force armée d’Haiti had virtually ceased to exist, with the police being ineffective and the military in disarray.

A proposal for restructuring scaled-down armed forces, with emphasis on engineering and civil affairs, was to be reviewed by the Haitian Govern-
ment. A plan for vetting the armed forces for human rights offenders, criminals and those suspected of drug trafficking was being implemented. The multinational force was working with the United States International Criminal Investigative Training and Assistance Programme (ICITAP) to improve police performance and professionalize the force, with training courses to begin in October. A new police company was established at Cap Haitien.

The report observed that the lifting on 16 October of economic sanctions and the resumption of commercial flights had affected the Haitian economy positively. Civilian fuel delivery had resumed on 19 October.

In a report of 7 November, the United States said the period from 20 October to 6 November was characterized by increased stability and security in Haiti, as well as decreased Haitian-on-Haitian violence. There were no incidents involving multinational force personnel. The force, which stood at 16,500, with an additional 800 international police monitors, had promoted a secure and stable environment. The expansion of the force into the outlying areas helped maintain stability throughout Haiti. The weapons buy-back programme continued and was expanded. The establishment of an interim police force and plans for a permanent police academy were well advanced. The multinational force had succeeded in maintaining the environment necessary to facilitate the operation of the Government, while continuing infrastructure improvements to set the stage for handing over operations to UNMIH. Close collaboration with the UNMIH advance team continued to facilitate that transition.

Political developments encouraged the trend towards stability and security. President Aristide continued to reach out to his former opponents and met with several leaders to discuss the timing of the upcoming legislative elections. The nomination of a Prime Minister was another sign of progress.

The need for emergency humanitarian affairs projects had decreased. Civilian staff of the multinational force, serving as liaison between agencies involved in civil affairs projects, and advisers were assisting the Government in setting up functional ministries. The delivery of civilian fuel to Port-au-Prince and outlying areas by 22 October also signalled a return to economic normalcy.

On 21 November, the United States reported that stability and security in Haiti had further increased. The multinational force had been reduced to 10,700, with an additional 832 international police monitors from 20 nations. Isolated incidents of violence continued, including an armed robbery against three employees of the United States Embassy, two of whom were killed, and the death of the Deputy Mayor of Cap Haitien. The multinational force continued its patrolling and presence operations, reaching into previously inaccessible villages. Weapons control and reduction efforts had to date resulted in 14,500 weapons being either bought or confiscated. Haitians increasingly accepted the Interim Public Security Force as it became more professional and expanded into outlying areas. On 5 November, 710 students graduated from ICITAP's six-day training course; an additional 308 graduated on 12 November from the third cycle of a transition course. At Cap Haitien, 46 interim police completed 21 days of instruction.

The multinational force also assisted in restoring functional, democratic governance throughout the country and in projects designed to support the return to stability.

On 5 December, the United States reported continued improvements in the situation in Haiti during the period 21 November to 3 December. The multinational force was further reduced to 10,150, with ongoing transfer of responsibilities from United States forces to other contingents. Civil military operations assisted Haitian ministries in establishing functional governance and in carrying out tropical storm damage assessment and relief, following tropical storm Gordon. The force continued to expand its operations into the countryside. The establishment of the Haitian Interim Public Security Force made significant progress. As at 3 December, 2,128 students had graduated from ICITAP's one-week transition courses. The vetting of regional garrisons was completed and vetting of the officer corps began.

In a report for the period from 4 to 18 December, the United States stated that the multinational force stood at 7,500 and approximately 800 international police monitors. Although instances of violence remained minimal and sporadic, there were two violent incidents on 14 and 15 December near Gonaives and north of Camp Dragon involving the multinational force. In the Port-au-Prince area, isolated cases of crime prompted the multinational force to execute anti-crime missions. The total of weapons seized or bought by the multinational force rose to 19,000, and vehicular roadblocks in Port-au-Prince demonstrated that very few weapons were being transported in and around the capital. A total of 3,000 members of the Interim Public Security Force had so far graduated from ICITAP courses. Guantánamo police trainees also started to arrive in Haiti. Reports indicated the success and acceptance of the Interim Public Security Force graduates on the job. Civil military operations involved the opening of the Cité Soleil (Port-au-Prince) police station as well as planning low-cost, highly visible community projects, while civil affairs
ministerial advisers continued to provide assistance to the Government. On 8 December, the Haitian Senate endorsed the appointment of a Provisional Electoral Council, which was subsequently established by presidential decree.

**Transition to UNMIH**

**Reports of the Secretary-General (October/November).** As requested by Security Council resolution 940(1994), the Secretary-General reported on 18 October on the deployment of the UNMIH advance team, approved by the Council. Its tasks included coordination with the multinational force in preparation for full deployment of UNMIH, monitoring the operations of the force and making its good offices available as required. Shortly after the multinational force began operation on 19 September, the first 12 United Nations military observers arrived and were deployed throughout the country in six teams of two military officers each. The Chief Military Observer established liaison with the Commander of the multinational force and coordination mechanisms were put in place. As requested by the Council in resolution 944(1994) of 29 September, the advance team was increased to 49 by 5 October, comprising 16 military observers; 10 military planners from Bangladesh, Canada and the United States; 13 civilian police from Canada; and 10 civilian administrative personnel. The advance team was led in the field by the UNMIH Chief of Staff, Colonel William Fulton, who was acting under the authority of the Secretary-General’s Special Representative.

According to the Secretary-General, the advance team was now fully operational. UNMIH civilian police observers, in coordination with the police monitors of the multinational force, had surveyed the country and gathered information on conditions on the ground. UNMIH’s military component established a joint working group with the force to identify criteria for a secure and stable environment.

On 21 November, the Secretary-General reported that the military and police personnel of the advance team were engaged in on-site planning for the transition from the multinational force to UNMIH, and the administrative staff had made progress in assessing requirements for equipment and personnel. Consultations with Governments were pursued to secure contributions of military and civilian police personnel. The salient issues that needed to be addressed in order to assure a smooth transition, such as training of the Haitian police, a timetable of forthcoming elections and the establishment of a secure and stable environment, continued to be the subject of discussions between the United Nations, Haiti, the United States and other interested parties.

Of particular concern was the creation of the new Haitian police force. While training of the interim police force had commenced, time would be required for it to reach the strength necessary to enforce law and order effectively so that UNMIH could assist the Government in fulfilling its responsibilities in connection with sustaining a secure and stable environment. On 28 October, President Aristide had ordered the dismissal of the so-called “section chiefs”, i.e., rural police agents who had been illegally reintegrated into the army. The High Command of the Armed Forces had announced on 3 November that the activities of the section chiefs had ended. The commanders of the departments had been instructed to recover their weapons, ammunitions and public assets without delay. In order to restore institutional and legal structures at the commune level, the Haitian Parliament would have to approve a law on local government.

Among other developments, the Secretary-General noted that a new Government had taken office on 8 November, with Smarck Michel as the new Prime Minister.

On 26 October, a United Nations electoral team was dispatched to Haiti to evaluate possibilities for UNMIH assisting, as it had been requested to do by Council resolution 940(1994), in establishing an environment conducive to the organization of free and fair elections.

According to the head of the UNMIH advance team, the strength of the team should be increased in order further to facilitate planning of UNMIH, identification of conditions and preparation for the actual transition. The Secretary-General accordingly recommended that the Security Council authorize expansion of the advance team up to 500 members.

**SECURITY COUNCIL ACTION (November)**

On 29 November, the Security Council convened to consider the situation in Haiti. At their requests, the Council invited Canada, Haiti and Venezuela to participate in the discussion under rule 37. The Council adopted resolution 964(1994).

The Security Council,


Recalling also the terms of the Governors Island Agreement and the related Pact of New York,

Having considered the reports of the Multinational Force in Haiti (MNF), dated 26 September 1994, 10 October 1994, 24 October 1994, 7 November 1994 and 21 November 1994,
Having considered also the reports of the Secretary-General dated 18 October 1994 and 21 November 1994,

Noting the progress made in establishing a secure and stable environment in Haiti,

1. Welcomes the positive developments in Haiti since the deployment of MNF in peaceful conditions;
2. Commends the efforts made by MNF in Haiti to establish, in accordance with resolution 940(1994), a secure and stable environment conducive to the deployment of the United Nations Mission in Haiti (UNMIH);
3. Pays tribute to President Jean-Bertrand Aristide for his efforts to promote national reconciliation;
4. Welcomes the establishment by the UNMIH advance team and MNF of a joint working group to prepare for the transition;
5. Authorizes the Secretary-General to strengthen progressively the advance team of UNMIH up to 500 personnel in order to further facilitate planning of UNMIH, identification of conditions required for the transition from MNF to UNMIH and preparation for the actual transition, as well as to make good offices available for the achievement of the purposes approved by the Security Council in resolution 940(1994);
6. Requests the Secretary-General to inform the Council at regular intervals on prospective increases in the strength of the UNMIH advance team; such increases should take place in close coordination with the MNF Commander;
7. Invites the Secretary-General to expedite planning for the full deployment of UNMIH;
8. Encourages continuous close coordination between MNF and the UNMIH advance team;
9. Decides to remain actively seized of the matter.

Security Council resolution 964(1994)
29 November 1994 Meeting 3470 13-0-2

5-nation draft (S/1994/1354).
Sponsors: Argentina, Canada, France, United States, Venezuela.
Vote in Council as follows:
In favour: Argentina, China, Czech Republic, Djibouti, France, New Zealand, Nigeria, Oman, Pakistan, Rwanda, Spain, United Kingdom, United States.
Against: None.
Abstaining: Brazil, Russian Federation.

The Russian Federation said that in the absence of an assessment of the requirements in preparation for the deployment of UNMIH, it was difficult to get a clear picture of the mandate of the advance team of 500 persons.

While concurring with the objective of advancing the future deployment of UNMIH as soon as the security situation permitted, Brazil expressed concern at the terms under which that measure was being taken.

Communication (December). By a letter of 16 December, the Secretary-General informed the President of the Security Council of his intention to appoint Major-General Joseph Kinzer of the United States as Commander of UNMIH's military component. President Aristide, informed of this nomination, had indicated his concurrence.

Financing
In an oral report to the Fifth Committee on 31 March 1994, the Chairman of ACABQ recommended that the General Assembly appropriate for UNMIH for the period 23 September 1993 to 22 March 1994 $1,383,000 gross ($1,364,000 net) it had already approved in December 1993. Of that amount appropriated among Member States, $486,000 had been received, leaving a balance of $833,000. To maintain the Mission, ACABQ recommended that the Secretary-General be authorized to enter into commitments of $143,700 gross ($138,100 net) for the period from 23 March to 30 June 1994 and $44,200 gross ($42,500 net) per month after 30 June, should the Security Council extend UNMIH's mandate beyond that date.

GENERAL ASSEMBLY ACTION

On 5 April, the General Assembly, on the recommendation of the Fifth Committee, adopted resolution 48/246 without vote.

Financing of the United Nations Mission in Haiti

The General Assembly, having considered the report of the Secretary-General on the financing of the United Nations Mission in Haiti and the oral report of the Advisory Committee on Administrative and Budgetary Questions,

Bearing in mind Security Council resolution 862(1993) of 31 August 1993, in which the Council approved the dispatch of an advance team of no more than thirty persons to assess requirements and prepare for the possible dispatch of both the civilian police and the military assistance components of the proposed United Nations Mission in Haiti and decided that the mandate of the advance team would expire within one month,

Bearing in mind also Security Council resolution 867(1993) of 23 September 1993, by which the Council extended the mandate of the Mission until 30 June 1994,

Recalling its decision 48/477 of 23 December 1993 on the financing of the Mission,

Reaffirming that the costs of the Mission are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recalling its previous decision regarding the fact that, in order to meet the expenditures caused by the Mission, a different procedure is required from the one applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such an operation,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indi-
cated in General Assembly resolution 1874(S-IV) of 27 June 1963, in the financing of such operations.

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. Reaffirms the importance of the role of the Advisory Committee on Administrative and Budgetary Questions as an advisory body to the General Assembly in the budget process;

2. Endorses the recommendations made by the Advisory Committee in its oral report;

3. Requests the Secretary-General to take all necessary action to ensure that the United Nations Mission in Haiti is administered with a maximum of efficiency and economy;

4. Urges all Member States to make every possible effort to ensure payment of their assessed contributions to the Mission promptly and in full;

5. Decides to appropriate to the Special Account referred to in its decision 48/477 the amount of 1,383,000 United States dollars gross (1,364,000 dollars net), authorized and apportioned by the Assembly in its decision 48/477, for the operation of the Mission for the period from 23 September 1993 to 22 March 1994;

6. Decides also to appropriate to the Special Account, in accordance with the recommendation of the Advisory Committee in its oral report, a total amount of 143,700 dollars gross (138,100 dollars net) for the operation of the Mission for the period from 23 March to 30 June 1994;


8. Decides that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 7 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 5,600 dollars approved for the Mission for the period from 23 March to 30 June 1994;

9. Authorizes the Secretary-General to enter into commitments for the Mission at a rate not to exceed 44,200 dollars gross (42,500 dollars net) per month for a period of up to six months beyond 30 June 1994, should the Security Council decide to extend the mandate of the Mission beyond that date, the said amount to be apportioned among Member States in accordance with the scheme set out in the present resolution;

10. Requests the Secretary-General to submit, no later than 31 August 1994, the performance report for the mandate period ending 30 June 1994 and the budget estimates corresponding to any new mandate period the Security Council may decide on;

11. Invites voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure established by the General Assembly in its resolutions 43/230 of 21 December 1988, 44/192 A of 21 December 1989 and 45/258 of 3 May 1991;

12. Decides to include in the provisional agenda of its forty-ninth session the item entitled “Financing of the United Nations Mission in Haiti”.

General Assembly resolution 48/246

5 April 1994 Meeting 92 Adopted without vote

Report of the Secretary-General. In an August performance report on the financing of UNM IH, the Secretary-General stated that outstanding assessments due from Member States amounted to $718,400 as at 31 July 1994. Total expenditure for the period from 23 September 1993 to 31 July 1994 was $1,533,900 gross ($1,517,900 net), against an apportionment of $1,570,900 gross ($1,544,900 net), resulting in an unencumbered balance of $37,000 gross ($26,700 net). Interest and miscellaneous income amounted to $219 and $81, respectively.

In an October addendum, the Secretary-General submitted cost estimates for UNM IH from 1 August 1994 to 31 January 1995, including estimates for an advance team of 60 personnel and an increase of troop level to 6,000, 567 civilian police personnel and 350 civilian and local staff.

To meet initial requirements for the redeployment planning phase of the operation, the Secretary-General authorized commitments in an amount not to exceed $91,700 and sought the concurrence of ACABQ to enter into commitments of $1,568,000 gross ($1,347,000 net) to meet the requirements for the advance team for the three-month period beginning 19 September.

Following the decision of the Security Council in resolution 964(1994) of November to increase the advance team up to 500 personnel, the Secretary-General on 13 December sought and received the concurrence of ACABQ to enter into commitments of $9,509,300 gross ($9,063,400 net) for the period from 1 December 1994 to 28 February 1995, including start-up costs. The revised cost of maintaining UNM IH from 1 August 1994 to 31 January 1995 was estimated at $5,902,500 gross ($5,707,100 net).

GENERAL ASSEMBLY ACTION

On 23 December, the General Assembly adopted decision 49/468 without vote.

Financing of the United Nations Mission in Haiti

At its 95th plenary meeting, on 23 December 1994, the General Assembly, on the recommendation of the
Fifth Committee, recalling its resolution 48/246 of 5 April 1994, and pending its review of the report of the Secretary-General on the financing of the United Nations Mission in Haiti and the related report of the Advisory Committee on Administrative and Budgetary Questions:

(a) Took note of the amount of 1,347,000 United States dollars gross (1,217,900 dollars net) for the period from 1 August to 31 December 1994 and the amount of 9,509,300 dollars gross (9,063,400 dollars net) for the period from 1 December 1994 to 28 February 1995 already authorized by the Advisory Committee on Administrative and Budgetary Questions in accordance with General Assembly resolution 48/229 of 23 December 1993, subject to the extension by the Security Council of the mandate of the United Nations Mission in Haiti for the month of February 1995;

(b) Decided to apportion, as an ad hoc arrangement, the amount of 2,036,700 dollars gross (1,844,100 dollars net) among Member States for the period from 1 August 1994 to 31 January 1995 in accordance with the composition of groups set out by the General Assembly in paragraphs 3 and 4 of its resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolutions 44/192 B of 21 December 1989, 45/269 of 27 August 1991, 46/198 A of 20 December 1991 and 47/218 A of 23 December 1992 and its decision 48/472 A of 23 December 1993, the scale of assessments for the year 1994 to be applied against a portion thereof, that is, 1,693,560 dollars gross (1,533,409 dollars net), which is the amount pertaining on a pro rata basis to the period ending 31 December 1994, and the scale of assessments for the year 1995 to be applied against the balance, that is, 343,140 dollars gross (310,691 dollars net), for the period from 1 to 31 January 1995, inclusive;

(c) Also decided that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in subparagraph (b) above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 192,600 dollars approved for the period from 1 August 1994 to 31 January 1995, inclusive; 160,151 dollars being the amount pertaining on a pro rata basis to the period ending 31 December 1994, and the balance, that is, 32,449 dollars, for the period from 1 to 31 January 1995, inclusive.

General Assembly decision 49/468

Approved by Fifth Committee (A/49/818) without vote, 22 December (meeting 38); draft by Chairman (A/C.5/49/L.12/Rev.1); agenda item 128.

Meeting numbers. GA 49th session: 5th Committee 36-38; plenary 95.

REFERENCES


Other questions relating to the Americas

Cooperation with OAS

In a September 1994 report, the Secretary-General, responding to a 1992 General Assembly request, described measures taken to further cooperation between the United Nations and the Organization of American States (OAS), through joint activities, most importantly their joint participation in the International Civilian Mission in Haiti (see above). The report outlined the consultations and information exchanges undertaken since 1992, on subjects such as preventive diplomacy and humanitarian affairs, as well as economic and social matters. It provided information on collaborative activities and projects undertaken with OAS by the United Nations Secretariat, the United Nations Development Programme, the United Nations Population Fund, the United Nations University, the World Food Programme, the Economic Commission for Latin America and the Caribbean, the United Nations Centre for Human Settlements, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the International Civil Aviation Organization, the World Health Organization and the International Monetary Fund.

At the second general meeting of the two organizations (Washington, D.C., 3 and 4 May 1993), specific recommendations were made on the environment; drug abuse control; women and development; children and development; disaster prevention, mitigation, preparedness and relief; rural development and agriculture; and Indian people and development. The meeting also identified the following new priority areas: human rights, poverty, trade, health, refugee families headed by women, global conferences, education and networks of information and interchange of knowledge. A sector meeting on natural disasters management in the Americas was held (Bridgetown, Barbados, 28 and 29 April 1994), with the participation of several United Nations bodies and organizations and Secretariat departments.
GENERAL ASSEMBLY ACTION

On 21 October, the General Assembly adopted resolution 49/5 without vote.

Cooperation between the United Nations and the Organization of American States

The General Assembly,

Recalling its resolution 47/11 of 29 October 1992 relating to the promotion of cooperation between the United Nations and the Organization of American States,

Having examined the report of the Secretary-General of 28 September 1994 on cooperation between the United Nations and the Organization of American States,

Taking into account the reports of the Secretary-General entitled "An Agenda for Peace" and "An Agenda for Development" and the related consultations within the United Nations and with regional organizations on these subjects,

Recalling that the purposes of the United Nations are, inter alia, to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms, and to be a centre for harmonizing the actions of nations in the attainment of these common ends,

Bearing in mind that the Charter of the United Nations provides for the existence of regional arrangements and agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, and whose activities are consistent with the purposes and principles of the United Nations,

Recalling also that the charter of the Organization of American States reaffirms these purposes and principles and provides that that organization is a regional agency under the terms of the Charter of the United Nations, noting with satisfaction that the second general meeting between representatives of the United Nations and of the Organization of American States was held at the headquarters of the Organization of American States on 3 and 4 May 1993, and that a sectoral meeting on natural disasters management in the Americas was held in Barbados on 28 and 29 April 1994,

Welcoming the meeting on peace held at United Nations Headquarters on 1 August 1994 between the Secretary-General and heads of regional organizations,

Bearing in mind the adoption by the General Assembly of the Organization of American States, on 7 June 1994, of resolution AG/RES.1289(XXIV-O/94), also on cooperation between the Organization of American States and the United Nations,

Recalling its resolutions 47/20 A, 47/20 B and 48/27 B of 24 November 1992, 20 April 1993 and 8 July 1994, respectively,

Aware that the effective consolidation of a new international order requires regional action in harmony with that of the United Nations,

1. Takes note with satisfaction of the report of the Secretary-General on cooperation between the United Nations and the Organization of American States, as well as of his efforts to strengthen that cooperation;

2. Expresses its appreciation to the Secretary-General for his initiative in meeting with heads of regional organizations on 1 August 1994 and recommends that similar meetings be held more frequently;

3. Expresses its satisfaction at the close cooperation between the two organizations and, in particular, the joint operations of the International Civilian Mission to Haiti, as well as over the work carried out by the former Special Envoy of the Secretaries-General of the United Nations and the Organization of American States in relation to the situation in Haiti;

4. Welcomes the offer of the Chairman of the Permanent Council of the Organization of American States to the President of the Security Council concerning the readiness of the Organization of American States to cooperate with the United Nations in its efforts to improve measures for the prevention and peaceful solution of regional and international conflicts;

5. Abo expresses its satisfaction at the close cooperation between the two organizations in the observation and verification of the electoral process, and recognizes the effectiveness of that cooperation when it is requested by national authorities;

6. Welcomes the meeting between the Secretary-General and the new Secretary-General of the Organization of American States, soon after the latter took office, as well as regular meetings between their representatives throughout the period under review;

7. Requests both Secretaries-General, or their representatives, to resume consultations with a view to signing during 1995 an agreement for cooperation between the United Nations and the Organization of American States;

8. Approves the conclusions and recommendations of the second general meeting between representatives of the two organizations, held in May 1993, as well as the sectoral meeting on natural disasters management in the Americas, held in April 1994, and urges the relevant authorities of both organizations to take the necessary steps to implement those recommendations and promote further cooperation;

9. Recommends that a third general meeting between representatives of the United Nations system and the Organization of American States be held in 1995 to continue to review and appraise progress, and that sectoral and focal point meetings be held on areas of priority or mutually agreed issues;

10. Expresses its appreciation for the efforts of the Secretary-General in the promotion of cooperation between the United Nations and the Organization of American States and expresses the hope that he will continue to strengthen and broaden the mechanism for cooperation between the two organizations;

11. Requests the Secretary-General to submit to the General Assembly at its fifty-first session a report on the implementation of the present resolution;

12. Decides to include in the provisional agenda of its fifty-first session the item entitled "Cooperation between the United Nations and the Organization of American States".

General Assembly resolution 49/5

21 October 1994 Meeting 41 Adopted without vote

Sponsors: Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, Uruguay, Venezuela.
Cooperation with the Caribbean Community

At their fifteenth meeting (Barbados, 4-7 July 1994), the Conference of Heads of Government of the Caribbean Community (CARICOM), established by the Treaty of Chaguaramas on 4 July 1973, agreed on the desirability of strengthening cooperation and coordination between the Caribbean Community and the United Nations and requested the Secretaries-General of both organizations to pursue the matter. In 1991, the General Assembly had granted observer status to CARICOM to participate in its work.

By resolution 49/141, the Assembly invited the Secretaries-General of the two organizations to expand cooperation between their secretariats.

REFERENCES